



Office for Democratic Institutions and Human Rights

REPUBLIC OF ARMENIA

PARLIAMENTARY ELECTIONS 2 APRIL 2017

OSCE/ODIHR Election Observation Mission Final Report



Warsaw
10 July 2017

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**REPUBLIC OF ARMENIA
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OSCE/ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the government of the Republic of Armenia, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Observation Mission (EOM) for the 2 April 2017 parliamentary elections. For election day, the OSCE/ODIHR EOM joined efforts with delegations of the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, and the European Parliament to form an International Election Observation Mission (IEOM). The OSCE/ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation.

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 3 April 2017 concluded that the elections “were well administered and fundamental freedoms were generally respected. Despite welcomed reforms of the legal framework and the introduction of new technologies to reduce the incidents of electoral irregularities, the elections were tainted by credible information about vote-buying, and pressure on civil servants and employees of private companies. This contributed to an overall lack of public confidence and trust in the elections. Election day was generally calm and peaceful but marked by organizational problems and undue interference in the process, mostly by party representatives”.

The new electoral system provides for a minimum of 101 members of parliament (MPs) to be elected through a two-tier proportional system, with candidates elected from a single national list and 13 district lists. For the first time, the system also reserves four seats for national minorities. The Constitution requires a “stable parliamentary majority” to form a government, which is defined as 54 per cent of all seats. Several OSCE/ODIHR EOM interlocutors criticized the complexity of the new electoral system.

The legal framework for elections is comprehensive but complex. The new Electoral Code was adopted in a process that was characterized as inclusive and seen by most OSCE/ODIHR EOM interlocutors as a step forward in building overall confidence in the electoral process. A number of previous OSCE/ODIHR and Venice Commission recommendations were addressed, although some areas merit further attention. Several OSCE/ODIHR EOM interlocutors also expressed concerns about complicated voting procedures, limitations on the number of citizen observers and journalists allowed in polling stations, and criminal sanctions for negligent reporting of incorrect information from the signed voter lists.

The Central Election Commission (CEC) met all legal deadlines and conducted its work in a transparent manner while operating collegially and efficiently. They issued a number of clarifications of the Electoral Code mostly at the request of NGOs and proactively reacted to campaign violations. However, the CEC did not pursue complaints rigorously. The CEC organized training sessions for lower-level commissions and disseminated a wide variety of printed and audio-visual voter education materials on new election day procedures, which was positively

¹ The English version of this report is the only official document. An unofficial translation is available in Armenian.

assessed by the OSCE/ODIHR EOM. Many interlocutors expressed confidence in the work of the TECs but the impartiality of PECs was questioned due to the distribution of leadership positions that favoured the ruling party.

The accuracy of the voter lists was improved as a result of enhanced inter-institutional collaboration. The voter list contained a total of 2,654,195 voters, including a significant number of voters residing abroad. Although the law provides sufficient mechanisms for voters to request corrections, the voter lists continue to include addresses where a high number of voters are registered, which requires further scrutiny by the authorities.

Voters were identified on election day through the use of electronic Voter Authentication Devices, which functioned effectively. Voters' fingerprints were scanned, providing the CEC with the possibility to conduct cross-checks to identify potential cases of multiple voting. For the first time, scanned copies of signed voter lists from PECs were published after election day, which all OSCE/ODIHR EOM interlocutors regarded as an important deterrent of voter impersonation despite the disclosure of voters private data.

In an inclusive process, the CEC registered candidate lists of five political parties and four party alliances. Some parties cited difficulty in finding minority candidates for their reserved seats. All contestants complied with the requirement that each gender must appear in each integer group of four candidates and, out of a total of 1,558 candidates 30 per cent were women. Nevertheless, only 18 women (17 per cent of MPs) were elected to the new parliament.

The campaign started slowly and intensified as election day approached. Most campaigns focused on individual candidates rather than party platforms or policies. Contestants were largely able to campaign without restrictions, but isolated incidents of violence were reported. Positively, many government officials took leave for campaign purposes. Many OSCE/ODIHR EOM interlocutors stated that a lack of genuine debate among political parties, and between candidates and voters, limited the information available to voters to make an informed choice.

The campaign was tainted by credible and widespread allegations of vote-buying, pressure on public servants including in schools and hospitals, and of intimidation of voters to vote for certain parties. This contributed to an overall lack of public confidence in the electoral process and raised concerns about voters' ability to cast their votes free of fear of retribution, as required by OSCE commitments.

Some legal provisions for campaign finance reporting and oversight were strengthened; however, so-called organizational expenditures, such as for campaign offices, transport, and communication are excluded from reporting, diminishing transparency. All contestants submitted reports on campaign income and expenditures and no campaign finance violations were identified by the CEC's Oversight and Audit Service, which did not proactively examine the accuracy of the reports.

Freedom of expression is guaranteed by the Constitution. However, undue interference of media owners into editorial autonomy resulted in self-censorship of journalists and discouragement of critical reporting of the government, including on public television. Positively, there is no interference in Internet freedom contributing to increased political pluralism in media. OSCE/ODIHR EOM media monitoring showed that the public channel devoted equitable coverage to each contestant in its newscasts within the campaign period.

Most OSCE/ODIHR EOM interlocutors stated that there is a continuing public reluctance to report electoral offences due to lack of confidence in the effectiveness of the complaint adjudication system. The lack of independence of the judiciary, election administration, and law enforcement

bodies, and the manner in which they dealt with complaints undermined the effectiveness of legal redress, at odds with OSCE commitments and Council of Europe standards.

International and citizen observation is permitted and party proxies are entitled to be present at polling stations. The CEC accredited a total of 28,021 citizen observers. Media and civil society criticized legal possibilities to selectively limit the number of citizen observers and media representatives at polling stations. Furthermore, international NGOs were refused an invitation to observe the elections, at odds with OSCE commitments.

Election day was calm and peaceful overall. Voting procedures were generally followed. However, the voting process was marked by overcrowding, long queues and interference by party representatives and police. Crowds were allowed to gather outside of polling stations, contrary to the law. Voters had difficulties in understanding the voting process in many observations and instances of group voting and attempts to influence voters were observed. The vote count was conducted in a transparent manner but was assessed negatively in many cases, mostly due to interference of party representatives, as well as some procedural omissions. IEOM observers largely assessed the tabulation process positively.

All requests for recounts were dismissed on procedural grounds, as were the subsequent complaints filed to the CEC and Administrative Court. On 14 April, the election results were challenged in the Constitutional Court, which confirmed the CEC decision on election results stating that the complaint was largely unsubstantiated. The Court, however, stressed the need to address issues raised by the applicants, including in respect of vote-buying, lack of clarity on invalidation of results at the polling station level, and insufficiently clear procedures for electoral dispute adjudication.

This report offers a number of recommendations to support efforts to bring elections in Armenia further in line with OSCE commitments and other international obligations and standards for democratic elections. The OSCE/ODIHR stands ready to assist the authorities to improve the electoral process and to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the prime minister of the Republic of Armenia and based on the recommendations of a Needs Assessment Mission conducted from 30 November to 2 December 2016, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 20 February 2017. The EOM, led by Ambassador Jan Petersen, consisted of a 14-member core team based in Yerevan and 28 long-term observers who were deployed on 1 March throughout the country. The EOM remained in Armenia until 14 April to follow post-election developments.

For election day, the OSCE/ODIHR EOM was joined by delegations from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, and the European Parliament to form an International Election Observation Mission (IEOM). Mr. José Ignacio Sánchez Amor was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. Mr. Geir Joergen Bekkevold headed the OSCE PA delegation. Ms. Liliane Maury Pasquier headed the PACE delegation. Ms. Heidi Hautala headed the EP delegation. Each of the institutions involved in this IEOM has endorsed the 2005 Declaration of Principles for International Election Observation. In total, 439 observers from 41 countries were deployed, including 340 long-term and short-term observers deployed by the OSCE/ODIHR, as well as a 63-member delegation from the OSCE PA, a 24-member delegation from the PACE, and a 12-member

delegation from the EP. Opening procedures were followed at 148 out of 2,009 polling stations, voting was observed at 1,534 polling stations, counting at 164 polling stations, and tabulation in all 38 Territorial Election Commissions (TECs).

The OSCE/ODIHR EOM assessed compliance of the electoral process against OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference in Yerevan on 3 April.²

The OSCE/ODIHR wishes to thank the authorities for the invitation to observe the elections and the Central Election Commission (CEC) and the Ministry of Foreign Affairs for their assistance and co-operation. It also expresses its appreciation to representatives of political parties, civil society, media, the international community, and other interlocutors for sharing their views.

III. BACKGROUND AND POLITICAL CONTEXT

As a result of constitutional amendments approved in a referendum on 6 December 2015, Armenia is transitioning from a semi-presidential to a parliamentary political system. These amendments reduced the powers of the president in favour of the prime minister and the parliament and changed the electoral system from a majoritarian one to a largely proportional system, with district lists.³ These elections were the first held under the new political system.

At the last parliamentary elections in 2012, the Republican Party of Armenia (RPA) won 69 seats and formed the government. In 2016, it signed an agreement to enter a coalition with the Armenian Revolutionary Federation (ARF), which held five seats. The parliamentary opposition included Prosperous Armenia (PA) with 33 seats, the Armenian National Congress with 7 seats, Armenian Renaissance (AR) with 5 seats, and Heritage with 4 seats.⁴

IV. LEGAL FRAMEWORK

Parliamentary elections are regulated by a comprehensive legal framework, primarily consisting of the 1995 Constitution (last amended in 2015) and the 2016 Electoral Code. The legal framework also includes the Law on Political Parties, Law on Freedom of Assembly, Criminal Code, Administrative Procedure Code, Administrative Offences Code, the Law on the Constitutional Court,⁵ and Central Election Commission (CEC) regulations. Armenia is also a party to major international and regional instruments related to the holding of democratic elections.⁶

² See all previous [OSCE/ODIHR reports on Armenia](#).

³ See the Council of Europe's Venice Commission [Opinions on the Draft Amendments to the Constitution](#). After the expiry of the current mandate in 2018, the president will be indirectly elected by parliament for a seven-year term.

⁴ In 2015, the Rule of Law party renamed into 'Armenian Renaissance', but its parliamentary faction kept the former name.

⁵ The majority of legislation was amended in order to bring it in line with the new Electoral Code. However, the Law on Constitutional Court still refers to the old electoral system.

⁶ Including the 1966 International Covenant on Civil and Political Rights (ICCPR), 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 2003 Convention against Corruption, 2006 UN Convention on the Rights of Persons with Disabilities (CRPD), and 1950 European Convention on Human Rights. Armenia is also a member of the Council of Europe's Venice Commission and Group of States against Corruption (GRECO).

In line with the revised Constitution, a new Electoral Code was adopted less than one year before election day.⁷ The electoral reform process was characterized as inclusive and seen by most OSCE/ODIHR EOM interlocutors as a step forward in building overall confidence in the electoral process. The changes were approved by a significant majority of governing and opposition MPs.⁸ Non-governmental organizations (NGOs) participated in the discussions of the draft Electoral Code, but did not endorse the final text, as their calls to ease restrictions on citizen observers were not addressed.

The new Electoral Code addressed a number of previous OSCE/ODIHR and Council of Europe's Venice Commission recommendations.⁹ It provides for improved voter identification, measures to enhance the independence of election authorities, removal of the mandatory test for citizen observers, and an increased gender quota on candidate lists. The Code additionally provided for publication of signed voter lists, the use of Voter Authentication Devices (VADs), and web cameras on election day as a means to help identify voters and prevent multiple voting, impersonation, and fraud.

However, some prior OSCE/ODIHR and Venice Commission recommendations remain unaddressed, including those related to narrow rules on legal standing for submitting electoral complaints; citizenship and residency requirements for candidates, as contained in the Constitution; a high electoral threshold for alliances to enter parliament; formation of candidate lists for national minorities; and exclusion of organizational expenditures from campaign finance reporting.

While recent amendments partly clarified previously problematic provisions related to campaigning and campaign finance, they did not fully address prior recommendations. This included a lack of clear, gradual, and proportionate sanctions for campaign-related offences¹⁰ and the location of campaign offices in buildings owned by the state or local self-government. Several OSCE/ODIHR EOM interlocutors also expressed concerns about complicated voting procedures, limitations on the number of citizen observers and journalists allowed at polling stations, and criminal sanctions for negligent reporting of incorrect information from the signed voter lists.¹¹

Further efforts should be undertaken to amend the legal framework to address the gaps and ambiguities identified in this report as well as previous recommendations of the OSCE/ODIHR and Venice Commission. Any amendments should be based on broad consultation and be adopted well in advance of the next elections.

V. ELECTORAL SYSTEM

The new electoral system is complex. A minimum of 101 members of parliament (MPs) are to be elected through a two-tier proportional system, with candidates elected from a single national list and 13 district lists. The ballot paper includes one part with the closed national list and one part

⁷ Section II.2.b of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “the fundamental elements of electoral law, in particular the electoral system, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendments less than one year before an election”.

⁸ The 25 May Electoral Code was adopted with 102 of 131 MPs voting in favour, the 30 June amendments were voted adopted with 101 votes in favour, and the 20 October amendments with 103 votes in favour.

⁹ See [Joint Opinions of the OSCE/ODIHR and Venice Commission related to Armenian electoral legislation](#).

¹⁰ The Electoral Code only provides for a warning or de-registration. The law does not regulate what number of warnings can lead to de-registration. Also, some election commissions did not have a unified approach in application of warnings with written and verbal warnings issued inconsistently.

¹¹ The possible punishment for negligent reporting includes imprisonment from two to five years.

with the open district list. The district candidates have to appear on the national list as well. A voter can, in addition to choosing a national list, also give a preference vote to one district candidate.

To qualify for the distribution of seats, political parties must pass a threshold of five per cent, while alliances must pass seven per cent. Seats are firstly distributed among the contestants according to the number of votes received nationwide. Then, half of the seats are distributed to the national list according to the order of candidates and half to the district lists according to the number of preferences received. Candidates who obtain a district seat are struck from the national list.

The system, for the first time, also provides for a total of up to four reserved seats, one for each of the four largest national minorities (Yezidis, Russians, Assyrians, and Kurds). Each contestant is permitted to include a sub-part on the national list, with a candidate from each of the minorities. If a contestant does not have a minority candidate, the seat passes to the party with the next largest number of votes that does have a minority candidate.

In line with the Constitution, a “stable parliamentary majority” (defined as 54 per cent of the seats) must be obtained to form a government.¹² If a stable majority is not achieved as a result of the elections, or by forming a political coalition within 6 days after finalization of the results, a second round is held between the top two candidate lists 28 days after election day. Some OSCE/ODIHR EOM interlocutors criticized the complexity of the electoral system and its deviations from a purely proportional system and raised concerns that there was a lack of efforts to raise public awareness as to how votes would transfer into seats.

VI. ELECTION ADMINISTRATION

The elections were administered by a three-tiered system, comprising the CEC, 38 TECs, and 2,009 Precinct Election Commissions (PECs). The CEC is a permanent and professional body, which is responsible for the overall conduct of elections. It has extensive powers, including registering candidate lists, training lower-level commissions, and monitoring campaign finance. It is composed of seven members elected by parliament for six-year terms. All CEC members were re-elected in October 2016 by a strong majority vote in the parliament.¹³

The CEC worked in a transparent manner and overall operated collegially and efficiently, meeting legal deadlines; however, the CEC did not pursue complaints rigorously (see *Complaints and Appeals*). Its sessions were attended by observers, media, and party representatives and were streamed online. CEC decisions and agendas of its sessions were published on its website in a timely manner.¹⁴ The CEC approved rules of procedure for TECs and PECs and guidelines for observers and proxies. In line with a prior OSCE/ODIHR recommendation, the Electoral Code empowers the CEC to issue legally binding instructions to ensure uniform implementation of the law. However, the CEC instead opted to issue clarifications to lower-level commissions, which

¹² Additional mandates may be allocated to the political party or alliance receiving an absolute majority of the votes in order to attain a “stable parliamentary majority”.

¹³ The composition of the CEC raised concern among civil society due to its alleged poor performance in previous elections. Seventeen NGOs issued a [joint statement](#) criticizing the appointment of the CEC.

¹⁴ CEC normative decisions are to be published on the website on the day of their state registration by the Ministry of Justice, which has 15 days to review them. As a result, some CEC instructions appeared on the website after one week from the date of their adoption.

were not regarded as legally binding, detracting from legal certainty.¹⁵

In order to ensure uniform implementation of the law and provide sufficient guidance to lower-level commissions the CEC should clarify legal provisions through binding decisions.

The CEC developed and disseminated a wide variety of printed and audio-visual voter education materials on new election day procedures, the quality of which was positively assessed by the OSCE/ODIHR EOM. Materials were also provided in accessible formats for persons with sensory disabilities.¹⁶ However, the OSCE/ODIHR EOM noted that the distribution of printed materials was not sufficiently wide to reach voters in remote areas. In addition, some national minority representatives regretted the lack of voter education materials in minority languages.

The CEC could further intensify its efforts to provide widely accessible and comprehensive voter education materials for all groups of voters, including persons with various types of disabilities, national minorities, and those in remote areas.

The TECs, formed in 2016, are professional bodies composed of seven members appointed by the CEC for six-year terms.¹⁷ The TECs were responsible for supervising PECs, handling complaints against PECs, recounts, and tabulating the results. The TECs generally conducted their work in an efficient and timely manner and many OSCE/ODIHR EOM interlocutors expressed confidence in their work.

The PECs, which are responsible for the organization of voting and counting, were formed on 11 March.¹⁸ The positions of PEC chairperson and secretary were distributed proportionally to parties according to their strength in the parliament, resulting in the RPA having either a chairperson or secretary in 1,786 out of 2,009 PECs.¹⁹ Several OSCE/ODIHR EOM interlocutors expressed concerns that the formula for distributing leadership parties unduly favoured the governing parties and undermined public perceptions about PEC independence and impartiality.²⁰

The distribution of leadership positions in the PECs could be reconsidered to enhance their independence and impartiality.

The quality of training organized by the CEC for the PECs was evaluated positively overall by the OSCE/ODIHR EOM. The replacement of some PEC members after they were trained, together with the complexity of the new election day procedures, challenged the capacity of the PECs to effectively administer elections.

¹⁵ On 28 March, the Administrative Court ruled that the CEC clarifications with regards to invalidation of ballots are not legally binding, and therefore not subject to appeal. The CEC also informed the OSCE/ODIHR EOM that their clarifications are not binding to the PECs. Section II.2.a of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “apart from rules on technical matters and detail – which may be included in regulations of the executive –, rules of electoral law must have at least the rank of a statute”.

¹⁶ Videos included sign language. Guidebooks on voting procedures were produced in large font and braille script.

¹⁷ TEC members are drawn from among self-nominated qualified voters.

¹⁸ Each parliamentary party appointed one member to each PEC, while the respective TEC appointed two.

¹⁹ While the PA had one of the leadership positions in 1,250 PECs, other parliamentary parties had no more than 300 positions each.

²⁰ Paragraph 20 of the 1996 CCPR General Comment 25 to the ICCPR requires that “[a]n independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant”. See also Article 19.2(j) of the 2002 CIS Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms.

Women were well represented in the election administration. Three of seven CEC members are women, including the deputy chairperson. Women comprised 35 per cent of TEC members; however, only 16 per cent were at leadership positions.²¹ IEOM observers reported a higher share of women in PECs (some 57 per cent, including 39 per cent chairpersons in the PECs visited).²²

VII. VOTER REGISTRATION

All citizens over the age of 18 on election day are eligible to vote, unless declared incompetent by a court decision. Restrictions on the right to vote for persons with mental disabilities challenges the 2006 CRPD, which provides that there should be no restriction on the suffrage rights of such persons irrespective of the type of disability.²³ In line with a prior OSCE/ODIHR and Venice Commission recommendation, the amended Constitution grants prisoners convicted for lesser offenses the right to vote.

Restrictions on voting rights of persons with mental disabilities should be removed.

Voter registration is passive and voter lists are based on the State Population Register (SVR), which is maintained by the Passport and Visa Department of the police (PVD) and includes all voters with an official permanent residence in Armenia.²⁴ The final number of voters for these elections was 2,588,468, including a significant number of voters who are residing abroad but maintain an official residence in Armenia.²⁵ Although there is a legal obligation to inform in writing a respective embassy or a consular office of staying abroad for more than six months, not many people do so and they are therefore retained in the SVR according to their last registered residence. Special lists are maintained for military voters and those imprisoned or in temporary detention.²⁶

The improvement of inter-institutional collaboration, including integration of computer systems of the PVD and Ministry of Justice, led to enhanced accuracy of the voter lists, including removal of deceased. The Electoral Code provides sufficient mechanisms for voters to request corrections from the PVD.²⁷ However, voter lists continue to include addresses where a high number of voters are registered.²⁸ According to the PVD, in many cases this was due to an improper address

²¹ At least two members in each TEC must be of the other gender. No gender requirements are set for the PECs.

²² The CEC did not maintain gender-disaggregated data on the composition of the PECs.

²³ Articles 12 and 29 of the 2006 CRPD. See also, paragraph 9.4 of the 2013 CRPD Committee's Communication No. 4/2011 (*Zsolt Bujdosó and five others v. Hungary*) which stated that: "Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability, within the meaning of article 2 of the Convention". Paragraph 41.1 of the 1991 OSCE Moscow Document commits participating States "to ensure protection of the human rights of persons with disabilities".

²⁴ Voters without permanent address and the homeless could register to vote if they applied to the PVD. A total of 915 voters did so for these elections.

²⁵ According to the 2011 census, a total of 2,190,686 citizens over the age of 18 actually resided in Armenia. Spot tests of the voter list conducted by the OSCE/ODIHR EOM indicated that there were numerous dwellings with citizens registered who had emigrated.

²⁶ Some 1,480 pre-detainees and convicts were registered to vote. By law, information on military voters, including on their number, is not made public.

²⁷ Voters could request corrections, inclusions, and deletions related to themselves or other voters until 23 March; a few voters made such request. Voters can be added to the voter list on election day only based on a decision by the PVD or a court.

²⁸ For example, there were some 2,500 addresses where 15 or more voters were registered at the same address.

database, including challenges with “illegal” residential units, which cannot be allocated with an official address.

Collaboration between different government institutions on measures to reduce the number of voters without a complete address should continue in order to resolve the remaining issues with the accuracy of voter data.

In response to longstanding requests of the opposition and NGOs, and in an effort to prevent voter impersonation on election day, significant measures were implemented to enhance the transparency of the voter registration process. As required by law, the preliminary and final voter lists were posted at polling stations for public scrutiny on 21 February and on 30 March, respectively, as well as on the PVD website. In addition, following the elections, on 4 April, the CEC published scanned copies of the signed voter lists from all PECs, allowing for public checks of those who voted, including those allegedly abroad. All OSCE/ODIHR EOM interlocutors regarded this as an important deterrent of potential fraud, despite concerns over the disclosure of voters' private data.²⁹ However, such measures should not be a substitute for effective actions against those who engage in electoral malfeasance.

The authorities should proactively engage in preventing any misuse of voter list entries, timely prosecuting anyone who conducts electoral malfeasance. A review of measures to guarantee the protection of voter's private data, while ensuring that meaningful access to the lists is retained, should be undertaken.

In a step to facilitate the right to vote, voters had the possibility to change their registration to a temporary residence where they were physically located on election day.³⁰ However, several political parties and NGOs expressed concerns that some district candidates pressured voters to change their registration to districts where they were running. The PVD reported to the OSCE/ODIHR EOM that there were no organized efforts to re-register voters to specific districts. The analysis of preliminary and final voter lists data conducted by the OSCE/ODIHR EOM did not show any significant re-registration of voters between districts.

In a further effort to prevent potential electoral fraud through impersonation and misuse of voter list entries, voters were identified on election day through the use of VADs, which contained an electronic copy of the voter lists.³¹ Voters' IDs were scanned to determine if the voter was registered at that polling station and if the voter had already been marked in the system as having voted. Voters' fingerprints were also scanned on election day, allowing the CEC to check if the collected fingerprints match those on record with the PVD.³² The CEC informed the OSCE/ODIHR EOM that it did not verify collected fingerprints as no complaints were received related to potential multiple voting.

²⁹ Paragraph III of the 2016 Venice Commission's Interpretative Declaration to the Code of Good Practice in Electoral Matters on the Publication of Lists of Voters Having Participated in Elections highlights that “A balance needs to be struck between data protection and secrecy of the vote on the one hand and stakeholders' interest in consulting the signed (or stamped) voter lists on the other”. See also paragraph 86 of the [Council of Europe Recommendation \(2004\)11 on Legal, Operational and Technical Standards for E-Voting](#).

³⁰ Total of 28,277 voters made such requests, including police on duty and PEC members at polling stations outside the precinct where they live.

³¹ The introduction of new technologies in the electoral process was strongly supported by the opposition and civil society and was co-financed and technically supported by the international community.

³² According to the PVD, some 30 per cent of voters had biometric ID documents with their fingerprints on record.

The introduction of the VADs was welcomed by most OSCE/ODIHR EOM interlocutors as a useful tool for building confidence in the integrity of election day proceedings. However, the late development and delivery of the VADs led to a limited time for testing of equipment and training of the VAD operators.³³ In the run up to the elections, concerns were raised about the VADs' functionality and the familiarity of the electorate with the details of their use, but the VADs were used on election day without major problems (see *Election Day*).³⁴ The political parties could have access to the source code of the software used on the VADs; however, only one party requested that. The detailed technical specification of the VADs was prepared only in English and was not made public.³⁵

Any changes to the election procedures that involve new technologies should be agreed upon, legislated, tested, and publicized well before elections. To further increase the transparency of new technologies used in elections, the CEC should publish detailed technical specifications and provide greater information on their use to voters.

Voting from abroad through the Internet was available for diplomatic and military staff posted abroad as well as representatives of Armenian companies working abroad and their family members. In total, 877 voters were registered and 747 cast their votes electronically.

VIII. CANDIDATE REGISTRATION

In an inclusive process, the CEC registered the candidate lists of all five political parties and four party alliances that applied for these elections, with a total of 1,558 candidates.³⁶ Candidates were required to be eligible voters, at least 25 years old, reside in and be a citizen of only Armenia for the preceding four years, and have command of the Armenian language. Under the law, language proficiency may be proven either by having secondary or higher education or by passing a test.³⁷ Addressing a prior recommendation of the OSCE/ODIHR and Venice Commission, the language test administered by the Ministry of Education and Science was based on reasonable and objective criteria. Judges, prosecutors, military personnel, police officers, other categories of public servants, and election commissioners may not stand as candidates.

Although, the new Constitution reduced the citizenship and residency requirements from five to four years and the Electoral Code details how the residency requirement should be calculated, candidacy restrictions based on citizenship of another state is at odds with international standards.³⁸ Candidate lists could be submitted by political parties and party alliances but, while a list may

³³ The CEC informed the OSCE/ODIHR EOM that a limited test of the VADs during local elections on 12 February 2017 revealed some technical shortcomings, but that it took steps to address the identified issues. On 25 March, the CEC held a public demonstration of the final version of the VADs.

³⁴ The final version of VAD software was provided to the CEC on 18 March. In general, voters did not have the possibility to familiarize with the VADs until election day.

³⁵ Paragraph 21 of the Council of Europe Recommendation (2004)11 on Legal, Operational and Technical Standards for E-Voting states that information on the functioning of NVT should be made publicly available.

³⁶ The AR, ARF, Communist Party of Armenia (CPA), Congress-Armenian People's Party alliance (CoAPP), Free Democrats (FD), Ohanyan-Raffi-Oskanian alliance (ORO), the RPA, Tsarukyan alliance (TsA), and YELK alliance.

³⁷ All 11 candidates who applied for the test received language proficiency certificates.

³⁸ In *Tănase v. Moldova* (application 7/08, 27 April 2010), the ECtHR held that "where multiple nationalities are permitted, the holding of more than one nationality should not be a ground for ineligibility to sit as an MP".

include non-party members, the law does not provide a possibility for candidates to stand individually.³⁹

Restrictions on candidate rights for people with dual citizenship should be removed. Consideration should be given to provide possibilities for candidates to stand individually.

For registration, parties and alliances submitted a financial deposit that was refunded if the list received more than four per cent of the valid votes.⁴⁰ Each contestant submitted a single national list with a minimum of 80 candidates and district lists corresponding to the 13 electoral districts.⁴¹ In addition, a national list could include a separate part with up to four candidates for each of the four seats reserved for the largest national minorities. Only the AR, CoAPP, RPA, and TsA nominated candidates for the national minority list. Some other parties met with by the OSCE/ODIHR EOM cited difficulty in finding minority candidates that were not loyal to the ruling party. In addition, national minority NGOs met with by the OSCE/ODIHR EOM perceived the nominated minority candidates as representatives of political parties rather than of minority communities.

All contestants complied with the Electoral Code requirement that each gender must be represented by at least 25 per cent of candidates on the national lists, with each gender appearing in each integer group of four candidates. In a positive development and in line with previous OSCE/ODIHR recommendations, the gender quota applies also to the distribution of obtained and vacant seats. However, while some 30 per cent of candidates were women, only 18 were elected (17 from national lists and 1 from district lists), resulting in 17 per cent of women MPs in the new legislature. This falls short of Armenia's international obligations to ensure *de facto* equality of opportunity for women candidates.⁴²

Consideration should be given to enhancing special measures to promote women candidates. This could include placing candidates from the under-represented gender in at least every second position on national lists, establishing a minimum number of women candidates on district lists, and incentivising political parties to increase the number of their women candidates.

IX. ELECTION CAMPAIGN

The official election campaign started on 5 March and ended 24 hours before election day. Fundamental freedoms were largely respected and the contestants were able to campaign without restrictions; however, isolated incidents of violence were reported in some areas of the country.⁴³ Although initially low key, the campaign intensified as election day approached.⁴⁴ According to

³⁹ Paragraph 7.5 of the 1990 OSCE Copenhagen Document commits participating States to “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”. According to the CEC, 15 per cent of nominated candidates were not members of the nominating party.

⁴⁰ The deposit is AMD 10 million (some EUR 19,450). EUR 1 is approximately AMD 514 (Armenian *Dram*).

⁴¹ A maximum of 1 candidate per 15,000 voters may be included in a district list. The district candidates have to also appear on the national list. The maximum number of district candidates ranged from 7 to 15.

⁴² Article 4.1 of the CEDAW states that the adoption “of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination”. See 2004 CEDAW Committee General Recommendation No. 25, paras 7-9. See also paragraph 3 of the OSCE Ministerial Council Decision 7/09, which calls on participating States to “encourage all political actors to promote equal participation of women and men in political parties, with a view to achieving better gender balanced representation in elected public offices at all levels of decision-making”.

⁴³ The OSCE/ODIHR EOM received reports from Aragatsotn, Ararat, and Armavir provinces.

⁴⁴ The OSCE/ODIHR EOM observed a total of 99 rallies across the country.

many OSCE/ODIHR EOM interlocutors, the campaign took place in an environment of general disillusionment of voters with politics and elections.

The resources available to each contestant influenced their campaign activities, which consisted mostly of rallies, door-to-door canvassing, posters, media advertisements, and through online and social media. Campaign platforms focused on social issues, jobs creation, infrastructure, and economic investments as well as national security. However, in practice, most campaigns focused on individual candidates rather than political platforms or policies. Many OSCE/ODIHR EOM interlocutors raised concerns about the lack of genuine debate among political parties and about the lack of dialogue between candidates and voters on their electoral platforms. A few initiatives by NGOs and regional media provided an opportunity to engage candidates in a limited debate but this did not give voters sufficient information to make an informed choice based on the electoral platforms of the contestants.

The Electoral Code provides for equal opportunities for contestants during the official campaign period, including equal access to public resources, free and paid media airtime, poster space, and premises for meeting voters. It is prohibited to locate campaign offices in the buildings used by state and local self-government bodies, and to place campaign posters on state buildings.⁴⁵ In an effort to prevent abuse of administrative resources, officials are prohibited to campaign while performing their activities. Positively, many regional officials took leave during the campaign while central government officials, including the prime minister, campaigned mostly on weekends.⁴⁶

Widespread allegations of vote-buying in favour of certain parties were reported throughout the country and the OSCE/ODIHR EOM received many credible reports directly from voters.⁴⁷ Allegations extended into election day, when media reported on and IEOM observed large groups of voters visiting parties' campaign offices before voting.⁴⁸ Several OSCE/ODIHR EOM interlocutors, including some government officials, indicated that vote-buying had become an entrenched part of the political culture and stated that accepting money or other benefits in exchange for votes was often explained by extreme poverty and lack of economic opportunities.⁴⁹

Throughout the campaign the OSCE/ODIHR EOM received credible reports of pressure and intimidation on voters, especially on private and public sector employees.⁵⁰ Shortly before the elections, the NGO Union of Informed Citizens obtained information through audio recordings of

⁴⁵ The law still allows for the location of campaign offices in buildings owned, but not used, by state and local self-government bodies.

⁴⁶ Governors of Gegharkunik and Vayots Dzor, mayors of Agarak (Meghri) and Hrazdan, and three deputy governors in Kotayk took leave to be able to campaign full time.

⁴⁷ For example, the OSCE/ODIHR EOM received credible reports that the Governor of Syunik promised bonuses to employees of mining company ZCMC who would vote for the RPA; that the RPA offered money to teachers in Kotayk and Syunik; and that the TsA offered money to voters in Syunik. The OSCE/ODIHR EOM received many direct reports from people in the regions that they expected to be paid for their vote.

⁴⁸ For example, the IEOM observed long queues of voters on election day in front of RPA offices in Lori and Yerevan.

⁴⁹ Connivance to vote-buying is at odds with paragraph 33 of the 1999 OSCE Istanbul Document, according to which "Participating States pledge to strengthen their efforts to combat corruption and the conditions that foster it, and to promote a positive framework for good government practices and public integrity".

⁵⁰ For example, the OSCE/ODIHR EOM was informed by several public employees that on 15 March, the Governor of Syunik instructed them to vote for the RPA. The head of a cultural centre in Syunik requested his staff to create lists of RPA supporters. In Syunik, teachers were threatened that they would be fired if they would not vote for the RPA. Teachers, doctors, and other public employees were asked by their supervisors to attend meetings with an RPA candidate in Armavir. A private company owner in Yerevan threatened his employees that they would be fired if they would not provide him with a list of sufficient number of potential RPA supporters.

114 school principals that they had collected lists of names of teachers and parents of students who would support the RPA. In some cases, the lists were submitted to local authorities. Two political parties filed complaints with the CEC claiming that this activity by the school principals was an abuse of administrative resources.⁵¹ In addition, although voters were generally free to obtain information on all contestants, some opposition parties informed the OSCE/ODIHR EOM that their supporters were pressured not to attend their rallies.⁵²

Collectively, the widespread allegations of vote-buying and pressure and intimidation of voters had a negative impact on the campaign, contributing to existing public mistrust in the electoral process. This together with considerable concerns over the secrecy of the vote expressed during and after election day (See *Post-Election Developments*) raised concerns about voters' ability to cast their votes free of fear of retribution, as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.⁵³

The authorities and political parties should undertake utmost measures to increase public trust in the integrity of the elections, including public discouraging of selling and buying votes and to ensure that pressure is not applied on citizens to attend campaign events or vote in a particular way.

Generally, women candidates received support for their campaigns from their parties and were actively involved in campaigning.⁵⁴ However, they were not placed in decision-making positions in campaign headquarters and were rarely the main speakers at campaign events.⁵⁵ Party electoral platforms did not directly address issues related to women participation in public life. In addition, women candidates themselves were reluctant to address gender issues in their campaign and preferred to discuss broader social issues.

X. CAMPAIGN FINANCE

Following prior recommendations made by the OSCE/ODIHR and Venice Commission, some legal provisions for campaign finance reporting and oversight were strengthened, including the guarantee of an independent status of the CEC's Oversight and Audit Service (OAS) and a requirement for contestants to submit regular detailed campaign finance reports.⁵⁶ Nevertheless, a number of outstanding shortcomings and the lack of a proactive approach by the OAS in monitoring campaign finance diminished the transparency and integrity of the campaign finance system.⁵⁷

⁵¹ The RPA [admitted that collection of names had occurred](#) but insisted that it was legitimate campaigning as it did not take place during working hours. See *Complaints and Appeals*.

⁵² The CoAPP, ORO, and YELK representatives informed the OSCE/ODIHR EOM that their supporters were prevented from attending their rallies, often through a pressure by community leaders.

⁵³ Paragraph 7.7 of the 1990 OSCE Copenhagen Document commits participating States to "ensure that law and public policy to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties ... from freely presenting their views... or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution". See also the 2016 OSCE/ODIHR and Venice Commission Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes.

⁵⁴ Approximately 30 per cent of those attending campaign rallies observed by OSCE/ODIHR EOM were women.
⁵⁵ According to OSCE/ODIHR EOM media monitoring results, only nine per cent of campaign coverage in prime time news were devoted to female political actors.

⁵⁶ See also [the 2014 GRECO Second Compliance Report on Transparency of Party Funding in Armenia](#).

⁵⁷ Article 7.3 of the 2003 UN Convention against Corruption provides that states should "consider taking appropriate legislative and administrative measures... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties".

The law limits campaign expenses to AMD 500 million per contestant for the first round and an additional AMD 200 million for a second round.⁵⁸ Campaign funds may include monetary and in-kind contributions from voters and personal funds of candidates and parties.⁵⁹ Contributions from legal entities, as well as from foreign and anonymous sources are not allowed. Despite a prior OSCE/ODIHR and Venice Commission recommendation, so-called organizational expenditures such as for campaign offices, transport, and communication are excluded from campaign finance reporting, thus limiting transparency of campaign finance.

The legal framework should provide for reporting on all campaign-related expenses, including organizational expenditures such as for campaign offices, transport, and communication.

Under the Electoral Code, the OAS should act independently from the CEC; however, the law does not clearly set its institutional status or working methods. The OAS lacks effective independence from the CEC as the latter appoints and dismisses the head of the OAS. In addition, the OAS cannot initiate any administrative proceedings on its own or challenge a CEC decision. Six auditors were appointed by the parliamentary parties to work with the OAS; however, their activities were neither sufficiently regulated nor implemented consistently.⁶⁰

In line with the law, all contestants opened a special bank account for their campaign finance transactions and submitted three financial reports, declaring donations and expenditures.⁶¹ The OAS did not identify any violations of campaign finance and published information on total income and expenditures of contestants on the CEC's website.⁶² A list of donors was provided by the Central Bank to the OAS every three working days; however, this information was not published for public scrutiny.⁶³ Overall the OAS did not proactively examine the accuracy of the reports.

To enhance the transparency and effectiveness of campaign finance oversight, the OAS should have adequate resources, technical expertise, and independence.

⁵⁸ The CEC may fine contestants that breach campaign finance rules or apply to the court for de-registration of a list, if the campaign expenses exceed 20 per cent of the spending limit.

⁵⁹ Respectively, AMD 500,000, AMD 5 million, and AMD 100 million.

⁶⁰ While the Electoral Code mandates the OAS to summarize bank statements, the OAS Rules of Procedures require audit of these statements. The CEC's Procedure on auditing campaign incomes and expenditures mandates the OAS to cross-check and verify the expenditures; however, this was not carried out. While some auditors informed the OSCE/ODIHR EOM that they examined all submitted reports, others selectively looked into declarations upon request of their nominating party. The OAS informed the OSCE/ODIHR EOM that it did not exercise their right to request information from companies providing goods and services for cross-checking the transactions.

⁶¹ Although the CEC set up template forms, declarations were not filled in a consistent manner by contestants.

⁶² According to their reports, the RPA spent some AMD 387 million for campaign purposes, TsA some AMD 156 million, ORO some 84 million, ANC some 75 million, and other parties collectively spent some AMD 164 million.

⁶³ Article 12.5 of the 2002 CIS Convention on the Standards of Democratic Elections, Electoral Rights, and Freedoms states that "political parties shall submit information on their donors and the use of campaign funds and the electoral bodies shall publish this information". See also paragraph 206 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations.

XI. MEDIA

A. MEDIA ENVIRONMENT AND LEGAL FRAMEWORK

Many media outlets, including eight television (TV) stations with nationwide coverage operate in Armenia. However, the media landscape is characterized by a limited advertising market which leaves room for only a few self-sustainable media outlets. Commercial TV stations are reportedly financed by businessmen to promote their political and commercial interests, and the ones with the highest audience shares are widely perceived to be affiliated with the government. Some NGOs expressed their concern over the dominance of certain companies in the media and advertising market, which according to numerous OSCE/ODIHR EOM interlocutors are affiliated with the ruling party.

Freedom of expression, as guaranteed by the Constitution and legislation, was broadly exercised. Defamation was decriminalized in 2010 and, instead, the Civil Code provides for damages of up to AMD 2 million. Following a 2011 Constitutional Court decision that encouraged the use of non-pecuniary measures, such as public apology and refutation, the number of civil defamation cases declined. Despite the Law on Freedom of Information, some media professionals reported an insufficient response by authorities to information requests. However, in a growing number of cases involving access to public information the courts have decided in favour of the plaintiff.

Although the Law on Television and Radio limits each legal entity to a broadcasting license for one TV and one radio station, the State Commission for Protection of Economic Competition approved the Pan Armenian Media Group to manage several TV and radio stations, as well as online media.⁶⁴ The law also does not require the ultimate ownership of media outlets to be disclosed.⁶⁵ In addition, the digitalization of broadcasting has not enlarged pluralism on TV and several regional TV stations expressed their concern to the OSCE/ODIHR EOM of not receiving a digital license.⁶⁶

Measures should be taken to ensure full transparency of media ownership, for example, by requiring clear identification of the ultimate owners of media outlets. Information on media ownership and funding sources should be available to the public.

Journalists informed the OSCE/ODIHR EOM that undue interference of media owners into their editorial autonomy has resulted in self-censorship and discouraged critical reporting of the government, including on public TV. News stories of public interest related to the elections, including the publication of lists of supporters collected by principals of schools and electoral complaints heard by the CEC, were not covered by the public broadcaster *HI* primetime news but were covered in other media. Journalists also reported that recent cases of violence against journalists and insufficient prosecution undermine their safety and hinder their work.⁶⁷ Positively, there is no interference in Internet freedom, with online news sources contributing to increased media pluralism and critical reporting of the government. In addition, some online media outlets, financed by international donors, provide space for in-depth and investigative journalism.⁶⁸

⁶⁴ Each media outlet under umbrella of the Pan Armenian Media Group technically has a different ownership.

⁶⁵ Most TV stations with nationwide coverage are registered as Closed Joint-Stock Companies and thus their owners are not listed in the public register.

⁶⁶ The tender provided for only one license for each region, thus reducing the number of broadcasters from 44 analogue to 18 digital ones. Positively, analogue regional TV stations' licenses were extended until 2020 and currently both, analogue and digital, TV stations broadcast in the regions.

⁶⁷ The OSCE Representative on Freedom of the Media called for [protection of journalists' rights](#) and for [thorough investigations of incidents](#) involving journalists.

⁶⁸ For example, *Civilnet.am*, *Hetq.am*, and *Radio Liberty*.



B. COVERAGE OF THE ELECTION CAMPAIGN

The Electoral Code stipulates that TV and radio must provide “impartial and non-judgemental” news coverage of candidates’ campaigns. The National Commission for Television and Radio (NCTR), the body that oversees implementation of media-related provisions during the campaign, did not communicate any guidance on how this provision would be monitored. Many TV journalists interpreted this provision to mean that they must provide an equal amount of coverage to every contestant in each programme and complained that this limited substantive campaign reporting.

Based on consultation with journalists and media NGOs, the NCTR should issue clear guidelines on the implementation of the requirements of impartiality and equal coverage.

On 15 and 25 March, the NCTR issued its monitoring reports. Although the NCTR reported an unequal amount of time for the coverage of contestants, no violations were recorded by the NCTR. The NCTR did not monitor the tone of coverage.

During the campaign, the public broadcaster *HI* broadcast a total of 60 minutes free airtime per contestant, in line with the law. In addition, all contestants purchased political advertising on monitored TV stations under equal conditions. OSCE/ODIHR EOM monitoring results showed that during the campaign the public *HI* devoted an equitable share of airtime to all contestants in its newscasts.⁶⁹ *Armenia TV* devoted almost double the news coverage to the RPA and CoAPP (21 and 19 per cent respectively) than to each of the other contestants. *Kentron TV* devoted significantly more news coverage (18 per cent) to the TsA than to other contestants. *Shant TV* devoted 20 per cent of the news to the RPA while giving between 7 and 12 per cent to the others. *Yerkir Media* favoured the ARF with 25 per cent of its news leaving the other contestants with 6 to 13 per cent of coverage.

The news coverage on all monitored TV stations was 98 per cent neutral or positive in tone. However, OSCE/ODIHR EOM media monitoring results for the period from 24 February to 4 March, before the start of official campaign, revealed a clear bias of monitored TV stations in favour of their publicly perceived party affiliation. The monitored online news sources generally provided more diverse and critical coverage before and during the election campaign.

A quantitative and qualitative media monitoring of the news, current affairs programs, and debates of the public broadcaster through the year including campaign periods could contribute to ensuring its independent coverage of political and campaign events. Results of the monitoring should be made public on a periodic basis.

Generally, the amount of campaign-related coverage on the most popular TV stations *Armenia TV*, *Shant TV*, and the public *HI* was limited and prime time programming during the campaign was dominated by entertainment programmes. *Kentron TV* and *Yerkir Media* provided more election-related coverage, including interviews and discussion programmes. They had, however, less audience share. There were no televised candidate debates on major TV stations, including *HI*,⁷⁰ which could have been a means to enhance the opportunity of voters to compare electoral

⁶⁹ Between 24 February and 31 March, the OSCE/ODIHR EOM monitored the public *HI* and the commercial *Armenia TV*, *Kentron TV*, *Shant TV*, and *Yerkir Media*. In addition, three online news sources *Aravot.am*, *Armtimes.com* and *Hetq.am* were monitored.

⁷⁰ *HI* informed the OSCE/ODIHR EOM that the TV station intended to host a debate but due to the refusal of leading candidates from major parties refrained from broadcasting it.

programmes of the contestants and allow opposition parties to directly challenge the ruling parties in public.⁷¹

To enhance the opportunity of voters to compare electoral programmes of the contestants, it could be considered to require the public broadcaster to organize campaign debates with contestants.

XII. COMPLAINTS AND APPEALS

The complaints and appeals process is regulated by the Electoral Code, the Administrative Procedures Code, the Law on Fundamentals of Administration and Administrative Proceedings, and the Law on the Constitutional Court. Under the Electoral Code, decisions, actions and inactions of election commissions can be appealed to the superior commission, while all complaints against the CEC are under the jurisdiction of the Administrative Court. Although provisions on complaints and appeals have been revised, the legal framework regulating electoral dispute resolution continues to be overly complex and contains some gaps and ambiguities, including narrow legal standing to bring challenges, certain inconsistent or narrow deadlines, and burdensome requirements for submission of complaints.⁷²

All election-related complaints can also be filed with the courts, but, in line with previous OSCE/ODIHR and Venice Commission recommendations, the Electoral Code now provides for the exclusion of parallel handling of complaints at election commissions and courts.⁷³ Complaints against election results may be filed only on the fifth day of promulgation of the final results (but not earlier) to the Constitutional Court, which has 15 days to decide on it.

Contrary to a previous OSCE/ODIHR recommendation and paragraph 5.10 of the 1990 OSCE Copenhagen Document, the Electoral Code limits the right to file complaints to those whose personal electoral rights are at stake.⁷⁴ Complaints may be filed by voters, media representatives, and observers with respect to violations of their individual rights; by party proxies and commission members with respect to violations of their rights and those of parties, candidates, and other stakeholders. New provisions extended rights to observers and party proxies to challenge cases of voter impersonation. Contestants, proxies (if they were present during the vote count), and members

⁷¹ Paragraph 2.2 of the Recommendation 15 (2007) of the Committee of Ministers of the Council of Europe to member states on measures concerning media coverage of election campaigns recommends that “Where self-regulation does not provide for this, member states should adopt measures whereby public service media and private broadcasters, during the election period, should in particular be fair, balanced and impartial in their news and current affairs programmes, including discussion programmes such as interviews or debates”.

⁷² For example, Article 49.1 of the Electoral Code requires complainants to attach a document certifying their status for each complaint filed. Where complaints are submitted by lawyers on behalf of individual observers, duly formalized powers of attorney to represent the observers is required from these lawyers. According to citizen observers, these requirements barred them from filing complaints in due time.

⁷³ Where a decision, action (omission) of an election commission was appealed through administrative and judicial procedure, the administrative proceedings shall be dismissed.

⁷⁴ Paragraph 5.10 of the 1990 OSCE Copenhagen Document states: “...everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”. Paragraph 99 of the Explanatory Report of the 2002 Venice Commission Code of Good Practice in Electoral Matters states that “Standing in [electoral] appeals must be granted as widely as possible. It must be open to every elector in the constituency ... to lodge an appeal”. One NGO informed the OSCE/ODIHR EOM that it filed five complaints with the ECtHR challenging the lack of legal standing, which are currently pending consideration.

of the PEC in question may challenge precinct voting results at the TEC. Only contestants, but not voters, can appeal the final election results, contrary to international standards and good practice.⁷⁵

Despite a substantial number of allegations raised throughout the process, a limited amount of complaints were filed with the election administration and courts. Before election day, the CEC received 18 complaints, including 14 from NGOs that were subsequently denied due to lack of standing.⁷⁶ While the majority of complaints were rejected, the CEC looked into the substance of most complaints and took up the issues *ex officio*.

Four complaints came from contestants concerning campaign violations, including allegations related to campaign offices located in state owned buildings, vote-buying, abuse of administrative resources, and campaigning while performing official functions. The CEC rejected two complaints that requested de-registration of the RPA for abuse of administrative resources, for engaging school and kindergarten principals and teachers in the collection of lists of supporters, due to lack of evidence that signatures were collected while performing official duties or during the campaign period. The CEC likewise declined one request to de-register a candidate for campaign violation for lack of evidence. At times the CEC examined some alleged facts, but it did not thoroughly consider contentious issues including possible pressure and intimidation of teachers to collect signatures.⁷⁷ The TECs received no official complaints but proactively initiated proceedings in relation to campaign violations, including on destruction of campaign materials, in some 50 cases.

The Administrative Court received two complaints from prospective candidates who were refused residency certificates and six appeals against CEC decisions, including on campaign issues, denial of accreditation of media representatives, and candidate registration; all were rejected, largely on formal grounds. The Administrative Court started hearing an appeal against a CEC decision rejecting the de-registration of the RPA for abuse of administrative resources, even though filed by the YELK alliance and its two candidates past the 18:00 deadline on the eve of the elections. Yet the Court discontinued the proceedings at midnight disregarding substantial evidence brought as the hearing went beyond the legal time for adjudication.⁷⁸ Insufficient deadlines, inconsistent decision-making, and the manner in which the cases were considered failed to ensure effective remedy of the complainants.⁷⁹

The Prosecutor General set up a working group to investigate allegations of election-related offences. Before election day, the working group identified some 220 cases related to vote-buying and obstruction of voting rights, predominantly from media sources. Of these, 58 cases, including 38 about vote-buying, were referred for investigation to the police.⁸⁰ All these cases were dismissed

⁷⁵ Section II.3.3.f of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “All candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections“.

⁷⁶ One of the complaints filed by an NGO was reviewed by the CEC on the merits and dismissed. However, the Administrative Court denied appeal of this decision due to lack of legal standing.

⁷⁷ The CEC stated that submission of supporters’ lists to the local authorities does not contradict to the law, as the authorities may be engaged in campaign. While the law explicitly prohibits public officials to engage in campaign while performing their official duties, the CEC did not examine when these activities took place.

⁷⁸ The Administrative Court informed the OSCE/ODIHR EOM that it followed rules of administrative proceedings, which allow filing of complaints until the end of the day.

⁷⁹ While in one case the Court accepted a complaint from Asparez Journalist Club and calculated deadlines for appealing a CEC decision from the moment of its receipt by the applicant, in two other cases the Court rejected complaints filed by Transparency International and stated that deadlines are calculated from the moment of publication of the decision by the CEC.

⁸⁰ Allegations were identified by means of monitoring various media sources, receiving calls by citizens on a hotline, and individual reports.

due to lack of evidence.⁸¹ Additionally, the Ombudsperson reviewed 148 allegations mostly related to campaign violations, received via its hotline, in writing, and from media publications, and referred 5 cases to the law enforcement bodies, which in most cases found no sufficient evidence to proceed.

While the 2016 amendments to the Criminal Code decriminalized vote-selling, if reported, public reluctance to report vote-buying persisted.⁸² Most OSCE/ODIHR EOM interlocutors stated that there is a general public reluctance to report electoral offenses due to a lack of confidence in the effectiveness of the complaint adjudication system and the lack of independence of the judiciary, election administration, and law enforcement bodies.⁸³ The manner in which election administration and the court dealt with complaints further undermined the credibility of electoral dispute resolution and the effectiveness of legal redress, at odds with paragraph 5.10 of the 1990 OSCE Copenhagen Document and other international standards.⁸⁴

To ensure effective remedy, the CEC and the courts should give full and impartial consideration to the substance of complaints, act impartially and transparently, and follow due legal process. Any allegations of pressure and intimidation should be vigorously investigated and prosecuted by the authorities.

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The law provides for international and citizen observation and entitles party proxies to be present at polling stations. In order to be accredited, citizen observer groups are required to adopt an internal code of conduct for their observers and to hold their own trainings. Despite prior OSCE/ODIHR and Venice Commission recommendations, the Electoral Code requires citizen observer groups to include in their charter explicit aims related to democracy and human rights protection for at least one year preceding the call of elections, thereby narrowing the opportunity to observe. Due to non-compliance with this requirement, the CEC refused accreditation of two citizen organizations.⁸⁵ Some NGOs informed the OSCE/ODIHR EOM that the requirement to submit applications for observer's accreditation 15 days before election day also created hurdles in mobilizing observers. Media and civil society criticized the Electoral Code provisions, which introduced the possibility to selectively limit the number of citizen observers and media representatives at polling stations, but this was not an issue on election day.⁸⁶

In line with previous OSCE/ODIHR and Venice Commission recommendations, the provision disqualifying newly created organizations from electoral observation should be reconsidered and the deadline for application for observer accreditation could be made closer to election day.

⁸¹ Also, the legislation does not provide for shortened timeframe for election-related criminal offences, and regular criminal proceedings are applicable.

⁸² Only two allegations on vote-buying were reported to law enforcement bodies by citizens.

⁸³ The [2015 GRECO Corruption Evaluation Report on Armenia on Prevention in Respect of Members of Parliament, Judges and Prosecutors](#) assesses the independence of the judiciary as unsatisfactory. See also, UN Human Rights Committee "[Concluding Observations on Armenia](#)" (31 August 2012), CCPR/C/ARM/CO/2, paragraph 21.

⁸⁴ Article 2.3 (a) of the ICCPR states that "... any person whose [fundamental] rights or freedoms ...are violated shall have an effective remedy".

⁸⁵ "Citizen Headquarters" that was previously accredited and observed local elections in October 2016 and "Northern Gate" established on 28 April 2016 were denied accreditation by the CEC.

⁸⁶ Such limitations may only be imposed if agreed by qualified majority of PEC members and, in any case, the limitation on the number of observers cannot be below 15. Visitors, international observers, and representatives of TV are exempt from this limitation.

The CEC accredited 49 citizen organizations with a total of 28,021 observers as well as 640 international observers. Some OSCE/ODIHR EOM interlocutors regarded a number of citizen organizations as being affiliated with district candidates. All international NGOs who expressed an interest in observing the elections were officially refused an invitation to observe with a formal explanation that there was already a high number of observers accredited, challenging OSCE commitments.⁸⁷

The authorities should invite observers from international NGOs and other appropriate institutions, and facilitate their access to all stages of electoral process without undue restrictions.

XIV. ELECTION DAY

A. OPENING AND VOTING

Election day was generally calm and peaceful, with no serious incidents reported throughout the country. However, IEOM observers noted tension and intimidation of voters taking place inside and outside of the polling stations. This was generally a result of large numbers of party proxies and others being present around polling stations throughout the day. Large groups of people were present in the immediate vicinity of polling stations in 30 per cent of observations, with tension seen in 6 per cent and intimidation of voters in 4.5 per cent of observations. The police did not consistently enforce the legal prohibition to gather in front of polling stations.⁸⁸

The opening of polling stations was assessed positively by IEOM observers in 95 per cent of observations. The procedures were generally followed and polling stations opened on time. However, ballots boxes were not shown to be empty and then sealed at five per cent of polling stations observed.

The voting process was assessed negatively in 12 per cent of observations by IEOM observers, which is a high number and of concern. This was primarily due to overcrowding (26 per cent of observations), poor queue control (12 per cent), and voters having difficulties in understanding voting procedures (35 per cent). Intimidation of voters was reported more often at overcrowded polling stations compared to other polling stations observed. Likewise, IEOM observers reported tension at 13 per cent of overcrowded polling stations observed and at 3 per cent of other stations. These observations underscore the need to address overcrowding at polling stations in a systematic manner.

Efforts should be undertaken to address overcrowding at polling stations. Consideration could be given to conduct time-and-motion studies to adjust the number of voters per polling station, to identify sufficiently large voting premises, or to increase the number of polling stations.

Although procedures were generally followed, voters did not always vote in secret (2 per cent) and group voting, including family voting, was noted in 10 per cent of observations. IEOM observers noted some cases of serious violations, including attempts to influence voters for whom to vote (2

⁸⁷ Among others, European Network of Election Monitoring Organizations and European Platform for Democratic Elections were denied invitation to observe. In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States reaffirmed their commitment to “invite observers to our elections from other participating States, the ODIHR, the OSCE Parliamentary Assembly and appropriate institutions and organizations that wish to observe our election proceedings”.

⁸⁸ The Electoral Code prohibits gatherings within 50 meters of polling stations.

per cent of observations), proxy voting (2 per cent), and the same person accompanying multiple voters in voting booths (3 per cent).⁸⁹

Party proxies were present at 97 per cent of polling stations observed and citizen observers at 94 per cent, contributing to the transparency of the process. However, in 12 per cent of observations proxies, citizen observers, local officials or police were seen to be interfering in the conduct of the elections.

The process of voter identification through the VADs was conducted efficiently and without significant issues.⁹⁰ IEOM observers noted some problems with scanning of voters' IDs and fingerprints; however, this did not lead to significant disruptions of voting.⁹¹ IEOM observers noted 9 cases of attempted multiple voting that were captured by the VAD and therefore prevented. The VADs provided the possibility for voters to be redirected, in case they were registered at another polling station in the same district, and this was observed at 55 polling stations.

The authorities should continue to develop effective safeguards against multiple voting and to ensure the secrecy of the vote, which should be implemented adequately and consistently. This could include enhanced training of election staff and targeted voter education, as well as requiring that voters be informed about their right and obligation to secrecy at the polling station. Further steps should be taken to prevent interference by unauthorised people in the voting process.

For the first time, web cameras were installed at the 1,499 largest polling stations in these elections, so that election day procedures could be recorded and observed via the Internet.⁹² Due to technical issues, the public online streaming was not available for all polling stations, especially in the morning on election day; however, the contestants and the CEC had uninterrupted access to all cameras through a direct connection to servers throughout the day.⁹³ After closing, a number of polling stations were set up by the PECs in such a way that the counting procedures could not be followed via the web cameras in a meaningful manner.

The Electoral Code provides for a possibility of mobile voting for hospitalised patients, with lists prepared by heads of hospitals three days before election day.⁹⁴ There is no possibility for other voters to vote through a mobile ballot box, which led to reduced access to polls for elderly and homebound voters. The IEOM noted that 69 per cent of polling stations observed were not accessible to persons with physical disabilities and reduced mobility. This does not fully guarantee equal suffrage to all voters as required by OSCE commitments and international obligations.⁹⁵

To guarantee equal suffrage, the authorities should consider measures to enhance access to voting procedures for persons with physical disabilities and reduced mobility.

⁸⁹ The Prosecutor General registered 1,594 reports of alleged violations on election day, including on vote-buying, violation of secrecy of the vote, and voter impersonation. Some 254 cases were referred for further inquiry to the law enforcement bodies. Out of 176 cases registered by the police, 32 were directed for further investigation.

⁹⁰ The CEC reported that they had to replace few VADs due to malfunctions.

⁹¹ The CEC reported that passports and IDs could not be scanned for 14.6 per cent of all voters who voted. In such cases, the valid ID data were manually typed in the VADs and voters were allowed to vote.

⁹² The Electoral Code provides for installation of web cameras at all polling stations; however, this was not followed due to financial limitations.

⁹³ Some 30 cameras were not operational at various times, reportedly due to interruptions in power supply.

⁹⁴ In total, there were 2,001 voters were registered to vote in hospitals through a mobile ballot.

⁹⁵ Article 29(a) of the CRPD obliges States to "ensure that persons with disabilities can effectively and fully participate in political and public life on equal basis with others ... *inter alia*, by ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to ... use". See also paragraph 7.3 of the 1990 OSCE Copenhagen Document and paragraph 41.1 of the 1991 OSCE Moscow Document.

B. VOTE COUNT AND TABULATION

The vote count was conducted largely in a transparent manner, with those present generally having a clear view of counting procedures and the possibility to examine ballots on request. The counting process was assessed negatively in 32 observations, mostly due to interference of unauthorized people, who directly participated in 36 counting observed. Transparency was, at times, undermined by not showing ballot papers counted to all present (7 observations) and not counting ballots for district candidates one by one (19 observations).

IEOM observers noted cases of tension or unrest at 14 counts observed and intimidation of PEC members in 8 counts observed. Procedures were generally followed; however, the PECs did not determine the validity of ballots in a consistent (11 observations) and reasonable manner (16 observations). At 57 polling stations observers reported one or more cases of invalidation of votes for district candidates, where voters' intent was clearly expressed.⁹⁶

In 24 observations, the PECs had difficulties in filling in the results protocol, which did not reconcile in 9 cases and were pre-signed by PEC members in 12 cases. The OSCE/ODIHR EOM reviewed 77 PEC results protocols obtained by IEOM observers from all regions. In more than one third of these protocols (29 cases) there were small discrepancies in figures due to mathematical errors.

The election administration should follow all established counting procedures and address procedural mistakes and omissions noted during the reconciliation procedures.

The tabulation process started immediately after the results protocols were delivered from the PECs to the TECs. The processing of PEC results protocols in the TECs was generally well organized and IEOM observers assessed the tabulation process positively in 29 of 38 TECs observed. However, in 23 observations, the facilities for reception and recording of the protocols were assessed as inadequate. In addition, in 24 cases it was observed that the large number of persons present negatively affected the process. Unauthorized people (mainly police) were observed in nine TECs. Instances of changing protocol figures due to mathematical errors were reported, but no deliberate falsification was observed by the IEOM.

The CEC started publishing the preliminary results online shortly after midnight broken down by polling stations, contributing to transparency of tabulation process.

XV. POST-ELECTION DEVELOPMENTS

Prior to the summarization of election results, a total of 324 complaints were received by 37 out of 38 TECs.⁹⁷ While by law the TECs have until one day before summarization of the results by the CEC to render decisions on complaints, the CEC only accepted complaints and appeals received up to two days prior to the summarization of the results, thus undermining the right for effective remedy.⁹⁸ In addition, a number of the TECs resolved complaints very close to the deadline, leaving a limited time to appeal these decisions to the CEC.

⁹⁶ These ballots were marked with a different mark than the "V" mark established by the CEC.

⁹⁷ In addition, 1,487 complaints were registered at 561 PECs and reviewed by the TECs. All TECs stated that revealed violations did not have significant impact on election results.

⁹⁸ Complaints received by the CEC after that deadline were not reflected in its decision on final results.

Four requests for recounts concerning 12 PECs were submitted to the TECs by candidates who were not present during the counting; therefore, these requests were dismissed.⁹⁹ Three more applications were filed after the deadline and dismissed on the same grounds. One application for invalidation of results at three polling stations was filed by the CoAPP to TEC 35 and was subsequently dismissed for lack of evidence.

On election day, the CEC received one complaint filed by the ARF alleging violation of secrecy of the vote. This was referred to the relevant TEC, which invalidated the results at one polling station on these grounds and sent the case to the Prosecutor's office for further investigation. After election day and before the publication of final results, the CEC received 12 complaints, 3 of which were related to campaign violations. The CoAPP filed a complaint seeking invalidation of nationwide election results on several grounds, including misapplication of the Constitution while setting the election date, abuse of administrative resources, voter impersonation, and other irregularities. The CEC dismissed the complaint as unfounded stating that the applicant failed to prove that the alleged violations had a significant impact on the overall election results.¹⁰⁰ Some 100 appeals of TEC decisions were filed to the CEC on 10 April, after the announcement of final results. The CEC informed the OSCE/ODIHR EOM that these appeals would be dealt with within 30 days following the regular administrative timelines for appeals.

The election-dispute resolution system would benefit from additional review to eliminate gaps and ambiguities identified in this and previous OSCE/ODIHR reports, including granting wider legal standing to subjects entitled to appeal and setting out sufficient and consistent deadlines for the adjudication of complaints and appeals. All election-related complaints and appeals should be considered within the electoral period and before the finalization of election results.

On and after election day, the Prosecutor's Office reviewed some 2,900 reports of alleged electoral violations, 850 of which were sent to the relevant law enforcement bodies for investigation. Out of these, 723 were dismissed as unfounded, 19 criminal cases were initiated including 12 related to attempts of impersonation or multiple voting, 3 to violation of secrecy of vote, 3 to obstruction of activities of journalists, and 1 case of vote-buying. Out of 719 reports of alleged electoral violations received by the police, 299 were dismissed as unfounded, and the remaining cases were still under investigation at the time of writing this report.

After election day, the Administrative Court received four complaints related to violation of observers' rights, and an appeal of the CEC's refusal to conduct a nationwide cross-check of voter's fingerprints.¹⁰¹ All complaints were rejected as unsubstantiated.

On 14 April, the last day for appeals, the CoAPP challenged the election results in the Constitutional Court. In their complaint the CoAPP alleged that several systematic violations occurred, which had an impact on the overall election results. These included abuse of state resources, blurring of the distinction between state and party activities, vote-buying, and violations of secrecy of the vote. The CoAPP based their case mostly on the observation reports from one citizen observer group and requested that all video recordings from all polling stations be reviewed.

⁹⁹ According to the Electoral Code, only those entitled who were present during the count may request a recount.

¹⁰⁰ The CEC upon motion of relevant TECs repealed licenses of eight PEC chairpersons for violation of Electoral Code, and additionally all members of one PEC, where results were invalidated.

¹⁰¹ Administrative Court stated that collating finger prints data and its crosschecking is not an obligation but a discretionary power of the CEC, and therefore the Court has no power to oblige the CEC to act upon applicant's request.

On 28 April, after a four-day-hearing the Constitutional Court confirmed the CEC decision on election results. The Court stated that most of the evidence presented by the applicants was unsubstantiated.¹⁰² It also stated that applicants did not use the opportunity provided by the legislation to address possible violations on election day such as recording a dissenting opinion in the PEC protocol, only raising these issues with the CEC and the Constitutional Court, therefore failing to exhaust all legal remedies available.

While dismissing the complaint, the Constitutional Court stressed the need to address issues raised by the applicant, including vote-buying, lack of clarity on invalidation of results at the polling station level, deadlines for calling the first session of the parliament, and insufficiently clear procedures for electoral dispute adjudication.¹⁰³ The Constitutional Court highlighted that legal reforms are necessary including establishment of mechanisms mitigating possible risks of political corruption in the electoral processes.

XVI. RECOMMENDATIONS

These recommendations as contained throughout the text are offered with a view to further enhance the conduct of elections in Armenia and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past OSCE/ODIHR recommendations that have not yet been addressed. The OSCE/ODIHR stands ready to assist the authorities of Armenia to further improve the electoral process and to address the recommendations contained in this and previous reports.¹⁰⁴

A. PRIORITY RECOMMENDATIONS

1. The authorities and political parties should undertake utmost measures to increase public trust in the integrity of the elections, including public discouraging of selling and buying votes and to ensure that pressure is not applied on citizens to attend campaign events or vote in a particular way.
2. Further efforts should be undertaken to amend the legal framework to address the gaps and ambiguities identified in this report as well as previous recommendations of the OSCE/ODIHR and Venice Commission. Any amendments should be based on broad consultation and be adopted well in advance of the next elections.
3. In order to ensure uniform implementation of the law and provide sufficient guidance to lower-level commissions the CEC should clarify legal provisions through binding decisions.
4. To enhance the transparency and effectiveness of campaign finance oversight, the OAS should have adequate resources, technical expertise, and independence.
5. The election-dispute resolution system would benefit from additional review to eliminate gaps and ambiguities identified in this and previous OSCE/ODIHR reports, including granting wider

¹⁰² Both Prosecutor General and the Head of the PVD present at the hearing stated that no widespread violation of the law were identified by their offices throughout the election period.

¹⁰³ The Constitutional Court underlined that procedures on consideration of different types of complaints by the Constitutional Court should be clarified and sufficiently detailed in the law.

¹⁰⁴ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

legal standing to subjects entitled to appeal and setting out sufficient and consistent deadlines for the adjudication of complaints and appeals. All election-related complaints and appeals should be considered within the electoral period and before the finalization of election results.

6. The authorities should continue to develop effective safeguards against multiple voting and to ensure the secrecy of the vote, which should be implemented adequately and consistently. This could include enhanced training of election staff and targeted voter education, as well as requiring that voters be informed about their right and obligation to secrecy at the polling station. Further steps should be taken to prevent interference by unauthorised people in the voting process.
7. To guarantee equal suffrage, the authorities should consider measures to enhance access to voting procedures for persons with physical disabilities and reduced mobility.

B. OTHER RECOMMENDATIONS

Election Administration

8. The distribution of leadership positions in the PECs could be reconsidered to enhance their independence and impartiality.
9. The CEC could further intensify its efforts to provide widely accessible and comprehensive voter education materials for all groups of voters, including persons with various types of disabilities, national minorities, and those in remote areas.
10. Any changes to the election procedures that involve new technologies should be agreed upon, legislated, tested, and publicized well before elections. To further increase the transparency of new technologies used in elections, the CEC should publish detailed technical specifications and provide greater information on their use to voters.

Voter Registration

11. The authorities should proactively engage in preventing any misuse of voter list entries, timely prosecuting anyone who conducts electoral malfeasance. A review of measures to guarantee the protection of voter's private data, while ensuring that meaningful access to the lists is retained, should be undertaken.
12. Collaboration between different government institutions on measures to reduce the number of voters without a complete address should continue in order to resolve the remaining issues with the accuracy of voter data.
13. Restrictions on voting rights of persons with mental disabilities should be removed.

Candidate Registration

14. Restrictions on candidate rights for people with dual citizenship should be removed. Consideration should be given to provide possibilities for candidates to stand individually.
15. Consideration should be given to enhancing special measures to promote women candidates. This could include placing candidates from the under-represented gender in at least every second position on national lists, establishing a minimum number of women candidates on

district lists, and incentivising political parties to increase the number of their women candidates.

Campaign Finance

16. The legal framework should provide for reporting on all campaign-related expenses, including organizational expenditures such as for campaign offices, transport, and communication.

Media

17. Based on consultation with journalists and media NGOs, the NCTR should issue clear guidelines on the implementation of the requirements of impartiality and equal coverage.

18. A quantitative and qualitative media monitoring of the news, current affairs programs, and debates of the public broadcaster through the year including campaign periods could contribute to ensuring its independent coverage of political and campaign events. Results of the monitoring should be made public on a periodic basis.

19. Measures should be taken to ensure full transparency of media ownership, for example, by requiring clear identification of the ultimate owners of media outlets. Information on media ownership and funding sources should be available to the public.

20. To enhance the opportunity of voters to compare electoral programmes of the contestants, it could be considered to require the public broadcaster to organize campaign debates with contestants.

Complaints and Appeals

21. To ensure effective remedy, the CEC and the courts should give full and impartial consideration to the substance of complaints, act impartially and transparently, and follow due legal process. Any allegations of pressure and intimidation should be vigorously investigated and prosecuted by the authorities.

Election Observation

22. In line with previous OSCE/ODIHR and Venice Commission recommendations, the provision disqualifying newly created organizations from electoral observation should be reconsidered and the deadline for application for observer accreditation could be made closer to election day.

23. The authorities should invite observers from international NGOs and other appropriate institutions, and facilitate their access to all stages of electoral process without undue restrictions.

Election Day

24. Efforts should be undertaken to address overcrowding at polling stations. Consideration could be given to conduct time-and-motion studies to adjust the number of voters per polling station, to identify sufficiently large voting premises, or to increase the number of polling stations.

25. The election administration should follow all established counting procedures and address procedural mistakes and omissions noted during the reconciliation procedures.

ANNEX I: FINAL ELECTION RESULTS

Name of Party/Alliance	Number of votes received	Percentage of votes received	Number of seats allocated	Percentage of seats allocated
YELK	122,065	7.79%	9	8.57%
Free Democrats Party	14,739	0.94%	-	-
Armenian Renaissance	58,265	3.72%	-	-
Tsarukyan Alliance	428,836	27.36 %	31	29.52%
Congress PPA Alliance	25,950	1.66%	-	-
Republican Party of Armenia	770,441	49.15 %	58	55.23%
Communist Party of Armenia	11,741	0.75%	-	-
ORO Alliance	32,508	2.07%	-	-
Armenian Revolutionary Federation	103,048	6.57%	7	6.66%
TOTAL	1,567,593	100%	105	100%

Total number of voters	2,588,468
Total number of voters who participated in voting	1,575,786 (60.87%)
Number of invalid ballots	6,675
Voters voted through the mobile ballot box	2,572
Voters voted through the e-voting system	747

(Source: Central Election Commission website: www.elections.am)

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

OSCE Parliamentary Assembly

Ignacio Sanchez Amor	Special Co-ordinator	Spain
Geir Jorgen Bekkevold	Head of Delegation	Norway
Judith Schwentner	MP	Austria
Kyriakos Kyriakou Hadjiyianni	MP	Cyprus
Zuzka Bebarova-Rujbrova	MP	Czech Republic
Jan Hornik	MP	Czech Republic
Ladislav Sincl	MP	Czech Republic
Jan Zaloudik	MP	Czech Republic
Kulliki Kubarsepp	MP	Estonia
Jaanus Marrandi	MP	Estonia
Kimmo Kivela	MP	Finland
Mika Raatikainen	MP	Finland
Jean-Paul Dupre	MP	France
Thierry Mariani	MP	France
Alain Neri	MP	France
Michel Voisin	MP	France
Christoph Bergner	MP	Germany
Elvira Drobinski-Weiß	MP	Germany
Jurgen Klimke	MP	Germany
Tankred Schipanski	MP	Germany
Georgios Varemenos	MP	Greece
Mavroudis Voridis	MP	Greece
Sergio Divina	MP	Italy
Federico Fauttilli	MP	Italy
Guglielmo Picchi	MP	Italy
Francesco Scalia	MP	Italy
Mikhail Bortnik	MP	Kazakhstan
Barbara Bartus	MP	Poland
Grzegorz Furgo	MP	Poland
Malgorzata Gosiewska	MP	Poland
Jan Lopata	MP	Poland
Robert Mamatow	MP	Poland
Bozena Szydłowska	MP	Poland
Jacek Włosowicz	MP	Poland
Miguel Santos	MP	Portugal
Luis Campos Ferreira	MP	Portugal
Petru Movila	MP	Romania
Gennadii Onishchenko	MP	Russian Federation
Artem Turov	MP	Russian Federation
Peter Osusky	MP	Slovakia
David Carracedo	MP	Spain
Margareta Cederfelt	MP	Sweden
Kent Harstedt	MP	Sweden
Sven-Olof Sallstrom	MP	Sweden
Anna Wallen	MP	Sweden
Simon Burns	MP	United Kingdom
Anton Heinzl	Staff of Delegation	Austria
Alex Kassegger	Staff of Delegation	Austria
Jean-Jacques Flahaux	Staff of Delegation	Belgium
Annemie Turtelboom	Staff of Delegation	Belgium
Milovan Petković	Staff of Delegation	Croatia
Silvia Demir	Staff of Delegation	Czech Republic

Anne-Cecile Blauwblomme-Delcroix	Staff of Delegation	France
Georgios Champouris	Staff of Delegation	Greece
Monica Delli Priscoli	Staff of Delegation	Italy
Igors Aizstrauts	Staff of Delegation	Latvia
Gunars Kutris	Staff of Delegation	Latvia
Silje Arnekleiv	Staff of Delegation	Norway
Sergey Kareska	Staff of Delegation	Russian Federation
Everett Price	Staff of Delegation	United States of America
Bo Nielsen	OSCE PA Secretariat	Denmark
Loic Poulain	OSCE PA Secretariat	France
Anna Di Domenico	OSCE PA Secretariat	Italy
Iryna Sabashuk	OSCE PA Secretariat	Ukraine

Parliamentary Assembly of the Council of Europe

Liliane Maury Pasquier	Head of Delegation	Switzerland
Stefan Schennach	MP	Austria
Petra De Sutter	MP	Belgium
Anne Kalmari	MP	Finland
Pascale Crozon	MP	France
René Rouquet	MP	France
Zviad Kvatchantiradze	MP	Georgia
Volkmar Vogel	MP	Germany
Maura Hopkins	MP	Ireland
Adele Gambaro	MP	Italy
Nelliya Kleinberga	MP	Latvia
Dovilė Šakalienė	MP	Lithuania
Claude Adam	MP	Luxembourg
Aleksander Pociąg	MP	Poland
Józef Leśniak	MP	Poland
Luís Leite Ramos	MP	Portugal
Boriana Åberg	MP	Sweden
Pierre-Alain Fridez	MP	Switzerland
Angela Smith	MP	United Kingdom
Lord Richard Balfe	MP	United Kingdom
Richard Barrett	Venice Commission	Ireland
Simona Granata-Menghini	Venice Commission	Italy
Franck Daeschler	PACE Secretariat	France
Bogdan Torcătoriu	PACE Secretariat	Romania

European Parliament

Heidi Hautala	Head of Delegation	Finland
Frank Engel	MEP	Luxembourg
Agnieszka Kozłowska-Rajewicz	MEP	Poland
Maria Grapini	MEP	Romania
Boris Zala	MEP	Slovakia
Javier Nart	MEP	Spain
Paolo Bergamaschi	Staff	Italy
Jakub Semrau	Staff	Poland
Wojciech Jan Danecki	Staff	Poland
Julien Crampes	EP Secretariat	France
Philippe Kamaris	EP Secretariat	France
Pilar González-Murillo	EP Secretariat	Spain

OSCE/ODIHR EOM Short-term Observers

Teresa Exenberger	Austria
Rudolf Wilhelm Rotter	Austria
Jan Stadler	Austria
Kseniya Stanisheuskaya	Austria
Heike Welz	Austria
Didier Audenaert	Belgium
Sophie Karlshausen	Belgium
Nadezya Uladzimirauna Zhukava	Belgium
Melanie Zonderman	Belgium
Jan Blazek	Czech Republic
Andrea Chalupová	Czech Republic
Alzbeta Chmelarova	Czech Republic
Barbora Jungova	Czech Republic
Jan Kaminek	Czech Republic
Martin Nekola	Czech Republic
Marketa Nekvindova	Czech Republic
Alena Obrusnikova	Czech Republic
Pavel Pseja	Czech Republic
Zaneta Vencourova	Czech Republic
Ondrej Wagner	Czech Republic
Rasmus Fonnesbæk Andersen	Denmark
Inge Christensen	Denmark
Nana Sofia Hansen	Denmark
Metere Laubjerg	Denmark
Niels Erik Nielsen	Denmark
Birte Torp Pedersen	Denmark
Caroline Steiner	Denmark
Michael Sternberg	Denmark
Kristiina Müür	Estonia
Janne Ahola	Finland
Saara Johanna Ahonen	Finland
Riitta Känkänen	Finland
Mikko Juhani Palonkorpi	Finland
Harri Juhani Saarinen	Finland
Julien Arnoult	France
Jessica Berthereau	France
Marie Bertrand	France
Ekaterina Burdina	France
Emmanuelle Cerf	France
Phillippe Dardant	France
Amélie Delaroche	France
Myriam Gaume	France
Alix Genetay	France
Kilian Hocquart	France
Hala Kallas	France
Iréne Ketoff	France
Véronique Lasserre-FY	France
Alice Lena	France
Stephan Lewandowski	France
Mounia Malki	France
Salim Mejahdi	France
Catherine Pascal	France
Pascal Salagnac	France
Andrzej Wocial	France
Daniel, Bernard Zeldine	France
Jürgen Binder	Germany
Jana Buegers	Germany

Nadja Douglas	Germany
Annett Gerber	Germany
Sebastien Graefe	Germany
Siegfried Holzapfel	Germany
Dorothee Hutter	Germany
Julian Georg Jakob	Germany
Jochen Kortlaender	Germany
Kristin Liedtke	Germany
Michael Georg Link	Germany
Dorothea Luke	Germany
Evelyn Deborah Maib-Chatré	Germany
Magdalena Friederike Metzler	Germany
Maria Milzow	Germany
Wolfgang Detlef Helmut Milzow	Germany
Kerstin Roeske	Germany
Petra Ruth	Germany
Tonja Salomon-Demurray	Germany
Florian Seitz	Germany
Michael Siebert	Germany
Gudrun Steinacker	Germany
Stefan Uecker	Germany
Pavel Utitz	Germany
Judith Vorrath	Germany
Juergen Wintermeier	Germany
Heinz Bernd Wittich	Germany
Atli Isleifsson	Iceland
Selma Sif Ísfeld Óskarsdóttir	Iceland
Catherine Brophy	Ireland
Peter Cotter	Ireland
Deirdre Grogan	Ireland
James McCarthy	Ireland
Theresa Reidy	Ireland
Lorenzo Cugola	Italy
Claudia De Tomasso	Italy
Luca Di Gennaro	Italy
Samuele Dominiononi	Italy
Monica Ellena	Italy
Astrid Ganterer	Italy
Piero Iaia	Italy
Carlo Imarisio	Italy
Cecile Michel	Italy
Valentina Palumbo	Italy
Giulia Pilia	Italy
Valeria Pozzessere	Italy
Kenichiro Sasame	Japan
Sawayama Toshihiro	Japan
Takeshi Yuasa	Japan
Kyran Orynbekov	Kazakhstan
Mels Torekeldi	Kazakhstan
Gulsana Tulepbergenova	Kazakhstan
Zhanerke Zhankuliyeva	Kazakhstan
Anna Stepanova	Latvia
Jurgita Banyte	Lithuania
Mindaugas Gabrenas	Lithuania
Tadas Kubilius	Lithuania
Jonas Mensonas	Lithuania
Cornelis Ros	Netherlands

Sanne Froukje Amittia Slagman	Netherlands
Henricus Van Bommel	Netherlands
Matthias Van Lohuizen	Netherlands
Vidar Birkeland	Norway
Ragnhild Hollekim	Norway
Nina Wessel	Norway
Lisa Knatterud Wold	Norway
Jan Brodowski	Poland
Ludovic Ciechanowski	Poland
Andrzej Cieszkowski	Poland
Grzegorz Cyganowski	Poland
Paulina Czarnecka	Poland
Monika Anna Dobkowska	Poland
Łukasz Jabłoński	Poland
Kaja Krawczyk	Poland
Bartłomiej Krzysztan	Poland
Arkadiusz Legiec	Poland
Dagna Lewandowska	Poland
Paulina Daria Lukawska	Poland
Pawel Nieczuja-Ostrowski	Poland
Michal Nobis	Poland
Magdalena Opalka.	Poland
Jakub Osiecki	Poland
Jakub Dobrosław Pienkowski	Poland
Ewa Marta Polak	Poland
Magdalena Polak-Zoladkiewicz	Poland
Zbigniew Grzegorz Rokita	Poland
Katarzyna Rytko	Poland
Anita Sek	Poland
Nedim Useinow	Poland
Aleksander Warwarski	Poland
Karina Zborowska	Poland
Catalina Oana Ani	Romania
Romulus Bani	Romania
Bogdan Biris	Romania
Ion Buleteanu	Romania
Alina-Stefana Catana	Romania
Octavian Alin Grebla	Romania
Maria Tudora Hagi	Romania
Alis Lungu	Romania
Miruna Nastase	Romania
Gica Onoiu	Romania
Mihaela-Ionelia Popescu	Romania
Bogdan Stefan	Romania
Ioana Udriste	Romania
Rimma Aglushevich	Russian Federation
Stepan Anikeev	Russian Federation
Ivan Artyukh	Russian Federation
Alexander Bedritskiy	Russian Federation
Konstantin Belyaev	Russian Federation
Kristina Bogdanova	Russian Federation
Yan Burlay	Russian Federation
Natalia Chuprakova	Russian Federation
Konstantin Degtyarev	Russian Federation
Alexey Dorovskikh	Russian Federation
Anna Gozhina	Russian Federation
Alexey Gromov	Russian Federation

Dmitry Groshev	Russian Federation
Alexander Ignatov	Russian Federation
Ekaterina Ivanova	Russian Federation
Aleksey Kerestedzhiyants	Russian Federation
Vasily Korchmar	Russian Federation
Svetlana Liapustina	Russian Federation
Ivan Maltsev	Russian Federation
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Andrei Osmakov	Russian Federation
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Larisa Polushina	Russian Federation
Aleksandr Prusov	Russian Federation
Aleksandr Rogov	Russian Federation
Stanislav Ruzhinskiy	Russian Federation
Gennady Ryabkov	Russian Federation
Natalia Shmeleva	Russian Federation
Vilyam Smirnov	Russian Federation
Konstantin Tasitc	Russian Federation
Svyatoslav Terentyev	Russian Federation
Alexander Vladychenko	Russian Federation
Sergei Zenkov	Russian Federation
Andrei Ziuzin	Russian Federation
Alina Zolotareva	Russian Federation
Maria Zots	Russian Federation
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Branislav Pochaba	Slovakia
Robert Podgorelec	Slovenia
Aleš Tadeuš Rovšnik	Slovenia
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Bruno Castro Benito	Spain
Virginia Cezilly Fernandez De Liger	Spain
Jose Luis Del Riego Santos	Spain
Pablo Desportes Bielsa	Spain
Elena Garcia Cabrera	Spain
Jaime Hermida Marina	Spain
Alberto Nuñez Sabaris	Spain
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Barbara Sbrogiò Bolado	Spain
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Mats Ekholm	Sweden
Lennart Glans	Sweden
Peter Mattias Goldmann	Sweden
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Eva Helena Jacobsson	Sweden
Torsten Jaeckel	Sweden
Evy Birgitta Jansson	Sweden
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Erika Mejhert Seltborg	Sweden
Jan Lennart Myhlback	Sweden
Daniel Olsson	Sweden
Ulf Ottosson	Sweden
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Maximo Juan Prades Barcelo	Sweden
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Lilian Skoglund	Sweden
Hans-Ivar Sward	Sweden
Cecilia Tuvevsson	Sweden
Delphine Altwegg	Switzerland
Lucy Miganouche Baghramian	Switzerland
Claude Béglé	Switzerland
Christine Behuelin Sargenti	Switzerland
Michel Bosshard	Switzerland
Daniel Fasnacht	Switzerland
Sanovbar Luescher	Switzerland
Victor Pazinski	Switzerland
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John Damian Earls	United Kingdom
Alexander Folkes	United Kingdom
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Dally Tariq Hakem	United Kingdom
John Hampson	United Kingdom
Dominic Rupert David Howell	United Kingdom
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Melanie Jane Leathers	United Kingdom
Alan Lloyd	United Kingdom
Sarah Louise Murrell	United Kingdom
Michael Naughton	United Kingdom
Bernard Joseph Quoroll	United Kingdom
Michael David Sander	United Kingdom
David Taylor	United Kingdom
Maureen Christie Taylor	United Kingdom
Susan Trinder	United Kingdom
Christine Ward	United Kingdom
Joseph Lloyd Worrall	United Kingdom
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Howard (Jonathan) Bemis	United States of America
Somer Bessire-Briers	United States of America
Stephen Matthew Bouey	United States of America
Emily Michelle Carter	United States of America
Debra Rachel Eisenman	United States of America
Larry (Scott) Gage	United States of America
Elaine Malissa Ginnold	United States of America
Rebecca Jean Graham	United States of America
Stephen Joseph Hagerich	United States of America
Ruben Harutunian	United States of America
Robert John Hellewell	United States of America
Anna Koppel	United States of America
Frank Lavoie	United States of America
Katrina Camile Leggat	United States of America
Kathryn Marie McLaughlin	United States of America
Douglas Owen Metz	United States of America

Kelly Kristen Norton	United States of America
Molly Lyn O’Neal	United States of America
Joseph Thomas Procak JR	United States of America
Karl Freidrich Rahder	United States of America
Raphael Sambou	United States of America
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Jack Warfield Van Valkenburgh	United States of America
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Davor Čorluka		Bosnia and Herzegovina
Vedrana Halilović		Croatia
Lela Tsaava		Georgia
Elma Šehalić		Germany
Goran Petrov		The former Yugoslav Republic of Macedonia
Jane Kareski		The former Yugoslav Republic of Macedonia
Marcell Nagy		Hungary
Daniela Diaconu		Romania
Svetlana Chetaikina		Russian Federation
Saša Pokrajac		Serbia
Anders Eriksson		Sweden
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Aleš Jakubec	Czech Republic
Marcela Mašková	Czech Republic
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Matti Tapio Heinonen	Finland
Minna Maarja Järvenpää	Finland
Roman Kwiakowski	France
Cécile Polivka	France
Helmut Julius Goeser	Germany
Ulrike Christa Rockmann	Germany
Seamus Francis Martin	Ireland
Emil Shakir Uulu	Kyrgyz Republic
Catharina Maria Appel	Netherlands
Alida Jay Boye	Norway
Eldrid Røine	Norway
Aleksandra Jarosiewicz	Poland
Katarzyna Maria Skórzyńska	Poland
Alexander Kobrinskiy	Russian Federation
Sergei Kovalevskii	Russian Federation
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United States of America
United States of America

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it coordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All OSCE/ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).