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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

**DRAFT
ELECTORAL CODE

OF THE
REPUBLIC OF ARMENIA**

As of 27 May 1997

ELECTORAL CODE OF THE REPUBLIC OF ARMENIA

CHAPTER 1 GENERAL PROVISIONS

Article 1. Principles of Elections

Pursuant to the Article 3 of the Constitution of the Republic of Armenia elections for President of the Republic of Armenia, the National Assembly, local self-governing bodies and also the Referendum (hereunder in the text of this section: the elections) are conducted based on the free implementation of the right to a general, equal, direct elections by secret ballot.

Article 2. Electoral Rights

The citizens of the Republic of Armenia who became 18 years of age prior to the day of the elections have the right to vote.

Citizens recognized as incompetent by a court of law, or citizens confined and bearing the sentence by a legal court verdict, which came into force, cannot vote for nor be elected.

The elections are conducted by citizens directly by free expression of the will.

Any restriction of the electoral right of the citizens of the Republic of Armenia is forbidden, except in cases prescribed by Law, and is prosecuted by Law.

Article 3. Basis for Preparation and Conducting Elections

The elections are prepared and conducted by Central, Yerevan City District, Regional and Precinct Electoral Commissions.

The powers of Regional Electoral Commission are exercised in Yerevan City by two Yerevan City District Electoral Commissions:

Yerevan City District Electoral Commission No. 1 works for the district communities Davidashen, Achapniak, Malatia-Sebastia, Arabkir and Center.

Yerevan City District Electoral Commission No. 2 works for the district communities Avan, Nor Nork, Kanaker-Zeytun, Nork-Marash, Erebuni, Nubarashen and Shengavit.

Expenses for organizing and conducting the elections are covered by a united fund created under the management of Central Electoral Commission, formed by state allocations, voluntary contributions of individual persons and legal entities, and also by the candidate electoral deposits.

State bodies and the local self-governing bodies, state establishments and organizations shall provide electoral commissions with the necessary office space and furniture and are obliged to lend practical assistance in the process of preparing and conducting the elections.

Decisions of electoral commissions adopted within their jurisdiction are subject to mandatory implementation by state bodies and the bodies of local self-governing and state establishments.

During the organization and implementation of the elections the whole territory of the communities of the Republic of Armenia is divided into electoral precincts with consecutive numeration.

The precincts are organized in the establishments submitted to state and community authorities, with the exception of those buildings where the law enforcement bodies, military sub-units, and hospitals are located.

The electoral precincts, depending on the number of voters are prescribed by the Regional Electoral Commissions. In each electoral precinct, the number of voters cannot exceed three thousand.

One precinct is established in each settlement. If the number of voters in the settlement exceeds two thousand, then more than one precinct can be formed in the same settlement.

Electoral precincts shall be established in a way, to have the buildings and houses included the precincts as close as possible to the place of voting.

Electoral precincts are organized also in Republic of Armenia diplomatic representation offices, consulates and the places of detention, with the exception of the elections for the local self-governing bodies and the elections for the National Assembly of the Republic of Armenia by majoritarian system.

The number of precincts in foreign countries and the number of voters in each precinct are prescribed by the head of diplomatic representation office or the consulate upon convenience.

The voting takes place in precinct centers on the day of elections from 08.00 until 20.00.

Article 4. Public Information Dissemination During the Preparation and Conducting Elections

The electoral commissions, community leaders, the leaders of the establishments administering the territories of the precinct centers inform the public, in the manner prescribed by Central Electoral Commission, of their membership, location, working hours as well as on all activities for preparing, conducting and summarizing the results of elections.

The Precinct Electoral Commissions are obliged to send information to the Regional Electoral Commission once each two hours on the number of voters, participated in the elections, and the

Regional Electoral Commission publishes the data received and reports it to the Central Electoral Commission.

With the exception of the elections of local self-governing bodies, the Central Electoral Commission publishes periodically, starting from 11.00 the data on the number of voters participated in the elections, but the last data are published not later, than 23.00.

The Central Electoral Commission officially publishes the final data on the number of voters, participated in the elections, at 12.00 on the next day.

The proxies, accredited foreign observers, the representatives of public organizations, registered as observers, the representatives of mass media have the right to be present at sessions of the electoral commissions as well as during the whole process of the voting.

The electoral commissions shall ensure equal conditions for the presence of the proxies of the candidates, the accredited foreign observers, representatives of public organizations, registered as observers, and the representatives of mass media.

All public organizations, which submitted applications, the regulations of which include the issues of democracy and the protection of human rights, which do not support the candidates, the parties or the blocks of those, and the members of which are not included in any list for the elections by proportional system, are accredited as observers.

The proxies of the candidates, accredited foreign observers and the representatives of public organizations, registered as observers, and the representatives of mass media have the right to acquaint themselves unhampered with the decisions and protocols of the electoral commissions and make extracts.

Article 5. Principles of Formation of Electoral Commissions

Electoral commissions are comprised of the persons having the right to vote in the Republic of Armenia, who are the representatives of the parties or party blocs (hereafter parties) which received at least 5% of votes during the elections of the deputies to National Assembly of the Republic of Armenia, the representatives of public organizations, the regulations of which include the issues of democracy and the protection of human rights, which do not support the candidates or the parties and which have no members included in the lists for the elections according to the proportional system; the representatives of the parties which received the right to participate in the elections of the National Assembly according to the proportional system; the representatives of the candidates who received the right to run for the Presidency of the Republic of Armenia, and also of the teachers, the doctors and medical nurses and other persons who have higher education and who do not work at the state and local self-governing bodies.

Members of the Central Electoral Commission and Regional Electoral Commissions are exempt from military service or military refresher training while executing their functions in electoral

commissions.

Members of Central Electoral Commission and Regional Electoral Commissions can be subjected to administrative or criminal penalty in a legal form only upon the consent of the Central Electoral Commission.

The members of electoral commissions can be included to only one electoral commission. The member of electoral commission has no right to be nominated as candidate for the election.

Article 6. Procedure for Forming the Central Electoral Commission

The Central Electoral Commission is comprised of the representatives of parties, which received at least 5% of votes during the elections of the deputies to National Assembly of the Republic of Armenia, three representative from each party.

Within 5 days following the day of the assignment of the elections, the membership of the Central Electoral Commission is augmented by the representatives of public organizations, the number of which is equal to the number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia, one representative from each organization, the powers of which are terminated with the accomplishment of each election.

In the case of election of the President of the Republic, the membership of the Central Electoral Commission is augmented also, within 5 days following the registration of the candidates, by the representatives of the candidates for the President of the Republic, not nominated by the parties represented in the National Assembly of the Republic of Armenia, who received the right to participate in the elections of the President of the Republic, the number of which is equal to the number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia, one representative from each candidate, the powers of which are terminated with the accomplishment of election.

In case of elections of the National Assembly of the Republic of Armenia according to the proportional system, within 5 days following the registration of parties as a candidates, the membership of the Central Electoral Commission is augmented also by the representatives of the parties, the number of which is equal to the number of the parties which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia, which received the right to participate in the elections of the National Assembly according to the proportional system and which have no factions in the National Assembly, one representative from each party, the powers of which are terminated with the accomplishment of election.

In the case the number of representatives of public organizations, the parties, which received the right to participate in the elections of the National Assembly of the Republic of Armenia by proportional system and which have no factions in the National Assembly of the Republic of Armenia and the and the representatives of the candidates, who received the right to participate in the elections of the President of the Republic and not nominated by the parties represented in the

National Assembly of the Republic of Armenia exceeds the number of parties, which received at least 5% of the votes in the elections of the National Assembly of the Republic of Armenia, a random selection is conducted on the day following the deadline, set for balancing the membership of the commission.

In the case of impossibility of the formation of Central Electoral Commission pursuant to the mentioned procedure, the vacancies in the membership are filled through a procedure of random selection from among the citizens, who have applied for the membership of the Central Electoral Commission, who have higher education and do not work in the state or local self-governing bodies, within 5 days following the deadline set for augmentation of the membership of the commission.

The reception, registration and random selection of the applications from the citizens, who have the right to be included in the membership of the Central Electoral Commission, from representatives of candidates for the Presidency of the Republic of Armenia, the parties, public organizations is organized by the Central Electoral Commission with the participation of the chairmen of the factions of the National Assembly of the Republic of Armenia or the authorized representatives thereof.

The members of the Central Electoral Commission nominated by the parties, public organizations, the candidates for the President of the Republic of Armenia are appointed and dismissed by the leader of respective faction, party, public organization, the candidate for the President of the Republic of Armenia.

The membership of the Central Electoral Commission is made public by the Chairman of the Central Electoral Commission.

The work of the Central Electoral Commission is directed by its Chairman, in his/her absence, by the deputy Chairman as assigned. The Chairman and the Deputy Chairman of the Central Electoral Commission are elected by the Central Electoral Commission from among the members nominated by the parties, which received at least 5% of the votes at the elections of the National Assembly of the Republic of Armenia, at the first session of the Central Electoral Commission.

The first session of the Central Electoral Commission will be held the next day after forming the Central Electoral Commission at 10.00.

The first session of the Central Electoral Commission is conducted by the eldest member of the Central Electoral Commission [until the election of the chairman].

The right to nominate candidates for the chairmanship of the Central Electoral Commission belongs to the Central Electoral Commission members.

If only one candidate runs for the office of Central Electoral Commission chairman, then he/she is recognized as elected if receiving more than one half of the votes of the Commission members.

If the Central Electoral Commission chairman is not elected, a new election is conducted.

If two candidates for Central Electoral Commission chairman are voted, then the candidate who received the majority of the votes is recognized as the elected chairman.

If more than two candidates for Central Electoral Commission chairman are nominated, and none receive more than one half of the votes, then a by-election is conducted between the top two candidates in the first round of voting.

The election of the CEC Deputy Chairman is held in the same manner as envisaged in the paragraph on the election of the CEC Chairman.

The newly elected Central Electoral Commission starts to exercise its powers on the day of termination of the powers of previous Central Electoral Commission.

The powers of the Central Electoral Commission are terminated on the 90th day of the opening of the first session of the newly elected National Assembly of the Republic of Armenia.

Newly elected members of the Central Electoral Commission can participate in the work of the Central Electoral Commission as observers.

Article 7. Procedure for Forming Regional Electoral Commission

The Regional Electoral Commission is comprised of the representatives of parties, which received at least 5% of votes during the elections of the deputies to the National Assembly of the Republic of Armenia, two representative from each party.

The membership of Regional Electoral Commission is augmented within 7 days following the assignment of elections from among the representatives of public organizations, one representative from each organization, the number of which is equal to the number of parties, which received at least 5% of votes during the elections of the National Assembly of the Republic of Armenia less one, the powers of which are accomplished after each election.

In the case of election of the President of the Republic, the membership of the Regional Electoral Commission is augmented, within 7 days following the registration of the candidates, by the representatives of public organizations the number of which is equal to the number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia less one, which received the right to participate in the elections of the President of the Republic, the representatives of the candidates for the President of the Republic, not nominated by the parties represented in the National Assembly of the Republic of Armenia, the powers of which are terminated with the accomplishment of elections.

In case of elections of the National Assembly of the Republic of Armenia according to the

proportional system, within 7 days following the registration of a parties as a candidates the membership of the Regional Electoral Commission is augmented also by the representatives of the parties, the number of which is equal to the number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia, minus one, which received the right to participate in the elections of the National Assembly according to the proportional system and which have no factions in the National Assembly, one representative from each party, the powers of which are terminated with the accomplishment of elections.

In the case the number of public organizations, the parties, which received the right to participate in the elections of the National Assembly of the Republic of Armenia according to proportional system and which have no factions in the National Assembly of the Republic of Armenia and the representatives of the candidates, which received the right to participate in the elections of the President of the Republic and are not nominated by the parties represented in the National Assembly of the Republic of Armenia is equal or exceeds the number of parties, which received at least 5% of the votes in the elections of the National Assembly of the Republic of Armenia, a random selection is conducted on the day following the deadline, set for augmenting the membership of the commission.

In the case of impossibility of the formation of Regional Electoral Commission pursuant to the mentioned procedure, the vacancies in the membership are filled through a procedure of random selection from among the citizens, which have applied for the membership of the Regional Electoral Commission, which have higher education and do not work in the state or local self-governing bodies within 5 days following the deadline set for augmentation of the membership of the commission.

The reception, registration and random selection of the applications from the representatives of the candidates for the President of the Republic of Armenia, the parties, public organizations and from the citizens, who have the right to be included in the membership of the Regional Electoral Commission, is organized by the Central Electoral Commission with the participation of the chairmen of the factions of the National Assembly of the Republic of Armenia or the authorized representatives thereof.

The members of the Regional Electoral Commission nominated by the parties, public organizations, the candidates for the President of the Republic of Armenia are appointed and dismissed by the leader of respective faction, party, public organization, the candidate for the president of the Republic of Armenia.

The membership of the Regional Electoral Commission is published by the Chairman of the Central Electoral Commission.

The work of the Regional Electoral Commission is directed by commission Chairman, in his/her absence, by the deputy Chairman as assigned.

The Chairman and the Deputy Chairman of the Regional Electoral Commission is elected by the

Regional Electoral Commission from among its members, nominated by the parties, who received at least 5% of the votes in the elections of the National Assembly of the Republic of Armenia, at the first session of the Regional Electoral Commission.

The first session of the Regional Electoral Commission will be held the next day after forming the Regional Electoral Commission at 10:00.

The first session of the Regional Electoral Commission is conducted by the eldest member of the Regional Electoral Commission [until the election of the chairman].

The right to nominate candidates for the chairmanship of the Regional Electoral Commission belongs to the Regional Electoral Commission members.

The chairman and the deputy chairman of the Regional Electoral Commission are elected in the manner prescribed for the elections of the chairman and the deputy chairman of the Central Electoral Commission.

The newly elected Regional Electoral Commission starts to exercise its powers on the day of termination of the powers of previous Regional Electoral Commission.

The powers of the Regional Electoral Commission are terminated on the 90th day of the first session of the newly elected National Assembly of the Republic of Armenia.

Newly elected members of the Regional Electoral Commission can participate in the work of the Regional Electoral Commission as observers.

Article 8. Procedure for Forming Precinct Electoral Commissions

The Precinct Electoral Commission is formed from the representatives of the parties, which received at least 5% of votes in the elections of the National Assembly of the Republic of Armenia, one representative from each party and the representatives of the public organizations the number of which is equal to the half of the number of parties, which received at least 5% of votes in the elections of the National Assembly of the Republic of Armenia, and one representative from each public organization.

In the case of election of the President of the Republic, the membership of the Precinct Electoral Commission is augmented by the representatives of the candidates who received the right to participate in the elections of the President of the Republic and are not nominated by the parties, represented in the National Assembly of the Republic of Armenia, the number of which is equal to the half of the number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia: one representative from each candidate.

In case of elections of the National Assembly of the Republic of Armenia according to the

proportional system, the membership of the Precinct Electoral Commission is augmented also by the representatives of the parties, the number of which is equal to the half (integer part) of number of the parties, which received at least 5% of the votes during the elections of the National Assembly of the Republic of Armenia, which received the right to participate in the elections of the National Assembly according to the proportional system and which have no factions in the National Assembly, one representative from each party.

The applications for the formation of the Precinct Electoral commissions are accepted 21 days prior to the day of elections and are finished 18 days prior to the day of elections.

In the case the number of the representatives of the public organizations, the candidates for the President of the Republic of Armenia and the parties in the Precinct Electoral Commission exceeds the established limit, then a random selection is conducted 16 days prior to the day of elections which is accomplished 14 days prior to the day of elections.

In the case of impossibility of the formation of Precinct Electoral Commission pursuant to the mentioned procedure, the vacancies in the membership of the commission are augmented through a procedure of random selection from among the teachers, medical doctors, medical nurses, citizens, who have higher education and do not work in the state or local self-governing bodies, who have applied for the membership of the Precinct Electoral Commission.

The membership of the Precinct Electoral Commission is augmented by the teachers, medical doctors, medical nurses, the citizens with higher education, who do not work in the state or local self-governing bodies also in the cases, when after the forming of the Precinct Electoral Commission in the manner, prescribed by this Code, the number of the members of the commission is less, than:

- 1) 5, in the precincts with the number of voters up to 700;
- 2) 7, in the precincts with the number of voters between 701 and 1,500;
- 3) 9, in the precincts with the number of voters between 1,501 and 3,000.

In this case the reception of the applications starts 14 days prior to the day of elections and finishes 10 days prior to the day of elections, and the random selection starts 9 days prior to the day of elections and finishes 7 days prior to the day of elections.

The Chairman and deputy Chairman of the Precinct Electoral Commissions are selected by random selection not earlier, than 9 days prior to the day of election, and not later, than 7 days prior to the day of elections.

The reception, registration and random selection of the applications of the citizens, who have expressed a desire for being included in the membership of the Precinct Electoral Commission are organized by Regional Electoral Commission on their session with the participation of the chairmen

of the factions of the National Assembly of the Republic of Armenia or the authorized representatives thereof.

The members of the Precinct Electoral Commission nominated by the parties, public organizations, the candidates for the President of the Republic of Armenia are appointed and dismissed by the leader of respective faction, party, public organization, the candidate for the president of the Republic of Armenia.

The activity of the Precinct Electoral Commissions is terminated after the completion of the elections.

Article 9. Powers of the Central Electoral Commission

The Central Electoral Commission is the body which organizes the elections and conducts oversight.

The Central Electoral Commission has the following powers:

- 1) organizes the training of the persons who have the right to become the members of the Electoral Commissions;
- 2) manages the means of a united fund allocated for the elections, disburses the finances among the electoral commissions, oversees the allocation of office space, furnishings and other material and technical assets;
- 3) passes and publishes the necessary decisions and mandates on the procedure for the preparation and conduct of the elections pursuant to the law, on measures necessary for the summarization of results of the election, on the procedures of their implementation and oversees the process of their implementation;
- 4) supervises the provision of the prescribed opportunities for campaigning by means of state mass media;
- 5) determines the layout of election documentation, the ballots, ballot boxes, specimens of the seals, the procedure for completing and filing the documentation, and the procedures for their protection;
- 6) forms, in the manner prescribed by law the Regional Electoral Commissions;
- 7) determines the consecutive number of each Regional Electoral Commission;
- 8) attends to the reports of the electoral commissions and corresponding government bodies concerning the preparation of the elections and their implementation;

- 9) changes in cases of technical obstacles in the way of conducting the voting, and the site of voting;
- 10) provides the Regional Electoral Commissions with necessary electoral documentation;
- 11) discusses the applications and complaints on the decisions and actions of Electoral Commissions, revises or cancels the decisions which contradict the law;
- 12) issues accreditation to the representatives of mass media, registers as observers the representatives of public organizations, foreign organizations and citizens and fills in, in accordance with the presented lists, and issues accreditation certificates to them according to the number of precincts;
- 13) elects and recalls the Chairman and the deputy Chairman of the Central Electoral Commission;
- 14) oversees the activity of Electoral Commissions;
- 15) summarizes the results of conducted referendum;
- 16) registers the parties and initiative groups nominating the candidates for the President of the Republic;
- 17) registers and issues certificates to the persons nominated to run for the Presidency of the Republic, rejects, recognizes as invalid or recognizes as void their registration in the cases prescribed by law, registers and issues necessary number of certificates to the proxies of the candidates for the Presidency of the Republic;
- 18) organizes the publication of the biographical data of the candidates for the Presidency of the Republic;
- 19) reveals, summarizes and approves the results of Presidential and National Assembly elections based on the data received from the Regional Electoral Commissions, publishes officially by regions and precincts the preliminary results of the elections within three days and the official data within seven days after the elections;
- 20) recognizes the elections for President of the Republic as invalid or not taken place, if the grounds prescribed by law are available, passes decision on electing or not electing of the President of the Republic;
- 21) forms the electoral districts for the elections of the National Assembly of the Republic of Armenia, introduces changes in the boundaries of electoral precincts in the cases and in the manner prescribed by law;

- 22) registers the candidates for the deputies of the National Assembly nominated for the election according to proportional system and issues candidacy certificates, rejects or declares as void the registration of candidate (candidates);
- 23) registers the elected candidates for the deputies of the National Assembly of the Republic of Armenia and issues them the National Assembly deputy certificates before the termination of authorities of the National Assembly of the previous term;
- 24) recognizes as partially or totally invalid the elections for the National Assembly of the Republic of Armenia;
- 25) determines re-voting or by-elections for the elections of National Assembly of the Republic of Armenia;
- 26) appeals to respective competent state bodies in case of violations of this law;
- 27) exercises other powers as prescribed by law.

Article 10. Powers of the Regional Electoral Commissions

The Regional Electoral Commission has the following powers:

- 1) organizes the training of the persons who have the right to become the members of the Precinct Electoral Commissions;
- 2) organizes, by means of random selection, the Precinct Electoral Commissions;
- 3) forms the boundaries of electoral precincts based on the presentations of the community leader, sets the location for the voting (precinct center) and sends the information to the Central Electoral Commission within two days;
- 4) determines the consecutive numbers of the precincts, the electoral districts for the elections of local self-governing bodies in the manner prescribed by Central Electoral Commission;
- 5) provides the Precinct Electoral Commissions with necessary material and technical assets, electoral documentation, organizes, in the prescribed manner, the events necessary for the preparation and conduct of the elections, and also oversees the provision of Precinct Electoral Commissions with office space, furnishings, transportation, electricity and other necessary means;
- 6) discusses the applications and complaints on the decisions and actions of the Precinct Electoral Commissions, revises or cancels the decisions of the Precinct

Electoral Commissions which contradict the law;

- 7) reveals and summarizes the results of the elections in region and submits them to the Central Electoral Commission, conducts checking in the cases prescribed by law;
- 8) elects and recalls the chairman and the deputy chairman of the Regional Electoral Commission;
- 9) announces the date of the elections of the local self-governing bodies;
- 10) establishes the electoral districts for the elections of community council based on the presentations of the community leader;
- 11) follows the preparation of the voter lists by the respective community leader and the submission of those in the precincts for general notification;
- 12) provides the preparation of the buildings, voting booths, ballot boxes and other means necessary for the elections;
- 13) registers and issues respective certificates to nominated candidates for the community leaders and community council members, rejects the registration or recognizes as void or invalid their registration, in the cases prescribed by law, registers and issues certificates in the amount, prescribed by law, to the proxies of the nominated candidates for Republic of Armenia President, NA deputies, community leader and the members of community council, to the representatives of parties and party blocs;
- 14) registers the candidates for deputies nominated according to the majoritarian system in the electoral districts of the region;
- 15) issues accreditation certificates to the representatives of mass media who applied for accreditation;
- 16) organizes the publication on the equal basis of the biographical data of the candidates nominated in the electoral district for deputy of the National Assembly of the Republic of Armenia, for community leader and members of community council;
- 17) reveals, summarizes and confirms the results of the elections of local self-governing bodies, conducts checking, in the cases prescribed by law, recognizes the elections as taken place, invalid or not taken place, if the grounds, prescribed by law are available;
- 18) issues certificates to the elected community leaders and the members of community

council;

- 19) reveals and summarizes the results of elections on a territory of the region, and with the exception of the elections of local self-governing bodies, submits them to the Central Electoral Commission;
- 20) oversees the implementation of the law by the Precinct Electoral Commissions in the region;
- 21) appeals to respective competent state bodies in the case of violation of this law;
- 22) exercises other powers, as prescribed by law.

Article 11. Powers of Precinct Electoral Commission

A Precinct Electoral Commission has the following powers:

- 1) organizes voting, summarizes its results in the electoral precinct and submits them to the Regional Electoral Commission;
- 2) resolves the issue of suspicious ballots by a simple majority of the votes of commission members;
- 3) exercises other powers, as prescribed by law;

Article 12. Organization of the Work of Electoral Commissions

The work of electoral commissions is organized by the chairmen of the respective commissions or their deputies as assigned.

Members of electoral commissions have the right to inspect the issues under the jurisdiction of their commissions and have access to the corresponding documents.

The electoral commissions determine the schedule of their regular sessions. An extraordinary session is convened by the chairman at his/her initiative or upon the written demand of at least 1/3 of the commission members and on the date set by them.

The chairman of the commission informs in advance the members of electoral commission on the date of extraordinary session.

The sessions of a commission possess equal authority [is competent], if more than half of the overall number of commission members attend.

The decisions of the electoral commissions are passed by an open ballot, with the exception of

cases prescribed by law.

The ballot is considered valid if more than half of the total number of commission members have voted. The decision is passed, if it receives support of more than half of the participants, with the exception of cases prescribed by this Code.

Upon the request of a superior commission within the limits of their jurisdiction, subordinate commissions shall submit all materials at their disposal concerning issues of interest for the former.

The members of the superior electoral commissions have a right to be present at the sessions of the inferior electoral commissions.

If decisions of two commissions contradict each other, the decision of the superior commission prevails.

Members of electoral commissions can be relieved of their obligations at their place of employment, in the manner prescribed by the Central Electoral Commission, during their activities on behalf of the commission.

The chairmen and the deputy chairmen of the Central Electoral Commission and the Regional Electoral Commissions are employed on a permanent basis.

The chairmen of the Central Electoral Commission and Regional Electoral Commissions form a staff in the manner prescribed by the Central Electoral Commission.

Compensation for work performed in connection with the elections is paid from the centralized fund for the elections. The salaries of the chairman and deputy Chairman of the Central Electoral Commission are equal to the salary of the chairman of a Supreme Court (of Appeal), the chairman and the deputy chairman of the Regional Electoral Commission receive salary equal to one of the chairman of the Court of First Instance of the region. The members of Central and Regional Electoral Commissions receive remuneration for implementation of [each] election in an amount equal to the five [monthly] salaries of the judge of the Court of First Instance.

The members of Precinct Electoral Commissions receive compensation for [each] election, which is an equivalent of ten minimal [monthly] salaries.

Electoral Commissions maintain a register with numbered pages and sealed by the superior commission, in which mandatory dated entries are made on all factual activities conducted in connection with the preparation and implementation of the elections.

Participation of members of an electoral commission in a session is noted in a register where the members of the commission, present on the session, put their signatures.

Article 13. Disbursing and Collecting Voting Documents in Electoral Commissions

Voting documents are disbursed and received by the electoral commissions with a mandatory entry in the register containing the signatures of the presenter and recipient, as well as registration of the transaction by the issuance of a receipt.

The ballots are allocated to the electoral commissions in the quantity equal to the number of voters in the list added 5 percent of that quantity.

All electoral documents are sent immediately to the Regional Electoral Commissions after the summarization of the results of elections in the precincts and the composition of the respective protocols.

After summarizing the election results, all electoral documents, with the exception of the documents of the elections of local self-governing bodies are sent to the Central Electoral Commission through Regional Electoral Commission within two days.

The Central Electoral Commission provides the protection of the mentioned documents within two months after the official publication of the results of the elections, and in case if a court dispute is available, until the end of the pronouncement of final judgment, after which submits the documents to State Archive for storage in the prescribed manner.

In case of elections of local self-governing bodies [the Regional Electoral Commission] submits the documents two months after official publication of the results of elections and in case of a court dispute after the pronouncement of final judgment to the respective regional branch of National Archive of Armenia for storage in the prescribed manner.

Article 14. Procedure for Appealing Decisions and Actions of Electoral Commissions

The decisions and actions of electoral commissions, except the decisions and actions concerning the summarization of the results of voting, can be appealed to a superior electoral commission or at a court of law.

Decisions on summarizing results of voting of Precinct Commissions are appealed to Regional Electoral Commissions, and the decisions of Regional Electoral Commissions on summarizing the results of voting are appealed at the Central Electoral Commission.

Decisions and actions of the Central Electoral Commission, with the exception of the decisions on summarizing the results of the elections, can be appealed at the court of law.

The disputes connected with the results of elections, except the ones connected with the elections of local self-governing bodies, are resolved by the Constitutional Court.

Article 15. Lists of Voters

In each community the community leader compiles a list of voters by precincts, which includes the citizens, who are permanent residents of the community, have the right to vote, and who are registered in the community. The military servicemen drafted for military service are included in the lists of voters at the precincts of their permanent residence.

The community leader compile lists of voters by precincts in five copies and allocates them to the leader of establishment, where the precinct is located and to the Regional Electoral Commission.

Each voter is included in only one list of voters of the electoral precinct. The first and last names of voter, his/her address, the date, month and day of birth are entered in the lists of voters according to their permanent residence and under consecutive numbers. Each page of the list of voters is signed and stamped by the community leader.

The lists of voters are submitted by the community leader to the Regional Electoral Commission and to precincts 30 days prior to the day of elections.

Article 16. Publication of Lists of Voters and the Right to Appeal the Errors

The leader of the enterprise, where the precinct is located, posts one copy of the lists of voters in the precinct, in a place visible for all, 30 days prior to the day of elections.

The community leader allocates to the leader of the enterprise, where the precinct is located, a register with pages numerated and stamped by the stamp of the community leader for the registration of the corrections to the lists of voters.

During the first 20 of the 30 days, on the basis of a voter's application, any necessary changes are recorded in the register.

The community leader, based on the register containing the correction, makes corrections and verifications in the lists of voters and submits the final lists of voters to the precincts and the Regional Electoral Commission not later, than 5 days prior to the day of elections.

One copy of the corrected lists of voters is posted in the precinct, in a place visible for all, 5 days prior to the day of elections.

Complaints regarding inaccuracies in the lists of voters can be appealed at the court of law.

Adjustments to a list of voters requested by a court of law are introduced immediately, and on the day of voting an additional list of voters is composed, based on the legal court verdict, to which the copies of the verdict are attached.

No other changes or additions are introduced to the lists of voters 5 days prior to the day of voting.

Article 17. Pre-election Campaigning

The pre-election campaigning starts 30 days prior to the day of elections.

Citizens of the Republic of Armenia, nominated candidates, parties and civil initiative groups have the right of free campaigning in favor or against a nominated candidate, within the framework set by laws of the Republic of Armenia.

Law enforcement bodies, military sub-units, military organizations and the members of electoral commissions have no right to campaign in favor or against a nominated candidate or conduct campaigning.

State officials have no right to participate in campaigning in their offices or during the execution of their official duties.

The Central Electoral Commission, within the limits of the means available in the united electoral fund, provides equal opportunities for the registered candidates for President of the Republic, for parties, initiative groups nominating them, the parties, participating in elections by proportional system to use, free of charge, the means of state mass media.

Campaigning free of charge through the means of state radio (or upon state order) and television is conducted on equal basis by the candidates, the parties and initiative groups, nominating them, within the limits prescribed by law.

The parties, initiative groups, and nominated candidates have the right, according to law, to organize rallies, marches, meetings with the voters other mass events and to print and disseminate without prohibition, posters, leaflets and other printed campaign materials.

During the pre-election campaign it is forbidden for the candidates either in person or through other persons, to make wide-spread allocations of funds, food, other goods or gifts to the voters. The Supreme Court discusses appeals against such cases within five days in a collective manner and pronounce judgment on the availability of the fact.

In case of confirmation of the fact by the Supreme Court the registration of a candidate is considered as void.

On the day of voting, it is forbidden to campaign, have rallies, marches, or for people to congregate in the vicinity of the ballot buildings.

Article 18. Election [Campaign] Funds

Candidate to be voted has the right to use his/her own financial means to conduct pre-election campaigning, as well as the means accumulated in his/her campaign fund.

Each candidate has a right to establish a campaign fund himself/herself or through an authorized

person, for the organization of pre-election campaigning, and it is formed from voluntary contributions of individual persons and legal entities (except for state and local self-governing bodies, state enterprises and organizations, enterprises with state participation).

Article 19. Proxies

After the registration of the candidates, parties receive, according to the lists presented, stamped certificates for the proxies, but not more than three times the number of the precincts.

The certificates are issued within three days from the submission of the lists. The name of the candidate, the party is filled in the certificate by the respective commission.

The candidate, the leader of the party or party bloc fills in the certificates and issues it to the proxies.

The candidate or his authorized representative, or the leader of the party can recall their proxy any time, informing in a written form the respective electoral commission.

The proxies represent the interests of the candidates in their relations with state and other bodies, and have the right to be at the precincts and at sessions of the respective electoral commissions.

The proxies have the right to acquaint themselves unhampered with all electoral documents, the passports of the voters, the lists of voters.

The proxies have the right of an advisory vote at the sessions of the respective electoral commissions.

A proxy cannot be a member of any electoral commission.

No more than one proxy from each candidate or party may be present at a session of an electoral commission.

No more than two proxies from each candidate or party may be present concurrently in the electoral precinct during the voting.

Article 20. Ballots, Ballot Boxes and the Stamps of the Precinct Electoral Commissions

The specimens of the ballot, the ballot box, and the stamp of the Precinct Electoral Commission are approved by the Central Electoral Commission.

The Precinct Commissions are provided with ballots, ballot boxes and with the stamps of the Commissions 2 days prior to the day of voting.

The Regional Electoral Commissions are provided with the stamps immediately after their

formation.

If different elections are conducted simultaneously, then the ballots are produced in a way to be obviously distinct from each other.

Ballots list, in alphabetical order, the first and last names of the candidates, his/her party membership.

The ballot has a special, easily-detachable tear-off coupon, which is reserved for the stamp of the Precinct Electoral Commission, for the voter's signature, and for noting the voter's number in the list of voters.

The stamps of the Precinct Electoral Commission are produced upon the order of the Central Electoral Commission according to the specimen, approved by the Central Electoral Commission and has to bear a four digit serial number.

The Central Electoral Commission packs the stamps in dark parcels, without making any remarks on it, seals it and hands it to Regional Electoral Commission making only a quantitative control of the stamps not earlier, than 5 days prior to the day of elections and not later, than 3 days prior to the day of elections.

The Regional Electoral Commission stamps each parcel and puts a number on it. The Regional Electoral Commission distributes the named parcels to the chairmen of Precinct Electoral Commissions on the eve of elections, one stamp to each chairman.

Article 21. Organization and Implementation of Voting

The voting precincts are prepared for voting by the community leader, through a leader administering the territory of the respective precinct.

The voting is conducted by precincts.

The voting takes place in precinct centers, where a sufficient number of booths must be furnished to conduct the secret ballot, one booth or one room for each 500 voters, working tables should be installed in the precinct centers for registration of the voters and issuing the ballots (at least one table for each 1,000 voters).

The ballot box must be placed in a location visible for the majority of those entitled to be present in the precinct.

On the voting day at 6.30 a.m. the commission chairman composes and registers the list of those proxies, who are present at the precinct at that time, who would like to sign the ballots and organizes the signing of the ballots. The commission approves upon its decision the samples of the signatures of the mentioned proxies. The proxies verify the validity of the ballots by their signatures

simultaneously in the presence of the commission members. The proxies sign the opposite side of the ballot. Then the commission chairman puts consecutive numbers on the upper part of the coupons.

Before the voting starts, the commission chairman determines through a procedure of random selection and registers those of commission members, who will register the voters (two members for each 1,000 voters), who will hand the ballots (two members for each 1,000 voters), supervise the coupons (two members) on the election day, and also establishes the schedule of their working shifts.

On the day of voting the commission chairman in the presence of the commission members and the persons, entitled to be present at voting checks, closes and seals the ballot box, as well as the coupon box, after which the chairman hands the counted ballots to the persons responsible for handing the ballots and the lists of voters to the persons responsible for the registration of the voters, making a respective entry in a register.

Each voter, arrived for voting is registered in the list at the commission member responsible for registration. The member of the commission responsible for registration checks the passport or other proof of identity of the voter, finds the name and number of the voter in the list of voters or in additional list, fills in the data of the passport or the proof of identity on the list of voters, next to which the voter signs, notes the number of coupon issued to the voter. Voter signs the coupon.

The commission member, responsible for issuing the ballots hands a ballot to a voter, noting the number of the voter in the list of voters on the coupon, stamps the ballots coupon. The stamp shall not cross the borders of the coupon.

The voter fills in the ballot in privacy in the booth or room designated for secret balloting.

If a voter is incapable of personally completing their ballot they may at his/her discretion, invite another person into the ballot booth or room, excluding the members of the commission or the candidate proxies.

Except for the above-mentioned case, the presence of any other persons in the voting booth or room during completion of the ballot is prohibited.

The voter makes a mark on the ballot next to the name of the candidate (party) in whose favor he/she votes. If the voter is against all candidates (parties), then he/she makes a note on the line after the names of all candidates (parties) "I am against all".

In case only one candidate (party) is running, the voter makes note across from the words "I agree" if he/she votes in favor and across from the words "I disagree" if he/she votes against.

The voter brings out the folded filled in ballot from the booth or room for secret balloting and approaches to the commission member responsible for coupons, tears off coupon from the ballot in

his/her presence and hands the coupon to him/her. The latter, making sure, that the coupon is stamped by precinct stamp, signed by the voter, and bears the number of the voter in the lists of voters, drops the coupon into the box for coupons, and only after that opens the ballot box slot, enabling the voter to drop the ballot into the ballot box.

The voter, leaving from a voting booth is obliged to cast the ballot.

The citizens of the Republic of Armenia registered in the consulates in foreign countries participate in the elections of the President of the Republic, in the diplomatic representation offices of the Republic of Armenia and in consulates.

Five days prior to the day of elections, the Central Electoral Commission sends the data on registered candidates for President of the Republic to diplomatic representation offices and consulates of the Republic of Armenia.

The head of diplomatic representation office or the consulate provides the preparation of ballots according to the demands of this Code.

The head of the diplomatic representation office or the consulate of the Republic of Armenia, in the manner prescribed by this Code, prepares and conducts the elections, summarizes the results, composes the protocol, and sends the data of protocol immediately by official telegram to the Central Electoral Commission.

The mentioned protocol along with all electoral documents is sent, sealed, immediately by special mail to the Central Electoral Commission.

In the places of detention of the arrested citizens the elections of the President of the Republic, the elections of the deputies of the National Assembly of the Republic of Armenia by proportional system, and referendums are prepared and organized by the directors of these establishments and the voting is conducted in the manner prescribed by law.

Article 22. Procedure for Completing the Summarization Records of Voting Results in Electoral Precincts

The chairman of the Precinct Electoral Commission closes the slots of the ballot box and coupon box at 20.00, lets out all persons, who are not entitled to be present at the session of the Precinct Electoral Commission and closes the precinct center.

After the accomplishment of the mentioned actions the chairman of the Precinct Electoral Commission starts the session of the commission on summarizing the results of voting.

For that purpose the chairman conducts the following:

- 1) counts, cancels in the prescribed manner and seals the unused, not filled in correctly

by the voter and returned by voters ballots;

- 2) counts the total number of voters based on the list of voters;
- 3) counts the number of the voters received ballots based on the signatures in the lists of voters, after which the mentioned list is sealed;
- 4) opens the ballot box.

The commission chairman takes out one ballot from the ballot box, declares loudly the validity of the ballot or its correspondence to approved specimen, and in case of valid ballot in favor of whom it was voted.

Then the ballot, if requested, is passed to other members of the commission. In case a commission member is against the opinion of the chairman, the commission member presents an objection to the chairman's view, is voted on.

The commission chairman puts the ballot on a package of the respective candidate in favor of whom the ballots is voted, on <<against everybody>>, <<invalid>> or <<not corresponding to approved ballot specimen>>, based on the result of voting in case of objection, and if there is no objection, according to his declaration, then he/she takes out the next ballot from the ballot box. These actions are repeated for all ballots present in the ballot box. During the implementation of assortment procedure the commission members are not allowed to make notes and also have with them pens, pencils and other things suitable for making inscriptions.

After the assortment of all ballots present in the ballot box the commission chairman in the presence of commission members counts one by one the ballots recognized as invalid, not corresponding to the approved specimen voted against all candidates, and also the number of votes in favor of each candidate (party).

Based on the mentioned results the total number of valid ballots present in the ballot box and the total number of votes given in favor of candidates is calculated.

The counted ballots are packed according to the assortment and sealed.

The actions prescribed by the first part of this Article are implemented in the sequence mentioned. Each action is implemented after the accomplishment of the previous one and the composition of a corresponding protocol. For each of these actions a separate protocol is composed in two copies, signed by the members of commission present on the session, one of which is sealed with the documents on which it is based.

The protocol for summarizing the results of the voting in the precinct is composed in two copies based on data from the separate protocols.

The following is registered in the protocol, summarizing the results of voting:

- 1) the total number of voters, based on the lists of voters;
- 2) the number of voters registered and received ballots voters, based on the signatures;
- 3) the number of ballots given to the precinct electoral commission;
- 4) the number of canceled ballots;
- 5) the total number of valid ballots, corresponding to approved specimen, present in the ballot box;
- 6) the number of ballots recognized as invalid;
- 7) the number of ballots not corresponding to approved specimen;
- 8) the number of ballots voted against all candidates (parties);
- 9) the number of votes given in favor of each candidate (party);
- 10) the total number of votes given in favor of candidates (parties).

The counted and registered numbers in the protocol are declared in a loud voice.

The protocol is signed by all commission members present at the session and stamped by the chairman of the commission. If a commission member has a special opinion on the process of voting or on the results, then he makes a corresponding note next to his signature, presenting his opinion in writing, which is attached to the protocol.

Refusal to sign a protocol by a commission member is registered by the commission and adjoined to the protocol summarizing the results of the voting.

The session of the Precinct Electoral Commission can not be interrupted from the moment of termination of voting and until the composition of protocol of summarizing the results.

By the end of the session, but not later, than within 12 hours from the end of elections, the chairman makes public the results of the voting [in the precinct].

Upon the request of the candidate's (party's) proxy, or an observer, a copy of the protocol summarizing the results of voting is given to them, verified by the signatures of the chairman of the commission or the secretary and by the commission stamp.

The copy of the protocol summarizing the results of the elections in a precinct is posted in the

center of a precinct in a place visible for all, after that the chairman of the Precinct Electoral Commission submits immediately to the Regional Electoral Commission one copy of the protocol on summarizing the results of the voting, the box of coupons and the sealed electoral documents.

23. Invalid ballots

Ballots are recognized as invalid, if they voted “pro” for more than one candidate are voted “pro” for candidate (party) and also marked simultaneously in the line <<I am against all>>, in cases where there is only one candidate (party) both the words “ I agree “ and “ I disagree ” are marked or left, and also ballots that bear extra inscriptions or notes.

Suspicious ballots are to be voted on by the electoral commission.

Article 24. Ballots not Corresponding to the Approved Specimen

Ballots are recognized as not corresponding to the approved specimen if differ from the approved specimen or do not bear the signatures of the proxies selected by the commission.

Suspicious ballots are voted on by the electoral commission.

Article 25. Procedure for Counting Coupons in Regional Electoral Commissions

Before the counting of the coupons, the Regional Electoral Commission, in the presence of persons entitled to be present on the sessions of Regional Electoral Commission verifies the availability of the necessary documents and the boxes with coupons received from the precincts, the wholeness of the seals, the accordance of the presented protocols to the respective results, and makes respective entries in the register.

Then the Regional Electoral Commission counts the number of coupons present in the coupon boxes received from the precincts.

The results obtained are registered in the protocol in total and by precincts, which is composed in two copies.

The protocol is signed by all members of commission present at the session and is stamped by commission chairman. If a commission member has a special opinion on the process of voting or on the results, then he makes a corresponding note next to his signature, presenting his opinion in writing, which is attached to the protocol.

The refusal to sign the protocol by a commission member is registered by commission and adjoined to the protocol on counting the coupons.

After counting, the coupons are packed and sealed by precincts.

The session of the Regional Electoral Commission cannot be interrupted from the moment of end of voting until the composition of the protocol on the counting of coupons.

By the end of the session, the chairman of Regional Electoral Commission makes public the results of counting of coupons.

Upon the request of a candidate's proxy or an observer he/she is given a copy of the protocol on the coupons verified by the signature of commission chairman or the secretary and the commission stamp.

The chairman of the Regional Electoral Commission sends immediately the protocol on counting of coupons, the protocols summarizing the results of voting in precincts, sealed coupons and the electoral documents received from precincts to the Central Electoral Commission.

Article 26. Procedure for Summarizing the Results of Voting by the Regional Electoral Commission

The Regional Electoral Commission, based on the protocols of Precinct Electoral Commissions on summarizing the results of voting, summarizes the preliminary data of the voting in the region: the number of votes given in favor of each candidate, and the total number of voters participating in the elections.

Not later than within 24 hours after the end of voting, the preliminary results of voting are being registered, made public by the Regional Electoral Commission chairman, and are submitted by an official telegram to the Central Electoral Commission.

After registering the preliminary data of the voting in the region, the Regional Electoral Commission verifies the compatibility of the data of protocols on counting the coupons with the data of the protocols summarizing the results of voting in each precinct.

In case of a discrepancy in those results in separate precincts, and by written request of at least four members of Regional Electoral Commission or a proxy of the candidate (party) Regional Electoral Commission checks the compatibility of the data in the protocols of electoral precinct (precincts) on summarizing the results of voting with the protocols on counting the coupons and with the actual data on voting. The authors of special opinion adjoined to the protocol of summarizing the results of elections of corresponding Precinct Electoral Commission and the authors of special opinion adjoined to the protocol of Regional Electoral Commission on counting the coupons and the chairmen of those commissions can participate in checking.

In case discrepancies are found as a result of checking, the Regional Electoral Commission compiles a corrected protocol regarding the results of voting in the respective precinct, and the corrected protocol on counting of coupons, to which the preliminary protocols of Precinct Electoral Commission and the Regional Electoral Commission are adjoined. The corrected protocol is signed by all members of commission present at the session and stamped by the commission chairman. If

any commission member has a special opinion regarding the data of corrected protocols then he/she makes a respective remark next to his/her signature, presenting his/her opinion in writing, which is adjoined to data of corrected protocol.

The refusal of a member of the commission to sign the corrected protocol is registered by the commission and adjoined to the corrected protocol.

After correcting the discrepancy in the results of voting in electoral precincts in cases prescribed by this Article and revealing by precinct the incorrectness of the data in protocols in the manner prescribed by Central Electoral Commission and their influence on the number of votes given in favor of each candidate, the Regional Electoral Commission compiles a protocol in two copies on the summarizing the final results of voting in region mentioning in total, and by precincts the following data:

- 1) the total number of voters based on the lists of voters;
- 2) the number of voters registered and received ballots based on the signatures;
- 3) the number of coupons present in the box;
- 4) the number of ballots given to Precinct Electoral Commissions;
- 5) the number of canceled ballots;
- 6) the total number of valid ballots corresponding to approved specimen;
- 7) the number of ballots recognized as invalid;
- 8) the number of ballots not corresponding to approved specimen;
- 9) the number of ballots voted against all candidates (parties);
- 10) the number of votes given in favor of each candidate;
- 11) the total number of votes given in favor of candidates(parties);
- 12) the measure of incorrectness affecting the number of votes given in favor of each candidate (parties).

The protocol summarizing the final results of the voting in the region is signed by the members of the commission present at the session and is stamped by the commission chairman.

If any member of the commission has a special opinion on the results of the protocol, then he/she makes a note near his/her signature and is presenting his/her opinion in writing, which is adjoined

to the protocol.

The refusal of a member of the commission to sign the protocol is registered by the commission and adjoined to the protocol summarizing the final results of the voting in the region.

The protocol is signed by the members of the commission present at the session and is stamped by the commission chairman.

Final results of the voting in region are published and one copy of the respective protocol summarizing the results of the voting in the region are submitted personally by the Regional Electoral Commission chairman to the Central Electoral Commission along with all electoral documents collected in Regional Electoral Commission, but not later than within 5 days from the day of voting.

Upon the request of a candidate's proxy or an observer, he/she is given an extract from the protocol on the summarization of the results of the voting in the region, verified by signatures of the electoral commission chairman or the secretary and the commission stamp.

Article 27. Summarizing the Results of Elections by Central Electoral Commission

The Central Electoral Commission, based on the preliminary results received from the Regional Electoral Commissions summarizing the results of voting in the regions, reveals and publishes the preliminary results of elections, not later than 36 hours after the completion of voting.

Based on the final protocols on summarizing the results of the voting in the regions, the Central Electoral Commission in the presence of persons entitled to be present on the session composes the final protocol on summarizing the results of elections of mentioning in total and by regions the following data:

- 1) the total number of voters based on the lists of voters;
- 2) the number of voters who registered and received ballots based on their signatures;
- 3) the number of coupons present in the coupon boxes;
- 4) the number of ballots given to Precinct Electoral Commissions;
- 5) the number of canceled ballots;
- 6) the number of valid ballots present in the boxes corresponding to approved specimen;
- 7) the number of ballots recognized as invalid;

- 8) the number of ballots not corresponding to approved specimen;
- 9) the number of ballots voted against all candidates (parties);
- 10) the number of votes given in favor of each candidate (party);
- 11) the total number of votes given in favor of candidates (parties);
- 12) the measure of incorrectness affecting the number of votes given in favor of each candidate (party).

The protocol is signed by all members of the commission present at the session and stamped by the commission chairman. If a commission member has a special opinion regarding the results of elections, then he/she makes a respective remark near his/her signature, presenting his/her opinion in writing, which is adjoined to the protocol.

The refusal of a member of the commission to sign the protocol is registered by the commission and is adjoined to the protocol summarizing the results of the elections.

The session of the Central Electoral Commission is not interrupted until the proclaiming of the preliminary results of the election.

Upon request of a candidate's (party) proxy, he/she is given the copy of the protocol on summarizing the results of elections, verified by signatures of commission chairman and the secretary, and the commission stamp.

CHAPTER 2 THE REFERENDUM

Article 28. The Referendum

The Constitution is adopted or the changes are being introduced to the Constitution by means of the referendum, upon the initiative of the President of the Republic or the National Assembly.

Referendum is assigned by the President of the Republic upon the proposal of the majority of the overall number of deputies of the National Assembly or upon their consent.

The laws can be put on the referendum ballot upon the proposal of the National Assembly or the Government.

Article 29. The Ballot

The ballot contains the text of the question put on referendum along with the versions of the answers "YES", "NO".

Article 30. Adoption of Law Through Referendum

The draft put on the referendum is recognized as adopted, if more than half of the citizens participated in voting voted “YES”, but not less, than one third of the citizens included in the lists of voters.

Article 31. Summarizing the Results of Referendums, the Proclamation of a Law of the Republic of Armenia Adopted Through Referendum

The results of the referendum are summarized by the Central Electoral Commission.

The law [of the Republic of Armenia] comes into force, based on the results of referendum, starting from the moment of their publication.

**CHAPTER 3
ELECTIONS OF THE PRESIDENT OF THE REPUBLIC**

Article 32. Right to be Elected

Any person, who has been a citizen of the Republic of Armenia for last ten years, who became 35 years of age prior to the day of the elections, has permanently resided in the Republic of Armenia for 10 years prior to the day of the elections, and enjoys the right to vote, has the right to be elected as the President of the Republic.

The President of the Republic is elected by the citizens of the Republic of Armenia for a five year term.

No one can be elected and serve as President of the Republic more than two terms.

Article 33. Nomination of a Candidate for President of the Republic

Parties, party blocs and the citizens of the Republic of Armenia, who enjoy the right to vote, have the right to nominate candidates for President of the Republic in the manner prescribed by this Code.

A party implements its right to nominate a candidate for President of the Republic by submitting the respective decision of its supreme body (for a party bloc the decision of its governing body) to the Central Electoral Commission, and citizens through the presentation of a respective group sponsoring the civil initiative at the Central Electoral Commission, and its registration as a nominating group.

The decision to nominate a candidate for President of the Republic has to contain in obligatory manner the data on nominated candidate as prescribed by this Article. Not more than two authorized representatives of the party are registered at the Central Electoral Commission.

Any citizen of the Republic of Armenia who has the right to vote can receive in the Central Electoral Commission forms necessary for the realization of the civil initiative.

The following information has to be submitted to the Central Electoral Commission for the registration of a civil initiative:

- 1) Necessary data on initiative group in a manner prescribed by the Central Electoral Commission;
- 2) The form of nomination for a candidate for President of the Republic filled in the prescribed manner, containing at least 1,000 signatures of voters supporting the civil initiative;
- 3) Data on not more than two authorized representatives of the initiative group.

Each form of nomination of the candidate for President of the Republic includes data on candidate for President of the Republic prescribed by this Article. Each voter supporting the civil initiative is signing the nomination form personally.

Each party or initiative group has the right to nominate one candidate for President of the Republic.

The documents necessary for the nomination of candidate for President of the Republic are submitted to Central Electoral Commission by parties and initiative groups within the time frame prescribed by this Code.

The Central Electoral Commission, not later than within three days, checks the validity of the decision of the superior body of the party (party bloc) or the validity of at least 1,000 signatures collected by the initiative group of citizens in the manner of civil initiative, issues to party (party

bloc) or to initiative group, through their authorized representatives registered at the Central Electoral Commission, one day prior to the deadline set for the support of nomination, the forms of support of the nomination of the candidate for President of the Republic, mentioning in obligatory manner the family name and first name of the recipient and the grounds for registering the corresponding person as an authorized representative. The validity of signatures presented in forms of nomination by initiative groups in the manner of civil initiative are checked in the manner prescribed by Article 36 of this Code.

Each party (party bloc) or initiative group organizing the nomination of a candidate for President of the Republic appoints itself the persons who are authorized to collect signatures in support of the nomination and issues certificates to them.

The candidate for the President of the Republic is recognized as nominated, if his nomination is supported by 25,000 voters by their signatures.

Each voter signs the forms in support of nomination of the candidate personally.

Mentioned in the nomination documents for a candidate for President of the Republic and in each form supporting the nomination shall be the family name and first name of the candidate, the date of birth, the address, the place of employment, occupation, and to what party he/she belongs.

Article 34. Registration of a Candidate

A candidate for President of the Republic may be registered only through nomination by one party (party bloc) or by one initiative group.

Documents for the registering a candidate for President of the Republic are received by the Central Electoral Commission, which discusses the issue of that candidate's registration only if the following nomination documents are submitted within the time frame set by this Code:

- 1) the documents supporting the nomination of the candidate filled in the manner prescribed by Article 36 of this Code;
- 2) the receipt showing the payment of the electoral deposit of 5 million drams to the united fund of elections;
- 3) a certificate mentioning his/her citizenship of the Republic of Armenia for the last ten years;
- 4) a certificate mentioning his/her residence for the last ten years;
- 5) a declaration of incomes for the candidate for the last one year;
- 6) the written declaration of the candidate agreeing to his/her nomination by certain

party or initiative group, which is submitted personally or by a representative authorized by him/her in a manner prescribed by the law.

If the candidate nominated for President of the Republic is under detention, then at the submission of the mentioned documents a written declaration is also submitted on the fact of detention of the candidate.

The Central Electoral Commission within 2 days of receiving the documents may appeal a the court of law for the consideration of the issue of substitution or elimination of the detention of a candidate as a pre-trial measure.

After the necessary documents for the registration of a nominated candidate for President of the Republic are accepted by the Central Electoral Commission and until the registration process is over, the candidate or a person authorized by him/her can participate at the sessions of Central Electoral Commission with an advisory vote.

Registration of candidates for President of the Republic can be rejected by the Central Electoral Commission if:

- 1) according to verification in the manner prescribed in Article 36 of this Code, the number of valid signatures on the forms in support of the nomination of a candidate for President of the Republic is less than 25,000;
- 2) obvious falsifications are revealed in nomination documents presented for registration;
- 3) the restrictions, prescribed by the constitution are valid for the candidate.

The Central Electoral Commission rejects the registration of a nominated candidate for President of the Republic by 2/3 of the votes of commission members.

In the case of rejection of registration of the nominated candidate for President of the Republic his/her electoral deposit is returned.

The registration of a candidate is recognized as invalid by Central Electoral Commission, if facts are revealed after registration, according to which the restrictions prescribed by the Constitution are valid for the candidate.

In case the registration of a candidate for President of the Republic is considered as invalid, his/her electoral deposit and the means available on his/her campaign fund are transferred to the state budget.

The decision of Central Electoral Commission on refusal to register a candidate or on recognition of registration as invalid can be appealed at the Court of Appeal within two days.

The Court of Appeal pronounces its judgment within five days of receiving the application and that judgment is final.

The person is recognized as registered or re-registered as candidate for the President of the Republic, based on the judgment of the Court of Appeal on the decision of the Central Electoral Commission on rejecting the registration of a candidate or on recognition of registration as invalid.

The person registered as a candidate for President of the Republic is released from recruitment, military training camps.

After receiving the documents for the registration of a candidate for the President of the Republic by Central Electoral Commission and also after his/her registration, the mentioned person can bear administrative or criminal responsibility in a legal form only upon the consent of Central Electoral Commission.

Article 35. Campaign Fund of the Candidate for the President of the Republic

Candidate for President of the Republic have the right to use his/her own means, to conduct pre-election campaigning as well as the means accumulated in his/her campaign fund.

Each candidate for President of the Republic has a right to establish a campaign fund himself/herself or through an authorized person, for the implementation of pre-election campaigning, and it is formed from voluntary contributions of individual persons and legal entities (except for state and local self-governing bodies, state enterprises and organizations, enterprises with state participation), not to exceed a limit of 100,000 drams for each physical entity and 1,000,000 drams for each legal entity.

The bank account of a campaign fund is opened in the same bank where the bank account is opened for the united fund created under the management of the Central Electoral Commission.

Not later than two months after the elections the candidates are submitting to the Central Electoral Commission declarations of the expenses from the means available in their campaign funds. The declaration is published in the press.

If elected President of the Republic, or upon receiving more than five percent of valid votes cast, the electoral deposit of the mentioned candidates is returned, and the means remaining in their campaign funds are transferred upon the decision of the candidate to the party which nominated him/her or to charity, within two months after the official publication of the results of the elections. After two months the means remaining in the campaign funds of the candidates are transferred to the state budget.

If a candidate for President of the Republic receives less than five percent of valid votes cast, the funds remaining, as well as the electoral deposit, are transferred to the state budget.

In case the elections are recognized as invalid, the electoral deposit of a candidate is returned, and the means remaining in campaign fund after the elections are frozen until the registration of candidates for new elections. The candidate registering again for the new elections can use the means remaining in his campaign fund established for the previous elections.

If the candidate is not registered for the new election, then the means remaining in their campaign funds are transferred to the state budget.

Article 36. Procedure for Verifying Signatures on Forms of Nomination for Candidates and on Forms Supporting the Nomination of Candidates

Forms for the nomination of candidates and forms for the support of the nomination of a candidate are notebooks with consecutively numbered pages each of which contains 500 lines with consecutive numbers for the names, place of residence, passport number and the signatures of the voters.

On each page of the form the number of the form is mentioned.

At the end of each page of the form a special line is reserved for the signature of the voter receiving the form from the Central Electoral Commission.

At the end of each page of the form, a special line is reserved for the signature of the person responsible for collecting the signatures.

At the end of each form a special line is reserved for the name, first name, permanent residence, the passport number and the signature of the person collecting signatures.

Each voter can receive three forms for the realization of civil initiative.

The authorized persons of each party or authorized persons of each initiative group receive 80 forms for supporting the nomination of candidates.

The signatures are recognized as invalid if they are falsified or belong to a person who has no right to vote, along with signatures of those voters whose data in the form are filled incorrectly.

The validity of the signatures on the forms is checked by the Central Electoral Commission by a selective checking of two percent of the signatures in each form. For that purpose the Central Electoral Commission conducts the following:

- 1) finds upon a random selection of the consecutive numbers of sample signatures from the given form in the amount of two percent. For that purpose the consecutive numbers of signatures in the given form are used; registers in protocol the numbers of the signatures for verification on each form, with the corresponding data of the

voter;

- 2) composes a protocol on the invalid signatures found in forms in the manner prescribed by itself, mentioning the number of the form, the number of the signature and the voter's data;
- 3) extends the ratio of valid and invalid signatures which constitute two percent proportionally to the number of all signatures collected in the forms. According to this procedure the amount of valid and invalid votes in the total number of signatures is obtained. A protocol is composed on the results of checking.

The copies of all protocols on results of checking of validity of signatures are handed to the candidate or authorized person immediately upon his/her request.

Article 37. Recognizing the Registration of Candidates as Void

A candidate can terminate his/her registration by submitting an application for annulling his/her nomination to the Central Electoral Commission not later than five days prior to the day of voting. In the second stage, in case of a declaration by one of the candidates canceling his/her nomination, the next candidate receiving a plurality of the votes in the first stage will participate in the elections. And if there is no such candidate then only one candidate will participate in the elections in the second stage.

Registration of a candidate is considered void based on an application to withdraw the nomination, his/her electoral deposit is not returned, and the means remaining in candidate's campaign fund are transferred to the state budget.

The registration of a candidate is considered void also in the case of his/her death and in the cases prescribed by Article 34, part 8 or Article 17, part 7 of this Code.

If the registration of a candidate is considered as void in the mentioned cases, not later than five days prior to the second stage of the elections, then the next candidate receiving a plurality of the votes in the first stage will participate in the elections, and if there is no such candidate, then one candidate will participate in the elections. If the registration of a candidate is considered as void in mentioned cases during five days preceding the day of elections, then one candidate will participate in the elections.

If the registration of a candidate is recognized as void in the manner prescribed by Article 17, part 7 of this Code, then his/her electoral deposit and the means remained in his/her campaign fund are transferred to state budget. In case of death of the candidate his/her electoral deposit is passed to his/her inheritors and the means remained in his/her campaign fund are transferred to state budget.

Article 38. Pre-election Campaigning

The candidate for President of the Republic has equal right along with other candidates to use free of charge live TV transmission 60 minutes for each and radio transmission 120 minutes for each.

Upon the consent of the candidate for President of the Republic, this time may be used by party or initiative group nominating him/her.

Candidate for the President of the Republic, party or initiative group nominating him/her can use the means of state mass media also on a commercial basis, paid from the candidate's fund, 120 minutes for TV transmission and 240 minutes for radio transmission.

Article 39. Procedure for Summarizing the Results of Elections by Central Electoral Commission

The Central Electoral Commission, based on the preliminary results on the summarization of the results of the voting, taking into account the measure of incorrectness on the results of the elections adopts one of the following decisions:

- 1) on the election of a President of the Republic;
- 2) on the assignment of a second stage of elections;
- 3) on recognizing an election as invalid and on not electing the President of the Republic;
- 4) on recognizing an election as void and on not electing the President of the Republic.

The adopted decision is signed by all members of the commission present on the session and stamped by the commission chairman.

Refusal of a member of the commission to sign the decision is registered by the commission and is mentioned in the decision.

The candidate's proxies or the observers present on the session receive the copy of the decision on the elections of the President of Republic, verified by the signature of the commission chairman and the commission stamp.

Article 40. Decisions of the Central Electoral Commission on the Election of the President of the Republic

A candidate who receives more than the half of the votes cast in favor of candidates is recognized as elected President of the Republic.

In case only one candidate is running for the Presidency, that candidate is recognized as elected, if he/she has received more than the half of the votes of those voting.

Article 41. Decisions of the Central Electoral Commission on Designating a Second Round of Elections

If more than two candidates are running and none of them receives the necessary votes, then on the 14th day after the first election, a second round of voting is conducted in which the two top candidates running can participate.

The candidate who receives the plurality of the votes in the second round is considered elected.

Article 42. Decision of Central Electoral Commission on Recognizing the Elections of the President of Republic as Invalid and on Not Electing the President of the Republic

The election of the President of the Republic is recognized as invalid in any stage of election if:

- 1) inconsistencies in the number of votes affected by incorrectness substantially affect the outcome of the election such that it is not possible to reconstruct the real result of elections and thus determine the elected candidate;
- 2) violations of the law were committed during the preparation and implementation of the elections to and extent that could prevent the exercise of equal, direct and free election rights in a secret ballot and could affect substantially the results of the election.

Article 43. Decision of the Central Electoral Commission on Recognizing the Elections of the President of the Republic as Void and not Electing the President of the Republic

The elections of the President of the Republic are considered as void, if in the result of the elections, a President of the Republic is not elected.

The President of the Republic is not elected, if one candidate has been voted and he/she:

- 1) has not received the number of votes in favor necessary for the election;
- 2) died before the summarization of the election results by the Central Electoral Commission.

Article 44. Time Frame and Procedure for Assignment of Regular Elections

Elections for President of the Republic are conducted 50 days prior to the day of termination of the powers of the current President of the Republic.

The date of elections for President of the Republic is announced by the Central Electoral Commission.

Regular elections are prepared and conducted in the manner prescribed by this Code.

The day of election of the President of the Republic is assigned as a non-working day.

Article 45. Time Frame for Nominating and Registering a Candidate

The submission of documents to the Central Electoral Commission necessary for the nomination of candidates for the President of the Republic by party or by initiative group begins no sooner than 90 days prior to the day of elections and is terminated 75 days prior to the day of the elections at 6.00 p.m.

The collections of signatures in support of candidates started 70 days prior to the date of elections and is terminated 50 days prior to the date of elections at 6.00 p.m. The Central Electoral Commission accepts the documents in support of nomination, until the deadline set for the support of nominations.

The registration of the candidates begins 50 days prior to the date of elections and terminates 30 days prior to the date of the elections.

Article 46. New Elections

If a President of the Republic is not elected, then on the 40th after the day of elections, new elections are set.

In case of insuperable obstacles occurring for one of the candidates for President of Republic, the elections for President of the Republic are postponed for two weeks. In the case of non-vanishing insuperable obstacles still continuing or in the case of death of one of the candidates, new elections are conducted.

New elections are conducted 40 days after the recognition of insuperableness of the obstacles.

New elections are carried out in cases as prescribed by Articles 42 and 43 of this Code.

The nomination and registration of candidates for President of the Republic is conducted within the time frame set by Article 47 of this Code.

The day of new elections is declared by the Central Electoral Commission.

New elections are conducted as prescribed by this Code for regular elections.

Article 47. Extraordinary Election

In case of the resignation of the President of the Republic, his/her death, inability to execute his/her powers, or in case of his/her dismissal in the manner prescribed by Article 57 of the Constitution, on the 40th day after vacating the post of President, extraordinary elections for President of the Republic are conducted.

Extraordinary elections of the President of the Republic are conducted in the manner prescribed by this Code, if the Constitutional Court pronounces judgment to recognize the elections of the President of the Republic as invalid and the post of the President of the Republic as vacant, if the grounds, prescribed by Article 42 of this Code are available.

The day of extraordinary elections is declared by the Central Electoral Commission.

Extraordinary elections are conducted by a new nomination of the candidates.

Documents necessary for the nomination of candidates for President of the Republic are submitted to the Central Electoral Commission no earlier than 27 days prior to the day of elections and terminated 24 days prior to the day of elections at 18:00.

The collection of the signatures in support of the candidates starts 22 days prior to the day of elections and terminates 15 days prior to the day of elections.

The Central Electoral Commission accepts the documents in support of nomination until the deadline set for the support of nomination.

The registration of the candidates starts 15 days prior to the day of elections and terminates no later than 10 days prior to the date of elections.

The extraordinary elections are conducted in the manner prescribed by law for regular elections.

CHAPTER 4. ELECTIONS OF THE NATIONAL ASSEMBLY OF THE REPUBLIC OF ARMENIA

Article 48. Complement of the National Assembly

The National Assembly comprises 131 deputies.

The deputies cannot occupy any other state post or be engaged in any form of payable employment with the exception of scientific, pedagogical and creative work.

Article 49. Electoral System

The elections of the National Assembly are conducted based on the majoritarian and proportional

electoral systems.

50 deputies of the National Assembly are elected by the majoritarian electoral system, one National Assembly deputy from each electoral district.

81 deputies of the National Assembly are elected by the proportional electoral system, in a single multi-ballot district comprising the territory of the republic from among the candidates for deputies nominated through lists.

Article 50. Electoral Rights

Citizens of the Republic of Armenia, who are 25 years old prior to the day of the elections, who are citizens of the Republic of Armenia for last 5 years, who reside permanently in the republic for last 5 years and have the right to vote, can be elected deputy of the National Assembly.

The judges, employees of the Prosecutor's Office and the State Directorate of National Security, servicemen of the tax and customs bodies, the servicemen of the Interior Ministry and the Armed Forces cannot be nominated as candidates for deputies.

Each voter has the right of one vote in single mandate electoral district and a right of one vote in a multiballot electoral district comprising the whole territory of the republic.

Each citizen who have the right to be elected can voted in only one majoritarian electoral district and for only one list.

Article 51. Nomination, Registration and the Recognition of the Registration as Void of a Candidate for Deputy of the National Assembly by Majoritarian System

The candidate for deputy of the National Assembly, to be elected according to majoritarian electoral system, is nominated upon self nomination procedure by presenting application for nomination and paying electoral deposit.

A candidate for deputy can be nominated in only one electoral district.

The candidate pays an electoral deposit to the united fund of the elections in a sum of 250,000 drams.

The electoral deposit of the elected deputy or the candidate for deputy, who received more than 15 percent of the votes in favor is returned, and the electoral deposit of others is transferred to the state budget.

The Regional Electoral Commissions discuss the issue of the registration of the candidate, if the following documents are presented by the candidate for the deputy personally or through a person,

authorized in the manner prescribed by the law prior to the deadline set for nomination by this Code:

- 1) an application for the nomination of the candidate filled in in the manner prescribed by the Central Electoral Commission;
- 2) a certification of the citizenship of the Republic of Armenia;
- 3) a receipt of the paid electoral deposit.

The candidate or a person authorized by him/her has the right to be present at the session of the commission during the discussion of the issue of his/her registration.

The registration of the candidate is rejected by the Regional Electoral Commission, if obvious falsifications are revealed in the presented documents or the limitations prescribed by this Code are valid for the candidate.

The registration of the person nominated as a candidate is rejected by 2/3 of the votes of the Regional Electoral Commission.

In case the registration of the nominated candidate is rejected, his/her electoral deposit is returned.

The nomination of the candidate is recognized as invalid, if facts are revealed after the registration, according to which the limitations, prescribed by this Code are valid for the candidate. In such cases the recognition of registration as invalid is registered at the session of the Regional Electoral Commission and made public.

In case the registration of the nominated candidate is recognized as invalid, his/her electoral deposit and the means remaining on his/her campaign fund are transferred to the state budget.

The decision of the Regional Electoral Commission on rejecting the registration of the candidate or on recognizing it as invalid can be appealed at the court of law within two days. The latter pronounces judgment within three days.

The candidate can be detained, can be subjected to administrative or criminal responsibility in a legal form only upon the consent of Regional Electoral Commission. The Regional Electoral Commission adopts a decision on this issue by 2/3 of the votes of the commission members.

The candidate for deputy can terminate his/her nomination through submitting a withdrawal application to the respective electoral commission.

The registration of the candidate for deputy can be declared as void based on his/her withdrawal application not later, than 5 days prior to the day of the elections. In case of withdrawal the electoral deposit and the means available on the account of his/her campaign fund are transferred to the state

budget.

In case of death of the candidate for deputy his/her registration is declared as void. His/her electoral deposit is passed to his/her heirs in the manner prescribed by law and the means remaining on his/her campaign fund are transferred to the state budget.

Article 52. Nomination, Registration and Recognition of the Registration as Void of a Candidates for Deputies of the National Assembly by Proportional System

The right to nominate candidates for deputies of the National Assembly by proportional electoral system have the registered parties or the party blocs.

Each party have the right to nominate only one list of candidates.

The candidates for deputies are recognized as nominated through a party list, if 20,000 voters support the nomination by their signatures.

The party list is presented upon the decision of its governing body.

The list of party bloc is presented by the decision of the governing body of each party included in the party bloc.

For each party list an electoral deposit is paid to the united fund of the elections in a sum of 50,000 drams for each candidate for deputy included in party list.

The electoral deposit of the parties, who received more than 5 percent of the votes in favor is returned, and the electoral deposit of others is transferred to the state budget.

The Central Electoral Commission discusses the issue of the registration of the party lists, if the following documents are presented by the governing body of the party through an authorized person prior to the deadline set for nomination by this Code:

- 1) an application for the nomination of the party list filled in in the manner prescribed by the Central Electoral Commission;
- 2) forms for the nomination by proportional system containing at least 20,000 signatures of voters in support of nomination;
- 3) a certification of the citizenship of the Republic of Armenia of the persons included in the party list;
- 4) a receipt of the paid electoral deposit.

A person authorized by the governing body of the party has the right to be present at the session of

the commission during the discussion of the issue of the registration of party list.

The registration of the party list is rejected by the Central Electoral Commission, if obvious falsifications are revealed in the presented documents or the limitations prescribed by this Code are valid for the persons included in party list.

The registration of the party list is rejected by 2/3 of the votes of the Central Electoral Commission.

In case the registration of the nominated candidate is rejected, his/her electoral deposit is returned.

The registration of the party list is rejected by the Central Electoral Commission if:

- 1) the checking conducted in the manner prescribed by Article 36 of this Code reveals, that the number of valid signatures in the forms supporting the nomination of party list is less than 20,000;
- 2) obvious falsifications are revealed in the documents, presented for nomination;
- 3) the limitations prescribed by this Code are valid for the persons, included in the party lists.

The registration of the party list is recognized as invalid, if facts are revealed after the registration, according to which the limitations, prescribed by this Code are valid for the persons, included in party list. In such cases the recognition of registration as invalid is registered at the session of the Central Electoral Commission and is published.

In case the registration of the party list is recognized as invalid, the electoral deposit and the means remaining on campaign fund are transferred to the state budget.

The decision of the Central Electoral Commission on rejecting the registration of the party list or on recognizing it as invalid can be appealed at the court of law within two days. The latter pronounces judgment within three days.

The person included in party list can be detained, can be subjected to administrative or criminal responsibility in a legal form only upon the consent of Central Electoral Commission. The Central Electoral Commission adopts a decision on this issue by 2/3 of the votes of the commission members.

A candidate for deputy included in the party list can terminate his/her nomination through submitting a withdrawal application to the Central Electoral Commission, in which case his/her name is excluded from the party list.

The registration of a party list can be recognized as invalid not later than 5 days prior to the election if a relevant decision of the party governing body is available. In this case, the electoral deposit and

the means in the campaign fund are transferred to the state budget.

If a party included in a party bloc terminates its registration, then its representatives are excluded from the general list, and the electoral deposit and the means available in campaign fund are transferred to the state budget.

Article 53. Procedure for Formation of Electoral Districts

For the purpose of organization and implementation of the elections the territory of the Republic of Armenia is divided into 50 electoral districts in the manner prescribed in the Addendum of this Code.

The number of voters in each electoral district shall not differ from the average number of the voters in the electoral districts for more than 15 percent.

Each electoral district shall be formed in such a way as to contain communities with common borders and to be located on the territory of the region.

Article 54. Pre-electoral Campaigning

Parties and party blocs participating in the elections by the proportional system use the means of mass media in the manner prescribed by the Article 17 of this Code.

The candidates for deputies, participating in the election by majoritarian electoral system use the means of mass media on the territory of the respective region on an equal basis, in the manner prescribed by the Central Electoral Commission.

Article 55. Ballots Used in the Elections by Proportional System

The ballot in the election by proportional system lists the name of the registered party (bloc) or the abridged name, if the party (bloc) uses one, as well as the first and last names of the first three candidates for deputies on the list.

Article 56. Summarizing the Results of the Elections by the Majoritarian System

The Central Electoral Commission passes a decision on the election of a deputy of the National Assembly by majoritarian system upon the presentation of the Regional Electoral Commission.

The candidate receiving the majority of the votes in his/her favor, is considered as elected.

If only one candidate runs in the elections, he/she is considered as elected by receiving over 50% of the votes in favor of the participants of voting.

Article 57. Recognizing the Elections as Invalid

The Central Electoral Commission recognizes the elections as invalid in separate precincts or districts, if:

- 1) due to inconsistencies in the figures given in the protocols of the electoral commissions, or in accordance with facts confirmed by inspections it is not possible to reconstruct the real result of the elections and thus determine the elected candidate;
- 2) violations of this law were committed during the preparation and implementation of the elections that prevented the exercise of the equal, direct free election right in a secret ballot.

The decision of the Central Electoral Commission regarding the results of the elections can be appealed to the Constitutional Court of the Republic of Armenia, the decision of which is final.

Article 58. Summarizing the Results of the Elections by the Proportional System

The mandates are distributed only between the lists, that received at least 5% of votes in their favor from the valid votes cast in favor of all parties.

The mandates allocated for the elections by the proportional system are distributed between the parties in proportion with the votes cast in their favor.

The calculation of the share of the mandates for each party is conducted in the following manner: the number of votes in favor of each list is multiplied by the number of mandates allocated to the lists, the resulting number is divided by the total number of votes in favor of all lists that received at least 5% of the valid votes, the resulting respective integer values of the quotients represent the number of the mandates received by each list.

The remaining mandates are distributed between the lists according to the descending value of the reminders of the calculation, one remaining mandate to each. In case the reminders are equal, the disputed mandate is given to the list with the most votes in its favor, if those are equal, the decision

is made based on random selection.

The candidate is recognized as elected if his/her number in the list is less or equal to the number of mandates received by that list.

The mandate of the candidate elected by the proportional system is given to the next candidate in the list if he/she was also elected by the majoritarian system.

The issue of the mandates not distributed due to the recognition of the elections as partially invalid is resolved after receiving the results of re-voting.

The mandates received by parties in the number exceeding the number of the registered candidates, and also the mandates not distributed in the result of the elections in general, are distributed according to the results of by-elections.

Article 59. Summarizing the Results of Elections by Proportional System in Case the Elections are Recognized as Partially Invalid

If the elections were recognized as invalid in some electoral precincts by a decision of the Central Electoral Commission, the results of the elections are summarized in the following manner:

- 1) the lists that received at least 5% of the valid votes cast in their favor are determined, for which:
 - a) the votes in favor received by each list in the precinct where the elections were recognized as invalid are neglected;
 - b) when calculating the total number of valid votes in the precincts where the elections were recognized as invalid is substituted by the total number of votes in the lists of voters of those precincts;
 - c) the lists retaining the possibility of getting at least 5% of the votes in their favor are determined, excluding the lists referred to in point 1 of this Article, for which in the calculation of the total number of votes given in favor of each list the number of votes in their favor in the precincts where the elections were recognized as invalid is substituted by the total number of voters on the lists of the voters of those precincts, and in calculation of the total number of valid votes the number of valid votes in the precincts where the elections were recognized as invalid is substituted by the total number of voters on the lists of the voters of those precincts.

Until the completion of summarizing the results of voting, the calculation of the number of the mandates for each list is conducted in the prescribed manner, whereas:

- 1) in counting the total number of votes in favor of each list, the number of votes received in favor of that list in the precincts, where the elections were recognized as invalid is neglected;
- 2) the number of votes in favor of all lists that received at least 5% of valid votes is substituted by the total number of votes in favor that were received or could have been received by all parties (blocs) that received or retained the possibility to receive at least 5% of votes in their favor, and when calculating this in the precincts, where the elections were recognized as invalid, instead of calculating the total of votes in favor of all of them, the total number of voters on the lists of the voters of those precincts is counted.

The calculation of the number of mandates due to each list after re-voting is conducted in the prescribed manner, where the numbers calculated for the case, when the elections were recognized as partially invalid, are substituted by the corresponding numbers obtained from the re-voting and the unclaimed mandates are respectively allocated to the lists of public-political organizations or their blocks, thus completing the number of mandates due to them.

Article 60. Re-voting

Within two weeks following the summarizing the results of the elections in electoral districts or precincts, in case the elections are recognized as partially invalid, a re-voting is assigned to be conducted with the same registered candidates for deputies, without recalled candidates and the candidates, who terminated their nominations after the assignment of re-voting, within the provisions set by this Code.

Re-voting is not conducted in those precincts, where the results of re-voting can not influence the results of voting.

Article 61. Time Frame for Nomination and Registration of Candidates for Deputies in Regular Elections

The decree of the President of the Republic on the assignment of regular elections is published at least 60 days prior to the day of elections.

The nomination of the candidates for deputies begins no sooner, than 60 days prior to the day of the elections and is terminated 40 days prior to the day of the elections at 18.00.

The registration of the candidates for deputies and party (bloc) lists is terminated 25 days prior to the day of the elections.

The pre-election programs can be submitted to the respective electoral commission 20 days prior to the day of elections.

Article 62. Assignment and Implementation of By-elections

If the mandate due to electoral district by majoritarian system remains unoccupied in the result of regular elections or because of the premature termination of the powers of the deputy, then by-elections are assigned and implemented in the respective electoral district.

The mandate of the deputy of the National Assembly elected by the proportional system, whose powers were prematurely terminated, is given to the next candidate in the respective list within two weeks of the termination date by a decision of the Central Electoral Commission.

By-elections are assigned in all territory of the Republic, if not less, than 10 vacancies by proportional system remained unoccupied and it is not possible to fill them in.

By-elections are conducted with a new nomination of the candidates for deputies and the party lists in the manner prescribed for regular elections.

By-elections are conducted in May or October, in the manner prescribed by this Code.

Article 63. Time Frame and Procedure for the Assignment and Implementation of Extraordinary Elections

The extraordinary elections are conducted no sooner, than 30 days and no later than 40 days after the dismissal of the National Assembly.

The extraordinary elections are prepared and conducted according to the procedure prescribed for regular elections within time frame set for extraordinary elections.

The nomination of the candidates for deputies, and of party lists in extraordinary elections starts no sooner, than 30 days prior to the day of elections, and accomplishes 20 days prior to the day of the elections at 18.00.

The registration of the candidates for deputies and party lists accomplishes 12 days prior to the day of elections.

The pre-election programs can be submitted to the respective electoral commissions 8 days prior to the day of elections.

**CHAPTER 5
ELECTIONS OF THE LOCAL SELF-GOVERNING BODIES**

Article 64. Principles of Elections for Local Self-governing Bodies

The community leader and the community council are elected for a three-year term.

The community leader is elected by majoritarian electoral system.

The community councils are comprised of the following number of members:

- 1) for communities with populations under 5,000 -- eight members;
- 2) for communities with populations between 5,001 and 20,000-- ten members;
- 3) for communities with populations over 20,000 -- fifteen members;

Members of community councils are elected on the following basis:

- 1) in communities with populations under 5,000 by one multi ballot majoritarian district;
- 2) for communities with populations between 5,001 and 20,000 by multi ballot in two majoritarian voting districts, each electing five members. The population within each voting district of the same community shall not vary more than five percent of the total number of voters of the community.
- 3) for communities with populations between 20,001 and 45,000 by multi-ballot in three majoritarian voting districts, each electing five members. The population within each voting district of the same community shall not vary more than five percent of the total number of voters of the community.
- 4) for communities with populations over 45,001 by multi ballot in five majoritarian voting districts, each electing three members.

The population within each voting district of the same community shall not vary more than three percent of the total number of voters of the community.

Article 65. The Right to Vote

The citizens of the Republic of Armenia who are 18 years old prior to the day of elections, who permanently reside in the community, have the right to elect the local self-governing bodies.

The citizens included in the lists of voters have a right of one vote.

Citizens of the Republic of Armenia, who are 25 years old prior to the day of the elections, who have continually resided in the community for at least one year, have registered in the community and have dutifully paid local taxes, payments, and dues for last three years, can be elected community leader.

Citizens of the Republic of Armenia, who are 25 years old prior to the day of the elections, who

have continually resided in Yerevan City for at least one year, and have dutifully paid local taxes, payments, and dues for last three years, can be elected district community leader.

Citizens of the Republic of Armenia, who became 21 years of age prior to the day of the elections, who have resided in the community for at least one year, have registered in the community and dutifully paid local taxes, payments, and dues for last three years, can be elected members of a community council.

In the same community the nominations of the candidate for the community leader and for community council can be combined.

Judges, employees of the prosecutor's office, servicemen of the armed forces, the Ministry of Internal Affairs and the National Security Systems, the employees of the tax and customs bodies cannot be nominated and elected as community leaders.

Article 66. Campaign Funds of Candidates for Community Leader and Members of Community Councils

A candidate for Community Leader or for member of the Community Council, to support pre-election campaigning, can establish a campaign fund themselves or through an authorized representative. The campaign fund is formed from voluntary contributions by individual persons and legal entities (excepting state and local self-governing bodies, state enterprises and organizations, and enterprises having a state share.)

Voluntary contributions by individual persons and legal entities to the campaign fund of the candidate cannot exceed a limit of 20,000 drams for each individual person and 100,000 drams for each legal entity.

The bank accounts of the campaign funds of the candidates are opened in the bank reserved by the Central Electoral Commission.

The funds remaining on the accounts of the campaign funds of the candidates are transferred to the state budget after the elections.

In case the elections of the community leader or the members of the community council are recognized as not taken place, the electoral deposit of the candidates is returned and the means remaining on the accounts of campaign funds are frozen until the registration of the candidates for new elections.

The candidates registered for new elections can use the means remaining on their accounts of campaign funds from previous elections.

If a candidate is not registered for new elections, the means remaining on his/her campaign fund are transferred to state budget.

Article 67. Procedure for Appealing Decisions and Actions of Electoral Commissions

Decisions and actions of electoral commissions can be appealed at the superior electoral commission or at the court of law.

The decision and actions of the electoral commissions can be appealed by the members of these electoral commissions, persons, who have paid the electoral deposits, the registered candidates of the community leader and the member of community council, their proxies within two days after passing the decision or implementing the action.

The appeal has to be discussed within three days of its submission.

The decisions and actions of the Precinct Commissions on summarizing the voting results can be appealed at Regional Electoral Commission within one day of the passing the decision or implementation of the action.

The decisions and actions of Regional Electoral Commissions on summarizing the results of elections can be appealed by the registered candidates for community leader or community council member at the court of law within two days of the adoption of the decision or implementation of the action.

If the court of law passes a decision on recognizing as invalid the decision of the Regional Electoral Commission on summarizing the results of elections, then the court of law passes a decision on the results of elections also, based on the provisions of this Code.

Article 68. Nomination of Candidates for Community Leader and Community Council Membership

Candidates for community leader and the community council membership are nominated in the manner of self-nomination upon submission of an application for nomination and the receipt of an electoral deposit payment.

A candidate for the community council member can be nominated in only one electoral district of the community.

The candidates pay into the united electoral fund the following sums as electoral deposits:

- 1) the candidate for leader of a community with a population under 1,000 -- 4,000 drams; candidates for community council -- 500 drams;
- 2) the candidate for leader of a community with a population between 1,001 to 5,000 -- 10,000 drams; and candidates for community council -- 1,250 drams;

- 3) the candidate for leader of a community with a population between 5,001 to 10,000 -- 20,000 drams; and candidates for community council-- 2,000 drams;
- 4) the candidate for leader of a community with a population between 10,001 to 20,000 -- 40,000 drams; and candidates for community council -- 4,000 drams;
- 5) the candidate for leader of a community with a population between 20,001 to 45,000 -- 100,000 drams; and candidates for community council -- 6,000 drams;
- 6) the candidate for leader of a community with a population between 45,001 to 75,000 -- 200,000 drams; and candidates for community council -- 12,000 drams;
- 7) the candidate for leader of a community with a population over 75,000 -- 300,000 drams, and candidate for community council -- 20,000 drams.

The electoral deposit of an elected community leader and a candidate for community leader receiving 15 percent of the votes cast is returned; the deposits of other candidates are transferred to the state budget.

The electoral deposit of the elected member of the community council and the candidates for the community council who received over 5 percent of the votes cast is returned, while the deposits of other candidates are transferred to state budget.

Article 69. Registration of Candidates

Regional Electoral Commissions discuss the issue of the candidate's registration once the following documents have been presented by the candidates himself/herself or by a person authorized in the manner prescribed by law before the deadline set in this law:

- 1) a properly completed nomination documents proposing a candidate filled in the manner prescribed by the Central Electoral Commission;
- 2) a certification of his/her citizenship of the Republic of Armenia;
- 3) receipt of the paid electoral deposit;
- 4) certification of candidate's residential address.

The competent state body is obliged to present the above-mentioned certification within five days.

The candidate or his/her proxy has the right to be present at the electoral commission during the consideration of the issue of his/her registration.

The Regional Electoral Commission refuses to register a candidate if obvious falsifications had

been found in the documents presented, and the candidate does not satisfy the demands of this law.

Refusal to register the candidate is recorded with 2/3 of the votes of Regional Electoral Commission members.

In case of rejection of the registration of a nominated candidate his/her electoral deposit is transferred to the state budget.

The registration of a candidate by Regional Electoral Commission is recognized as void if, following the registration, facts are revealed that contravene this law regarding the registration of a candidate. In such cases the recognition as void of the registration of the candidate is recorded in the minutes of the session of the Regional Electoral Commission and published.

In case of recognition of the registration of a candidate as invalid his/her election deposit and the means remained on his/her campaign fund are transferred to state budget.

The decision to refuse the registration of the candidate or consider the registration void, may be appealed to court of law within two days. The court shall pronounce judgment within three days, which is final.

A candidate may be detained only by the consent of the Regional Electoral Commission. The Regional Electoral Commission passes a final decision of this issue by 2/3 of the votes of the commission members.

In case the detention is applied to a candidate as a pre-trial measure, his/her election deposit is returned and the means available in his/her campaign fund are transferred to the state budget.

The communique on the registration of a candidate is published in a manner prescribed by the Central Electoral Commission.

If the number of the registered candidates for the community council is less, than 50 per cent of the mandates available, then the Regional Electoral Commission passes a decision on recognizing the elections as not taken place and on conducting of new elections.

If no candidates for community council members are registered in the electoral district, then no voting is conducted in that electoral district.

Article 70. Termination of the Registration of a Candidate

A candidate can terminate his/her nomination by submitting a resignation application to the Regional Electoral Commission not later than five days prior to the day of voting.

The registration of a candidate who submits an application of resignation is recognized as annulled, his/her electoral deposit is returned and the means available in the candidate's campaign fund after his/her submission of application are transferred to the state budget.

The registration of the candidate is recognized as void in case of his/her death and also in the case of application to a candidate the detention as a pre-trial measure.

If the registration of the candidate is recognized as void in case of the death of a candidate, then his/her election deposit is passed to his/her heirs, in the manner prescribed by law, and the means available in his/her campaign fund are transferred to the state budget.

Article 71. Summarizing the Results of Elections for Community Leader

The Regional Electoral Commission, receiving the summarizing protocols by precincts, other electoral documents and appeals from the Precinct Commission passes one of the following decisions:

- 1) on recognizing the elections as taken place and on election of the community leader;
- 2) on recognizing the elections in the community as invalid and designating a re-vote;
- 3) on recognizing the elections in the community as not taken place and on conducting of new elections.

A candidate for Community Leader who receives a plurality of votes is considered as elected.

If two candidates run in the elections and they have received equal number of votes in favor, then the candidate, who is a permanent resident of the community for a longer time is recognized as elected.

If only one candidate runs in elections then he/she is recognized as elected if he/she has received more than the half of the votes of those participating in the elections.

An election of the community leader is considered as invalid if:

- 1) the measure of incorrectness in the number of votes given in favor of any candidate substantially affects the outcome of the election such, that it is not possible to reconstruct the real result of elections and thus determine the elected candidate;

- 2) violations of law were committed during the preparation and implementation of the elections that prevented the exercise of equal, direct and free election rights in a secret ballot and which could affect substantially the result of the election.

The elections are considered as not taken place if:

- 1) the only candidate running doesn't receive more than the half of the votes of those participating in the elections;
- 2) the only running and elected candidate died before summarizing the results of elections.

Article 72. Summarizing the Results of Elections for Community Council Members

The Regional Electoral Commission, receiving the summarizing protocols by precincts, other electoral documents and appeals from Precinct Commissions determines the members of community council elected from each electoral district.

The Regional Electoral Commission composes a protocol summarizing the results of the elections of the members of community council, correcting the discrepancies in the results of voting in electoral precincts in the cases prescribed by this Article, and checking in the manner prescribed by the Central Electoral Commission the incorrectness of the voting results and their influence on the number of votes given in favor of each candidate.

The Regional Electoral Commission determines and registers the challengers for the mandates of Community Council members for each electoral district based on the results given in the protocols.

The challengers for the mandates are considered the candidates, who received the plurality of the votes of the given electoral district (but not exceeding the number of mandates reserved for given electoral district), on election of which the incorrectness in the count of votes has no influence.

If the number of candidates receiving a plurality of the votes cast exceeds the number of mandates, because of the equality of the received votes, then a random selection procedure is implemented in the manner prescribed by the Central Electoral Commission between the candidates who received the least equal votes for the determination of the challengers of mandates.

If in the process of preparation and implementation of the elections violations of the general, direct and equal right to vote or the violation of secret ballot were committed to an extent that could affect the results of elections, then no challengers for mandates are registered for the given electoral district.

If the number of challengers for the mandates in the community exceeds the 50 percent of the number of the members of the community council for the given community, prescribed by this law Code, then Regional Electoral Commission passes a decision recognizing the elections as taken

place and on forming of the community council and registers the challengers for the mandates as members of the community council.

If the number of challengers for the mandates in the community does not exceed 50 percent of the number of the members of the community council, prescribed by this Code, the Regional Electoral Commission passes a decision recognizing the elections as void and on implementing by-elections in those electoral districts, where the number of challengers for mandates is not exceeding 50 percent of the number of mandates reserved for the given electoral district.

Article 73. Re-voting

If the elections of the community leader are recognized as invalid by the decision of the Regional Electoral Commission, then 14 days after the day of the elections re-voting is conducted in the community, in the manner prescribed by this law, with the same nomination of the candidates.

If the elections of the community leader are recognized as invalid by a legal court verdict, then 14 days after the date of coming into force of the court decision re-voting is conducted in the community, in the manner prescribed by this law, with the same nomination of the candidates.

If the elections of the members of community council in an electoral district are recognized as invalid by the decision of the Regional Electoral Commission, then 14 days after the day of the elections re-voting is conducted in the manner prescribed by this code, with the same nomination of the candidates.

If the elections of the members of community council in an electoral district are recognized as invalid by a legal court verdict, then 14 days after the date of coming into force of the court decision re-voting is conducted in the manner prescribed by this code, with the same nomination of the candidates.

Article 74. Publication of the Results of the Elections of Local Self-governing Bodies

The Regional Electoral Commission summarizes the results of the elections of local self-governing bodies and publishes officially through the regional means of mass media not later, than three days after the day of the elections.

Article 75. Time Frame for Nomination and Registration of Candidates

The nomination of the candidates begins no sooner than 60 days prior to the day of elections and terminates 55 days prior to the day of the elections at 18:00.

The registration of the candidates terminates 30 days prior to the day of the elections.

The biographical data of candidates may be submitted to the Regional Electoral Commissions not later, than 20 days prior to the day of the elections.

Article 76. Procedure for Assignment of Extraordinary Elections

If the mandate of the community leader remains unoccupied due to the premature termination of his/her powers in the manner prescribed by the law, then extraordinary elections are assigned and conducted in the respective electoral districts by the decision of the Government.

In the cases of the termination of the powers of community council member prescribed by the law his/her mandate is not filled.

If the number of the community council members, after termination of their powers in the cases prescribed by law, is not exceeding 50 percent of the number of community council members prescribed by law, then extraordinary elections of the members of the community council are conducted.

The time frame for assignment and conducting of the extraordinary elections of the community leader in the cases prescribed by this law are designated by the Government within 15 days.

The time frame for assignment and conducting of the extraordinary elections of the members of community council in the cases prescribed by this law are designated by the Government within 15 days.

Extraordinary elections are conducted on the 30th day of the decision of the Government in the manner prescribed by this law for regular elections.

Article 77. Nomination and Registration of Candidates in Extraordinary Elections

Extraordinary elections are conducted with new nominations of candidates.

The nomination of candidates begins 25 days prior to the day of the elections and terminates 20 days prior to the day of the elections.

The registration of candidates terminates not later, than 10 days prior to the day of elections.