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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

OPINION ON THE
DRAFT AMENDMENTS AND ADDITIONS
TO THE ELECTORAL CODE
OF THE REPUBLIC OF ARMENIA

on the basis of comments by

Mr Bernard OWEN (Expert, France)
Mr Tom MACKIE (Expert, United Kingdom)

Introduction

1. *At its 45th Plenary Meeting, the Venice Commission approved the programme of co-operation with the Armenian authorities submitted to it by Messrs Gagik Haroutyunian, President of the Constitutional Court, and Tigran Torossian, Vice-President of the National Assembly of the Republic of Armenia. The programme primarily focused on the areas pinpointed in the Committee of Ministers' Invitation to Armenia and Azerbaijan to become members of the Council of Europe (CM (2000) 170), including (at § 2.ii) the invitation to the Venice Commission "to give its assistance to the Armenian authorities with a view to...remedying the deficiencies in the electoral law in conformity with Council of Europe standards".*

2. *A one-day round table was organised by the OSCE in Yerevan on 9 February 2001 on proposed modifications of the electoral law. Mr Bernard Owen attended this meeting on behalf of the Commission.*

3. *In November 2001, the Armenian authorities submitted the draft amendments to the Electoral Code of Armenia to the Venice Commission for its opinion. The Commission appointed Messrs Tom Mackie and Bernard Owen as rapporteurs on this question.*

4. *The present consolidated opinion, based on the reports by Messrs Tom Mackie (CDL (2002) 39) and Bernard Owen (CDL (2002) 4), was prepared by the Secretariat of the Commission in conformity with the decision taken by the Commission at its 50th Plenary Session (March 2002), and was approved by the rapporteurs. In drafting this opinion, the following documents were taken into account: the articles concerning the administrative and penal courts that rule on electoral matters, as well as the comments of Mr Owen, made after the meeting organised by the Commission in Yerevan (15-18 November 2000), which were approved by the Commission at its 45th Plenary Meeting (CDL (2000) 103rev), the comments made after the meeting organised by the OSCE in Yerevan on 9 February 2001, as well as the work of the GT-AGO.*

General assessment

5. The scope of the amendments submitted to the Commission is rather limited. The most important point is the modification in the composition of the electoral commissions, which dramatically increases the representatives of the government (through its direct representatives and the representatives of the parties in government). This is undesirable. On the contrary, a number of questions would be settled by the adoption of other amendments.

6. Due to the limited scope of the amendments, the present report deals with the electoral code in general, in order to underline the points that could still be subject to discussion and amendments. It underlines that the 1999 electoral code was a definite progress towards the implementation of the European electoral heritage in Armenia. A number of provisions should however be made clearer or more precise, including those on access to the media and appeals.

Electoral commissions

7. Under the draft amendments, Article 38 of the Electoral Code would be modified to do away with the possibility of political parties recalling Commission members they nominated. This amendment is welcomed, as the old provisions had raised some criticisms on the grounds that the threat of dismissal might undermine the members' independence.

8. The composition of the Central Electoral Commission (CEC) has been completely modified, so that half of its membership now comes from the parliamentary factions and the government names the other half minus one. It has to be remembered that probably over half of the factions belong to the government majority, so that the composition of the CEC as a result of the amendments is heavily biased towards the government. Earlier comments of the Commission indicated that although some party members had a legal background it would be useful to have in the CEC one or two judges as such and a member from the Ministry of the Interior. However, the fact that the opposition forms only a relatively small minority of the CEC under the draft amendments is quite unexpected and undesirable. The rules on the formation of the CEC apply directly or indirectly to the lower election commissions (see Articles 36.1 and 37.1 of the Electoral Code).

9. Restricting membership to government representatives plus parliamentary parties (Article 14 new points 1 and 2, replacing points 1 to 5) clearly discriminates against other parties. But, given the problem of "phantom" parties, the clear systemic need to institutionalise parties as part of the wider process of institutionalising democratic systems and the need for this body to operate efficiently, this different treatment seems to be justified.

10. There is a problem of translation of Article 16 of the draft. This point does not refer to the present law. Furthermore, the terms "18 days" and "21 days" must have been inverted.

11. As concerns the training of members of electoral commissions, the Armenian authorities have indicated that significant means have been devoted to such training, including a programme run for members of district and regional commissions before the general elections and elections to local self-government bodies in 1999; the issuing of manuals related to the running of elections, including with the assistance of UNDP; and training carried out for commission members and voters via the mass media. These are positive steps and the Commission urges the Armenian authorities to continue these efforts, to ensure that all members of electoral commissions are fully trained and operational.

Appeal procedures

12. The appeal procedures under the Electoral Code as it stands would benefit from reforms to make it simpler, quicker and more consistent. The proposed amendments are not entirely clear from the translation but it appears that appeals to decisions made by commissions will depend on the level of the commission. For example, decisions of polling station commissions would go to first instance courts whereas those of constituencies (or district) would go to a higher-level court (an appeal court).

13. The Venice Commission has previously made quite clear comments on the subject of conflicts of competence. The law was not clear at all and the Commission had proposed the rewriting of article 40-1 to become a general statement of competence, and art. 41-1 would include what was found in art. 40-2 through 40-4. These comments appear in the appendices as follows:

Appendix I – the new proposed article 40-1 and the new proposed article 41-1

Appendix II – table of competencies by organization

- constitutional court
- court of first instance
- court of appeals
- superior electoral commission

Appendix III – table of competencies by five types of disputes.

14. The electoral law should give information as to the simplified procedures used for electoral complaints. The time scale of 2 to 5 days implies that the procedures are different from those of common law.

Action and sanctions against electoral fraud

15. Electoral fraud is a criminal offence under the Criminal Code. Articles 133 to 134 of the Code deal with this question; these two articles are divided into 10 paragraphs, each dealing with precise cases, leading to fines and imprisonment in all cases. The maximum fine is 500 minimum wages and the maximum imprisonment is 5 years. Minor cases of fraud are to be found in the Code of Administrative Offences at Articles 40-1 to 40-7; each case leads to a fine of up to 200-500 minimum wages. Such provisions have to be considered as in conformity with international standards. Of course, providing for sanctions in cases of electoral fraud does not mean that such sanctions are effectively applied; the present report, however, does not deal with the implementation of the legislation.

16. As regards the immediate publication of results at various levels, as well as the publication of turnout figures, according to Article 61-8 of the Electoral Code, copies of the protocols are immediately displayed in a visible place of the polling centre, and Articles 133-1 and 134 of the Criminal Code are applied to any fraud having to do with incorrect approval of results or forgery of election documents. The protocols and corresponding equipment are then transferred to the Regional Electoral Commission in conformity with procedure established by the Central Electoral Commission. But Article 7-6 of the Electoral Code clearly states that the turnout figures of each polling station are transferred every 3 hours to the regional electoral commission where they are published; these figures are forwarded to the Central Electoral Commission, which also publishes them. This should allow manipulations of the turnout figures to be identified. Hindrance to the work of election commissions could be treated, as the case may be, by Article 133 or Article 134 of the Criminal Code, the latter of which deals with forgery of election documents.

17. The question of the actual implementation of the provisions on electoral fraud is beyond the scope of the present opinion.

Registration of parties and candidates

18. Transparency is dealt with in Article 7 of the Electoral Code, which states that all decisions are published in the official press within 3 days – observers, proxies and the press are admitted to all activities of electoral commissions. This is quite satisfactory.

19. For presidential elections, 35,000 signatures are required (Article 67.11) and are registered in an official booklet. 2 % of the total signatures in the booklet are checked. The same article applies to the 500 signatures required for the candidates to the seats allocated under the plurality system in parliamentary elections (Article 107). In practice this verification should be quite sufficient as forgeries are generally grouped, written in the same handwriting and easy to detect. Furthermore, the check of the signatures by the C.E.C. is reported on a protocol and upon request it is handed to the candidate or the candidates' representative (see Articles 69, 70). Checking just a sample may be satisfactory if the result is that the number of collected signatures is considered as sufficient. The voters will actually sanction the candidates who have no real support and were wrongly considered as having collected the necessary number of signatures. On the other hand, the verification of a sample should not lead to the elimination of a candidate who obtained a sufficient number of signatures (the sample may contain a large number of forged signatures whereas there are not so many in the other lists of signatures of the same candidate). In that case, all signatures should be checked, or at least as many as necessary in order for the candidature to be valid. In order to ensure more transparency and reliability in the verification of signatures order and to avoid any fraud or arbitrary, it would also be suitable to define it in more detail: clear procedures and criteria for verifying signatures in support of candidates should be included in the Code.

20. Forgery of signatures for referendums is dealt with in Articles 134-1 and 134-2 of the Criminal Code.

Voting by members of the armed forces

21. An important feature of any electoral code is that it should provide guarantees to ensure that members of the armed forces are able to vote freely and should provide for the place at which members of the armed forces are to vote (for example, the polling station closest to their military station). Article 10-3 states that the members of the armed forces are included on the list of the precinct in which their unit is located. Article 54-1 provides that military and servicemen of the Ministry of International Affairs and National Security enter the polling station not in a marching order. This implies that they are considered as normal citizens, especially as the second part of article forbids access to the polling station of persons with arms and munitions.

Observers

22. The Venice Commission has previously criticised the provisions of the Electoral Code with respect to observers. The criticism arose from the fact that three categories of persons were classified as observers. Article 30 of the Code lays down the general rights of proxies, observers, and representatives of mass media. The rights and duties of these categories are different and should be treated separately.

23. Article 30-1-3 has quite rightly been deleted and replaced by giving the right of appeal to the proxies.

24. Article 30-4 gives observers as well as proxies the role of monitoring the work of the electoral commission. However, the role of observers is neutral: it is to observe, not to monitor. International or national observers should observe, ask questions, take notes and report to their organisation, which forms its own assessment from information gathered from different parts of the country.

Electoral boundaries

25. Electoral boundaries have political effects but are based on demographic and administrative facts. Art. 98-1 and 2 determine the way the boundaries are set up. The figures are based on registered voters and not on those of the population. This is a good choice as the number of voters should be more accurate than that of the population.

26. The question of electoral boundaries is always a matter of concern both with respect to who decides on the boundaries and what the decision-making criteria are. On the latter point a more liberal (25%) margin in terms of numbers of voters could be suggested, at least in special circumstances. Congruence with local authority boundaries and community identity and interest could have some priority over simple numerical equality.

27. Concerning the competent body for the delimitation of boundaries, the trend over the past thirty years in well established democracies with non-PR electoral systems has been to assign the task of constituency boundary making to independent commissions, often comprising representatives of political parties and legal authorities. In some cases the decisions of such bodies are final. This seems a much better option than leaving this matter entirely to legislative bodies (as in most of the states of the USA). Boundary commissions are supposedly politically independent but their task is not easy and the ideal system that can be applied universally at all stages of evolving democracies has yet to be found. A suggestion for Armenia is that the Central Election Commission in which the main parties are represented, although now government representatives and political factions supporting the government will have a majority, would be joined by representatives of the Demographic Institute (statistics), a member of the Ministry of the Interior that deals with boundaries and a scholar on human geography.

Freedom of Expression

28. The Armenian authorities have indicated that they intend maintaining a provision in the electoral law on false or defamatory information on parties or candidates. Article 139, paragraph 22 of the Electoral Code deals specifically with this point. This point could also be dealt with in Article 133-2 of the Criminal Code, which punishes false information on candidates or parties by fines of 300-500 minimal salaries or with imprisonment of up to 5 years. At any rate, such provisions have to be applied as seldom as possible and in conformity with the principle of proportionality.

Electoral lists

29. Voter lists are reviewed twice a year in January and June, with another review 35 days prior to election day, according to the Code in force (Articles 9-3 and 9-9 of the Electoral Code). This places quite a burden on those that have to deal with this matter, especially before elections, when there are many other things to organise. Under the draft amendments, voter lists are to be updated annually in June; Article 9-9 on review 35 days prior to the date of elections remains unchanged. This should be sufficient to guarantee that lists remain reliable, without placing an unduly heavy burden on the authorities.

30. The Electoral Code gives practical details as to the transparency of voter registration (see generally Chapter Two, i.e. Articles 9-14) and Article 133-3 of the Criminal Code deals with forgery and breach of order in the making of voters lists. The sanction is imprisonment of up to one year, deprivation of certain rights up to 2 years or with a fine of up to 500 minimal wages. As stated above with respect to electoral fraud, such provisions are in conformity with international standards; the present report does not deal with the question of their implementation.

Voting and counting procedure

31. The voting procedure is much simpler and efficient now that the “coupons” of the earlier law have been done away with. Working out the inaccuracies does complicate the counting but is acceptable. Nevertheless the Venice Commission Report (CDL (2000) 103 rev., p. 6) underlined that the role of RECs in the aggregation phase needs to be clarified, in particular the meaning of a clause in Article 42.10, 17 and 20, stating that the REC “clarifies and summarises the election results”.

32. The same report also suggested an easy practical way to go about the vote count, but it does not seem to have been taken into account except for a detail as to the voting procedure in Article 57-4.

33. The proposed provisions of Article 61 of the Code seem to meet the concerns expressed in the same Report (CDL (2000) 103 rev., p. 7) about possible confusions in the tallying of ballot papers.

Media

34. Article 20 of the Electoral Code enumerates the rules that give equal free time on state and radio, television. More detailed rules have to be established by the Central Electoral Commission (Art. 20.2). Equality in the use of mass media can however be understood in various ways: it may be “strict” – every party has the same time-share – or “proportional” equality, which takes into account the results of every party in the last elections. It would be preferable to define more precisely what is meant by equality in the law itself rather than in a regulation of the Central Election Commission.

35. Appeals can be made in cases of violation of pre-election campaign rules by electoral commissions against candidates or parties but the appeal by candidates or parties to the court (art. 40) is not clear (perhaps because of translation). See Appendix I for the proposed re-organisation of the provisions on appeals.

Annulment of the vote and consequences

36. It appears that if the result of the elections regarding allocation of seats is subject to irregularity, cancellation and repetition of the vote can take place at precinct level. This is satisfactory.

Miscellaneous

Election campaign provisions

37. A ban on the publication of opinion polls during the final stages of the election campaign is on the statute book in several countries. Whether this is wise is another matter. Whilst some academic evidence supports the notion that there is 'voting for the winner effect' (as there certainly is with respect to voters' remembrance of how they voted after the result of the election is known) it is difficult to justify limitation on potential voters' information on these grounds. More pragmatically given modern information technology, such restrictions are, in practice, impossible to implement effectively.

By-elections

38. Concern may be expressed over the grouping of by-elections to two days per year. Despite a mass of evidence that by-elections tell us nothing about the underlying national political mood, especially given often very low turnouts, they are always regarded by the media and often by governments and politicians, who should know better, as significant indicators. Grouping by-elections only serves to reinforce this undesirable deformity.

Other legal or practical measures foreseen to guarantee free and democratic elections : The Electoral System and the number of MPs

39. The Venice Commission has in previous opinions given clear indications as to the electoral system and the number of MPs. However, it appears necessary once again to deal with this important question.

40. The definition of the electoral system is given in Article 95.

41. 56 seats are distributed on a proportional list system. The nation is considered as one constituency. There is a 5% threshold for seat allocation. The seats are attributed by simple quotient and the largest remainder method.

42. 75 seats are distributed in single-member constituencies on a plurality basis.

43. In December 2000, Parliament amended the electoral system to a 94/37 split between proportional and plurality seats, with the provision that it would not take effect until January 2003. Differing the effect of such a reform is wise and reduces the suspicion of political manipulation, which comes with the revision of the electoral system when it takes place little time before an election. However, some remarks on the electoral systems may be useful.

44. As time goes on, the electoral system will have an effect on the party system, so it is useful to examine the system with some attention. The mixed system adopted is in conformity with the norms and tendencies of evolving democracies. On the other hand, in the Commission's meetings with the Armenian authorities and political actors, it appeared that there was a feeling in political circles that the number of deputies should be reduced; this came as a surprise as there is no rule as to the ratio of members of parliament (MPs) to the voting population. Armenia has 131 members for a voting population of 2.2 millions and if we look to different types of democracies with similar voting populations we obtain the following figures:

Lithuania – 137 MPs for 2.600.000 voters
Ireland -----166 MPs for 2.500.000 "
Norway ----165 MPs for 3.200.000 "

45. From this point of view Armenia is therefore not different from other states of similar size.

46. It can be argued that members of parliament are expensive but it can also be said that if they are too few then each Member of Parliament has to represent and deal with a large number of citizens, so that the representation ratio is lower.

47. Concerning the reduction of the number of single-member constituencies in favour of members of parliament elected on a proportional list basis, we have to face the fact that changes such as these can bring unexpected and unwanted effects that can jeopardise the whole democratic process.

48. Drafters of electoral laws take into account the experience of other democracies but while doing so should bear in mind that conditions in the established democracies are quite different from in evolving democracies. This can lead to substantial differences in party systems that result from the introduction of similar institutions or electoral systems.

49. Established democracies have strong association movements such as trade unions that tend to influence greatly the way over half of their members vote. This leads in some democracies that use proportional representation to situations where the parties that control the trade union movement also have a dominant position, on an almost permanent basis. Citizens of evolving democracies that ten years ago lived in soviet regimes, where membership of associations was compulsory, are not prone to join associations. They consider themselves free and in their minds associations are associated with the constraints of the past. Considered from this point of view Armenia should be compared to the many established democracies with proportional representation that have weak party systems, which lead to government instability. Government instability is dangerous in countries such as Armenia that are in a difficult transitional economic, social and political situation.

50. It was also argued that single-member plurality constituencies can introduce into the assembly a person whose honesty is doubtful, but this is not a good argument. Party lists are just as prone to include candidates who in the long run are not above-board. On the other hand, voters can decide on their own who is honest when they have to choose a candidate in a single-member constituency more easily than when they have to choose an unknown list of names for proportional representation.

51. It is therefore suggested that if there is a consensus to reduce the number of members of Parliament, the ratio of plurality and proportional seats applied to the previous elections should be kept.

Concluding Remarks

52. Since the scope of the draft amendments is rather limited, the present opinion deals not only with them, but more generally with the main questions that arise from the present Electoral Code of Armenia. This leads to the following conclusions.

53. It must be borne in mind that the law will have to be applied in a similar way throughout the country. It is for that reason that the text must be quite clear and simple.

54. The most important change introduced by the amendments deals with the composition of the CEC, which has been completely modified by increasing the members nominated by the government. Taking into account that the CEC will also include the representatives of the parties supporting the government, the effect will be to reduce considerably the power of the opposition. This is unsatisfactory and should be reconsidered.

55. We lack information on the decision-making process of the CEC, and in particular the majority that is necessary for them to take decisions. This is essential in order to know what the role of the opposition in such commissions may be.

56. Earlier comments of the Commission have stressed the importance of organising the law so that there is no conflict of jurisdiction in the appeals system. This is a point that should be further looked into.

57. The sanctions in the administrative courts and the penal measures in the Criminal Code appear adequate.

58. As far as efficiency and simplicity is concerned, the Electoral Code is a great improvement on that which was used until the 1998 elections. It is nonetheless regrettable that the members of the commissions still have to work out a “measure of error”, which was not well understood by them in the 1999 elections. The Venice Commission prepared a simple method for the vote count but it has not been followed in the draft amendments. This question should be dealt with in training sessions or regulations of the Central Electoral Commission.

59. The Commission has repeatedly emphasised that a change in the proportion of plurality seats and proportional lists is not advisable. (Article 95 – 75 seats distributed in single-member constituencies on a plurality basis and 56 on a proportional list system with a 5% threshold for seat allocation.) The only change that would facilitate distribution of powers on a regional basis would be to consider the proportional allocation of seats on a regional basis and not, as now, on the national level.

60. There is no universal legal mould for all election matters from which parts can be taken and applied to all countries but we can tell by our own experience and that of others that certain measures can be recommended and others should be done away with.

61. The present electoral code is clearly a step forward towards the implementation of the principles of the European electoral heritage in Armenia. The draft amendments bring some progress too, but their scope is rather limited and the proposal to change the composition of the electoral commissions is much too favourable to the government.

Appendix I Proposed reorganisation of articles 40-1 and 41-1

The law provides for a parallel appeals system. There is the possibility of appeals from a decision of a lower election commission to a superior commission as well as appeals to law courts.

All the articles on the appeals systems should be under one chapter. As we mentioned in the opinion we suggest the rewriting of article 40 so that it stands as a general statement on adjudication. The procedures with the details should be found in the two tables in the annexes I and II, which mention the corresponding articles.

Art. 40.1: General principles of adjudication

- Decisions, actions and inaction of the electoral commission can be appealed to a superior electoral commission or to a court.
- Each case of appeal, whether it is to a superior commission or to a court, is specified by the corresponding article.
- The appeals to the superior court or commission have to take place within 2 days after the publication of the decision, action or disclosure of the violation of the law or regulations as a result of the inaction if no other date is fixed by this code.
- The superior electoral commission decides those appeals before the final results of elections are summarised, if no other procedure is established by this code. The superior electoral commission and the court of first instance take decisions within 5 days.

The details of the competencies now in *Article 40-2* through *40.4* would then be in a new article: *Article 41.1* (as it should stand)¹: the court of First Instance takes final decisions except for:

1. Elections of the President (disputes concerning the denial of registration or recognition of a registration as invalid are appealed to a Court of Law, *Article 75*).
2. Elections of Deputies to the National Assembly
3. Refusal to register lists of parties (based on the proportional system) or disputes concerning a registration that is declared void.

The decisions of the REC on summarisation of the results of the elections are appealed to the CEC (*Article 40.2*). The decisions/activities/inaction of CEC are appealed to the Court of Law (*Article 40.3*).

¹ The articles mentioned in parenthesis below are the numbers of the dispersed articles as they stand now.

The summarisation of results of the National Assembly plurality elections appealed to the Constitutional Court (*Article 116.9*). The disputes regarding the results of the proportional elections to the National Assembly are also appealed to the Constitutional Court (*Article 115.8*).

The disputes over election results are appealed to the Constitutional Court with the exception of local self-governing bodies (*Article 40.4*).

Appendix II

Constitutional court	Court of First Instance	Court of Appeals or Cassation Court	Superior Commission
<i>Art. 40.5</i> appeals on election results with the exception of local elections.	<i>General principle of adjudication: Art. 40.1 - decisions, actions + inactivity of election commissions (appealed to court of first instance or superior commission).</i>		
	When appeal is to court of first instance, court of first instance makes final decision. Exception: See <i>Art. 40.1</i> under cassation or appeals court.		<i>Art. 40.1 - decisions, actions + inactivity of election commissions (with exception of REC decisions on summarisation's of voting) appealed to court or superior commission</i>
	<i>Article 18.8 - pre-election campaign violations appeal to court.</i>		<i>Art. 40.2 - REC decisions on summarisation's of elections results appealed to CEC. Exception: NA plurality elections, see Art. 116.8</i>
<i>Art. 116.8:</i> disputes over results of NA plurality elections		<i>Art. 40.1 – Appeal from first instance court of presidential election, NA deputies elections, and refusal to register lists of parties and declaration of list registrations as invalid are competence of court Court of Appeals: 3 days; Cassation Court: 2 days</i>	
	<i>Art. 40.4 – CEC decisions can be appealed to court. Exception: Presidential (see Art. 40.4) and NA proportional (see Art. 115.8)</i>		
<i>Art. 115.8:</i> disputes over results of NA PR elections	<i>Art. 102.18 – CEC decision on denial or recognition as invalid of party list or person in it</i>		
	<i>Art. 108.11 – REC decisions on denial or recognition as invalid the registration of the candidate for deputy.</i>		
	<i>(Local) Art. 124.6 - denial of registration or recognition of registration as invalid.</i>		<i>(Local) Art. 40.3 - REC decisions on summarisation appealed to CEC. Except: NA MAJ (see Art. 116.8).</i>
	<i>Art. 14.3 – voter registration inaccuracies Art. 13.2 – precinct cannot change voter register without court order</i>		<i>Art. 42.8 - REC considers complaints of decisions and actions of PEC.</i>

Appendix III

Pre-election Campaign Disputes	Voter Registration Disputes	Activities, inaction...of Electoral Commissions	Candidate Registration Disputes	Summarisation Disputes
Art. 18.8: violations appealed to court (unclear language about “relevant bodies”)	Art. 14.3: inaccuracies appealed to court	Art. 40.1 - <i>decisions</i> , actions + inactivity of election commissions (with exception of REC decisions on summarisation of voting) appealed to court of first instance or superior commission.	(Presidential) Art. 75: CEC denial of registration or recognition of registration as invalid can be appealed to court. Art. 72: CEC registers candidates for presidential election	(Presidential) Art. 40.4 appeals to Constitutional Court on all election results with the exception of local elections. Art. 83: CEC summarises Presidential election results
	Voter lists done by community head, which he then submits to head of institution administering territory of precinct centre and then to REC (Art. 9)	Art. 40.1 - Court of first instance decision is final. Exception: Presidential election, NA deputies’ election, and refusal to register list of parties and declaration of list registrations as invalid, where court of appeals or cassation court are final decision-makers.	(National Assembly PR) Art. 102.18 – CEC decision on denial or recognition as invalid of party list or person in it can be appealed to court. Art. 100: CEC registers candidates.	Art. 115.8: disputes over results of NA PR elections to Constitutional Court. Art. 115: CEC summarises
		Art. 40.4 - CEC decisions/inactivity /activity can be appealed to court. Exception: Presidential (Art. 40.4) and NA PR (115.8)	(National Assembly Plurality) Art. 108.11 – REC decisions on denial or recognition as invalid of the registration of the candidate for deputy can be appealed to court Art. 108: REC registers candidates.	(National Assembly Plurality) Art. 116.8: disputes over results of NA Plurality elections are appealed to Constitutional Court REC summarises National Assembly Plurality (116.1)