



Constitutional Referendum
Preliminary statement on the conduct of the Constitutional Referendum
Citizen Observer Initiative and European Platform for Democratic Elections
Republic of Armenia
December 6, 2016

Citizen Observer Initiative and the European Platform for Democratic Elections found an unprecedented number of violations on the December 6 Constitutional Referendum.

The referendum campaign was marred by massive misuse of administrative resources to campaign in favor of the constitutional changes and influencing the voting and tabulation process via control of electoral administration on the territorial and local levels. Inaccuracy of voter lists remained the most crucial issue considering the confidentiality of voter participation that leaves room for later manipulations.

On the voting day, observers reported an unprecedented number of violations of the electoral law and international standards which had systemic character. Citizen observers and some of the international media reported intimidation and threats across the country. Numerous manipulations of the voter lists, violations during the voting and the vote count, as well as high number of cases of direct falsifications of results by electoral commissions influenced the final outcome of the referendum.

Due to the high number of electoral violations and crime, including intimidation of voters, falsification of protocols and numerous reports on ballot box stuffing, Citizen Observer Initiative and the European Platform for Democratic Elections believe that the Referendum results do not reflect the free will of Armenian citizens and should not be considered to be legitimate.

Citizen Observer Initiative and the EPDE observed the entire process of the preparation for the constitutional referendum. On the voting day, about 700 observers were deployed to 500 precincts in all regions of the country. The observers were accompanied by 700 journalists and EPDE experts. Their reports cover the proceedings of the entire voting day – the opening of the polling stations, the conduct of voting and the counting of votes. This information was recorded via SMS reporting and processed by the call center and analyzed by the core team based in Yerevan.

The referendum campaign

The constitutional amendments and the referendum were pushed forward by the authorities very aggressively and hurriedly. No civic debate was ensured by the authorities who initiated the constitutional amendments. Immediately after approval of the draft amendments by the President of Armenia on August 21, the draft was submitted to the National Assembly and approved on October 5, 2015 without any possibility for the public comment. Instead, the entire state apparatus and the state budget employees were actively mobilized in the campaign supporting the constitutional changes.

Impact of the misuse of administrative resources

In many cases, the political diversity and balance were not ensured in the electoral commissions at territorial and local levels. According to the electoral code, the city and village council members cannot be appointed as members of the territorial and precinct electoral commissions. However, there were 203 council members appointed to PECs of which 83 were appointed by the TECs and 50 were appointed by the ruling Republican Party and were removed only after a report being published by an observer organization.

Electoral Law does not provide for the possibility to vote outside the country which deprives a significant number of the citizens of Armenia of the right to take part in elections and referenda. At the same time, the authorities did not introduce an efficient verification system of voter lists despite the fact that this problem was addressed by numerous international and domestic observation missions in the past. This directly allows for manipulation of voter lists during the voting.

The authorities extensively used administrative resource during the campaign period with the campaign being led by the Prime-Minister with the involvement of The Minister of Territorial Administration and Emergency Situations, as well as all regional governors and local government.

The voting day

The voting took place in a tense atmosphere with domestic observers being threatened and targeted by PEC members in the majority of observed polling stations. Several cases of intimidation of the members of the Citizen Observer Initiative were reported during the entire voting day. There were about 150 cases, when the members of the PECs as well as proxies of the ruling party obstructed the work of observers, in particular when observers tried to observe the completion of voter registration in the voter lists.

Several cases of inaccuracies of voter lists were reported, i.e. dead voters still appeared on the voters list, large groups of people were registered at the same address. Obvious manipulations of the voter lists were reported, i.e. voters were unable to vote because somebody else had already voted instead of them, while others found out that somebody had voted for their absent or dead relatives.

Campaigning in favor of the constitutional changes and excessive instruction of voters in the polling stations were reported in several cases. Multiple voting was reported in 57 cases and organized transportation of voters in 20 cases. Instruction of voters in and outside of the polling stations was reported in 50 cases and violation of secrecy of vote in 51 cases. 14 cases of ballot box stuffing was also reported. In 46 cases people without authorization were identified in the polling stations. 5 cases of ballots or PEC accessories being taken out of the polling stations were observed. There were reports on vote-buying and promises of money.

The vote counting was accompanied by several procedural violations which in many cases could significantly influence the outcome of the voting. In several cases, citizen observers and international media representatives were intimidated and hindered in carrying out their monitoring activities. In some polling stations the counting process was interrupted due to obstacles allegedly initiated by PEC members. Eleven cases of falsifications of the voting results were reported, i.e. when turning off the lights at the polling station was used to shift the ballots and change the results.

Biased turnout

At several polling stations where civic observers were present, the turnout noted by observers differs significantly from the official figures presented by the precinct electoral commissions. In those cases the votes in favour of the constitutional change were disproportionately higher than in the precincts with no such discrepancy.