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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**DRAFT LAW**  
**OF THE REPUBLIC OF ARMENIA**  
**on amending and supplementing**  
**the Electoral Code of the Republic of Armenia**  
**Version of 14 December 2004**

**Article 1.** In Article 7 of the Electoral Code of the Republic of Armenia (HO-284 of 17 February 1999):

- a. State paragraph 4 to read as follows:  
“During elections of the President or elections to the National Assembly, the Central Electoral Commission shall publish on the day preceding the voting the total number of voters listed in the Register of Republic of Armenia Voters.”
- b. Paragraph 6, the third and fourth sentences shall be reworded to read as follows:  
“During general elections (“general elections” shall include elections of the President and elections to the National Assembly), the Central Electoral Commission shall, at 9 am on the voting day, publish information on voting progress, and starting from noon, till 9pm, it shall publish, at three-hour intervals, information on voter turnout as of the previous hour, and publish information on complaints and applications received.”
- c. Paragraph 8 shall be reworded to read as follows: “In the cases referred to in paragraph 6 hereof, the Central Electoral Commission shall publicize the information using live radio and television broadcast on the Public Radio of Armenia and the Public Television of Armenia, respectively.”

**Article 2.** In Article 8(1) of the Code, add the words “training of commission members and notification of voters” after the word “(including)”.

**Article 3.** Paraphrase Articles 9-14 of the Code to read as follows:

“**Article 9.** Compilation and Maintenance of Voter Lists

1. Voter lists are documents that are permanently maintained.
2. Voter lists shall be compiled and maintained by the Passport and Visa Department of the Republic of Armenia Police (hereinafter, “the Authorized Agency”) with the participation of community heads.
3. The Passport and Visa Department of the Republic of Armenia Police shall compile and maintain the Republic of Armenia Voter List by marzes and communities, as a unified list of voters, i.e. the National Register of Voters of the Republic of Armenia.
4. Local self-governments, the respective units of the Ministry of Defense of the Republic of Armenia, and the civil status act registration authorities shall provide to the Authorized Agency information necessary to compile and maintain the Voter List in accordance with the procedure defined by the Central Electoral Commission.
5. After elections are scheduled, the Authorized Agency shall, in the procedure and time prescribed by this Code, compile voter lists by precincts upon presentation by the community heads.
6. In cases and in the procedure prescribed by this Code, voter lists shall also be compiled by the heads of diplomatic or consular missions of the Republic of Armenia in foreign states, imprisonment institutions, and military detachments of the Republic of Armenia.

7. The Republic of Armenia Voter Register shall be submitted by the Authorized Agency to the Central Electoral Commission in electronic form twice a year—in June and December.

8. The Central Electoral Commission and the Territorial Electoral Commissions shall monitor the process of compiling and maintaining voter lists in accordance with procedures approved by the Central Electoral Commission.

9. If the error in voter lists exceeds 2% of the total number of voters of the Republic of Armenia in general elections, or 2% of the number of voters in the territory in local self-government elections or in the majority contest of National Assembly elections, then the sanctions provided by law shall be enforced on the basis of violating the procedure of compiling voter lists.

**Article 10.** Inclusion of Citizens in the Voter List

1. The Republic of Armenia Voter List shall include all the citizens who have voting rights in accordance with the procedure laid down in Article 4 hereof.

2. The name and surname of a citizen may be mentioned in the voter list of only one community, only once.

3. The community voter list shall include all the citizens who have voting rights and are registered in the community in question, as well as citizens who are temporarily or permanently residing in the community, but have no registration, or those residing in other communities who have filed, no later than 5 days before voting day, an application on their inclusion in the voter list in accordance with the procedure established by the Central Electoral Commission. Citizens registered in other communities shall also submit a statement in the form approved by the Central Electoral Commission showing they are not included in the voter list of the place of their registration. Citizens who do not have registration shall be included in the voter list on the basis of a statement on their place of residence.

4. Everyone who has the right to vote during local self-government elections shall be included in the voter lists compiled for local self-government elections on general grounds.

5. Military servicemen (citizens) undergoing term military service or drills, who have been temporarily released of service in accordance with the legislation, may be included in the voter list of the place of their permanent residence in accordance with the procedure laid down in paragraph 3 hereof, provided they apply to be included in the voter list.

6. Republic of Armenia citizens who have voting rights and reside or are physically outside of the Republic of Armenia shall be included in the voter list compiled outside of the Republic of Armenia in accordance with the procedure approved by the Central Electoral Commission.

7. If there is no diplomatic or consular institution of the Republic of Armenia in a foreign state, the citizens of the Republic of Armenia may apply to the Republic of Armenia diplomatic or consular missions in states that are close to the state of their residence or location with an application to register them in the voter list.

8. During general elections, term military servicemen, military servicemen residing in the territory of the detachment and their family members who are eligible to vote, and citizens undergoing drills shall be included in the voter list of the respective detachment.

9. During general elections, the heads of military detachments shall, at least 45 days prior to voting day, submit to the head of the respective community and Authorized Agency, as well as to the Territorial Electoral Commission, the number of voters registered in their respective military detachments.

10. Military servicemen residing outside of the detachment shall be included in the voter list of the respective community in accordance with the procedure prescribed herein.

11. The voter lists of those in detention shall be compiled by the head of the respective institution, with the involvement of a member of the Territorial Electoral Commission, 3 days prior to voting day. In the majority contest of National Assembly elections, the voter lists of those in detention shall only include citizens who are registered in settlements in the territory in question.

#### **Article 11.** Criteria on Voter Lists

1. Voter lists shall be compiled on the basis of citizens' registration addresses.

2. The voter list shall specify the name of the marz and the community, and, in separate columns, the following information concerning citizens who are eligible to vote:

- a. Number in the voter list;
- b. Name, surname, and patronymic;
- c. Day, month, and year of birth; and
- d. Address of registration or residence address, if the person is registered in another community, or has no registration.

3. In the voter lists provided to Precinct Electoral Commissions to hold the voting, the numbering mentioned in paragraph 2(a) above shall be done by precinct. Each sheet of the list shall specify the number of the precinct. There shall be two additional columns—one for the series and number of the citizen's personal identification document, and the other for the signature of the citizen.

4. If there is concurrent voting in more than one elections (presidential, National Assembly, or local self-government elections), there shall be a separate column for the signatures of citizens for each of the voting events.

5. Voter lists shall be prepared in the form of registers and page-numbered for up to 1,000 voters. Voter lists shall be compiled in alphabetic order. Each page of voter lists shall be signed and sealed by the head of the respective unit of the Authorized Agency; in local self-government elections, also by the community head.

#### **Article 12.** Provision of Voter Lists to Electoral Commissions and Polling Stations

1. At least 41 days prior to voting day, the head of the authorized agency or its respective unit shall provide to the chairman of the respective territorial electoral commission

and the community heads one copy of voter lists by precincts. 40 days prior to voting day, community heads shall make the lists available to the heads of institutions in charge of the polling station areas to be posted in the polling station.

2. The Authorized Agency or its appropriate unit shall, at least 3 days prior to voting day, provide to the chairman of the respective territorial electoral commission the final voter lists by precincts—printed in two copies, also in electronic form. The respective chairman shall, 2 days prior to voting day, make the 2 copies available to the chairmen of the respective precinct electoral commissions.

3. Voter lists compiled in military detachments shall be provided to the chairman of the respective territorial electoral commission by the military detachment head 3 days prior to voting day in a sealed envelope, which shall be opened only on voting day in the precinct electoral commission.

4. Heads of detention institutions shall, 2 days prior to voting day, make two copies of the voter lists available to the chairmen of precinct electoral commissions formed in their institutions.

**Article 13.** Access to Voter Lists

1. The Republic of Armenia Voter List, with the exception of lists compiled in military detachments, shall be open to access.

2. The Authorized Agency shall place the Republic of Armenia Voter List in the Internet in accordance with the procedure established by the Central Electoral Commission.

3. Each citizen shall have the right to receive, within three days of applying to the Authorized Agency or its units, the voter lists of the respective community or, in case of elections, also of the precinct, in electronic or paper form in the procedure and for a fee established by the Central Electoral Commission.

4. 40 days prior to voting day, the head of the institution in charge of the polling station territory shall post one copy of the voter lists in the polling station at a place visible for everyone.

5. The voter lists posted in the polling station shall be accompanied with a statement on the deadline for applying concerning errors in such lists, as well as the place of submitting them, and the procedure, deadline, and conditions of reviewing them.

6. Two days prior to voting day, a final copy of the voter list shall be posted by the chairman of the Precinct Electoral Commission in the polling station, at a place visible for everyone. The lists shall remain posted in the polling station until the date when the power of the precinct electoral commission terminates.

7. Voter lists compiled in military detachments shall, 10 days prior to voting day, be posted in the military detachments in a place visible for servicemen. Lists compiled in military detachments shall not be published or photocopied.

8. In the order established by the Central Electoral Commission, the Precinct Electoral Commission shall send notification to voters, specifying the polling station in which they should vote.

**Article 14.** Procedure of Reviewing Applications on Errors in and Adjusting Voter Lists

1. Every citizen shall have the right to apply to the community head no later than 7 days prior to the voting day concerning either what he/she considers to be errors in the voter lists, or requests of including or excluding him/her or another citizen into or from the voter list. Up to 5 days prior to voting day, every citizen may also apply to the head of the Authorized Agency or its respective unit.

2. Within 2 days of receiving an application, the community head shall present to the head of the respective unit of the Authorized Agency the application and the opinion of the community head on the matter.

3. Within 2 days of receiving the application, the head of the Authorized Agency or its respective unit shall, if sufficient grounds are present as provided herein, make the necessary amendments to the voter list and give written notice thereof to the applicant.

4. The head of the respective unit of the Authorized Agency shall inform the Authorized Agency of amendments made to the voter lists, in order for the Authorized Agency to amend the Republic of Armenia Voter List.

5. Disputes concerning errors in the lists may be subject to judicial appeal. A court shall be obliged to adjudicate on such disputes within a maximum period of five days. The decision of court shall be final and shall not be subject to an appeal.

6. During the 5 days preceding voting day, only applications on inclusion in voter lists may be filed with first instance courts. Decisions on such applications shall be taken within a period that will enable citizens to participate in the voting.

7. In accordance with the procedure specified in Article 14<sup>1</sup> hereof, the respective precinct electoral commission shall amend the voter lists [by means of compiling additional lists] on the basis of decisions taken on applications concerning inclusion in voter lists filed during the 5 days preceding voting day or on voting day.

8. Electoral commissions and local self-governments may not take the initiative at their own discretion to make any amendment (correction or supplement) to the voter lists.

**Article 4.** Add a new Article following Article 14 of the Code, to read as follows:

“**Article 14<sup>1</sup>.** Supplementary Voter Lists

1. If the grounds prescribed under this Code are present, the Precinct Electoral Commission shall compile a supplementary voter list.

2. The supplementary voter list of a precinct shall include:

- a. Citizens who have presented judicial decisions in accordance with Article 14(7) hereof;
- b. Citizens who are registered in the territory of the precinct in question, but not included in the voter list, provided that they present a statement from the respective territorial electoral division;
- c. Members of the Precinct Electoral Commission, who are registered in the territory of another precinct, provided that they present a statement issued by the Authorized Agency or its territorial unit indicating the members are not included in the voter lists of their places of registration; and
- d. Law-enforcement officers performing their official duties in the precinct in question on voting day, provided that they present a statement issued by the Authorized Agency or its territorial unit indicating the officers are not included in the voter lists of their places of registration.

3. Supplementary voter lists shall be compiled in accordance with the requirements of Article 11 hereof concerning the voter lists provided to precinct electoral commissions for purposes of voting, after adding a column for marking the number, day, month, and year of the judicial decision or respective statement on inclusion of the citizen in the voter list.

4. Each page of the supplementary voter lists shall be signed and sealed by the chairman of the Precinct Electoral Commission. After the voting, the commission chairman shall mark at the end of the list the total number of voters included in the supplementary list. The documents that support the inclusion of citizens in the supplementary voter lists shall be annexed to the supplementary list.

5. The Precinct Electoral Commission may not take the initiative at its own discretion to add voters to the voter list or the supplementary list.

**Article 5.** Add a new paragraph 5 to Article 16 of the Code to read as follows:

“5. In order to safeguard the exercise of voting rights by disabled individuals, local self-governments shall install the necessary facilities in polling stations.”

**Article 6.** In Article 17<sup>1</sup> of the Code:

- a. In paragraph 1(1), the number “up to 15” shall be replaced with the words “10 on average”.
- b. Paragraph 1(3) shall be reworded to read as follows:  
“3. precincts shall be drawn up and numbered by the Central Electoral Commission on the basis of the number of voters in the National Voter Register within 100 days of the effectiveness of the legal act amending the number of majority contest mandates, but no later than 90 days prior to voting day;
- c. Paragraph 2 shall be revoked.

**Article 7.** Add a new sub-paragraph to Article 18(4) of the Code to read as follows:

“5. The members of the electoral commission.”

**Article 8.** In Article 18(4)(2), 27(4), 34(4), 54(1), 97(2), and 97(3), the words “Ministry of Interior and National Security” shall be replaced with the words “Police and National Security Service”. In Article 45, the words “Ministry of Interior and National Security” shall be replaced with the words “Republic of Armenia Police”.

**Article 9.** In Article 20 of the Code:

- a. In paragraphs 3 and 4, add the words “citizens and legal entities” after the words “entities”.
- b. Add a new paragraph (paragraph 10), to read as follows:  
“Monitoring of television and radio companies’ compliance with the procedures of election campaigning shall be performed by the National Television and Radio Commission, which shall, whenever it detects them, report violations of such procedures to the Central Electoral Commission. On the basis of such reports, the Central Electoral Commission shall apply to a court requesting the ordering of sanctions prescribed by the legislation of the Republic of Armenia.”

**Article 10.** In Article 22 of the Code:

- a. In paragraph 2, replace the words “state and public” by the words “founded by public and local self-government bodies”.
- b. Reword paragraph 3 to read as follows:  
“3. It shall be prohibited to publicize results of social polls on the rating of candidates, parties, and party alliances at any time during the 7 days preceding voting day.”

**Article 11.** Paraphrase Article 24(4) of the Code to read as follows:

“4. Financing designated for elections, including commission funds, shall be allocated to the “Staff of Central Electoral Commission” state administration institution in the procedure defined by the Republic of Armenia Government, on the basis of cost estimates approved by the Central Electoral Commission. The “Staff of Central Electoral Commission” state administration institution shall manage the funds in accordance with the Republic of Armenia legislation and shall be responsible for using such funds in line with the cost estimates approved by the Central Electoral Commission.”

**Article 12.** In Article 29(3) of the Code, the words “ID cards issued to observers in accordance with submitted lists” shall be added after the words “authorization certificate”. A new paragraph shall be added to read as follows: “ID cards of persons carrying out an observer mission shall also be sealed by the organization that has obtained an authorization certificate to carry out an observer mission”.

**Article 13.** In Article 30 of the Code:

- a. To add the following new sentence to paragraph 1(1): “To monitor the process of printing, transporting, and storing ballots, and calculating voting envelopes and ballots in accordance with the procedures established by the Central Electoral Commission”.
- b. To add a new sub-paragraph (sub-paragraph 4) to paragraph 1, to read as follows:  
“4. To move freely within the polling station to clearly observe the ballots and



the ballot box, in accordance with procedures established by the Central Electoral Commission”.

- c. To add the words “in all election procedures” to paragraph 5.

**Article 14.** Revoke Article 33(9) of the Code.

**Article 15.** Add a new Article after Article 33 to read as follows:

**“Article 33<sup>1</sup>.** Remuneration of Election Commission Members

1. Election commission members shall be remunerated from the state budget.
2. The Central Electoral Commission Chairman, Deputy Chairman, Secretary, and Members shall be remunerated in accordance with the Republic of Armenia Law on Official Rates of Remuneration of Senior Officials of Legislative, Executive, and Judicial Authority in the Republic of Armenia.
3. For each month of conducting general elections or additional parliamentary elections in the majority contest, the Territorial Electoral Commission Chairman, Deputy Chairman, and Secretary shall be remunerated in the amount of \_\_\_\_\_-fold the minimum salary, and the other members of the Commission—in the amount of \_\_\_\_\_-fold the minimum salary. For the term of conducting local self-government elections, the members of the territorial electoral commissions shall be remunerated in the amount of 15-fold the minimum salary.
4. Members of precinct electoral commissions shall be remunerated in the amount of 15-fold the minimum salary.
5. The salaries of the members of electoral commissions in their main jobs shall be retained.

**Article 16.** In Article 34 of the Code:

- a. To add the following wording at the end of paragraph 1: “, which have passed professional training courses on how to conduct elections in accordance with the procedures established by the Central Electoral Commission, and have consequently been certified”.
- b. Paraphrase paragraph 4 to read as follows:  
“4. Members of the National assembly, the Constitutional Court, judges, ministers and their deputies, governors (Marzpets), the Mayor of Yerevan, community heads, the staff of national security, police, defense, and customs agencies, the prosecution authority and the banking system, proxies, observers, and candidates, as well as individuals convicted of the crimes prescribed by Articles 149-154 of the RoA Criminal Code may not be members of electoral commissions.”

**Article 17.** Paraphrase Article 35(2) of the Code to read as follows:

- “2. The new Central Electoral Commission shall be formed and shall assume its powers on the 60<sup>th</sup> day following the regular opening session of the newly-elected National Assembly.”

**Article 18.** In Article 35(1)(3), the word “candidate” shall be replaced with the word “member”. A new paragraph shall be added to Article 35(1)(3) to provide:

“If the respective faction does not nominate a member, then the National Assembly Speaker shall nominate someone to fill the vacancy in the commission.”

**Article 19.** Add a new paragraph after Article 37(3) of the Code to read as follows:

“If at 6pm on voting day, the number of precinct commission members is less than five, the vacancy shall be filled by someone nominated by the respective member of the territorial electoral commission. If the territorial electoral commission member fails within two hours to nominate someone, the Chairman of the Territorial Electoral Commission shall nominate someone to fill the vacancy.”

**Article 20.** In Article 38 of the Code:

- a. Revoke paragraph 3;
- b. In Article 38(2)(7), add the words “but no later than 2 days prior to the voting day and no sooner than two days after announcing the final results of elections”.

**Article 21.** In Article 39(7) of the Code, the words “participants in the voting process” shall be replaced with the words “total number of commission members”, and the third sentence shall be removed.

**Article 22.** Revoke Article 40 of the Code.

**Article 23.** Add new Articles **40<sup>1</sup>**, **40<sup>2</sup>**, and **40<sup>3</sup>** after Article 40, to read as follows:

**“Article 40<sup>1</sup>.** Complaints against the Decisions, Actions, and Inaction of Electoral Commissions

1. Complaints regarding the decisions, actions, and inaction of precinct electoral commissions, with the exception of applications demanding a recount of the precinct voting results, may be submitted to the appropriate precinct electoral commission or to a first instance court.

2. Applications demanding the precinct electoral commission to recount voting results shall be submitted to the territorial electoral commission.

3. Complaints regarding the decisions, actions, and inaction of territorial electoral commissions, with the exception of those concerning decisions on tabulating the results of National Assembly majority contest elections and local self-government elections, may be submitted to the appropriate territorial electoral commission or to the Central Electoral Commission.

4. The Central Electoral Commission is entitled to quash the decision of a territorial electoral commission and adopt a decision on the matter, which the territorial electoral commission shall have to enforce. The requirement in this paragraph does not apply to decisions adopted by a territorial electoral commission on the election of a member of the

National Assembly in the majority contest, or of a local self-government head or community councilor.

5. Complaints regarding the decisions, actions, and inaction of the Central Electoral Commission, with the exception of those on the tabulation of election results, may be submitted to the Central Electoral Commission or to an appellate court.

6. Decisions of electoral commissions and/or the actions or inaction of an electoral commission or its officials may be appealed against within a 2-day period of publishing the decision, performing the action, or detecting the violation of law caused by the inaction, respectively, but no later than within 5 days following voting day, by noon of the 5<sup>th</sup> day, with the exception of cases prescribed in paragraphs 7, 10, and 13 of this Article.

7. Applications demanding a recount of the voting results in a precinct electoral commission may only be submitted to the respective territorial electoral commission by 2pm of the day following voting day.

8. After scheduling the date of elections, at any time prior to tabulating the results of the election, electoral commissions shall respond to applications or, in cases prescribed hereunder, take decisions on such applications, within a 5-day period. Applications received during the 5 days preceding the days of tabulating voting and election results shall be reviewed, and decisions concerning such applications taken, prior to voting day or the tabulation of election results, respectively.

9. Courts shall adjudicate on complaints regarding decisions, actions, or the inaction of electoral commissions within the period specified in paragraph 8 above. Court decisions shall be final and shall become effective at the time of their promulgation.

10. Disputes on the results of elections, with the exception of those concerning the results of local self-government elections, shall be resolved by the Republic of Armenia Constitutional Court.

11. The decision of a territorial electoral commission on the results of the election of the head of local self-government may be appealed against:

1. To a first instance court in the case of rural communities; or
2. To the appellate court in the case of urban communities (including the district communities of Yerevan).

12. The decision of the territorial electoral commission on the community councilor election results may be appealed to a first instance court.

13. Decisions of the territorial electoral commission on local self-government election results may be appealed within 3 days of taking such decisions.

14. If the voting results in a given precinct are declared null, then the voter turnout in that precinct shall be reported as the error margin, which shall be duly accounted for when tabulating the election results in accordance with this Code.

15. If the voting results in a given precinct are declared null, then a criminal case shall be filed in that respect.

**Article 40<sup>2</sup>.** Procedure of Electoral Commission Review of Applications (Complaints) and Suggestions

1. Electoral commissions shall review applications (complaints) and suggestions and respond to them during the period specified in the Republic of Armenia legislation, except for cases prescribed under this Code.

2. An electoral commission shall receive, register, and discuss only applications (complaints) and suggestions (hereinafter, “applications”) addressed to that commission.

3. An application must be signed by the applicant and contain his name, surname, residence address, and date (day, month, and year). Applications without such information and/or applications that contain fabricated information on the applicant shall be considered anonymous and shall not be reviewed.

4. An application shall be lodged with the electoral commission that has jurisdiction over the matter raised. An application shall be registered in the electoral commission and its chairman or, in his absence, the deputy chairman, shall sign to refer it to one of the commission members. The matters raised in the application shall be reviewed by the commission member, and a suggestion on how to address the matters shall be presented.

5. Electoral commissions shall take appropriate measures concerning issues that need to be addressed urgently.

6. The response to the application shall be sent to the applicant with the signature of the commission chairman or deputy chairman. The commission member who prepared the response to the application shall sign the copy of the response retained by the commission.

7. Commission members, proxies, observers, and mass media representatives shall be regularly notified of applications received by electoral commissions and measures taken in respect of such applications.

**Article 40<sup>3</sup>.** Procedure of Precinct Electoral Commission Voting Result Recount in the Territorial Electoral Commission

1. A member of the Precinct Electoral Commission who has produced a special opinion and a proxy registered in the precinct in question shall, if they are present in the polling station when the voting results are being finalized in accordance with the procedure laid down in this Code, have the right to appeal against the polling station election results in the period and procedure defined under this Code by presenting to the respective Territorial Electoral Commission a request demanding a recount of the voting results in the precinct in question.

2. A request demanding a recount of the voting results in a precinct, lodged in the procedure and period laid down herein, may not be reviewed and voted in the Territorial Electoral Commission; if such a request has been lodged, the Territorial Electoral

Commission must check whether the protocol produced in the precinct in question is in line with the actual results of the voting.

3. An applicant shall lodge to the Territorial Electoral Commission the request demanding a recount in person, and shall present a personal identification document when doing so; if the applicant is a proxy, then the proxy ID shall be produced, as well.

4. The request demanding a recount shall contain the name, surname, and residence address of the applicant and the number of the precinct in which a recount is demanded, as well as the specific voting results (if several voting events have taken place concurrently) in respect of which a recount is demanded. The request of a recount does not have to contain justification as to why a review is necessary.

5. If several voting events have taken place concurrently, then the member of the Precinct Electoral Commission may lodge a request demanding a recount only on the results of the specific voting event concerning which that member has issued a special opinion.

6. If several voting events have taken place concurrently, a separate request shall be lodged for each demand of recount of the results of each voting event.

7. The Territorial Electoral Commission shall record requests demanding a recount in the administration book in the order in which such requests are received, marking the time of their receipt.

8. The Territorial Electoral Commission shall receive and record requests of a recount in the administration book prior to 2pm on the day following voting day. The Territorial Electoral Commission shall begin the recount activities at 9am on the day following voting day. When performing a recount, the Territorial Electoral Commission shall work without any days-off, from 9am to 6pm, unless the Commission has decided to extend the work hours.

9. The Territorial Electoral Commission shall recount the voting results in the same order in which applications have been received and recorded, in accordance with the requirements hereof concerning the tabulation of precinct election results.

10. The recount of election results in each precinct may not last longer than 5 working hours.

11. The Territorial Electoral Commission shall use the recount results to compile a protocol on the recount of precinct results in the Precinct Electoral Commission. At the request of commission members, proxies, and observers, they shall be given copies of the electoral documents, i.e. the summary protocols.

12. Persons who are entitled to be present in electoral commission sessions under this Code may also be present in the election result recount activities in the Territorial Electoral Commission. The absence of the person who has lodged a request demanding a recount of election results shall not constitute a ground for either not holding or terminating the recount.

13. The Territorial Electoral Commission shall stop the activities of recounting election results 5 days after voting day at 2pm.

14. The Territorial Electoral Commission shall turn down a request demanding a recount of the precinct election results and shall not do the recount, if the recount has been demanded in violation of this Article.

**Article 24.** In Article 41 of the Code:

- a. The words “and has the status of a legal entity” shall be removed from paragraph 1. In paragraph 1(1), the words “shall manage the state budget funds allocated for preparing and holding elections and shall oversee...” shall be replaced with the words “shall oversee the state budget funds allocated for preparing and holding elections”. The words “in communities” shall be removed from sub-paragraph 4. Sub-paragraph 4 shall be supplemented with a new paragraph (paragraph 29<sup>1</sup>), to read as follows: “29<sup>1</sup>) shall establish the procedure of holding training courses for candidates for commission membership and of issuing qualification certificates”.
- b. A new paragraph 4 shall be added to read as follows:  
“4. The Central Electoral Commission may apply to the Republic of Armenia Government with recommendations on how to improve the legislation on the election process.”

**Article 25.** The words “and has the status of a legal entity” shall be removed from Article 42(1) of the Code. In paragraph 1(2), the word “manages” shall be replaced with the word “oversees”. The words “by the community head” shall be removed from sub-paragraph 11. Sub-paragraph 13 shall be revoked.

**Article 26.** In Articles 43(1) and 43(2), the words “and the results” shall be replaced with the words “the results shall be posted in the polling station”. In sub-paragraph 3, the words “voting envelopes and...” shall be added before the word “ballots”.

**Article 27.** Supplement Article 45 of the Code with a new paragraph to read as follows: “Electoral Commissions shall be obliged to notify prosecution authorities within a five-day period of violations of law in connection with the process of organizing and conducting elections”.

**Article 28.** Revoke Article 49 of the Code.

**Article 29.** Add new Articles 49<sup>1</sup> and 49<sup>2</sup> after Article 49 to read as follows:

“**Article 49<sup>1</sup>.** The Ballot and the Voting Envelope

1. The form and content of ballots shall be defined by the Central Electoral Commission.
2. If several voting events are held concurrently, ballots shall be prepared in such a way as to be expressly distinguishable.
3. A ballot must be perforated and contain notes on how the ballot should be filled in.
4. In the ballot, the surnames, names, and patronymics of candidates, and the names of parties and party alliances shall be listed in alphabetic order.

5. In the ballot, the surnames and names of all the candidates and the names of all the parties and party alliances shall be followed by a line reading “Against all” with an empty tick box to the right of it.
6. The sample ballot for elections of the Republic of Armenia President and the proportional contest of the National Assembly shall be approved, printed, and prepared by the Central Electoral Commission.
7. For the majority contest of National Assembly elections and for local self-government elections, the sample ballot shall be approved, printed, and prepared by the territorial electoral commissions.
8. The sample voting envelope shall be approved by the Central Electoral Commission.
9. Ballots and voting envelopes shall be issued no earlier than 9 and no later than 3 days prior to voting day.
10. The number of ballots and voting envelopes provided to precinct electoral commissions on the day preceding voting day shall be up to 3% more than the number of voters in the precinct.
11. If the registration of a candidate, or a party or party alliance list is declared null after the ballots are issued, or if a party alliance is liquidated, the name of the candidate or the party or party alliance shall be removed from the ballot in accordance with the procedure defined by the Central Electoral Commission.

**Article 49<sup>2</sup>.** Seals of Electoral Commissions and Ballot Boxes

1. Sample seals of electoral commissions shall be approved by the Central Electoral Commission.
2. Electoral commission seals shall be produced at the order of the Central Electoral Commission, in accordance with the sample approved by the Central Electoral Commission.
3. The precinct electoral commission seal shall have a 4-digit number.
4. The Central Electoral Commission shall pack precinct electoral commission seals in opaque packages and, without marking them, shall seal them and hand them over to the territorial electoral commissions no earlier than 5 and no later than 3 days prior to voting day. One seal shall be accounted per precinct. The number of seals shall be recorded in exclusively quantitative terms.
5. The Territorial Electoral Commission shall seal the packages and, on the day preceding voting day, shall hand them over to the chairmen of precinct electoral commissions—one packaged seal to each PEC chairman.
6. After the end of the voting, having tabulated election results during the session for tabulating election results, and after compiling and approving precinct protocols, sealing the respective packages of used ballots, posting copies of protocols in the polling station, making

endorsed copies of protocols available to proxies and observers if they so request, and after approving the TEC administration book, the TEC seal shall, in the manner approved by the CEC, be returned to the CEC and recorded, packages in a special bag, and sealed, which shall be recorded in a deed. If there is a runoff or if there are new elections, new seals shall be provided to precinct electoral commissions.

7. The ballot box shall be made of transparent substance. The ballot box sample (measurements) shall be approved by the Central Electoral Commission.

8. If several voting events take place concurrently, the polling station may use more than one ballot box in the procedure approved by the Central Electoral Commission.

9. If the required equipment is available, electoral commissions may use automated ballot boxes in the procedure defined by the Central Electoral Commission.”

**Article 30.** Paraphrase Article 50 of the Code to read as follows:

**“Article 50.** Preparation for Voting

1. Precinct electoral commissions shall prepare the voting.

2. Voting envelopes, ballots, and seal packages shall be kept in a special fire-proof safe box in the polling station.

3. The Precinct Electoral Commission Chairman shall ensure compliance with the requirements hereof during the voting and shall establish order in the polling station.

4. There must be desks in polling stations to register voters, to allocate voting envelopes and ballots to voters, and to seal them.

5. The ballot box, desks of commission members, and voting envelopes and ballots shall be placed in a place visible for persons who have the right to be in the polling station.

6. Sample ballots must be posted in the polling station or near the entrance to it.

7. On voting day, a poster containing the photos and brief CVs of presidential candidates or, in the case of the proportional contest of the National Assembly, the party lists or party alliance lists must be posted in the polling station in a visible place.

**Article 31.** Paraphrase Article 53 of the Code to read as follows:

**“Article 53.** Beginning of Voting

1. At 7am on voting day, the Precinct Electoral Commission shall hold a session in the polling station during which it shall draw lottery to determine which members of the commission shall register the citizens (1 commission member per 700 citizens, provided that at least 1 commission member is assigned to register citizens), which commission member shall allocate voting envelopes and ballots, which member shall be responsible for the sealing of voting envelopes, and which member shall be in charge of the ballot box. The



Commission Chairman and Secretary shall not participate in the lottery drawing. They shall replace other members of the commission during their absence.

2. The Chairman of the Precinct Electoral Commission shall, in the presence of the commission members and the individuals who have the right to be present in the voting, open the fire-proof safe box and take out the ballots, voting envelopes, and packaged seal. After opening the packaged seal, he/she shall seal the administration book and announce the seal number. The Chairman shall check the ballot box to make sure it is empty, after which he/she shall close and seal the ballot box, give the voter lists to the commission members responsible for voter registration; the addresses of the residential buildings included in their precinct and the seal—to the commission member sealing voting envelopes; voting envelopes and ballots (in packages of 100 each)—to the members allocating voting envelopes and ballots, respectively, after noting the administration book as appropriate. After all of this is done, the polling station shall be declared open.

**Article 32.** In the first sentence of Article 55(2) of the Code, the words “after which the commission member responsible for “inking” shall ink the fingers of the voter in accordance with the procedure defined by the Central Electoral Commission” shall be added at the end of the sentence.

**Article 33.** Articles 56-59 of the Code shall be paraphrased to read as follows:

**“Article 56. Voting**

1. During the voting, each citizen shall receive one voting envelope and one ballot (or ballots, if several voting events are held concurrently).

2. After registration, a voter shall receive a voting envelope from the commission member responsible for the allocation of voting envelopes, and a ballot (ballots) from the commission member responsible for ballots, and shall move on to the voting booth (room) to vote.

3. A voter shall fill in the ballot in camera in the voting booth (room).

4. A citizen who is unable to fill in the ballot on his/her own may, after notifying the Commission Chairman, invite to the voting booth (room) another person who may not be a proxy or a member of the electoral commission. In addition to such cases, the presence of another person in the voting booth (room) while the voter is filling in the ballot shall be prohibited.

5. If a voter considers he/she has made a mistake while filling in the ballot, he/she may request from the Commission Chairman or, in his/her absence, the Deputy Chairman a new ballot.

**Article 57. Procedure of Filling in Ballots and Sealing of Voting Envelopes**

1. A voter shall use the uniform sign designated by the Central Electoral Commission to mark the ballot in front of the name of the candidate, party, or party alliance for which he/she is voting. If a voter is against all candidates, parties, and party alliances, he/she shall mark

the line “against all”, which follows the names of all the candidates, parties, and party alliances.

2. If only one candidate, party, or party alliance is running, the voter, if he/she is going to vote for that candidate, party, or party alliance, shall mark across from the words “I am for”, and if he/she is against that candidate, party, or party alliance, then he shall mark across from the words “I am against”.
3. After marking the ballot to specify his vote, the voter shall, while in the voting booth (room), place the ballot in the voting envelope and, if necessary, fold it and approach the commission member sealing the voting envelopes.
4. The commission member in charge of sealing the voting envelopes shall make sure that the voter is registered in the precinct in question and shall mark the designated part of the envelope with a seal, after which the commission member responsible for the ballot box shall open the ballot box crack and enable the voter to drop the envelope in the ballot box. After dropping the envelope in the ballot box, the voter shall exit the polling station.
5. It shall be prohibited to find out in any way how the voter has voted.
6. Any violation of the voting procedure prescribed hereunder that takes place during the voting, as well as the decisions taken by the Precinct Electoral Commission shall be recorded in the administration book at the request of 2 commission members or 2 proxies, and if the number of candidates is one or two, then just one commission member or one proxy.

**Article 58.** Null Envelopes

1. Envelopes that are not sealed, or carry redundant marks or records shall be deemed null and void.
2. An envelope of the designated sample, which has been sealed in accordance with the established procedure, shall be deemed null, if it:
  1. Does not contain a ballot;
  2. Contains more than one ballot of the same voting event; or
  3. Contains ballots that are not consistent with the designated sample.
3. If an envelope is declared null, the ballots in the envelope shall also be deemed null and void.
4. The matter of suspicious voting envelopes shall be resolved by the electoral commission by means of taking a vote.

**Article 59.** Voting Envelopes and Ballots that are not Consistent with the Designated Sample

1. Voting envelopes and ballots that are different from the established sample, as well as all ballots found in voting envelopes that are inconsistent with the established sample, shall be deemed inconsistent with the designated sample.

2. The matter of suspicious ballots shall be resolved by the electoral commission by means of taking a vote.

**Article 34.** Paraphrase Chapter 12 of the Code to read as follows:

**“CHAPTER 12. PROCEDURE OF SUMMARIZING AND TABULATING VOTING RESULTS, DETERMINING INACCURACIES, AND FINALIZING ELECTION RESULTS**

**Article 60.** Procedure of Summarizing Voting Results in the Precinct

1. At 8pm, the Chairman of the Precinct Electoral Commission shall ban the access of voter to the polling station and enable all the voters in the polling station to leave it. Thereafter, the Chairman shall close the ballot box crack, invite out all persons who are not entitled to be present during the Precinct Electoral Commission session, and close down the polling station. The Precinct Electoral Commission shall then commence upon its session of summarizing the voting results. To this end, the Precinct Electoral Commission shall:

1. Assemble all the unused voting envelopes and ballots that are in the polling station and extinguish them in accordance with the procedure established by the Central Electoral Commission;
2. Calculate the total number of unused voting envelopes, extinguish the envelopes in accordance with the procedure established by the Central Electoral Commission, package them, and seal the package;
3. Calculate the total number of voters on the basis of the voter lists, including the supplementary lists; and
4. On the basis of the signatures in voter lists, including the supplementary lists, calculate the number of voters who received envelopes (i.e. voters who participated in the voting), and package the lists and seal the package.

2. The results of sub-paragraphs 1 to 4 shall be published and recorded in the administration book.

3. The Commission Chairman shall open the ballot box, take out of it the voting envelopes, calculate all of them, and place them in stacks of 100 in separate packages. If so required, the voting envelope packages shall be transferred to the other members of the commission. If a commission member disagrees with the results of the calculation as declared by the Commission Chairman, the member shall present his/her objections. If there is an objection, a recount shall be done. The Commission Chairman will stack voting envelope packages on the basis of the results of the recount.

The Precinct Electoral Commission shall draw lottery to determine which commission members (two each) shall calculate ballots and register voting results. The Commission Chairman shall not participate in the lottery.

One of the commission members calculating ballots shall open the first package of voting envelopes placed in stacks of 100, pull one envelope out of the package, loudly announce whether the envelope is valid, invalid, or inconsistent with the designated sample, and hand it over to the other commission member in charge of ballot counting. If the envelope is valid, the other commission member shall take the ballot out of it, declare whether the ballot is

valid or inconsistent with the designated sample and, if the ballot is valid, also declare which way it has been voted, i.e. in favor of which candidate, party, or party alliance, or against all, the vote has been cast. If there is an objection, then the commission shall take a vote. If there is no objection, the commission member in charge of counting the ballots shall, in accordance with his statement, place the ballot in the package of votes in favor of each candidate, party, or party alliance, or the package of votes against all. The envelope shall be placed in the package of valid envelopes, after which the next envelope shall be taken out of the package.

If a valid envelope contains more than one ballot of the same voting event, or invalid ballots or ballots that are inconsistent with the designated sample, the ballot/-s shall be placed in the envelope that will be placed in the package of invalid envelopes.

If an envelope is invalid or inconsistent with the designated sample, ballots shall not be taken out of the envelope. Such envelopes shall be placed in the packages of invalid envelopes or envelopes that are inconsistent with the designated sample, respectively.

This action shall be performed for all the envelopes in the package.

When envelopes and ballots are being sorted, the commission members in charge of ballot counting may not make any marks, or have pens, pencils, or other marking objects at their disposal.

During the count, the commission members in charge of registering voting results shall, in accordance with a procedure approved by the Central Electoral Commission, record the vote count results on appropriate blanks.

After completing the count of the first package of voting envelopes, the ballot counting members shall sort all the envelopes and ballots in a given package, after which they shall count one by one the total number of valid and invalid envelopes, the number of ballots cast in favor of each candidate, party, or party alliance, and the number of votes cast against all. The declared results shall be compared with the results of the count by the commission members recording the voting results. If there is a discrepancy, the commission members in charge of counting ballots and recording voting results shall, in accordance with this Article, perform a repeat count in order to discover the cause of the discrepancy.

After the counting of the first package of voting envelopes is finalized, the commission members in charge of counting ballots and recording voting results shall undertake the counting of voting envelopes and ballots in the next package.

After the results of counting all the packages of voting envelopes are finalized, they shall be published and recorded in the administration book.

5. When results are being finalized, envelopes that are inconsistent with the designated sample shall not be accounted for.

6. Counted and sorted envelopes and ballots shall be packaged in accordance with the procedure approved by the Central Electoral Commission. The packages shall then be sealed.

**Article 61.** Precinct Electoral Commission Protocol on the Voting Results

1. On the basis of the vote count performed in the manner described in the previous article of this Code, the Precinct Electoral Commission shall compile a protocol on the voting results in its precinct, which shall contain the following information:

1. The total number of voters according to the voter lists;
2. The number of envelopes of the designated sample, which had been placed at the disposal of the Precinct Electoral Commission (A);
3. The total number of envelopes extinguished in the Precinct Electoral Commission (C);
4. The number of registered voters and voters who have received envelopes, based on signatures (B);
5. The number of valid envelopes (d1);
6. The number of invalid envelopes (d2);
7. The number of ballots cast in favor of each candidate, party, or party alliance;
8. The total number of ballots cast in favor of the candidates, parties, or party alliances; and
9. The number of ballots cast against all the candidates, parties, and party alliances.

2. The protocol shall be signed by the commission members attending the session and sealed by the Commission Chairman.

3. If any member of the Commission has a special opinion on the information included in the protocol, then he/she shall submit his/her written opinion, which shall be annexed to the protocol, and he/she shall sign to mark it as appropriate.

4. If a commission member refuses to sign the protocol, the protocol will so mention.

5. After the voting is over, prior to the compilation of the protocol on the voting results in the precinct, the session of the Precinct Electoral Commission may not be interrupted.

6. At the end of the session, but no later than 10 hours after the end of the voting, the Commission shall finalize the protocol, and the Commission Chairman shall publicize the protocol on the voting results in the precinct in question.

7. The protocol shall be filed in four copies: one copy shall be packaged with the supporting documents, after which the package shall be sealed; one copy shall be posted in the polling station in a clearly visible and well-lit and protected place immediately after the activities provided under this Article are completed, but no later than prior to the taking of supporting documents mentioned in this paragraph and the sealed package out of the polling station.

8. At the request of a proxy of a candidate, party, or party alliance, or an observer, he/she shall be given an excerpt from the protocol on the voting results in the precinct, which must be endorsed by the signatures of the Commission Chairman (Deputy Chairman) and Secretary and the Commission seal.

9. After the end of the voting, but no later than within **12** hours, the Precinct Electoral Commission Chairman and Secretary shall present two copies of the Protocol, the sealed

package/-s of documents, and the administration book to the respective Territorial Electoral Commission in accordance with the procedure established by the Central Electoral Commission.

Ballots and documents related to the voting shall be placed and sealed in such bags that will become unusable once opened. Such bags shall be numbered in advance with the same numbers as those of the precincts and given to commissions, alongside an extra bag. The extra bag may be used only by a decision of the commission, if a bag has been damaged by accident, or if it has become necessary to open one of the bags due to the unintentional failure to place a certain document in the bag.

The bags shall carry the signatures of three members of the Commission.

10. The sample protocol on the results of the voting in the precinct and protocol excerpt form shall be approved by the Central Electoral Commission.

### **Article 62.** Procedure of Determining Inaccuracies

1. The Territorial Electoral Commission shall check the protocols on precinct voting results for validity and, if there are arithmetic errors, then the Chairman and Secretary of the respective Precinct Electoral Commission shall remove the errors and endorse the correction with their signatures. Baseline data shall not be changed.

2. On the basis of the protocols on precinct voting results, the Territorial Electoral Commission shall calculate the margin of inaccuracies in each precinct.

3. The following actions shall be performed in order to calculate the inaccuracy in a given precinct:

1. The number of envelopes of the designated sample assigned to the Precinct Electoral Commission (A) shall be compared with the number of extinguished envelopes (C) and the sum of valid (d1) and invalid (d2) envelopes in the ballot box. The difference, in absolute numeric terms, shall be reported as the first inaccuracy margin;
2. The number of signatures in the voter list (B) shall be compared with the sum of valid and invalid envelopes in the ballot box (D). If the sum of valid and invalid envelopes in the ballot box (D) is greater than the number of signatures in the voter list (B), the difference shall be reported as the second inaccuracy margin. If the sum of valid and invalid envelopes in the ballot box (D) is smaller than or equal to the number of signatures in the voter list (B), then the second inaccuracy margin shall be reported as zero;
3. The number of valid envelopes in the ballot box (d1) shall be compared with the total number of ballots cast for candidates, parties, or party alliances and the number of ballots cast against all. The difference, in absolute numeric terms, shall be reported as the third inaccuracy margin;
4. The inaccuracies reported in sub-paragraphs 1, 2, and 3 immediately above shall be added up, and the sum shall be reported as the inaccuracy in the precinct.

4. The result of each action specified in paragraph 3 of this Article shall be recorded in the protocol of results of the voting in the respective precinct. The member of the Territorial Electoral Commission calculating the inaccuracy margin shall fill in his name, surname, and

sign the respective line of the protocol. The Chairman of the Territorial Electoral Commission shall endorse the inaccuracy count with his signature and the Commission seal.

5. The inaccuracy margin in the electoral territory (community) shall be equal to the sum of inaccuracies in the precincts of that territory (community).

6. In general elections, the inaccuracy margin is the sum of the inaccuracies of all the precincts.

**Article 63.** Actions Taken by the Territorial Electoral Commission after Determining the Inaccuracy

1. After determining the inaccuracy margin in the procedure defined by Article 62 hereof, the Territorial Electoral Commission shall enter into the computer the data in the protocol on voting results in the precinct in accordance with the procedure established by the Central Electoral Commission. The Commission shall regularly, but no less than once every 3 hours, tabulate the territory voting results broken down by precincts with the help of a computer. The Territorial Electoral Commission shall finish entering into the computer data from protocols on precinct voting results no later than within 18 hours of the end of the voting.

2. A copy of the tabulation of territory voting results shall be posted in the Commission in a place visible for everyone. If a proxy or observer so require, they shall be provided a copy of the tabulation of the voting results in the electoral territory, endorsed by the Chairman (Deputy Chairman) of the Commission and Secretary signatures and the seal of the Commission.

3. In general elections, the Territorial Electoral Commission shall not compile a protocol summarizing the results of the voting in the electoral territory.

4. In the majority contest of elections to the National Assembly and in local self-government elections, the Territorial Electoral Commission shall, after performing the actions described in paragraphs 1 and 2 of this Article, summarize the voting results in accordance with the procedure defined I Article 63<sup>1</sup> of this Code.

**Article 63<sup>1</sup>.** Procedure of Territorial Electoral Commission Summarizing Voting Results in the Majority Contest of Elections to the National Assembly and in Local Self-Government Elections

1. Within a maximum of 18 hours after the end of the voting, the Territorial Electoral Commission shall, on the basis of protocols on precinct voting results, and in accordance with the requirements of this Article, summarize and endorse in a protocol the results of the majority contest of elections to the National Assembly and in local self-government elections in the respective electoral territory.

2. If complaints are filed with courts or the Territorial Electoral Commission concerning the results of voting in the precincts, then the Territorial Electoral Commission shall, within a maximum of 5 days after voting day, on the basis of protocols of precinct voting results, judicial decisions, and territorial commission recount results, revise the results of the voting in the electoral territory and endorse them in a protocol.

3. The protocol on the election results in the majority contest of elections to the National Assembly and in local self-government elections shall specify:

1. The total number of voters according to the voter lists;
2. The number of envelopes of the designated sample, which had been placed at the disposal of the Precinct Electoral Commissions (A);
3. The total number of envelopes extinguished in the Precinct Electoral Commissions (C);
4. The number of voters registered with the Precinct Electoral Commissions and received envelopes, based on signatures (B);
5. The total number of valid envelopes (d1);
6. The total number of invalid envelopes (d2);
7. The number of ballots cast in favor of each candidate, party, or party alliance;
8. The total number of ballots cast in favor of the candidates, parties, or party alliances;
9. The number of ballots cast against all the candidates, parties, and party alliances; and
10. The inaccuracy margin.

4. The protocol shall be signed by the commission members attending the session and sealed by the Commission Chairman.

5. If any member of the commission has a special opinion on the data in the protocol, he/she shall submit his/her written opinion, which shall be annexed to the protocol. This fact shall be recorded next to his/her signature in the protocol.

6. If a commission member refuses to sign the protocol, the protocol will so mention.

7. After approving the voting results, the Territorial Electoral Commission shall, on the basis of such results, adopt one of the decisions concerning election results, which Territorial Electoral Commissions have the power to adopt under this Code.

8. The Chairman of the Territorial Electoral Commission shall publish the protocol and officially send to the Central Electoral Commission copies of the protocol and the decision it has adopted.

9. Immediately after the activities provided under this Article are completed, but no later than prior to the taking of supporting documents mentioned in this paragraph and the sealed package out of the polling station, one copy of the protocol shall be posted in the commission in a clearly visible and well-lit and protected place prepared specifically for that purpose in advance.

10. If a proxy or observer so require, they shall be provided a copy of the protocol on the voting results in the electoral territory, endorsed by the Chairman (Deputy Chairman) of the Commission and Secretary signatures and the seal of the Commission.

11. The Central Electoral Commission shall approve the forms of protocols compiled by the Territorial Electoral Commissions on the results of voting in the majority contest of elections to the National Assembly and in local self-government elections.



**Article 63<sup>2</sup>.** Procedure of Central Electoral Commission Summarizing the Results of General Elections

1. On the basis of precinct voting results received from the Territorial Electoral Commissions, the Central Electoral Commission shall, no later than within 28 hours after the end of the voting, summarize the results of general elections in accordance with the requirements of this article, endorse them in a protocol, and officially declare the preliminary results of the elections live on the Public Radio and Public Television.

2. The Central Electoral Commission session shall not be interrupted prior to the publicizing of preliminary results of elections.

3. If complaints are filed with courts or the Territorial Electoral Commission concerning the results of voting in the precincts, then the Central Electoral Commission shall, within a maximum of 7 days after voting day, on the basis of protocols of precinct voting results received from the Territorial Electoral Commissions, judicial decisions, and territorial commission recount results, revise the results of the general elections and endorse them in a protocol.

4. The protocol on the results of the general election shall specify:

1. The total number of voters according to the voter lists;
2. The number of envelopes of the designated sample, which had been placed at the disposal of the Precinct Electoral Commissions (A);
3. The total number of envelopes extinguished in the Precinct Electoral Commissions (C);
4. The number of voters registered with the Precinct Electoral Commissions and received envelopes, based on signatures (B);
5. The total number of valid envelopes (d1);
6. The total number of invalid envelopes (d2);
7. The number of ballots cast in favor of each candidate, party, or party alliance;
8. The total number of ballots cast in favor of the candidates, parties, or party alliances;
9. The number of ballots cast against all the candidates, parties, and party alliances; and
10. The inaccuracy margin.

5. The protocol shall be signed by the commission members attending the session and sealed by the Commission Chairman.

6. If any member of the commission has a special opinion on the data in the protocol, he/she shall submit his/her written opinion, which shall be annexed to the protocol. This fact shall be recorded next to his/her signature in the protocol.

7. If a commission member refuses to sign the protocol, the protocol will so mention.

8. After approving the voting results, the Central Electoral Commission shall, on the basis of such results, adopt one of the decisions concerning election results, which Central Electoral Commissions have the power to adopt under this Code.

9. Prior to the adoption of the decision referred to in paragraph 8 hereof on the election results, the Central Electoral Commission session may not be interrupted. Immediately after the end of the session, but no later than within 3 hours, the Chairman or, at his instruction, a member of the Central Electoral Commission shall officially declare the final results of elections and the decision taken in respect of the election results on live air in the Public Radio and Public Television.

10. If a proxy of a candidate, party, or party alliance, or an observer so require, they shall be provided a copy of the summary protocol on the election result, endorsed by the Chairman (Deputy Chairman) of the Commission and Secretary signatures and the seal of the Commission.

11. The Central Electoral Commission shall approve the forms of protocols compiled on the results of general elections.”

**Article 35.** In Article 67 of the Code:

- a. Paragraph 7(7) shall be eliminated.
- b. In paragraph 10, the words “in the second and third paragraphs” shall be replaced with the words “in the seventh paragraph”.
- c. Paragraph 11 shall be eliminated.

**Article 36.** Article 68(4) of the Code shall be eliminated.

**Article 37.** Articles 69 and 70 of the Code shall be eliminated.

**Article 38.** In Article 71(1) of the Code, the number “5,000” shall be replaced with the number “10,000”.

**Article 39.** In Article 72 of the Code:

- a. In paragraph 2, the words “under the first and second paragraphs” shall be replaced with the words “under the first paragraph”.
- b. Paragraph 2(1) shall be eliminated.
- c. Paragraph 2(6) shall be reworded to read as follows: “...declarations of assets and income of the citizen who has been nominated as a candidate and of his family members”.

**Article 40.** In Article 73 of the Code:

- a. Paragraph 1(2) shall be eliminated.
- b. A new sub-paragraph shall be added to paragraph 1, to read as follows: “In the event of errors or shortages in the documents presented for the registration of presidential candidates, the Central Electoral Commission shall allow 48 hours to correct the errors or to fill in the missing documents. In the event the errors are not corrected, or the missing documents not filled in during this period, registration shall be refused”.

**Article 41.** Remove the fourth sentence of Article 78(4).

**Article 42.** In Article 81(2) of the Code, add the words “provision of equal air time in news reporting on the campaign and...” after the words “television”. Add the words “...which shall be monitored by the National Television and Radio Committee” after the word “possibilities”.

**Article 43.** In Article 82(3) of the Code, the number “5” shall be replaced with the number “3”.

**Article 44.** In Article 83(1) of the Code, the number “60” shall be replaced with the number “63<sup>2</sup>”, and the words “Article 63(2)” shall be replaced with the words “Article 63<sup>2</sup>(3)”.

**Article 45.** In Article 89 of the Code:

- a. Remove the words “(partly alliance)” from paragraph 1.
- b. Eliminate Article 89(4).

**Article 46.** Article 92(2) of the Code shall be eliminated.

**Article 47.** Article 93(2) of the Code shall be eliminated.

**Article 48.** Article 94 of the Code shall be paraphrased to read as follows:  
“The number of National Assembly members shall be defined in the Republic of Armenia Constitution.”

**Article 49.** In Article 95 of the Code:

- a. The words “75 members of the National Assembly” shall be replaced with the words “70 percent of the members of the National Assembly”.
- b. In paragraph 3, the words “56 members of the National Assembly” shall be replaced with the words “30 percent of the members of the National Assembly”.

**Article 50.** In Article 99 of the Code:

- a. In paragraph 1, the words “registered at least one year ahead of voting day” shall be added after the words “shall be entitled to”.
- b. Reword paragraph 2 to read as follows:  
“Party alliances may be formed if two or more parties have formed a campaign alliance registered at least one year ahead of voting day”.
- c. In Article 99(8) of the Code, the words “party alliances” shall be added after the word “parties”.

**Article 51.** In Article 100 of the Code:

- a. In paragraph 2, the number “5” shall be replaced with the number “15”.
- b. Sub-paragraphs (3), (4), (5), and (7) of paragraph 3 shall be eliminated.
- c. Paragraphs 6, 9, and 10 shall be eliminated.

**Article 52.** In Article 101 of the Code:

- a. Paragraph 1 shall be reworded to read as follows: “The party (party alliance) list shall be registered, if the party has submitted, within the period and in accordance with the procedure prescribed by this Code, the following:
  1. A receipt confirming the payment of an election deposit in the amount of 5,000-fold the minimum salary;
  2. A statement confirming that the candidates nominated in the party list have been citizens of the Republic of Armenia during the last five years;
  3. A statement to confirm that the candidates nominated in the party list have been permanently residing in the Republic of Armenia during the last five years; and
  4. Declarations of assets and income of the nominated candidates and their family members”.

**Article 53.** In Article 102 of the Code:

- a. Remove paragraph 1(1).
- b. Add a new sub-paragraph to paragraph 1, to read as follows: “In the event of errors or shortages in the documents presented for the registration of a party list, the Central Electoral Commission shall allow 48 hours to correct the errors or to fill in the missing documents. In the event the errors are not corrected, or the missing documents not filled in during this period, registration shall be refused. If the errors are corrected, or the missing documents filled in, the party list shall be registered”.
- b. Add a new sub-paragraph to paragraph 2, to read as follows: “In the event of errors or shortages in the documents presented for the registration of a citizen included in the party list, the Central Electoral Commission shall allow 48 hours to correct the errors or to fill in the missing documents. In the event the errors are not corrected, or the missing documents not filled in during this period, registration shall be refused.”

**Article 54.** In Article 104 of the Code:

- a. In the title, the words “and party alliances” shall be added after the words “parties”.
- b. Paragraph 1 shall be reworded to read as follows: “Parties and party alliances are entitled to nominate candidates in the majority contest of the National Assembly”.
- c. In paragraph 2, the words “and party alliances” shall be added after the words “parties”.
- d. Remove the words “adopted by secret vote” from paragraph 3. Add a new sub-paragraph to paragraph 3, to read as follows: “Party alliances shall nominate candidates in the majority contest of the National Assembly on the basis of decisions ratified by the standing bodies of the parties in the alliance”.

**Article 55.** Remove Article 105(4) of the Code.

**Article 56.** In Article 106 of the Code:

- a. In paragraphs 1 and 2, “and party alliances” shall be added after the words “parties”.
- b. In paragraph 1, the words “the decision ratified by the standing bodies of parties in the alliance” shall be added after the words “the decision so adopted”. Sub-paragraph 6 shall be removed.

**Article 57.** Article 107 of the Code shall be removed.

**Article 58.** In Article 108 of the Code:

- a. Paragraph 2(1) shall be removed, and the number “100” in paragraph 2(2) shall be replaced with the number “200”.
- b. Add a new sub-paragraph (sub-paragraph 5) to paragraph 2 to read as follows: “5. ...declarations of assets and income of the citizen who has been nominated as a candidate and of his family members”.
- c. Paragraph 4(1) shall be removed.
- d. A new sub-paragraph shall be added to paragraph 4, to read as follows: “In the event of errors or shortages in the documents presented for the registration of parliamentary candidates, the Territorial Electoral Commission shall allow 48 hours to correct the errors or to fill in the missing documents. In the event the errors are not corrected, or the missing documents not filled in during this period, registration shall be refused. If the errors are corrected, or the missing documents filled in, the candidate shall be registered”.

**Article 59.** In Article 112(2), the words “and party alliances” shall be added after the words “parties”. The second paragraph shall be removed.

**Article 60.** In Article 114 of the Code:

- a. In paragraph 3, the words “by means of one printing house” shall be added to the first sentence.
- b. In paragraph 7, the number “5” shall be replaced with the number “3”.

**Article 61.** In Article 115 of the Code:

- a. The number “63” in paragraph 1 shall be replaced with the number “63<sup>2</sup>”.
- b. Article 115(2) of the Code shall be reworded to read as follows: “Mandates designated for the party-proportional contest to the National Assembly shall be distributed between lists of parties and party alliances, which have gained, respectively, no less than 5 and 7 percent of the sum of [the total number of votes cast in favor of the lists of candidates of all the parties or party alliances standing the vote] and [the error figure]. If only one party or only one party alliance has scored the minimum 5 or 7 percent of the sum of [the total number of votes cast in favor of the lists of candidates of all the parties or party alliances standing the vote] and [the error figure], then the parties (or party alliances) that have gained the second and third highest percentages of votes, respectively, shall take part in the distribution of mandates. If no more than 3 parties (party alliances) stand the party-proportional vote for the National Assembly, then all the parties (party alliances) shall take part in the mandate distribution”.

**Article 62.** In Article 116(1) of the Code, the number “62” shall be replaced with the number “63<sup>1</sup>”.

**Article 63.** In Article 117 of the Code:

- a. Remove from paragraph 3 the sentence that reads: “...shall receive from the Central Electoral Commission the official sheets supporting the nomination no earlier than 65 and no later than 60 days prior to the voting day”.
- b. Remove from paragraph 6 the sentence that reads: “...shall receive from the Territorial Electoral Commission the official sheets supporting the nomination no earlier than 65 and no later than 60 days prior to the voting day”.
- c. Remove paragraph 9.

**Article 64.** In Article 120 of the Code:

- a. Remove the first sentence of paragraph 1.
- b. In sub-paragraph 2(1)—the word “seven”, in sub-paragraph 2(2)—the word “ten”, and in sub-paragraph 2(3)—the word “fifteen”, shall be replaced with the words “five”, “seven”, and “eleven”, respectively.
- c. Paragraph 3 shall be paraphrased to read as follows:  
“3. For the election of the community council, one multi-mandate majority territory shall be formed in the community.”

**Article 65.** In Article 122 of the Code:

- a. In paragraph 1, the words “who have a degree in higher education” shall be added after the words “who have turned 25”, and the word “one” shall be replaced with the word “two”.
- b. In paragraph 2, the word “one” shall be replaced with the word “two”.

**Article 66.** In Article 123 of the Code:

- a. In paragraph 1, the words “100-fold” and “20-fold” shall be replaced with the words “150-fold” and “30-fold”, respectively.
- b. In paragraph 4, the word “education” shall be added after the words “place of registration”.
- c. In sub-paragraphs 5(2) and 5(3), the word “one” shall be replaced with the word “two”, and sub-paragraph 5(4) shall be paraphrased to read as follows:  
“4. Declarations of assets and income of the citizen who has been nominated as a candidate and of his family members”.
- d. Add a new sub-paragraph after sub-paragraph 5(5) to read as follows:  
“5. The candidate to the position of the community head—a copy of the higher education diploma”.
- e. Remove the second sentence of paragraph 8.
- f. Add a new paragraph after paragraph 8 to read as follows:  
“9. The same person may not be elected as the community head for more than two terms in a row.”

**Article 67.** Add to Article 124(2) of the Code a new paragraph to read as follows:

“In the event of errors or shortages in the documents presented for the registration of a nominated community head or councilor candidate, the Territorial Electoral Commission shall allow 48 hours to correct the errors or to fill in the missing documents. In the event the errors are not corrected, or the missing documents not filled in during this period, registration shall be refused. If the errors are corrected, or the missing documents filled in, the candidate shall be registered”.

**Article 68.** In Article 130(4) of the Code, the number “5” shall be replaced with the number “3”.

**Article 69.** In Article 132(2), the number “62” shall be replaced with the number “63”<sup>1</sup>.

**Article 70.** In Article 133(1), the number “62” shall be replaced with the number “63”<sup>1</sup>.

**Article 71.** In Article 134 of the Code:

- a. Paragraphs 1 and 2 shall be removed.
- b. Article 134(4) of the Code shall be reworded to read as follows: “In any one multi-mandate majority territory, the respective number of candidates to the community councilor position under Article 120(2) hereof that gain the most votes shall be deemed elected. If the votes split equally, lottery shall be drawn in the procedure defined by the Central Electoral Commission.”

**Article 72.** In Article 135(2), the number “60” shall be replaced with the number “90”.

**Article 73.** Article 136 of the Code shall be revoked.

**Article 74.** Paragraphs 2, 5, 7, 23, and 28 of Article 139 of the Code shall be reworded to read as follows, respectively:

- “2. Violating the procedure and deadlines for compiling voter lists;
5. Hiding voting envelopes or adding new voting envelopes into the ballot box;
7. Fabricating voting envelopes, ballots, and electoral commission seals;
23. Deceiving a person who is unable to vote on his/her own;
28. Failing to destroy and return electoral commission seals.”

**Article 75.** Add a new Article 140<sup>1</sup> to the Code:

“**Article 140**<sup>1</sup>. Holding Training Courses for Members of Electoral Commissions

Within three months of this Law becoming effective, the Central Electoral Commission shall define the procedure for holding training courses for members of electoral commissions.”

**Article 76.** This Law shall become effective on the day following its official promulgation.

Draft

Republic of Armenia  
Law

on Amending the Republic of Armenia Law on Local Self-Government

**Article 1.** Revoke Article 33(2)(2) that read (...2) shall compile the voter lists).

**Article 2.** This Law shall become effective upon official promulgation.