

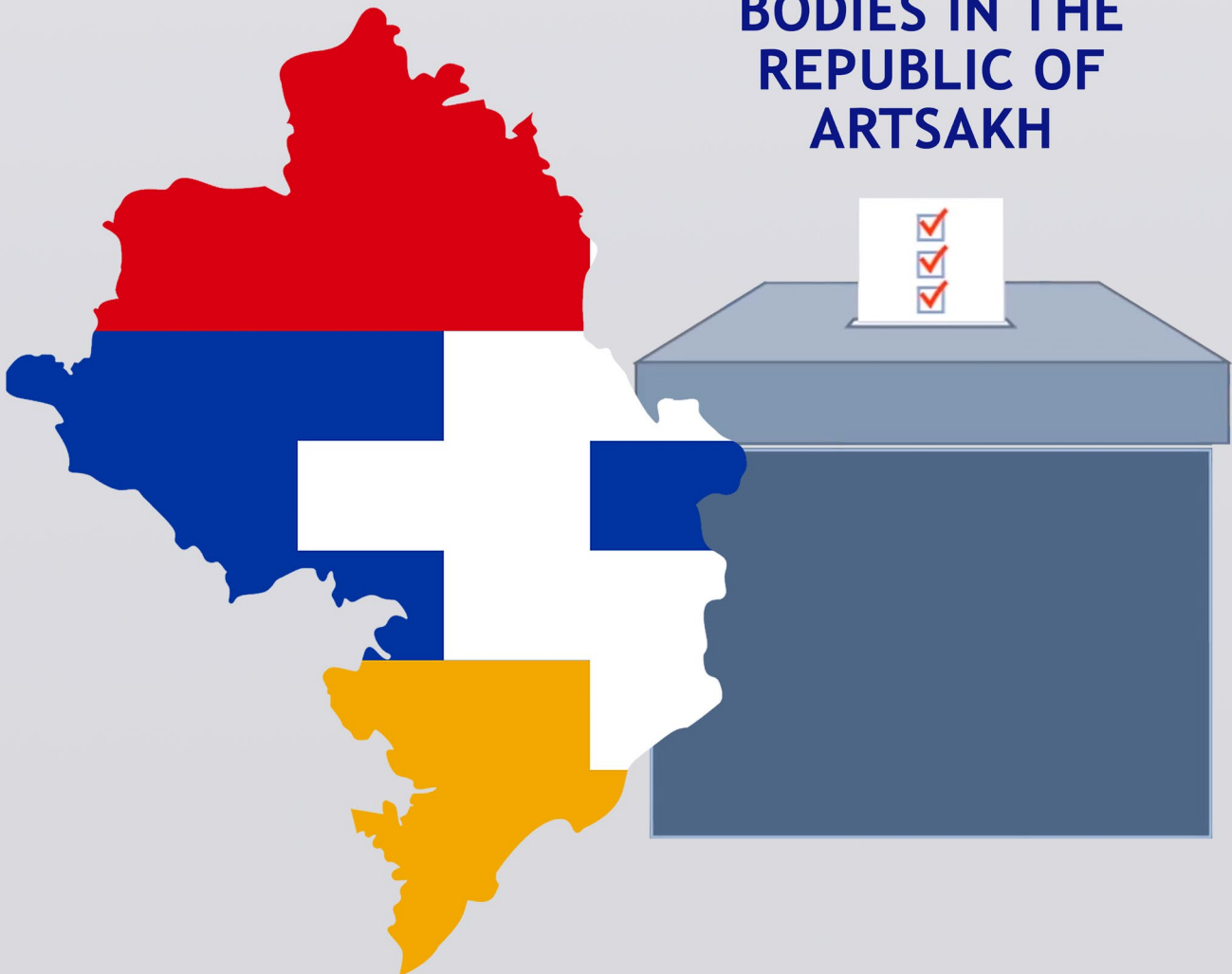


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“Union of Informed Citizens Stepanakert Office” NGO

REPORT ON SHORT-TERM OBSERVATION OF THE ELECTIONS OF LOCAL SELF-GOVERNMENT BODIES IN THE REPUBLIC OF ARTSAKH



STEPANAKERT 2019

Report on
Short-term Observation of the Elections of Local Self-government Bodies
in the Republic of Artsakh
on 8 September 2019

“Union of Informed Citizens Stepanakert Office” NGO

Stepanakert 2019

The observation mission of the local self-government body elections in the Republic of Artsakh held on 8 September 2019 and compilation of the current report have been conducted within the framework of the grant awarded by the Government of the Republic of Armenia (RA).

Viewpoints expressed in the following Report may be contrary to those of the funding body.

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Introduction

On 8 September 2019, during the elections of local self-government bodies in the Republic of Artsakh, a short-term observation mission was held in 40 polling stations by the “Union of Informed Citizens Stepanakert Office” in cooperation with the “Union of Informed Citizens” NGO. To examine the situation outside the polling stations as well as to prevent and settle problems in individual stations, 5 mobile observation groups were involved visiting 70 polling stations. 90 observers, 5 lawyers, 9 recorders and other specialists were engaged in the mission.

Training for 100 observers was conducted within the scope the observation mission. In addition, trainings for police officers were organized jointly with the Police of the Republic of Artsakh. Furthermore, training videos for voters were made and broadcast on Artsakh television.

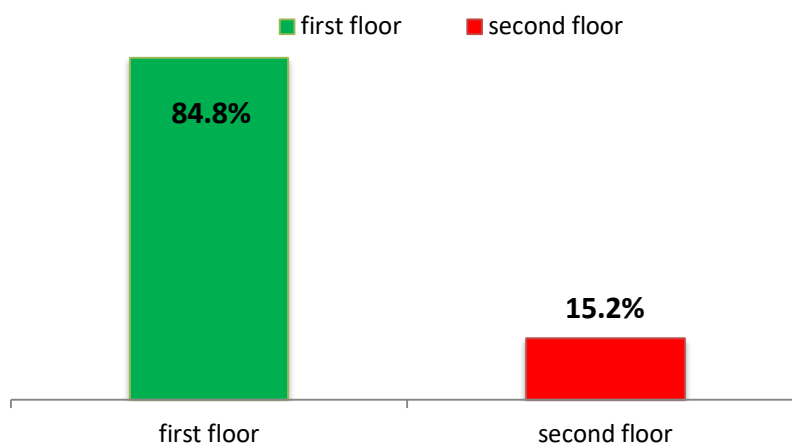
416 candidates for a community head and 1401 candidates for the council of elders were nominated in 228 communities to participate in the local self-government body elections of the Republic of Artsakh held on 8 September 2019. Prior to the Election Day, withdrawal had been made by 6 candidates for a community head and 7 registered candidates for the council of elders.

Accessibility and Furnishing of the Polling Stations

Observation of the local self-government body elections in Artsakh aimed, inter alia, at evaluating accessibility of the polling stations. The mentioned issue should be assessed from the perspective of ensuring voting secrecy and opportunity of independent voting for persons with disabilities. Information availability, presence of ramps and other means to provide independent voting for persons with mobility difficulties, vision and hearing impairment were assessed.

84.8% of the observed polling stations were located on the first floor of a building, and 15.2% on the second floor (see Figure 1).

Figure 1. Location of the observed polling stations



33.3% of the buildings observed were not accessible for persons with mobility difficulties at all.

The other polling stations featured some facilities which were not sufficient, after all. Thus, only 3 polling stations were equipped with ramps out of which only 1 met the minimum required standards. When this issue was raised by the observers, the polling station chairmen explained that in such cases voting shall take place outside the polling station, "... persons with mobility difficulties shall vote outside..." The mentioned regulation is envisaged by the decision of the Central Electoral Commission of the Republic of Artsakh and implies an undue differentiation between voters. Observers witnessed an event when a person with mobility difficulties attended the polling station and had to vote outside (in his car). According to an observer, "... one of the candidates

came to the polling station with his/her father who had difficulties to enter the building. So, the Commission Chairman asked another voter to help the man vote outside (in the car).”

Within the framework of polling station accessibility observation, presence of respective facilities required for voting by persons with vision and hearing impairment was observed, too. The observation results show that 66.7% of the polling stations lacked any specific facilities for independent voting of persons with vision impairment. In all the other cases, magnifying glasses or other respective means were provided in the polling booths.

As assessed by the observers, lighting in polling booths of three polling stations was poor. In such cases, additional lighting was provided by means of candles or voters used their mobile phone flashlight. According to an observer, “... people vote under the light of candles, quite often they use their mobile phone... using a mobile phone as a lighting means implies the risk of taking a photo of the ballot paper.” Poor and/or insufficient lighting caused a dispute in one of the precinct electoral commissions.

Polling station furnishing, namely, location of polling booths was observed to evaluate provision of voting secrecy. The results are as follows: in 27.3% of the observed polling stations, polling booths were located close to one another and/or were not separated in any way which could violate secrecy of voting. Only 2 precinct electoral commissions followed the warning by the observers and solved the problem.

As evaluated by the observers, in 93.9% of the observed polling stations, there was enough space to provide free movement for those eligible to be inside the station. While, 6.1% of the polling stations were not large enough to ensure normal voting procedure.

In 18.2% of the polling stations observed, no information concerning the voting process was provided.

Morning Session of Commissions

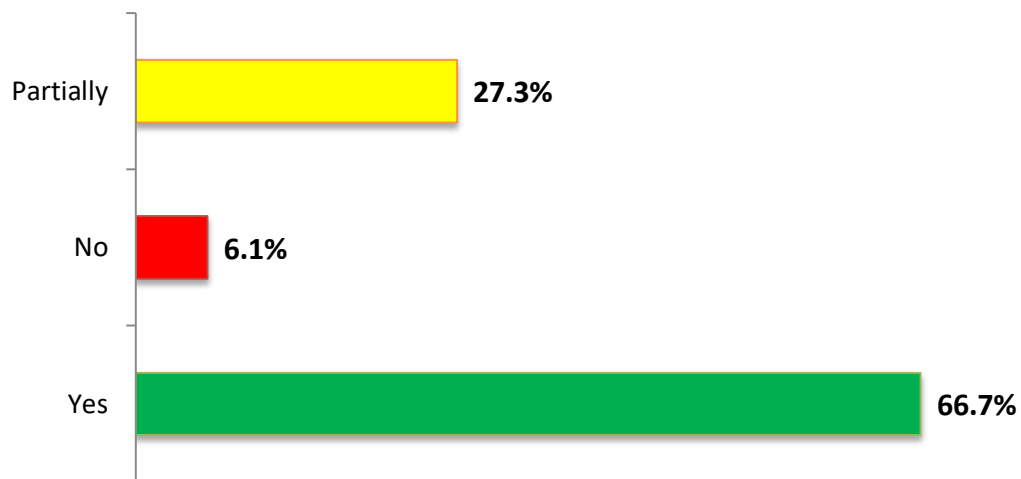
Pursuant to the Electoral Code of the Republic of Artsakh, precinct electoral commissions shall start their work at 7:00 AM on the Election Day. In 51.6% of the observed polling stations, morning session started at 6:59-7:00 AM, in 12.9% there was a delay of 5-10 minutes, and in 32.3%, that of 15-37 minutes. One of the main reasons for session delay was that commission members were late due to unfavorable weather conditions.

Sessions of two observed precinct commissions featured 7 members and those of the others featured 8 members.

In only one polling station a person ineligible to participate in the morning session was found who was a police officer having been invited inside by the chairman due to bad weather conditions. In another observed station, a second proxy of the same candidate tried to participate in the session but left the building after the chairman introduced the regulations.

Sortition for the precinct commission functions throughout the day was performed in 66.7% of the observed stations (see Figure 2).

Figure 2. Functions of commission members specified on the grounds of sortition results



In 30.3% of cases, sortition was conducted only for the first shift with the intention to repeat it for the coming ones. In one of the polling stations, no sortition was conducted, and shifts were specified by the chairman. Another commission chairman stated that he/she would determine the shifts irrespective of the sortition results.

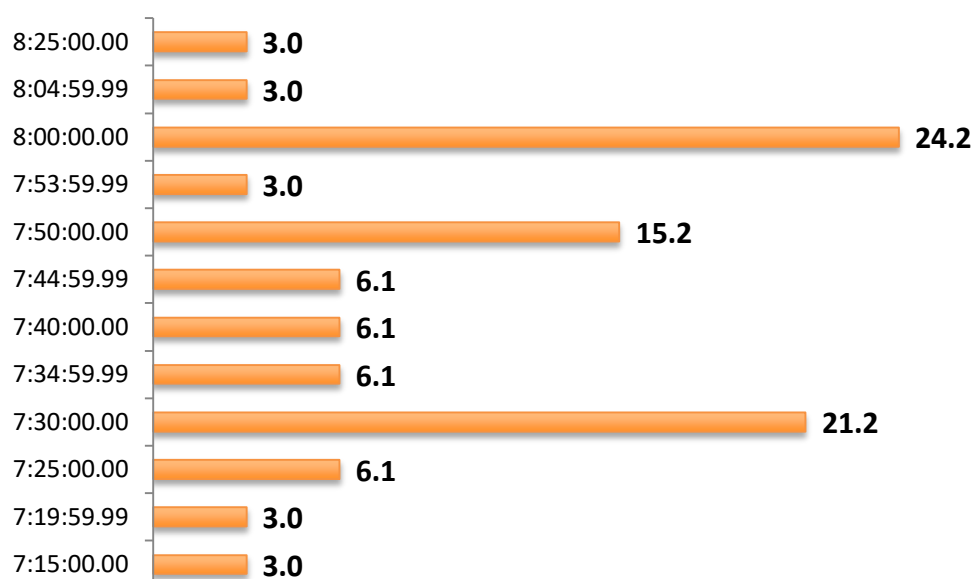
In one of the polling stations, out of 3 ballot boxes only one was properly sealed prior to commencing voting process. This was fixed only after the observers raised the issue.

In 7 observed polling stations, commissions took no necessary steps to repair the recorded violations.

As assessed by the observers, 21.2% of the precinct commission chairmen did not have complete understanding of their functions at the morning session.

Morning sessions finished at 7:15 - 8:25 AM (see details in Figure 3).

Figure 3. Hours when morning sessions finished (%)



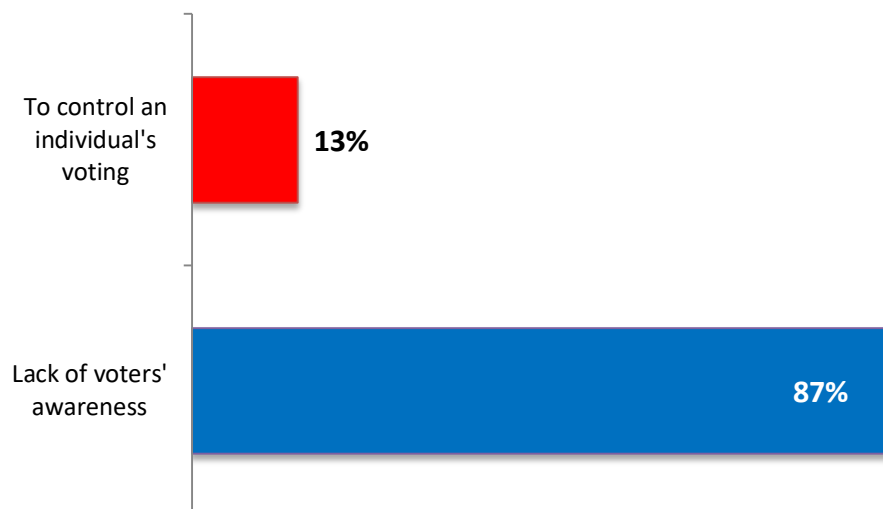
Voting Process

Violations revealed during the observation of the local self-government body elections of the Republic of Artsakh held on September 8 were neither ubiquitous nor systematized.

They were the result of insufficient knowledge of the Electoral Code regulations by voters, commission members, police officers and the candidate representatives as well as incomplete legal regulations.

- Observers recorded 53 cases (in 80% of the observed polling stations) when voters, *mostly old people*, marked or folded ballot papers outside polling booths.
- Shifts of commission members' functions were not followed *at all* in 26 polling stations. Shifts based on sortition were *only partially* followed in 7 polling stations.
- Cases when more than one person entered the same polling booth (except for children and helping persons) were recorded in 29 polling stations. According to the observers, in 87% of cases this happened due to lack of voters' awareness, and in 13% to control an individual's voting (see Figure 4).

Figure 4. Reasons for more than one person in a polling booth.



- 22 precinct electoral commissions did not record all the violations and evaluation in the electoral roll. No violations were recorded by 14 commissions, and only some were recorded by 8 commissions.
- In 17 polling stations observed, commission members not always introduced the voting procedure to voters, and in 3 stations, they did not introduce it at all.
- In 1 polling station, authorized bodies took no steps to repair the recorded violations; and in 12 stations, measures were undertaken not in all cases required.
- In 11 polling stations, an event was recorded when the helping person did not ask the voter's opinion before marking the ballot paper.
- 10 cases of inaccuracies in electoral rolls were detected.
- Cases when voters informed others or just spoke about who they had voted for occurred in 10 polling stations.
- Disputes were recorded in 10 polling stations.
- 5 cases were recorded with 2 proxies of the same candidate in the same polling station.
- Observers recorded 5 cases when voters took a photo of their ballot papers.

- 5 cases were recorded with observers' rights violated. These included threats against observers (free movement was restricted/they were suppressed/threatened/a dispute arose). In one of the cases, the commission chairman removed the observer from the station.
- In 4 cases, police officers were inside the polling station not having been invited by the commission chairman. This was due to bad weather conditions, and in one case due to improper choice of the polling station building.
- 4 cases were recorded when a candidate was in a polling station not being a constituent of that area.
- In 3 cases, voters presented another person's documents, and in 8 polling stations, they presented a document other than a passport. A high-ranking military officer was permitted to vote with a military service record though this is not envisaged for elections of local self-government bodies.
- 31 persons with disabilities were observed to vote outside with the help of the commission chairman.

Observers recorded rare occurrences of the following violations: collecting information about people not having voted and/or providing it to others after getting acquainted with the signed voter lists; use of alcohol by a commission member/s (at the moment or before); not registering personal information of a helping person by the commission; the same person's appearance as a helping person more than once; propaganda materials inside a polling station.

Moreover, problems not associated with violations were recorded as well, including those of not using ballot paper envelopes, too small sizes of ballot boxes, and polling booths not completely ensuring secrecy of voting.

Situation in the Polling Station Surroundings during the Voting Process

On the Election Day, observation was also conducted in the polling station surroundings with the following violations found:

- 9 cases of posters with the aim of influencing voters' opinion were recorded around or directly at the entrance of a polling station; events of oral

propaganda were disclosed in the surroundings of 2 polling stations. Police officers on duty took consequent steps in one of those cases only after an observer had recorded the violation.

- Transportation of people groups by taxies or other vehicles was noticed in the vicinity of 10 polling stations; 36 cases, all in all.
- Human accumulations were noticed on the way to or around 19 polling stations with 12 cases of accumulation within 50 m radius off the station, and 5 cases detected to be of regular nature. It is worth mentioning that most of them were evaluated as “normal” by observers (in view of the fact that it was raining). Police officers on duty not always took consequent measures in such situations.

Calculation of Election Results

Most polling stations closed at 8 PM sharp. Only one of the observed stations closed with delay – at 8:05 PM.

Persons not authorized to be present in the calculation process of election results were found in 8 polling stations. In 7 cases, they were police officers, in 1 case it was an unknown person.

Main reason for police officers to be inside a polling station was that no specific space was allocated to them; hence they needed to hide from the rain inside. In one case, the commission itself allocated chairs to the police officers.

In another case, being warned by an observer that police officers' presence inside a polling station was impermissible when calculating election results (the observer warned that he/she would call the Central Electoral Commission (CEC)), the commission chairman invited the police officers out. The police officers threatened the observer, and the matter was settled due to interference by the CEC Secretary.

An event when a candidate directly participated in calculation of election results (not followed the process) was observed. After a reproach by an observer, the commission chairman prohibited the candidate to be present.

One of the commissions took a half-an-hour break after closing the polling station instead of passing immediately to the calculation process.

Calculation of election results was arbitrarily interrupted by two precinct commissions for a smoke break. Moreover, one of the commissions took such a break thrice for 25, 20 and 15 minutes.

According to observers, only 11 precinct commission chairmen were partially aware of the election results calculation procedure.

In observers' words, in 5 polling stations ballot papers were not calculated in the manner prescribed. For instance, there were cases when the ballot box was completely emptied at once, ballot papers were sorted in colors and those of a certain candidate were put aside by all the commission members.

2 more cases concerning data registration were recorded. In one polling station, data were registered in the electoral roll at first with a pencil and then with a pen. In another polling station, an attempt was made to write down fake figures in the minutes or change the raw figures in justification of rectifying some uncertainties. The violation was prevented by an observer.

Media Monitoring

Overview

Media sector in the Republic of Artsakh lacks diversity and, consequently, pluralism.

The Public Television Company (Artsakh TV) does not provide a 24-hour broadcast; it starts at 4:00 PM and continues until midnight. Within this period, political issues are covered by three newscasts. Political issues are also discussed within the framework of "Ory Hartsazruyts" (as a rule, an interview with a guest) and "Orakarg" roundtable discussion broadcast twice and once a week, respectively.

The only printed newspaper covering interstate events is "Independent Artsakh" that is published by state subsidies. Within the reporting period, its online version - artsakhtert.com, was monitored. During the election campaign, the website published interviews with all the 5 Mayor candidates of Stepanakert and covered the CEC sessions to some extent.

Domestic events are also covered by the "Artsakh Press" news agency (artsakhpress.am) that is affiliated with one of the political forces. Within the monitoring period, the website hardly addressed issues concerning the campaign. Interviews with 3 out of the 5 Mayor candidates of Stepanakert were published. The website conducted an SMS voting to find out rating of the candidates participating in the elections. The election results were regularly updated in the website news feed.

Some other online news websites in Artsakh remind rather of a blog and cannot be influential having a small audience.

Under such circumstances, political forces convey their message to the audience via Facebook social networking website.

Audience of Artsakh is also somewhat exposed to the influence of Armenian media – TV channels, online media and Facebook sector of Armenia.

No study on the media and TV channels rating among the population of Artsakh exists.

Public Television Company

There is no provision in the Electoral Code of the Republic of Artsakh binding the Public Radio and the Public Television Company to allocate free and paid airtime to candidates under the same conditions during local self-government body elections (including those of Stepanakert Council of Elders).

As a result, within the monitoring period (August 15 – September 9) the Public Television Company of Artsakh (Artsakh TV) covered the elections mostly through newscasts. It is noteworthy that “Ory Hartsazruyts” programme being a political one exhibited no political content in the mentioned period. During the campaign, the programme only once addressed the topic of elections (and political events, in general) when CEC deputy chairman Yeghishe Arzumanyan was invited. Throughout the campaign period, no politicians were invited to the programme studio, and the topic of elections was not covered, either. While, on the next day of elections, Head of the election observation delegation of the RA National Assembly Vladimir Vardanyan was invited to an interview about the election results.

Similarly, the program “Orakarg” was broadcast only once within the reporting report. This was the very program that featured a debate between the Mayor candidates of Stepanakert. Representatives of Artsakh TV noted during an interview that much earlier the campaign launch the “Orakarg” programme had gone on vacation.

Actually, Artsakh TV addressed the topic of elections mostly through newscasts. The topic began to be actively addressed since August 21; it was touched upon daily but for several exceptions.

It is notable, however, that the candidates’ campaign was not covered at all as such. Instead, reportages in the form of short interviews with the candidates were made that presented either organizational process of elections or the candidates’ election programs. In general, such reportages were well balanced; even airtime was allocated to all the candidates within each reportage.

On the day of election silence, the channel covered some issues concerning electoral regulations, but no reportage about the candidates was broadcast, hence, not violating the rules of the silence day. On the Election Day, news was broadcast under extraordinary regime; the voting process was covered in all the region centers. Nonetheless, indications of propaganda can be detected in a [reportage](#) presenting voting process of the candidates who speak about what their plans in case of being elected. This can be viewed as propaganda that is prohibited by the Electoral Code of the Republic of Artsakh.

In addition to newscasts, the topic of elections was also touched upon in a broadcast by “Vogu Nzhar” non-news programme when suffrage of ethnic and religious minorities was discussed.

Another broadcast of the same programme tells about Tonashen community of Martakert region. It covers problems of the village and also includes an interview with the Community Head, Mushegh Yedigaryan. Though not being highlighted in the programme, Yedigaryan was the only community candidate nominated for the elections of local self-government bodies. In the programme, he speaks about problems of the village and how they can be solved, and the interviewer introduces him in a good light – as “a man who lived more than a decade sharing the pain of his community” and who “has a good vision of developing a village.”

Though this programme is not of political nature itself nor the broadcast referred to elections, such an interview with the current community head (who had also been nominated) can be viewed as unbalanced coverage in the period of official campaign.

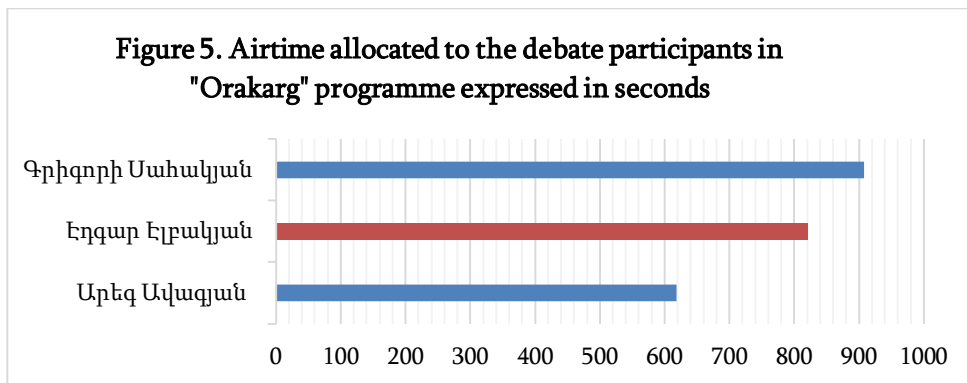
At the second half of the campaign, Artsakh TV began broadcasting social advertisements prepared by the “Union of Informed Citizens Stepanakert Office” aimed at enhancing voters’ awareness. However, the Public Television refused to allocate free airtime to broadcast those advertisements. Chairman of the Public Television Board of the Republic of Artsakh, Arsen Arstamyan, explained it by invoking the Law of the Republic of Artsakh on Advertisements which prescribes that preparation and placement of an advertisement shall be conducted at the expenses of the advertiser.

Debate

During the campaign, a debate was organized between the Mayor candidates of Stepanakert on the Public TV channel of Artsakh within the framework of “Orakarg” programme. However, only two out of the five nominated candidates took part in the debate – Grigori Sahakyan and Areg Avagyan. At the beginning of the programme, the TV presenter mentioned that the two candidates – Grigori Sahakyan and Areg Avagyan, taking part in the debate confirmed their participation in writing. Candidate Davit Sargsyan could not participate due to health problems and informed about it in a written form. Another candidate, Armen Hakobyan, refused to participate in writing and then assured during an oral conversation that would try to join during the programme. According to the TV presenter, the fifth candidate, Arayik Avanesyan, “did not respond to our invitation in writing, then we received an oral refusal from him.” Whereas, Arayik Avanesyan shared a [video](#) on his Facebook page from the debate studio with a post stating that the Public Television had presented a false reason for his absence. Moreover, he had been in the studio, “Misinformation by the Public Television of Artsakh. I was in the studio during the debate, wanted to join it but was not allowed.” In an interview with us Arayik Avanesyan explained that an agreement had been reached between the candidates not to participate in the debate (since there had already been a non-formal debate, and they had agreed to only run the campaign for the last days). However, at the last moment he learnt that the debate would take place, arrived at the TV company late but was not allowed to join the debate halfway though it was not a live broadcast. The representative of the TV Company assured in an interview with us that receiving no response in writing they had contacted Avanesyan’s headquarters the day before the debate and received an oral refusal. The representative noted that Avanesyan had really arrived at the studio halfway through the debate but had not expressed his wish to join the debate in a due manner, rather accused another candidate of breaking their agreement of not participating in the debate.

The TV Company assured us that after the mentioned incident they had made an attempt to organize another debate, but the candidates had reached no agreement with respect to it.

Overall, the debate took 39 minutes and 41 seconds (2381 seconds). In its format, it is quite different from election campaign debates and reminds more of a roundtable discussion with the candidates where the latter introduce their election programs. Two candidates are given the same question and are not held to any time limit to answer. As a result, one of them gives an answer of around 4 minutes and the other one of around 1 minute. Thus, the balance of direct speech opportunity provided to the candidates is disturbed. Furthermore, Figure 5 below shows that not only the airtime allocated to the candidates during the programme differs but also the TV presenter actually speaks more during the debate than candidate Areg Avagyan (time is expressed in seconds in the figure).



Non-formal debate

Prior to the debate on the Public channel another non-formal debate was held during the campaign. Its edited version was placed on Hrayr Avetisyan's YouTube channel thrice on August 26 (2099 views), August 31 (1350 views) and September 2 (966 views). The debate posted in three parts had more than 50 thousand total views on the official Facebook page.

The debate hosted three out of the five nominated Mayor candidates of Stepanakert.



“Mayors’ Club”

This project called “Mayors’ Club” reminds more of a debate in its format though not being broadcast live and having been edited. It has a clear-cut format – first, the candidates present in a specified order why they have been nominated for the Mayor position then introduce their election programs. In the stage of “Awkward questions”, each candidate can address a question to his opponents and all the candidates take their chance. At the end, each candidate answers why he and not one of his opponents should be elected. Though during the debate the moderator does not specify how much time is allocated per candidate, in the edited version of the programme all the three candidates are held to the same time limit and the moderator’s speech is to the minimum.

Intolerance and Hate Speech

In general, there was no use of nonpolitical vocabulary with respect to the candidates (including that by candidates against one another) on the Public Television or the media during the campaign.

A [broadcast](#) of the “Vogu Nzhar” public TV programme as of September 6 which covered the issue of suffrage of ethnic and religious minorities makes an exception. During the broadcast, Head of the Department of Ethnic Minorities and Religious Issues of the Ministry of Culture and Sports of the Republic of Artsakh, Ashot Sargsyan, speaks quite positive about the voting right exercised by ethnic minorities. While coming to religious minorities, he notes that some “sects” themselves waive their right to voting, and there is no binding provision in the Constitution of the Republic of Artsakh with respect to exercising one’s suffrage. The moderator, in her turn, points out that “sects are a favorable element for destruction of a nation and state”, and the interviewee states that “sects” pose a danger to states that are in the state of an armed conflict. The same danger is posed by the multi-party system in Artsakh. He says, “What are 16 political parties for? This means 16 ideologies... This should not be tolerated.”

Some manifestations of hate speech were detected chiefly on Facebook social network, mostly by pages and fake users though there were occasions of real users, too.

The brightest indications of hate speech were against 2 observation missions from the Republic of Armenia. It should be mentioned that some Facebook users from Armenia took part in the counterpropaganda against those missions as well.

Overall, not only accreditation of observation missions from the Republic of Armenian but also opening of the “Union of Informed Citizens Stepanakert Office” in Artsakh and the training organized for the police system on the eve of elections with participation of the Program Director of the organization Yerevan office, Daniel Ioannsiyan, were presented in a bad light within the online domain.

Attempts were even made to present this as interference in domestic affairs of Artsakh; some users expressed their doubt regarding competence and unbiased position of the missions. There were also cases of manipulative claims (even videos were spread) in the context of “Soros Plan” stating that both organizations conducting an observation mission “are in close connection with Soros” that aims at “destroying Armenia” and “surrendering lands”, and that actually “Soros is entering Artsakh.”

Within this context, criticism went beyond the border of discreetness turning into personal insults and hate speech.

Thus, absence of a provision in the Electoral Code of Artsakh concerning balanced coverage of local self-government body elections campaign by the media (including, the Public Television) resulted in no coverage of candidates' campaign as such. The Public television covered the election programs of all the candidates in the form of reportages and in a well-balanced way. The debate between the candidates organized by the Public Television was a positive step which would, nonetheless, serve its purpose if it had featured all the candidates, had had a specified format, had been broadcast live and had allocated even airtime to the candidates.

Online media in Artsakh could not have any impact on the public opinion due to the passive "pre-election" newsfeed.

Under such circumstances, Facebook turned out to be a fertile soil for propaganda. Even though the candidates executed no counterpropaganda during the campaign, several occurrences of counterpropaganda against some candidates and, especially, organizations carrying out an observation mission turned into hate speech on Facebook.

Summary

Thus, it can be recorded that local self-government body elections of Artsakh held on 8 September 2019, irrespective of some shortcomings, were held under competitive conditions and with no violations having essential impact on the election results. Public administrative bodies responsible for organizing and conducting elections, namely the Central Electoral Commission and the Police, took all the measures within the available possibilities and legal framework to hold elections in compliance with democratic standards. However, vital issues as to secrecy of voting, even availability of public resources allocated to the candidates and prevention of election frauds were detected being chiefly a result of legislative regulations and work style of the Public Television.

Recommendations

The first step to be undertaken to bring the election process closer to democratic standards in Artsakh should be changing the Electoral Code. Though the new Electoral Code has already been adopted, it still has a number of gaps. The issues not regulated include provision of mechanisms assuring secrecy of voting, such as introduction of ballot paper envelopes. The Union of Informed Citizens will separately come up with detailed recommendations for issues regulated by legislative acts and bylaws as well as for improving the law-enforcement practice.