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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

ARMENIA

SECOND LAW OF 30 JUNE 2016

ON MAKING AMENDMENTS AND SUPPLEMENTS

TO THE ELECTORAL CODE ADOPTED ON 25 MAY 2016

**(TO ENTER INTO FORCE ON THE TENTH DAY OF THE OFFICIAL
PROMULGATION OF THE LAW)**

Article 1. Part 2 of Article 14 of the Electoral Code of the Republic of Armenia of 25 May 2016 (hereinafter referred to as "the Code") shall read as follows:

"During 5 days preceding the voting day, as well as on the voting day until the end of the voting, the following persons shall have the right to submit an application to the authorised body to include them in the supplementary list of electors being drawn up on the voting day:

(1) persons registered at the address included in the description of the relevant electoral precinct, but who have been left out of the list of electors of that electoral precinct;

(2) persons having submitted to the authorised body, in the manner and within the time limits prescribed by this Code, an application on being temporarily included in the list of the relevant electoral precinct, where the application has not been rejected, however they have not been included in the relevant list.

Decisions concerning applications to be included in the lists of electors shall be delivered within such time limits which enable the elector to participate in the voting. In case of delivering a decision on including in the supplementary list of electors being drawn up on the voting day, the authorised body shall provide a statement of information.

The form of the statement of information of the authorised body on being included in the supplementary list of electors, being drawn up on the voting day and to be submitted to the precinct electoral commission, shall be established by the Central Electoral Commission. Additions to the list of electors — based on the statement of information of the authorised body on being included in the supplementary list of electors, being drawn up on the voting day — shall be made by the precinct electoral commission on the voting day, through drawing up a supplementary list as prescribed by Article 15 of this Code."

Article 2. The words "candidates occupying political, discretionary, civil positions, as well as candidates occupying a position of state or community servant" in the title and part 1 of Article 23 of the Code shall be replaced with the words "who are public servants".

Article 3. In Article 31 of the Code:

(1) part 2 shall be supplemented with new paragraphs which read as follows:

"Before submitting an application for accreditation, non-governmental organisations registered in the Republic of Armenia shall be obliged to adopt code of conduct for their observers, which must be in line with the international principles for election observation and the regulations of this Code.

Non-governmental organisations referred to in this part shall organise and hold for their observers trainings on electoral legislation and on code of conduct for observers of the organisation.

The application for accreditation must contain an indication on the adoption of and training on the code of conduct for observers of the organisation.";

(2) the words "or the application does not contain an indication on the adoption of or training on the code of conduct for observers of the organisation" shall be added after the words "the requirements of the decision of the Central Electoral Commission prescribed by part 9 of this Article".

Article 4. In Article 32 of the Code:

- (1) the second paragraph of point 1 of part 1 shall be deleted;
- (2) the last sentence of part 4 shall be deleted;
- (3) in part 5, the words "by part 5 of Article 31" shall be replaced with the words "by parts 5 and 8 of Article 31".

Article 5. In part 5 of Article 41 of the Code:

- (1) the words "and representatives of non-governmental organisations, registered in the Republic of Armenia, wishing to carry out an observation mission" in the first sentence shall be deleted;
- (2) the words ", non-governmental organisations" in the second sentence shall be deleted.

Article 6. The word ", the specialist" shall be added after the word "persons" in the first sentence of part 8 of Article 46 of the Code.

Article 7. The words "from 9:00 to 9:30" in the second paragraph of part 4, as well as in part 14 of Article 48 of the Code shall be replaced with the words "from 9:00 to 11:00".

Article 8. In Article 50 of the Code:

- (1) the words "from 9:00 to 9:30" in last paragraph of part 1 shall be replaced with the words "from 9:00 to 11:00";
- (2) the words "at 12:00 on the day of the deadline" in part 6 shall be replaced with the words "at 14:00 on the day of the deadline".

Article 9. The words "or for carrying out observation mission" in point 21 of part 2 of Article 51 of the Code shall be deleted.

Article 10. In Article 66 of the Code:

- (1) the words "an identification document of the elector who is in a penitentiary institution," shall be added after the words "by the authorised body," in the first sentence of part 1;
- (2) the words "where the elector has" in paragraph 6 of part 2 shall be replaced with the words "where it becomes clear from the information available in the technical equipment that the elector has".

Article 11. In point 3 of part 2 of Article 68 of the Code:

(1) a new sentence shall be added after the first sentence in the first paragraph which reads as follows:

"The statement of information must contain an indication on the electors whose fingerprints were impossible to recognise during the registration, and the registration was carried out only on the basis of an identification document.";

(2) the words ", after which the chairperson of the precinct electoral commission signs the statement of information and seals it with the seal of the commission" shall be added after the words "to photograph it" in the second sentence of the second paragraph;

(3) the words "observers, mass media representatives" shall be added after the word "Proxies" in the third paragraph, and the words "20 minutes in total" shall be replaced with the words "30 minutes in total";

(4) the words "from 9:00 to 9:30" in the fourth paragraph shall be replaced with the words "from 9:00 to 11:00".

Article 12. In part 9 of Article 83:

(1) the words "per 15 000 electors of that electoral district" shall be replaced with the words "per 15 000 electors included in that electoral district according to the Register of Electors";

(2) add a new sentence which reads as follows:

"The mentioned number for each electoral district shall be calculated based on the number in the Register of Electors."

Article 13. A new paragraph shall be added after point 6 of part 3 of Article 105 of the Code which reads as follows:

"The number of electors, referred to in this part, for each community shall be calculated based on the number in the Register of Electors."

Article 14. Point 1 of part 3 of Article 108 of the Code shall be supplemented with a new paragraph which reads as follows:

"The number of electors, referred to in this point, for each community shall be calculated based on the number in the Register of Electors."

Article 15. Article 115 of the Code shall be supplemented with part 5 which reads as follows:

"5. The number of electors, referred to in this Article, for each community shall be calculated based on the number in the Register of Electors."

Article 16. In Article 144 of the Code:

(1) the words ", except for the provisions restricting the right to elect and to be elected during elections of head of community and member of council of elders, which is regulated in accordance with the provisions prescribed by this Code" shall be added after the words "in accordance with the regulations of the Electoral Code of 26 May 2011" in the first sentence of part 3;

(2) part 3, after the second paragraph, shall be supplemented with new paragraphs which read as follows:

"Before 1 September 2017, during elections of the Councils of Elders of Gyumri, Vanadzor, as well as of head of community and member of council of elders, the lists of electors shall be drawn up in accordance with the requirements of the Electoral Code of 26 May 2011 for lists of electors, which includes persons, prescribed by this Code, having the right to elect during elections of local self-government bodies.

Accreditation of non-governmental organisations carrying out observation missions during elections of the Councils of Elders of Gyumri, Vanadzor, head of community and members of council of elders shall be carried out in accordance with the provisions of the Electoral Code of 26 May 2011. Qualification certificates shall not be required from observers of organisations carrying out observation mission, and the requirement prescribed by part 8 of Article 31 of this Code shall be effective from 1 January 2017."

(3) the word "2022" in parts 14, 15 and 16 shall be replaced with the word "2021".

Article 17. This Law shall enter into force on the tenth day following the day of the official promulgation.