



Preliminary Results and Conclusions of Short-term Observation Mission of HCA Vanadzor over RA Presidential Elections of February 18, 2013

February 19, 2013

On February 18, 2013, on the voting day of RA Presidential elections, HCA Vanadzor conducted permanent observation mission in 50 electoral precincts of Lori and Tavoush regions, and the 16 itinerant observers of the Organizations made visits to additional 20 precincts. The observations were carried out via observation cards previously drafted in conformity with the RA Electoral Code and OSCE standards.

Within voting day 3 interim reports on the observation mission results have been compiled and disseminated over 8:00-12:00, 12:00-16:00 and 16:00-20:00 time periods.

7 letters regarding the electoral violations have been sent out and 1 case was orally reported to RA Police (See annex 1).

During the observation the below-mentioned was recorded:

- As a general rule, the Regional Electoral Commissions were comprised of only the incumbent president, RA presidential candidate Serzh Sargsyan's while in some of the electoral precincts Raffi Hovhannisian's proxies.
- The Regional Electoral Commissions basically displayed identical behavior in spite of their partisan diversity, in some of the electoral precincts the employees of local self-governing and state bodies were proxies.
- In addition to the observers of HCA Vanadzor, the "Choice is yours" NGO observers also carried out observation mission, who were mostly the employees of institutions chosen as electoral precinct sites.
- During voting, specifically, throughout 11a.m.-15:00p.m., a huge flow of voters was recorded which gradually attenuated during 17:00-20:00 p.m. in particular.
- A greater number of voters participated in the elections in the villages of Stepanavan area while the flow of voters was less in the electoral precincts of Vanadzor city and adjacent Gugark community.
- In spite of non-competitive nature of pre-election campaign, a great flow and activism of voters was observed on the voting day.
- As presented in separate press releases, the following violations have been recorded:
 - Distribution of election bribes

- Ballot stuffing
- Violation of ballot secrecy
- Cases of restriction of voters' free will/ cases of directing voters/
- Presence of unauthorized persons at electoral precincts
- Restriction of observers' right to freedom of movement
- Campaign at electoral precincts
- Pressures at electoral precincts
- Overcrowding at electoral precincts
- Violations of voting order
- Absence of measures taken for the prevention of violations by the chairpersons and members of Electoral Commissions
- Intentional inactivity of law-enforcement bodies regarding violation alerts (See annex 2)

Hence, based on the results of short-term observation, we infer that the voting phase of RA Presidential elections held on February 18, 2013 was accompanied by a number of violations which had a significant impact on the election aftermaths and we strongly believe that this round of elections doesn't correspond to the standards of free and fair elections (See annex 3).

Annex 1: Summary of violations recorded by HCA Vanadzor on the day of voting.

General Observation

As a rule, only Serzh Sargsyan's proxies were present in the electoral precincts observed by the Organization. HCA Vanadzor has also noticed that observers from the "Choice is yours" NGO were in some cases the employees of the institution chosen as an electoral precinct.

On the day of voting HCA Vanadzor records numerous violations

A number of violations were recorded by HCA Vanadzor during the observation mission carried out on the voting day of RA Presidential election held on February 18, 2013. Particularly, the Organization recorded that in some of the electoral precincts the voting secrecy was violated, there were ballot stuffing, voters were directed to other precincts, cases of open propaganda were implemented and etc. All of the recorded violations were accomplished by the supporting team members of RA Presidential candidate Serzh Sargsyan.

Hence:

Distribution of Election Bribes

- At 09:30 a.m. an overcrowding of already voted citizens near a car of ՋՍ 880 state license number in the vicinity of #30 Kindergarten/ located at Shinararneri 91, Vanadzor city/ was recorded by the Organization observers. The voters had obvious expectations from people inside that car.
- As of 11:30 a.m. 1 case of election bribe distribution was recorded in the area of 29/25 precinct.

Ballot stuffing

- At 09:30 a.m. HCA Vanadzor observer witnessed ballot stuffing at #31/05 precinct.
- At 10:58 a.m. HCA Vanadzor observer recorded ballot stuffing at #32/05 precinct
- At 10:00 a.m. the observer recorded signed ballot stuffing into the ballot box at # 32/14 polling station. Moreover, the Organization observer got a phone call from CEC and received a reprimand for reporting on ballot stuffing.

Violations of Voting Secrecy

- The arrangement of voting booths didn't ensure secrecy of voting at #31/02 precinct.
- As of 10:00 a.m. 6 cases of open voting were recorded at # 32/14 precinct
- After casting his ballot, an elderly man looked at the Commission members and said, "I have voted Serzh" at # 32/56 precinct. A Commission member from the same precinct told an elderly man, "Even if you don't see well, it is an easy surname, a very popular one, you'll find it easily".

Impeding freedom of expression of voters' will /cases of directing voters

- There were group assemblies in the vicinity of # 29/07 precinct and the voters were being transported to the precinct by cars.
- Serzh Sargsyan's proxy at #29/08 was contatnly going out as if looking through the voters' list attached outside and was returning to the precinct with voters.
- A minivan with 0696L state number was transporting citizens to # 29/18 precinct.
- Avetik Abazyan, Serzh Sargsyan's proxy at #29/21 precinct approached the voters and conversed with them prior to voting and later after casting ballots he again approached his co-villagers and talked with them. After the voters had left the precinct, the proxy made a note in his list.
- Cars with the following state license numbers 34VU357, 32STO 848, 64 LS 664, 29/25 23 LS 137 were transporting citizens to # 29/25 precinct.
- Voters were transported by cars to # 29/27 precinct, in addition, voters were aslo directed there.
- A white "Niva" car with 13LO 902 state number regularly transported voters to #29/29 precinct.



- A car with 28LT099 state number was transporting citizens to # 29/31 precinct.
- A minivan with 0449 L state number was transporting citizens to # 30/02 precinct.
- Right opposite the # 30/11 և 30/12 precincts there are 2 young men standing. One of them is directing the voters by stating the following in particular, “You know that number 6, don’t you?”
- Head of Housing Maintenance Office sitting outside of the # 30/34 precinct was incessantly directing voters.
- 2 citizens at # 41/23 precinct approached those who were searching their names in the voters' list outside and urged them to vote in favor of Serzh Sargsyan.
- Head of Housing Maintenance Office and at the same time Serzh Sargsyan’s proxy at #30/34 precinct called some citizen and instructed loudly, “ Have the car parked not to wait there in vain, well, I don’t know, gather and bring them”. The latter also directed voters by instructing who to vote.
- The Commission members and proxies inquired from the voters who they had voted at #41/21 precinct.
- 2 citizens at # 41/23 precinct approached those who were searching their names in the voters' list outside and urged them to vote in favor of Serzh Sargsyan.
- During 11:00-16:00 p.m. time period more than a dozen of young men were assembled in the vicinity of # 41/23 precinct of Ijevan city, who periodically approached the voters and offered their help with the voters’ list, and then told in a low key to vote for Serzh Sargsyan.
- Tavoush Region Governor Armen Ghularyan’s son appeared several times in the area of 41/23 precinct and stayed for longer periods. Rudik Davtyan, Chairman of Tavoush region “Yerkrapah Volunteer Union”, parked his car near the precinct area and over an hour set on a “chair” next to his car.
- Serzh Sargsyan’s proxies at # 41/23, #41/26 precincts often went out of the voting room to meet with other fellow proxies outside and oversee the flow of voters.

Presence of unauthorized persons at electoral precinct

- As of 09:30 a.m. 3 proxies of Serzh Sargsyan were present at # 29/27 precinct /officially only 1 of them was registered/.
- At 11:40 a.m. an unauthorized person, who was photographing voters inside the precinct, was present at # 30/22 precinct.
- Some citizen was constantly going in and out by offering his help at #31/25 precinct. The Commission members were also displeased with this fact.
- 2 proxies of Serzh Sargsyan /Artak Simonyan, Hovhannes Melkonyan/ were simultaneously present at #32/34 precinct.
- The village Mayor's son with 2 police officials, who were not authorized to be present there, were present in the voting room of #40/33 precinct.
- At around 10:30 a.m. it was recorded that two proxies of Serzh Sargsyan were at the same time present in the #41/12 precinct of Haghatsin village. One of the proxies didn't have the respective certificates, but within 2 hours after the observer's efforts to point out the fact to the Commission Chairman the latter had an unrestricted access to the precinct.
- More than one proxies of Serzh Sargsyan were at the same time present in the voting room at # 41/23 precinct.
- Two proxies of Serzh Sargsyan were at the same time present in #41/26 precinct at about 08:00 a.m. After the observer's interference, a dispute began between the observer and one of Serzh Sargsyan's proxies, who was also the responsible of one of S. Sargsyan's pre-election headquarters. The proxy was dismissed from the voting room; however, the latter was present in the precinct area until the end of voting and using his lists at hand phoned voters by calling them to the precinct.
- In the area of #41/26 precinct a citizen, who avoided introducing, said that he had been appointed a responsible for the building. He was responsible to ensure voting of the building residents.

Restriction of observers' right to freedom of movement at precincts

- The observers' right to freedom of movement was restricted at # 30/01 precinct: specifically Valeri Jaghinyan, one of the Commission members rudely reprimanded the Organization's observer in a high key by blaming the latter in looking at the Commission Chairman's documents standing near the fireproof case, whereas the observer with his back to the fireproof case was attempting to bypass the table of Commission Chairman and the Secretary to approach the table of other Commission members, when the observer inquired from the Chairman whether he also thought the latter was violating the election order at that point. In response the Chairman replied, "I haven't noticed such a thing, in case I notice



I will intervene, in your shoes, I wouldn't speak back to the Commission member, and regarding the Commission member you hint, I know who and what to say.”

Campaign at precincts

- As of 10:00 a.m. Serzh Sargsyan's proxy strolled around wearing a “Safe Armenia” scarf at # 32/14 precinct.

Pressures at precincts

1. The Commission members exerted pressures against the proxy of “Heritage” party at 30/01 precinct.

Overcrowding at precincts

- In #29/27 precinct, at 12:18p.m. the observer pointed out the fact that more than 30 voters were periodically present in the precinct center, noted the situation was tense and out of control.
- In #32/14 precinct, at 14:01p.m. more than 40 voters were at the same time present at the precinct center.
- Around 10:00 a.m. an overcrowding of people was recorded in the area of # 41/11 precinct/Teghut village, Tavoush region/. We don't mean overcrowding of voters but of a few dozens of men led by Teghut Mayor Ararat Tamrazyan, who were standing near the precinct area “doing nothing” as they termed it. The Organization's observer drew the attention of the police officials on duty to that fact; however, no measures were taken by them regarding it.
- At around 10:30 a.m. over a dozen of young men were standing near the #41/13 precinct of Haghatsin village who didn't have any obvious status. Captain Armen Kocharyan, a police official on duty, told the Organization's observer they didn't anyhow violate the law, nonetheless, the young men left the precinct area by avoiding camera recording.
- The number of voters at # 41/19 precinct often exceeded the allowed number of 15.
- In #41/19 precinct / Gandzakar village, Tavoush region/at around 15:00 p.m. Avagani members of the community, as if helped the voters to find their names in the voters' list, however, as the Organization's observer has witnessed, they have also put down the name and surname of those persons on a piece of paper.

Violations of Voting Order

- Observer of “Choice is Yours” organization at #29/17 precinct/located in school area/ who was at the same time the school librarian, was present there without

the accreditation certificate issued by the RA Central Election Commission. When the Organization observer applied to the Commission Chairman to eliminate the violation, the proxy went promptly after the certificate, while the Chairman noted that the proxy had shown the certificate in the morning.

- A citizen arrived at the precinct center, approached the Commission Chairman and told that a person with special needs was waiting for him inside the car parked out who couldn't enter the precinct center. The Chairman gave a ballot to the latter who left the precinct, got into the car, later he returned and handed in the ballot. / car state license number 33 LS 609/
- 2 different voters at # 32/56 precinct were aided to cast their ballots, but their data were not registered.
- As of 14:00p.m. the number of voters was not announced #32/14 precinct.
- Raffi Hovhannisian's proxy alerted the Organization's observer that the voters' list at #40/46 precinct included names of deceased people that were already signed in their stead.

Other Violations

- At 29/08 precinct someone had signed on part of voter Samvel Petrosyan.
- Over 5-10 ballots had been previously removed from their stubs at #30/01, 30/06, 30/31 precincts and before the observer managed to approach, the Chairman at #30/01 instructed the Commission member to hide them, but the observer approached and offered the Chairman to prevent such a violation.
- At # 30/34 precinct a citizen notified that his grandson had left his place of permanent registration but still there were his data in the list.
- A citizen voted on part of his mother at 32/05 precinct, the violation was pointed out by Gevorg Qotanjyan, the proxy of RA Presidential candidate Raffi Hovhannisian, who drew the attention of the Commission Chairman to it, but the latter refused to compile a protocol over it.
- There are a number of unsigned passport data as well as signatures without passport data in the voters' list at #32/14 precinct, the observer also noticed that the same signature in the voters' lists was repeated for several times.
- At 15:44 p.m. Commission member Gohar Qachakulyan signed in front of passport data of 3 citizens in the voters' list later other Commission members Emma Balayan, Sonik Markosyan, Victoria Markosyan and Gihar Margaryan each signed in front of passport data of over 3 citizens in the voters' list at #32/14 precinct.
- One of the Commission members of #40/41 precinct alerted that more than 100 servicemen had been brought to the precinct, but only 4 names of servicemen

from that military unit were incorporated in the voters' list, an attempt was made to administer the voting of all soldiers there, but it was prevented by a ANC member.

- The observers from “The Choice of Yours” organization entered into # 41/09 precinct every one hour, verified the number of voters and reported them to the Police.
- At 41/12 precinct the Police required voters' participation statistics but tried to keep it confidential from the observers.

It is worth noting that pressures were exerted against the Organization's observers for voicing about the violations recorded in some of the precincts previously disseminated by the Organization: an attempt to restrict their freedom of movement was made in the precinct area, in one of the precincts the Commission member even threatened by the following phrase, “nonetheless, the elections will be over”.

Measures taken based on the violations recorded by the Organization

The Organization sent out 7 letters over the violations recorded by the observers conducting observation mission to relevant bodies.

Specifically:

One letter was sent to the RA Central Election Commission by the Organization regarding the fact that 2 proxies of Serzh Sargsyan were simultaneously present in the same precinct.

The Commission members at # 29/18, 29/27, 31/01, 30/20, 31/25 precincts didn't provide information to the observers regarding the number of voters every 1 hour. A letter was sent to the RA Central Election Commission by the Organization with a request to take measures regarding the reinstatement of observers' rights to receive information.

Avetik Abazyan, Serzh Sargsyan's proxy at # 29/21 precinct approached the voters and conversed with them prior to voting and later after casting ballots he again approached his co-villagers and talked with them. After the voters had left the precinct, the proxy made a note in his list. The organization sent a letter to # 29 Regional Electoral Commission to eliminate the violation.

The Organization's observer recorded that the Commission members at #32/14 precinct signed and filled in passport data opposite names of persons, who didn't participate in the voting or didn't come for voting. The organization reported it to the RA Police.

Statements /3 in total/ over the violation recorded by the Organization were sent out to the RA Police, it was attempted to send the copies of those statements to the RA Central

Election Commission via the Organization's fax, but it didn't work out due to fax overloading.

Annex 4. Statement of HCA Vanadzor over Police Activities

The Organization's observers have recorded numerous cases of violation and concerns both in the phase of pre-election campaign and on the voting day of RA Presidential elections held on February 18, 2013 regarding which a number of press releases and reports have been disseminated via the Organization's website and through other sources of Mass Media.

The vast majority of the disseminated information touched upon alerts regarding election bribes, abuse of administrative resources, cases of keeping the situation in the vicinity of election precincts under control and holding the citizens subjected by the local authorities, pressures aimed at restricting the expression of citizens' free will, which were manifested by mandatory participation of the citizens both in the pre-election meetings and in the voting, as a direct outcome, an atmosphere of fear, distrust and lack of freedom was created.

In spite of numerous alerts regarding the situation, we record that:

- No single case was revealed by the initiative of officials of RA Police, NSS and Prosecutor's Office.
- Responses to the violations disseminated by the Mass Media were strictly elective.
- The disruptors of regular course of election processes displayed behaviors of obvious cynicism and impunity.

The whole responsibility of such a situation lies on the law-enforcement bodies, who didn't anyhow carry out their obligations as prescribed by the RA Constitution and legislation to prevent election violations, reveal them and hold the violation initiators liable.

Once again such a deliberate inactivity intensified the voters' distrust towards their opportunity to form a Government through the elections of Electoral Institute.

Annex 5. Violations of RA Electoral Code

On the voting day a violation of observers' right to freedom of movement, as prescribed by point 4 of part 1 of Article 31 of RA Electoral Code, was displayed.

Violation of voters' right to secret ballot and expression of voters' free will as envisaged by Article 5 and Article 21 of RA Electoral Code, respectively, was recorded on the voting day. Cases of overcrowding of people and accumulation of vehicles in the area surrounding the precinct center, in the radius of 50 meters were also recorded.



Violations of part 6 of Article 63 of RA Electoral Code, which foresees that maximum fifteen voters can be present in the voting room simultaneously, were recorded on the day of voting.

Cases of restriction of proxies' rights and presence of unauthorized persons at the precinct center, as prescribed by part 12 of Article 6 and part 3, part 4 of Article 33 as well as part 8 of Article 44 of RA Electoral Code, were recorded on the voting day.

Cases of violation of the order to receive ballots, to allocate ballots, to mark them secretly, to help those who cannot vote alone and failure to ensure ballot secrecy in the precinct room, as envisioned by part 1, part 2, part 3, part 4 and part 7 of Article 65 of RA Electoral Code, were recorded on the voting day.

On the voting day violations of the order, as envisaged by Article 66 of RA Electoral Code, particularly, cases of ballot stuffing were recorded.