Analysis of 2008 Presidential Election Observation Results

Analytic Report

VANADZOR 2008

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

CONTENTS

Introduction _____ 3

Shortcomings of Legal Regulation of Election Processes _____ 3

Public-Political Environment in Pre-election Period _____ 4

Observation of Pre-election Campaigning_____ 5

Observation of the Voting Day_____ 8

Conclusion _____10

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

Introduction

Presidential elections in Armenia were held on February 19, 2008. The president of Armenia is elected by absolute majority system. If, in the first round, no candidate receives an absolute majority of votes, a second round will take place 14 days after the first round between the two leading candidates. Parties and citizens have the right to self-nominate and nominate presidential candidates in Armenia. During presidential election, the whole territory of the republic is considered one majoritarian constituency. For the administration of 2008 presidential election, 41 Territorial Election Commissions (TECs) and 1,923 Precinct Election Commissions (PECs) have been formed.

Nine candidates will run in the election. The candidates were:

1. Arthur Vahani Baghdassaryan	Rule of Law/Orinats Yerkir
2. Artashes Mamikoni Geghamyan	National Unity Party
3. Tigran Karapeti Karapetyan	People's Party
4. Aram Sergeyi Harutyunyan	National Accord Party
5. Vahan Eduardi Hovhannisyan	Armenian Revolutionary Party/Dashnaktsutyun
6. Arman Vardani Melikyan	Self nomination
7. Serge azati Sargsyan	Armenian Republican Party
8. Levon Hakobi Ter-Petrosyan	Self nomination
9. Vazgen Mikaeli Manukyan	National Democratic Union

The candidate of the Republican Party was Serzh Sargsyan (incumbent Prime Minister of Armenia) and during the whole period of pre-election campaign he continued his work. The Central Election Commission (CEC) accredited 39 organizations for observation mission out of which 14.823 were domestic observers. Six international organizations held observation mission upon the invitation of RA Government.

International organizations assess the 19 February presidential election in the Republic of Armenia mostly in line with OSCE and Council of Europe commitments and standards, as well as against standards of democratic elections and national legislation. Observation mission held by international organizations carries formal character, which is directly expressed in their assessments. The international observers did not include in their assessments the real content of mechanisms or actions for using legal possibilities of elections. While assessing election processes in the assessments of observers there is little space for the analysis of their impact on election processes and on their final results. In the assessment of OSCE EOM on 2008 presidential elections it was mentioned that "Presidential elections of February 19 were mostly in line with the commitments and standards of OSCE and Council of Europe."
However, the report includes numerous serious violations observed during pre-election period and voting day. By most of domestic observers, the observation and the assessment of results generally express the interests of the candidates winning in elections. In 2008 presidential elections the observers of the organization "The Choice is Yours" (this organization accredited about 4010 observers in CEC) who were mainly members of the Armenian Republican Party supported with their actions either the proxies or the commission members of the candidate nominated by their party. There are few domestic observation missions giving serious conclusions on the real course and results of elections.

Shortcomings of legal regulation of election processes

RA Constitution, Election Code, decisions made by CEC, and other legislative acts, regulate legal relations, arisen by presidential elections.

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

After the Parliamentary elections of May 12, 2007, there have been 97 amendments in 58 articles of the Election Code. Eleven of them concern presidential elections. Particularly, by article 66 citizens got the right to be nominated a candidate for a president by self-nomination.
Voters' identification documents are stamped to minimize possible multiple voting.
The amendments clarified the order of assisting individuals who are not able to vote on their own.
Despite the amendments, there are many shortcomings in the Election Code that had significant impact on the results of presidential elections. Particularly, the Election Code did not regulate the activities of candidates or their supporters in the period before the pre-election campaign, which anyhow were of pre-election campaign character. Some candidates, in fact, started their campaigning long before the its start. This had an impact on the final results of presidential elections. The Election Code does not regulate the actions of candidates' pre-election campaign offices. There is no legal definition on the number of offices and the ways of working. This negatively affected the course of pre-election campaigning, thus violating the principle of providing the candidates with equal opportunities.
The next important shortcoming was that by 1st part of article 13 of Election Code, and according to the official clarification of CEC it was prohibited publishing the lists signed by voters and getting their copies. Thus, the observers could not get familiarized with the lists of participants after voting and this restricted observers' rights.
Just on the contrary, Election Code does not restrict the rights and liabilities of commission members. Neither the Election Code nor the CEC decisions regulate or restrict the behaviour or actions of TEC members or proxies towards voters. Moreover, in accordance with the legislative principle of commission formation, some of the commission members – the chairperson, deputy and the secretary- represent the ruling party.
There are certain legislative shortcomings in the order of forming election commissions. Point 4 of article 34 of Election Code refers to the scope of people who cannot be commission members but it does not include representatives of municipalities, regional administration, school directors, municipal heads, whose influence on the voters is usually big. Apart from this, these people are mainly members of the ruling party. Our observing experience shows that the TEC chairperson, deputy and secretary made coalition with commission members or proxies who are employees of municipalities, regional administration, municipal heads, school directors and had full control over voting and counting process.

Public-political context in the pre-election period

Public-political atmosphere created by certain activities of authorities in the pre-election period predicted the outcome of 2008 presidential elections.

First of all authorities focused on the activities of media. They started their pressure on Gyumri-based TV station Gala, which because it screened a speech by Armenian 1st president Levon Ter-Petrosyan on September 21, 2007. At first, the State Tax Service (STS) started to conduct checking in Gala, as a result of which it 'unearthed' hidden income of 26 million AMD. Then the municipality of Gyumri made a claim to Gyumri residence of RA Economic Court against Gala TV. The Gyumri municipality asked Armenia's Economic Court to force GALA TV to remove its transmitter, as the municipality became the owner of that area in November 2007, after TV station had broadcasted Levon Ter-Petrosyan's speech. Before the owner was unknown, Gala TV repaired the TV tower with own expenses and has been using for 3 years. The examination of the case against Gala TV by RA Economic Court is still underway with pauses.
In connection with the results of the check-up by STS, the advocate of Gala TV, lawyer of HCA Vanadzor, Karen Tumanyan, requested judicial-technical expertise and the case was stopped. The measure conducted by the authorities against Gala TV was a warning for other TV stations for their behaviour towards the candidates in the upcoming elections.
In case of any deviation from the defined conduct, the TV stations would have the same fate.

Almost during the same period criminal pursuits started against businessmen. Members of Parliament Khachatur Sukiasyan, Hakob Hakobyan declared that they were going to support Levon Ter-

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

Petrosyan.

Immediately after that two employees from State Tax Committee and State Tax service were arrested with the charge of deceit, smuggling and for creating a false company. It was as if a false company created by two employees of State Tax Service sent a false account to "Silvia" publishing-house that belonged to the Sukiasyan's and as if there was a false deal of 720 million drams.
By different articles of the Criminal Code the prosecutor's office accused the abovementioned employees, A. Gasparyan and A. Matevosyan, employees of Customs of Gugark region, as well as the director of "Silvia" Ltd. Martin Sukiasyan.

At the beginning of 2008, the employees of state institutions started to compile citizens' passport details. With special tables, each employee was obliged to collect data of on an average of 50 citizens – name, surname, telephone number, address, date of birth, passport number. The signatures existing in the lists showed that the citizens took the obligation to vote for the candidate presented by the list compilers (who were mainly members or supporters of the Armenian Republican Party). Otherwise, they could lose their job, be deprived of their income or could be punished.

Abuse of authorities' position and rights resulted in the formation of an atmosphere of intimidation and fear. During the pre-election campaigning period the actions of authorities developed and increased the tension, directly affected the pre-election meetings held by the candidates and limited citizen's expression of free will, free movement, as well as their chance to freely participate in meetings, demonstrations.

Observation of Pre-election Campaign

Observation was conducted in 5 towns of Lori region: Vanadzor, Alaverdi, Stepanavan and Tashir. There is some information from Kapan, Vayk and Yeghegnadzor towns of Syunik region. Observation of pre-election campaign was conducted in accordance with RA Election Code, RA legislation and decisions made by the Central Election Commission (CEC). 43 employees and volunteers of HCA Vanadzor conducted observation according to definite worked out criteria. It included:

- **Observation of possibilities for the formation and maintenance of equal possibilities for candidates,** in particular:

    1. *Pre-lection meetings of candidates*
    2. *Dissemination of campaign materials of candidates*
    3. *Media coverage of candidates' pre-election campaigning*

- **Actions of eligible bodies for preventing or abolishing violations of the pre-election campaigning order,** in particular:

    1. *Actions of Territorial Election Commissions (TEC) on election frauds*
    2. *Actions performed by law enforcement bodies in calling to liability for election frauds*

- **Actions of authorities and use of administrative resources,** in particular:

    1. *Actions of authorities against citizens (pressure, violence, promises)*
    2. *Position of authorities about candidates*
    3. *Use of administrative resources*

Candidates Serge Sargsyan, Arthur Baghdassaryan, Levon Ter-Petrossyan, Vazgen Manukyan and Artashes Geghamyan campaigned more actively. Campaigning took place in different towns of the country through door-to-door meetings, dissemination of materials. Mutual offences, anti-campaigning and defamation prevailed in the campaigning of the candidates. There was a similar attitude towards campaigning materials, most of which have been removed or damaged.

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

Equal Opportunities for candidates' pre-election campaigning

In order to hold pre-election campaigning in equal conditions CEC defined the schedule of airtime for public TV. CEC defined the order of allocating candidates free of charge space to hold their meetings. In accordance with the order defined by RA Election Code, community heads designated the places/addresses where candidates might display campaign materials. By the decision of community heads, those places were equally allocated to candidates and their size would not exceed A1 format.

During the pre-election campaign, there were many violations by candidates and authorities. The start of all this can be considered campaigning of Serge Sargsyan. Serzh Sargsyan actively campaigned as a candidate for president while continuing to serve as Prime Minister. During the pre-election campaign period, the actions of Serge Sargsyan as a Prime Minister and as a candidate for president were combined. Very soon almost all officials affiliating with the same party adopted the same working style. RA Election Code clearly defined that state and self-governmental bodies are prohibited to campaign during their working hours or create unequal conditions for candidates by using their official position.
Equal conditions for all candidates have not been provided.

1. There were communities in Lori region, which heads did not designate places for posting materials. In some of them the materials were posted in unauthorized places, the materials of some candidates were removed or offensive expressions were written on them.
2. Pre-election meetings of candidates did not take place in equal conditions.

State and self-governmental bodies directly abused their position and liabilities to provide advantages for one candidate.

1. State and self-governmental bodies campaigned for one candidate during their working hours.
2. They pressured some candidates and their supporters, and they threatened people to work for only one candidate.
3. Candidates or their supporters influenced the expression of citizens' free will through pre-election promises, election bribes (in a form of money, service providing).

The actions of structures implementing control and having responsibility for election processes were constrained by the ruling party.

1. TECs did not respond election frauds according to legislation; they did not prevent election frauds.
2. People initiating frauds were not called to responsibility by law enforcement bodies.

In Lori region pre-election campaign meetings of candidates were mainly held out of doors. In some cases, candidates Vahan Hovhannisyan, Artashes Geghamyan and Vazgen Manukyan held their pre-election meetings in the Palace of Culture in Vanadzor, for which they paid the directorate from 40 to 60 thousand drams.
One common behaviour of authorities was noticed during the outside meetings of other candidates. Authorities used all their administrative resources and powers and citizens were unduly impeded to attend campaign events of some candidates, especially of Levon Ter-Petrosyan. On the other hand, with great interest, pressure and threats the authorities obliged citizens to take part in the pre-election meeting of Serge Sargsyan. The head of Odzun village did not allow the villagers to attend the meeting of Levon Ter-Petrosyan threatening to fire them from work, to deprive them of their pension or allowance. In Alaverdi the directors of state and private institutions warned their employees that if they participated in Levon Ter-Petrosyan's rally they would be dismissed from their job, and they would be dismissed as well if they did not participate in Serge Sargsyan's pre-election meeting. In Alaverdi during Ter-Petrosyan's pre-election campaign meeting the intercity transport and the ropeway did not work for a few hours, but in Vanadzor, during Sargsyan's meeting the intercity transport and some taxi services worked free of charge. Apart from this, the employees of all state institutions, schools, students of institutes took part in that meeting. Authorities prohibited the population of regions to attend Ter-Petrosyan's meeting to be held on February 16. The same day traffic police stopped the micro-bus in Tashir that drove to Yerevan. When the driver continued his

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

way after the intervention of observers, the police brought the driver's father to police station and made him call his son back. There was a similar case with the buses in Vanadzor.
By direct threats and pressure authorities created unequal conditions for the establishment of pre-election campaign offices. Formation of pre-election campaign offices did not get any legal regulation, which actually made impossible to prevent violations in the sphere.
Owners of premises for pre-election campaign offices gave them either for free of charge use or gave them on rent. Therefore, each candidate could open a pre-election campaign office with his finances or his supporters' opportunities. Anyway, here we witnessed many violations, when either through pressure by state structures the owners were prohibited to give their premises for using as a pre-election campaign office for this or that candidate or their activity was inhibited. The pre-election campaign offices of Levon Ter-Petrosyan were closed in Taron-4 district of Vanadzor and in Margahovit village. The owners explained that the inspectors of Tax Department had notified that they were going to have problems with Tax structures if they allocated premises for pre-election campaign offices of Levon Ter-Petrosyan. Candidate for president Serge Sargsyan had over 30 pre-election campaign offices in Vanadzor but no complaint was received by anyone. The head of Orinats Yerkir office informed that their office in Bazum district was closed as the owner had been intimidated. On February1, in the morning, a car stopped at Levon Ter-Petrosyan's central pre-election office and then an explosion followed it. It was found out that two champaign bottles filled with petrol had been blown up.

On January 25 unknown people broke the window glass of the Orinats Yerkir office in Vanadzor and removed the posters.

The principle of inequality used against candidates was also expressed in dissemination of their posters. The pre-election offices of Tigran Karapetyan and Vahan Hovhannisyan functioned In "Avtomatika" research institute of Vanadzor and they were not allowed to post their candidates' posters in that location. In the same area, the posters of Serge Sargsyan were posted.

In the pre-election campaign period the supporters of candidates regularly violated the order defined for material dissemination. Materials of some candidates were disseminated in non-designated addresses. The head of Odzun village of Lori region did not decide on places for materials though Serge Sargsyan's materials were located all over the village.

The posters of Serge Sargsyan were removed from the buildings of Vanadzor Central Post Office and "Gugark" hotel. In the same place on some of Serge Sargsyan's posters swastika was depicted.

On January 25, some unknown people removed A. Baghdasaryan's poster from the wall of a building in Dimats district of Vanadzor and burnt it. On January 27, unknown people tore Levon Ter-Petrosyan's posters in Vanadzor.

Administrative structures also pressured and intimidated the employees of their structure and made them breach the law.
In 2007, before the parliamentary elections almost all employees of state structures were forcedly affiliated with the Armenian Republican Party. If they did not agree, they could lose their job. In 2008 Presidential elections, under the same threats those people did their best to provide votes for the candidate of that party. Most of the employees of state structures campaigned during their working hours, though law prohibits it.
The dean of the faculty of Mathematics (correspondence department) of Vanadzor State Teachers' Training Institute campaigned for Serge Sargsyan during the lecture.
On February 16, the director of school #9, who was at the same time the chairperson of the PEC situated in her school, invited a parents' meeting and campaigned for Serge Sargsyan.
In one of the pre-election campaign offices of Serge Sargsyan in Vanadzor a meeting was held on February 4, at about 15:30, where Grisha Paravyan, an employee of the municipality, campaigned for Serge Sargsyan. He also urged them to participate in the meeting with Serge Sargsyan and take their relatives and friends with them.
Thirty community heads from Alaverdi region headed the pre-election campaign offices of Serge Sargsyan and actively campaigned without taking a leave. The heads of the same communities and

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

employees of state structure influenced the free will of the inhabitants by vote buying with 3000-5000 drams for Serge Sargsyan. Election bribes were widespread in the whole country.
On February 19, 2008 the inhabitants of Lermontovo village informed the observers that the previous day they had been given 5000 drams for voting for Serge Sargsyan.
On February 18, HCA Vanadzor received information from the citizens that in Serge Sargsyan's two pre-election offices the observers witnessed vote buying.

HCA Vanadzor applied to relevant bodies about the recorded facts of frauds in accordance with the legislation of Armenia.
The steps the observers made to prevent or abolish election frauds allow us to make a conclusion that TECs, law enforcement bodies, community heads performed inaction, which made election frauds in the whole pre-election campaign period ongoing and widespread.

We have sent two letters to TEC 32 in order to find out the reason for the gathering (organized by Member of Parliament Karen Karapetyan) of the heads of communities of Stepanavan and Tashir regions on February 12, 2008, and to prevent the impact of such gatherings in the pre-election period, as well as to prevent dissemination of campaign posters in non-designated places.
Letters were sent to TECs 29, 30 and 31 with the aim of abolishing unequal conditions for holding campaigns in Lori region.
A letter has been sent to TEC 30 and to Vanadzor Police with a request to call to liability those state officials who campaigned during his working hours.
Messages have been sent to Lori regional Police and Lori region Prosecutor's office in connection with inhibiting people in exercising their right to free movement, freedom of assemblies, demonstrations and for abuse of position, as well as phone threats against member of Stepanavan PEC 32/34 Firdus Torosyan. In connection with the letters and frauds, we received formal answers from relevant bodies but in fact, they did not make any steps.

In the response letter of Lori regional Police it was written that "On Tashir-Stepanavan road «PAZ-672» 41SS665 bus was stopped for transportation of passengers (He did not have the right. Only those cars with yellow numbers can take people). The traffic police did not restrict their right to free movement, but behaved according to their rights. The fact of bringing or inviting the driver's father to Tashir police station was not justified."
TEC 30 wrote in its response letter of February 18 that "Director of school #9 Edita Vardanyan was severely warned for campaigning during her working hours."
The same TEC responded to us on disseminating campaign materials: "The mayor of Vanadzor has been informed about the fact and he assured that the issue was taken under control." But the observers did not record any facts of abolishing or preventing violations of poster dissemination.
In its response letter of February 20, chairperson of TEC 32 informed that they did not have any information about the meeting of community heads in Stepanavan and advised to ask the Member of Parliament Karen Karapetyan.
According to information received from Syunik region, TEC 38 did not give any information about the decision on the pre-election campaign office of Levon Ter-Petrosyan situated in Kapan. Moreover, while submitting the letter Ramela Hakobyan, the secretary of TEC 38, said: "There is no time to give you any information and if you need something, sit here and collect your information."

This circumstance created atmosphere of impunity among the performers of frauds and atmosphere of fear and mistrust towards law enforcement system among citizens, which promoted conducting presidential elections with the scenario written by authorities.

Observation of Voting Day

Observation was conducted in 43 polling stations of Lori region towns and villages. It started on February 19, at 7:00 and lasted until the end of counting and summarization of results, which in some cases finished in the morning of February 20. Observers stayed at polling stations for 17-20 hours: During the whole period, they did not leave their places and recorded all the violations on which our lawyer made letters and messages for TECs and CECs. Observation was conducted in accordance

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

with Election Code and decisions made by CEC.

Observation included the order of voting which does not allow:

Open voting
Voting for absentees or others
Voting with others' identification documents
Crowds in the voting room and at the polling station
Assistance by the same person for a few times
Campaigning in the polling station
Discrepancies between the voter's passport details and the details of the voter's list
Double voting
Voting in case a stamp already exists in the voter's identification document
Presence of unauthorized persons in the polling station

Observers paid special attention to the execution of the rights of PECs set by the Election Code and actions of members when there was violation of voting order.
Analysis of observation results of 43 polling stations serves a ground to conclude that voting passed in an atmosphere, which put psychological pressure on voters by making them vote for the candidate predetermined by the commission.
The PEC members and proxies were mainly of the same political party. As a result, the commission did not prevent vital frauds that influenced the outcome of elections. In particular, the results of our observations prove that there was open voting, the voters showed their ballots to a particular member or proxy. Instead of assisting voters who were unable to vote, the commission members voted for them. This kind of phenomenon was observed in all 43 polling stations.
The observers noted crowds in polling stations in concrete hours, which was due to transportation of voters by special microbuses. During the counting, there were some polling stations where invalid ballots were counted for the candidate Serge Sargsyan. Unauthorized people were regularly present at the polling stations.

In PEC 29/21 observers noted open voting. The inhabitants of a village tried to show their marked ballots to Serge Sargsyan's proxy and the head of the village, who introduced himself as a proxy for a president's candidate Aram Harutyunyan. The chairperson made no step to prevent the abovementioned violations in spite of numerous remarks.
Moreover, the same situation went on with the presence of TEC 29 members who came upon a call.

In PEC 29/03 the voting booths were placed on a table facing the commission, the lower part of the booths was open and the voters showed their marked ballot to the commission.

In polling station 29/11, 273 people have already voted during the period of 12:40-14:00, and it caused crowds in the polling station.
In 29/10 unauthorized people have always been present and there have been two proxies of Serge Sargsyan at the same time.
There were cases when PECs have just ignored such frauds. This was in cases when a large majority of the PEC members was from the same parties, from the same family or they were co-workers.

The chairperson of the polling station 30/02 was at the same time the director of the school and was nominated by Armenian Republican Party. The other two members of the commission were teachers in the same school, another member was nominated by Prosperous Armenia that supported the Republican Party. Such composition of commissions was typical of almost all observed polling stations.

On February 19, HCA Vanadzor sent TECs 29, 30, 31 and to Central Election Commission (CEC) information on election frauds in different Lori region PECs. Particularly:

• There were crowds in polling station 29/08. There were about 50 people at the same time and the situation was out of control.

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

• There were cases of open voting in polling station 29/21. All the voters put their ballots into the envelope after openly showing it. The observers turned to the PEC but the chairperson did not stop it and open voting went on. The proxy of Serge Sargsyan provided voters with special pens and took back after voting. Two citizens received ballots with other's passports, they put the mark but when the observer noticed the fact a PEC member did not allow them to put it into the ballot box.

• We got information from polling station 29/23 that the ballot papers had been taken to the municipality.

• In polling station 30/29 the right of our observer to free movement was restricted.

• There were crowds in polling stations 30/29, 30/27, 30/09 and 30/10. The chairpersons did nothing to prevent this.

• In polling station 30/25 our observers recorded a case of two people in the same voting booth.

Two messages were sent to CEC.
• In polling station 32/02 pressure was put on our observer and she had to leave the PEC.

• In polling station 31/15 there were two cases of voting without putting stamp in the passport, but the commission did not make a protocol on the cases.

In polling station 31/15 Gyulnara Ramazyan conducted observation from the NGO "The Choice is Yours", but she was also a member of Republican party. HCA Vanadzor suggested stopping the observation mission of the NGO "The Choice is Yours" and take them out of the PECs.

The following responses were received from TECs related to letters submitted to them on the facts that observers recorded

Members of 29 TEC immediately arrived at 29/21 to prevent open voting after the observers turned to them. They waited there for about 40 minutes but open voting continued both during their presence and after they have left.

Five response letters were received from TEC 29 on February 24 where it was mentioned: "The members of the TEC visited polling station 29/21 but recorded other facts and data on your mentioned circumstance. The commission members took necessary measures to exclude similar cases."

Related to frauds in 29/29 PEC it was noted: "The case of obvious and mass open voting was not justified and no fact was registered."

Related to crowds in PEC 29/08 the TEC answered: "The commission members visited PEC 29/08 where they found crowds not inside but outside the polling station."

Related to frauds in 29/23 the TEC answered: "The safe determined for keeping the ballots has been situated in the village municipality. The commission members took steps to solve the issue and the safe was moved to the polling station."

Conclusion

No principle of ensuring free and fair elections was followed in preparation and during pre-election campaign of 2008 presidential elections. The process of administration of elections was not in line with Armenia's commitments to CoE and OSCE standards for democratic elections.

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am

1. The pre-election campaign was held in unequal conditions by the candidates, which has been in many cases formed through intimidation and pressure with abusing own rights by authorities.
2. Before pre-election campaign local media outlets did not publish their prices of political advertisements for the pre-election campaign. During pre-election campaign, they avoided to cover much this or that candidate.
3. Employees of all municipal and state governmental structures, local self-governmental bodies and regional administration headed by the governor, schools, healthcare institutions, nursery schools have been involved in collecting votes for incumbent prime minister, candidate for president Serge Sargsyan. State budget funded structures pressured and intimidated their employees in order to prevent them to participate in the opposition rallies.
4. TECs, CEC, community heads, law enforcement structure performed inaction in preventing election frauds or calling trespassers to responsibility. Such cases created mistrust among citizens towards legal system, disappointment or feeling of being unprotected. The atmosphere of fear and intimidation dominated which directly affected and predetermined the outcome of the voting day results.
5. Voting was held with important frauds of defined order – the confidentiality of voting has not been provided.

So, observation of administration of presidential elections, which can also be called observation of unlawful actions used by current authorities for keeping their power, testifies that the whole authority system made every effort and did not choose among means to be reproduced.

59 Tigran Mets st., Vanadzor, 377204, Republic of Armenia, Tel. (+374 322) 4 22 68; E-mail: hcav@hcav.am. URL: www.hcav.am, www.hrlori.am
Տիգրան Մեծի 59, Վանաձոր, 377204, Հայաստանի Հանրապետություն, հեռ. (+374 322) 4 22 68; էլ. փոստ՝ hcav@hcav.am,
էլ.հասցե՝ www.hcav.am, www.hrlori.am