



Strasbourg, 20 February 2002

**Opinion no. 154/2001\_arm**

Restricted  
**CDL (2002) 13**  
English only

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

**UNIVERSAL ELECTORAL CODE  
ADOPTED BY THE NATIONAL ASSEMBLY  
OF THE REPUBLIC OF ARMENIA  
ON 5 FEBRUARY 1999  
AND AMENDMENTS**



# UNIVERSAL ELECTORAL CODE

Adopted by the National Assembly of the Republic of Armenia,  
on February 5, 1999

## SECTION ONE: GENERAL PROVISIONS

### CHAPTER ONE: FUNDAMENTAL PROVISIONS

#### Article 1: Electoral Bases

In accordance with [Article 3 of the Constitution](#) of the Republic of Armenia, elections of the President, elections to the National Assembly, elections of the local self-governing bodies of the Republic of Armenia are held through universal, equal, direct suffrage, by secret ballot.

1. Citizens of the Republic of Armenia having the right to vote participate in elections directly, by the expression of free will, on voluntary basis.
2. The state encourages that the elections of the President of the Republic, elections to National Assembly, local self-governing bodies are held under competitive and alternative principles.
3. The state holds responsibility for the preparation, organization and conduct of elections, and for the legality of elections.

#### Article 2: Citizens' Electoral Right

1. The citizens of the Republic of Armenia who have attained the age of 18 years have the right to vote.

2. During the preparation and conduct of the elections, the citizens of the Republic of Armenia who live or are living outside Armenia, have the electoral right. The Diplomatic and Consular Missions of the Republic of Armenia, in accordance with the procedures set by this Code and by Central Electoral Commission, guarantee the realization of the electoral right of Armenian citizens.

3. Citizens' electoral right is regulated by the Constitution of the Republic of Armenia and this Code.

4. Disabled people, as well as the voters that have difficulty to participate in the elections, arrive at the Precinct centers and participate in the voting according to the procedure established by the Central Electoral Commission.

5. Citizens who have been recognized as incapacitated by a court ruling, as well as those that have been sentenced to imprisonment and endure punishment by a court judgement entered into legal force, cannot elect and be elected.

### **Article 3: Universal Suffrage**

Citizens who have the right to vote, regardless of nationality, race, gender, language, religion, political or other conceptions, social origin, property or other status have the right to elect and be elected. Any restriction of the electoral right on the above-mentioned bases is prosecuted by the law.

### **Article 4: Equal Electoral Right**

1. Citizens participate in elections on equal basis.

2. The state ensures equal conditions for the exercise of the citizens' electoral right.

### **Article 5: Direct Electoral Right**

The President of the Republic, Deputies of the National Assembly, local self-governing bodies are elected directly. Proxy voting is prohibited.

#### **Article 6: Voting by Secret Ballot**

Voting is by secret ballot. Oversight of the expression of voters' free will is prohibited and is prosecuted by law.

#### **Article 7: Transparency of Elections**

1. Elections are prepared and conducted in a transparent way.
2. Decisions of electoral commissions, national government and local self-governing bodies, related to the preparation and conduct of elections are published in the official press, within three days after the decisions have been taken.
3. In the course of the sessions of the commissions and during the voting, in the way prescribed by this Code, the Chairman of Electoral Commission ensures the participation of proxies, observers and the representatives of mass media, in the activities of electoral commissions and ensures necessary and equal working conditions for them.
4. Three days before the elections of the President of the Republic and to the National Assembly the Central Electoral Commission publishes the total number of the voters in the Republic of Armenia.
5. In the procedure prescribed by this Code, citizens are informed about the composition, location and working hours of Electoral Commissions, on the formation of precincts and precinct centers, on the dates for presenting appeals about the inaccuracies in the voter lists, on the nomination and registration of candidates, on the day of voting and the election results.

6. On the voting day, the precinct electoral commissions shall transfer data to the Regional Electoral Commissions periodically – every three hours – on the number of voters that have participated in voting. Regional Electoral Commissions summarize these data, make them public and periodically – every three hours – forward them to the Central Electoral Commission. During national elections (Presidential elections as well as regular and extraordinary elections to National Assembly are considered to be national elections) the Central Electoral Commission, starting from 11:00 a.m., regularly announces the data on the number of voters that have participated in the elections. The last data are made public not later than 11:00 p.m. The Central Electoral Commission officially publishes the final data on the number of voters that have participated in the elections on the next day at 12:00 p.m.

7. During the sessions of the electoral commissions, as well as at any time during the voting, proxies, accredited observers and the representatives of mass media have the right to be present at the precinct center.

8. Immediately after the voting is completed, from 8:00 p.m. until the announcement of the preliminary results of elections, periodically – every three hours – there shall be live TV and radio transmission from the Central Electoral Commission.

#### **Article 8: Expenses for Preparation and Conduct of Elections**

1. Expenses for preparation and conduct of elections (including those for the compilation and maintenance of voter lists) shall be borne from the state budget.

2. The procedure for the expenses of candidates in the period of the pre-election campaign and their reimbursement is determined by this Code.

### **CHAPTER TWO: VOTER LISTS**

#### **Article 9: Compilation and Maintenance of Voter Lists**

1. All citizens of the Republic of Armenia that have the right to vote are included in voter lists.

2. Every citizen of the Republic of Armenia that has the right to vote is eligible for inclusion in one voter list only.

3. Voter lists are permanently managed documents and are compiled in communities, by electoral precincts. Voter lists are reviewed every year, in January and June.

4. Voter lists are compiled and maintained by community heads by the power of authorities delegated to them.

5. In cases envisaged by this Code, in accordance with the procedures set forth by the Central Electoral Commission, voter lists are compiled by the heads of Diplomatic or Consular Missions of the Republic of Armenia in foreign countries, by the heads of the institutions having the authority for detention of citizens, and of the military units.

6. Citizens of the Republic of Armenia that have the right to vote, who live or are outside the territory of the Republic of Armenia, are included in the voter lists that are compiled outside the territory of Republic of Armenia, in compliance with the procedure established by Central Electoral Commission

7. In the event of the absence of a Diplomatic or Consular Mission of the Republic of Armenia in the state, which is the country of residence or where the voter is, the citizen can apply to the Diplomatic or Consular Mission of the Republic of Armenia in the state bordering, or located close to the state of residence or the state where the voter is, for the inclusion in voter lists.

8. The community head submits the voter lists by precincts to the head of the institution administering the territory of the precinct center and to the Regional Electoral Commission forty days before the day of voting.

9. The community head, based on applications from citizens, proxies and members of the Commission, makes corrections starting forty days before the voting day and within 35 days.

10. The Community head responds to inquiries on corrections on voter lists within three days.

#### **Article 10: Inclusion of Citizens in Voter Lists**

1. All citizens, who have the right to vote and are registered in a given community, as well as the citizens who reside temporarily or permanently in a given community but have no registration, but who have not later than five days before the day of voting submitted an application to the community head on the inclusion of their name and last name in the voter lists, in the manner prescribed by the Central Electoral Commission, are necessarily included in the voter lists.

2. The lists of voters under detention are compiled by the head of that institution, with the participation of the member of the Regional Electoral Commission, three days prior to the day of voting.

3. The military and the members of their families, who have the right to vote, residing on the territory where the military units are located, with the exception of the military units situated at least fifty kilometers away from the nearest settlement, are included in the voter lists of the relevant electoral precinct (on the territory of which the unit is located), based on the data submitted on a general basis by the administration of the military unit.

4. The military that reside outside the military unit and have the right to vote are included in the voter lists on a general basis.5. Voter lists of the military units situated at least fifty kilometers away from the nearest settlement are compiled by the chief of the military unit and submitted to the relevant Regional Commission not later than twenty days prior to the day of voting.

**Article 11: Requirements for the Voter Lists**

1. Citizens' family name, given name, year, month and date of birth and address are entered onto the voter lists.
2. The voter lists are compiled according to citizens' address of registration. The procedure for inclusion of citizens, who have no registration, in the voter lists, is established by the Central Electoral Commission.
3. Voter lists are compiled in the form of a register and paginated for up to 1000 voters. Each page of the register is signed and sealed by the community head.

**Article 12: Publicity of the Voter Lists**

1. Every person can freely get familiarized with the voter lists.
2. The head of the institution that administers the territory of the precinct center displays one copy of voter lists at the precinct center in a place visible for everybody, forty days prior to the elections.
3. Together with the voter lists, it is mandatory to display a notice in the precinct center, about the dates and place for presentation of applications on inaccuracies in those lists, and the procedure, dates and conditions for their consideration.
4. The Chairman of the Precinct Electoral Commission displays the final version of the voter lists at the precinct center, in a place visible for everybody, four days prior to the day of voting.
5. After the voting is completed, the voter lists stay displayed at the precinct center for at least seven days.

6. Every citizen has the right to receive from the community head the photocopies of the voter lists of that particular precinct, for the price established by the Central Electoral Commission. The community head has to deliver to the citizen the relevant voter lists, within three days.

### **Article 13: Submission of Voter Lists to Precinct Electoral Commissions**

1. Heads of communities, heads of military units situated at least fifty kilometers away from the nearest settlement submit two copies of voter lists to Chairmen of the Precinct Electoral Commissions, not later than four days prior to the day of voting and the heads of the institutions having the authority for detention of citizens – not later than two days prior to the day of voting.

2. The Precinct Electoral Commissions have no right to make any change – addition or correction – in voter lists, on their own initiative.

### **Article 14: Procedure for the Consideration of Applications about the Inaccuracies in Voter Lists and the Correction of the Lists**

1. Every citizen has the right to apply to the community head with the request concerning the inaccuracies in voter lists, for the inclusion or withdrawal from voter lists of himself/herself or other citizens, not later than five days prior to the day of voting. Applications are submitted in writing.

2. The community head, within three days considers applications concerning the inaccuracies in voter lists, makes decisions, and informs the citizens in writing on the results of the consideration of their applications; whenever possible those citizens whose names and last names have been removed from the voter lists, are also informed.

3. Disputes on inaccuracies in the lists can be appealed to the court. The court shall examine the complaints within five days, in cases when complaints are adjudicated five days prior to the day of voting or the day of voting – immediately, with the

judgment passed being final and cannot be appealed. The Chairman of the Precinct Electoral Commission, based on court's conclusion, compiles an additional voter list, attaching to it the copy of the court's conclusion.

### **CHAPTER THREE: ELECTORAL PRECINCTS AND PRECINCT CENTERS**

#### **Article 15: Electoral Precincts**

1. For the purpose of organization of voting and vote count, Precincts are formed, which are numerated consecutively.

2. Local self-governing bodies form Precincts in communities, not later than 45 days prior to the day of voting, taking into consideration local and other conditions, with the intention of creating most favorable conditions for exercising by voters of their electoral rights.

3. The heads of military units submit the number of the registered voters of their military units to the respective community heads before the precincts are formed.

4. In the procedure established by the Central Electoral Commission, precincts are formed in foreign countries – at the Diplomatic and Consular Missions of the Republic of Armenia, with the exception of elections of local self-governing bodies and the National Assembly elections. Electoral precincts are also formed at the institutions that have the authority for detention of citizens, in accordance with the procedure established by the Central Electoral Commission.

5. 40 days prior to the day of voting electoral precincts are formed in military units that are situated at least 50 kilometers away from the nearest settlement. These precincts are formed by the units' heads.

6. A precinct covers not more than 3,000 voters.

7. A precinct cannot comprise of residential areas of different communities.

#### **Article 16: The Precinct Center**

1. A precinct center shall be formed at the electoral precinct.

2. A precinct center shall be formed at the premises of preschool education, academic, scientific, cultural, sports or other institutions under the subordination of state or local self-governing bodies.

3. A precinct center cannot be formed at the premises of state and local self-governing bodies, military-academic institutions, military units and healthcare institutions. Precinct centers can be formed at military units located at least 50 kilometers away from the nearest electoral precinct, at the institutions that have the authority for detention of citizens, as well as at the precincts arranged at diplomatic and consular representations.

4. A precinct center shall be located as close as possible to the apartment blocks and houses situated within the electoral precinct.

#### **Article 17: Formation of Precinct Centers**

1. The community head designates a precinct center not later than 45 days prior to the day of voting.

2. In the event of impossibility of holding voting at the precinct center, upon the request of the Chairman of the Precinct Electoral Commission, the community head changes the location of the precinct center at least three days prior to the day of voting, and in emergency cases (natural disaster, accident, fire) - on the day of voting and two days before it, upon the consent of the Chairman of the relevant Regional Electoral Commission.

3. The community head, in the procedure established by the Central Electoral Commission, within 2 days informs the citizens on the formation of electoral precincts and precinct centers. The heads of the institutions administering the premises of precinct centers also receive similar information.

4. The community head immediately informs the citizens if the location of the precinct center has been changed, in the procedure established in the second paragraph of this Article.

## **CHAPTER FOUR: PRE-ELECTION CAMPAIGN**

### **Article 18: Basic Principles for Pre-Election Campaign**

1. The state ensures the free implementation of citizens' pre-election campaign. The pre-election campaign is exercised on equal basis. It is ensured by the state bodies, for the purpose of organization of pre-election meetings, meetings of candidates with the electorate and other events related to elections, by providing them halls and other premises, upon the request of electoral commissions. They are provided to the candidates and parties, running in elections, on equal basis, free of charge, in accordance with the timetable and procedures established by the Central Electoral Commission.

2. Citizens, parties, party alliances (hereinafter party), and Non-Governmental Organizations of the Republic of Armenia have the right to campaign for or against any candidate or party, by means not prohibited by law.

3. The candidates and parties are guaranteed equal conditions for access to mass media.

4. It is forbidden to conduct the pre-election campaign and to disseminate campaign documents of any kind to:

4.1 State and local self-governing bodies, as well as their staff while performing their official duties;

4.2 Members and Judges of the Constitutional Court, officials of the Ministry of Internal Affairs and National Security, officials of the Prosecutor's office, and the military;

4.3 Charitable and religious organizations;

4.4 Foreign citizens and organizations.

5. The election campaign commences on the day following the last day envisaged for the registration of candidates and parties, and ends on the day prior to the day of voting. Any election campaign is prohibited on the day of voting and the day prior to it. Campaign documents, which are not at the precinct center, stay during the day of voting in their places.

6. Pre-election campaign can be held through mass media, through electoral public events (such as pre-election rallies and meetings with electorate, public electoral discussions, debates, rallies, marches) by printing publications, disseminating audiovisuals.

7. During the pre-election campaign candidates and parties are banned from giving (promising) - personally or through other means - money, food, bonds, and goods to citizens free of charge or on privileged terms or rendering (promising) services.

8. The candidates and the parties are bound to observe the procedures for organization of the pre-election campaign. Electoral Commissions oversee the observance of the established procedure of the pre-election campaign. In the event of violation of the procedures the commission that has registered the candidate or the party, appeals to the relevant bodies, in order to prevent them, as well as to the Court – to declare the registration of that candidate or party electoral list out of force. The Court, after receiving such appeals from electoral commissions, has to pass a judgement within five days period, and in case they are received within five days prior to the day of voting - immediately.

9. The arrested or detained candidates carry out their pre-election campaign through their proxies. For that purpose, in the period of the pre-election campaign, the arrested and detained candidates have the right of having daily meetings, for up to two hours, with not more than three proxies, at the institutions that have the right to hold the arrested or the detained.

#### **Article 19: Non-Allowance of Abuse of the Right of Pre-Election Campaigning**

During the pre-election campaign it is forbidden to call for the violent overthrow of the constitutional order, racial, national, religious and other supremacy, publication and dissemination of materials stimulating racial, national or religious hatred.

#### **Article 20: Pre-Election Campaign through Mass Media**

1. Candidates for the President of the Republic and the Parties registered by the proportional system for the National Assembly have the right of paid and free of charge airtime (including live broadcasting) on the state radio and television, on equal conditions.

2. The Central Electoral Commission establishes the procedure for the provision of free airtime on the state radio and television for candidates for the President of the Republic and for the Parties that have presented party lists based on the proportional system for the National Assembly.

3. Candidates and parties have the right to have airtime also on the state local radio and TV companies, on equal conditions.

4. The heads of the official state periodical press shall ensure equal conditions for the candidates and parties.

5. Pre-election campaign through mass media is implemented in the form of public debates, round-tables, press conferences, interviews, political advertisements and other forms not prohibited by the law.

6. It is forbidden to interrupt the radio and television broadcasts of pre-election campaign with advertisements of goods and services.

7. It is forbidden to establish campaign headquarters at precinct centers, and within seven days prior to the day of voting - campaigning at the precinct centers.

8. Television and radio broadcasts with pre-election campaign shall be video- and audio-recorded. They are preserved for at least six months.

9. The state and local self-governing bodies, for the purpose of meetings, rallies and assemblies, organized for pre-election campaigning, allocate required territories to candidates and parties free of charge, according to the procedure established by the Central Electoral Commission. It is forbidden to allocate historical-cultural buildings and adjacent territories for such purposes.

#### **Article 21: Procedure for the Use of Campaign Posters and Other Materials**

1. Parties and candidates have the right to publish and disseminate posters, leaflets and other printed campaign materials, on an equal basis.

2. The community head, not later than five days after the start of the pre-election campaign, allocates special places within the community for display of campaign posters. Those places shall be convenient for voters' attendance. Each precinct shall have not less than one such place. Candidates and parties are allocated equal space in special places.

3. The depiction of the flag or the coat of arms of the Republic of Armenia on campaign posters is prohibited.

4. It is forbidden to tear off the campaign posters displayed in special places, or making any graffiti on them.

5. The community heads ensure that the campaign posters of candidates and parties not running for elections be promptly removed.

6. Printed campaign materials shall contain information about those organizations and people that are responsible for the publication, as well as the printing company and the quantity.

7. Dissemination of anonymous printed campaign materials is forbidden. Whenever anonymous or false printed campaign materials are found, the informed Electoral Commission takes measures to prevent such activity and addresses the relevant bodies in order to end the illegal activities.

#### **Article 22: Prohibition of Influencing the Expression of Citizens' Free Will**

1. Reporters of state radio and television, staffs of the editorial offices that are registered as candidates are banned from highlighting the elections on the state radio and television.

2. During the pre-election campaign, the officials and members of the state and local self-governing bodies, as well as the employees of the state-owned mass media are banned from making use of their powers (authorities) for creation of uneven conditions between the candidates, or influencing the expression of citizens' free will, through prejudiced support. Whenever nominated as candidates these people make use of the state-owned means of mass media in the procedure established by this code.

3. It is forbidden to publish the results of public polls on the ratings of candidates and parties within the last seven days of the pre-election campaign.

#### **Article 23: Prohibition of the Pre-Election Campaigning on the Day of Voting and the Day Prior to it**

1. On the day of voting and the day prior to it, within the building where the precinct center is located or in its vicinity, as well as right at its entrance, it is forbidden to influence on the voters orally or in written form, through music or visual means, to collect signatures, as well as to campaign in other ways.
2. Until the end of the voting it is forbidden to publish voters' survey results with the question on who they have voted for.
3. It is forbidden to assemble in-groups on the day of the election in the area surrounding the precinct center, in the radius of 50 meters.

## **CHAPTER FIVE: FUNDING OF THE ELECTIONS**

### **Article 24: Funding for Organization and Conduct of Elections**

1. Expenses for organization and conduct of elections, including the compilation of the voter lists, as well as the required expenses for the activities of electoral commissions are covered by the state budget. Relevant expenses are envisaged by separate budget line of the state budget.
2. The funds envisaged for elections are allocated to the Central Electoral Commission within five days after the elections are assigned.
3. In the event of the conduct of extraordinary elections they are funded from the reserve fund of the state budget, in the event of its impossibility they are funded from the reserve of the Central Bank, on the condition that it is afterwards reimbursed from the state budget.
4. If the budgetary funds are not allocated to the Central Electoral Commission in time, or there are no funds available in the reserve of the Armenian Central Bank, or the allocated means have not been sufficient, for funding the extraordinary elections or the second round of the elections, then the Central Electoral Commission has the

right to receive a loan from private banks on competitive basis, on the condition, that the loan will be paid off by the Government within 3 months time.

5. The Central Electoral Commission establishes the procedure for the distribution of financial resources between the commissions. Chairmen of the electoral commissions manage the financial resources and hold responsibility for the effective use of the financial resources in the procedure established by the Central Electoral Commission.

#### **Article 25: Pre-election fund**

1. For the purpose of funding their pre-election campaign, candidates and parties have the right to create a pre-election fund. The means of the election funds of the candidates for the President of the Republic and parties are accumulated in the Central Bank of the Republic of Armenia, and of the other candidates – in any bank, operating on the territory of the Republic of Armenia (on a special account). The means of the pre-election fund are managed by candidates and parties. Based on the written application of the registered candidates and parties, banks open temporary special accounts. Revenues are not accumulated or paid of these accounts.

2. Pre-election funds are formed from:

- 2.1 personal means of the candidate;
- 2.2 means allocated to the candidate by the party, which has nominated him/her;
- 2.3 own means of the party;
- 2.4 voluntary contributions by physical and legal persons.

3. The following have no right to make contributions to the election funds:

- 3.1 state and local self-governing bodies;
- 3.2 budgetary institutions (organizations);

- 3.3 foreign physical and legal persons;
- 3.4 persons without citizenship;
- 3.5 those economic organizations, in the charter or share capital of which the Republic of Armenia or its communities have a share;
- 3.6 those organizations which have foreign means in the amount of more than 30 per cent in their share capital;
- 3.7 charitable and religious organizations, international organizations and international non-governmental movements.

4. The amounts paid to the pre-election funds by the above-mentioned physical and legal persons are transferred to the state budget.

5. The Central Electoral Commission establishes the procedure for voluntary contributions to the pre-election funds.

6. This Code establishes the maximum amount of contributions to the pre-election funds by physical and legal persons. Contributions exceeding the established amount and the money left in the pre-election funds after the elections are transferred to the state budget.

7. Means of the pre-election funds are spent through proxies of the candidate and the party.

8. Those banks, in which special temporary accounts have been opened, periodically – every three days – submit a notice to the relevant electoral commission on the contributions made to the pre-election funds of candidates and parties. These banks return the amounts exceeding the maximum amounts established by this Code, to those having the right of making contributions to the pre-election funds.

9. If the candidate or the party besides the means of the pre-election fund uses other means for the pre-election campaign, the Court, based upon the application of the Central Electoral Commission, recognizes the registration of the candidate or the party list as out of force.

10. All the transactions connected with the accounts of candidates' and parties' pre-election funds are terminated from the day of voting.

11. The Central Electoral Commission can allow candidates and parties to make payments from the fund also after the voting day, for the transactions carried out before the day of voting.

12. In the event of the elections being declared as not held, the means in the pre-election funds are frozen until the registration of candidates and parties for the new elections. The candidates and parties re-registered for new elections can use the means left in their pre-election funds. In case the candidates or parties have not been registered for new elections, the means left in their pre-election funds are transferred to the state budget.

13. Not later than one month after the elections the candidates and parties submit a declaration to the electoral commissions that had registered them, on the use of the available amounts in their pre-election funds. The Central Electoral Commission establishes the specimen of the declaration and the procedure for its submission. The declaration is published in the procedure established by the Central Electoral Commission.

#### **Article 26: Oversight and Audit Service**

An oversight-audit service is set up by the Chairman of the Central Electoral Commission, within the Commission, since the designation of the election day, with a view to implement oversight of the rational use of means allocated to the electoral commissions for the organization and conduct of elections, as well as for the accounting of contributions made to the election funds and oversight of those expenses. Relevant specialists can be included in the work of the service on contractual basis. The procedure for the activities of the oversight-audit service is established by the Central Electoral Commission.

## **CHAPTER SIX: PROXIES, OBSERVERS AND REPRESENTATIVES OF MASS MEDIA**

### **Article 27: The Status of the Proxy**

1. After the registration the candidates and parties, for the protection of their interests in their relationship with the electoral commissions, state and local self-governing bodies, organizations and mass media can have proxies. Only citizens of the Republic of Armenia that have the right to vote can become proxies.

2. After the registration of candidates and party lists, sealed certificates are given to the proxies, based on the submitted, but no more than three times the number of precincts. Certificates are issued within five days after the request has been submitted. The relevant commission states the candidate's first name, last name, and the name of the party, on the certificate. The candidate or the party leader fills out the certificates and allocates them to the proxies.

3. The Central Electoral Commission establishes the procedure for the registration of the proxies. The candidate or his/her authorized representative, the party leaders can at any time recall their proxies and appoint the new ones, informing of it the relevant electoral commission, in writing.

4. Members of the Constitutional Court, judges, employees of the Ministry of Internal Affairs and National Security, Ministry of Defense, Prosecutor's office, Tax Inspection and Customs Department, Social Insurance (services) agents, the military, the clergymen, members of electoral commissions, heads of the state-owned means of mass media and foreign citizens cannot become proxies.

### **Article 28: The Right of the Observation Mission**

1. During the election the following have the right of observation mission:

- 1.1 international organizations,
- 1.2 representatives of foreign countries,
- 1.3 those Non-Governmental organizations of the Republic of Armenia and of foreign countries, whose charter provisions include issues of democracy and protection of human rights and who do not support the candidates or parties

2. The Central Electoral Commission establishes the procedure for performing the observation mission.

#### **Article 29: Accreditation of Observers**

1. The organizations and persons mentioned in [Article 28](#) of this Code can perform observation after having been accredited with the Central Electoral Commission.

2. Requests for accreditation are presented to the Central Electoral Commission starting from the day of assignment of elections, but not later than ten days prior to the day of voting.

3. The Central Electoral Commission issues the credentials for performing of observation to the relevant organization not later than seven days after the request has been received.

4. If the large number of the organizations that have applied for observation can create technical difficulties for voting and vote count at the precinct centers, then the priority is given to those organizations, that guarantee the conduct of observation on all the territory of the Republic of Armenia.

5. In case if the observers, after having been accredited, support any candidate or party, the Central Electoral Commission has the right to deprive the relevant organization of the observation rights.

**Article 30: Rights, Responsibilities and Guarantees of Activity of Proxies, Domestic and International Observers (Hereinafter Observers), and the Representatives of Mass Media**

1. Proxies, Observers, and the Representatives of Mass Media have the right to:

1.1 be present at the sessions of electoral commissions, and during the voting – at the precinct center;

1.2 get familiarized, without impediments, with the electoral documents, ballot specimens, decisions of electoral commissions, protocols of the sessions, to receive their copies and to make excerpts;

1.3 appeal the decisions, actions or inaction of electoral commissions.

2. Proxies, observers, and the representatives of mass media have no right to intervene in the work of electoral commissions.

3. One proxy of each candidate and party, running in National Assembly proportional elections, can attend, with an advisory vote, the session of the electoral commission, and during the voting.

4. On the day of voting proxies and observers monitor the work of electoral commission. To that end they can present their remarks and proposals to the Chairman of the Commission, who then takes appropriate measures.

5. No restriction of the rights of proxies, observers, and representatives of mass media is allowed.

6. Proxies, observers, and representatives of mass media cannot be subjected to liability for their opinion expressed on the course of elections and summarized results.

**SECTION TWO: ELECTORAL COMMISSIONS**

## **CHAPTER SEVEN: THE SYSTEM OF ELECTORAL COMMISSIONS, THE STATUS OF MEMBERS OF ELECTORAL COMMISSIONS**

### **Article 31: The System of Electoral Commissions**

During elections Central Electoral Commission, Regional (for Yerevan – City, hereinafter - Regional) and Precinct Electoral Commissions are formed in the Republic.

### **Article 32: The Electoral Commissions**

1. The electoral commissions ensure the realization and the protection of citizens' electoral rights. During the performance of their authorities, the electoral commissions are independent from the state and local self-governing bodies.

2. Central and Regional Electoral Commissions function on a permanent basis.

3. The decisions of electoral commissions, adopted within the framework of their authorities, are binding.

### **Article 33: Status of the Members of Electoral Commissions**

1. Members of electoral commissions are exempt from military call-ups and training exercises, and in the period of the national elections – from conscription.

2. During national elections members of electoral commissions can be subjected to administrative or criminal liability by court order, only upon the consent of the Central Electoral Commission.

3. The Chairman of the Central Electoral Commission, the Deputy Chairman and the Secretary work on a permanent basis and have no right to perform other paid work, except for scientific, academic and creative work.

4. The authorities of the Central and Regional Electoral Commissions are in force until the formation of new Central and Regional Electoral Commissions.

5. Members of electoral commissions have the right to get familiarized beforehand with the issues and documents presented for discussion at the commission, to make speeches at commission sessions, to present proposals and require voting to that end, to pose questions to the commission members and get full answers.

6. Members of electoral commissions shall carry out the instructions of the commission chairman, released within the latter's authorities.

7. Members of the superior electoral commission, upon the request of the chairman of the relevant commission, have the right to participate in the session of a subordinate electoral commission with an advisory vote, and be present at the precinct center on the day of voting.

8. In the period of their activities members of electoral commissions can be free from fulfillment of their productive or service duties.

9. Payment of members of electoral commissions, as well as their staff is covered from the means of the state budget. The salary of the Chairman of the Central Electoral Commission is equal to that of the Chairman of the Court of Cassation. The salary of the Deputy Chairman of the Central Electoral Commission is equal to that of the Chairman of the Chamber of the Court of Cassation. The salary of the Secretary of the Central Electoral Commission is equal to that of the judge of the Court of Cassation. The salary of the members of the Central Electoral Commission and the salary of the Chairman of the Regional Electoral Commission, in the period of the national elections, is equal to that of the judge of the Court of Cassation. The salary of members of Regional Electoral Commissions and the salary of Chairman, Deputy Chairman and Secretary of the Precinct Electoral Commission, in the period of the national elections, equals to ten minimum salaries. The salary of the Chairman, Deputy Chairman and Secretary of the Regional Electoral Commission equals to ten minimum salaries. The salary of the Chairman, Deputy Chairman and

Secretary of the Precinct Electoral Commission, in the period of National Assembly majority by-elections and elections of local self-governing bodies, equals to ten minimum salaries. The salary of the members of Precinct Electoral Commissions is preserved during the elections.

## **CHAPTER EIGHT: THE FORMATION OF ELECTORAL COMMISSIONS**

### **Article 34: Principles for Formation of Electoral Commissions**

1. Citizens of the Republic of Armenia, who have the right to vote, are included in the electoral commissions.
2. Information about the composition of electoral commissions is published in the procedure established by the Central Electoral Commission.
3. A citizen can be included in only electoral commission.
4. Deputies of the National Assembly, members of the Constitutional Court, judges, employees of the Ministry of Internal Affairs and National Security, Ministry of Defense, Prosecutor's Office, proxies, observers, candidates, employees of banking system and foreign organizations cannot be members of electoral commissions.

### **Article 35: Procedure for Formation of the Central Electoral Commission**

1. The Central Electoral Commission is composed of:
  - 1.1 three persons appointed by the Government;
  - 1.2 one member of each of the parties and Party Alliances that have presented at least 30 thousand valid signatures of support for their nomination and submitted a bid to participate in National Assembly proportional elections, and having factions in the current or dissolved National Assembly; If a Party Alliance, which has a faction in whether current or dissolved National Assembly, does not submit the bid to participate in proportional elections with

all its members (as an Alliance), then the right of the above mentioned Alliance to elect a member of Central Electoral Commission will in this case be exercised by one of the member parties of the Alliance recommended by the Chairman of the Alliance (Faction);

1.3 one member of each of the first five parties that have presented at least 30 thousand and more valid signatures of support for their nomination to run in the National Assembly proportional elections, and not having parliamentary factions in the current or dissolved National Assembly. In case, when due to the equal number of valid signatures, the vacant seats allocated to the parties in the electoral commissions are not filled, then the vacancies in the commission are filled by means of drawing a lot between the parties that have the right to appoint members for commissions, and have collected utmost number of valid signatures, and are coming next in the list of parties running.

2. If a member party of Alliance, which has a faction in whether current or dissolved National Assembly, submits a separate bid to participate in National Assembly proportional elections, such party may appoint a member of Central Electoral Commission, in compliance with Par. 1, point 3 of this article.

3. If a party, which has the right determined in Par.1, point 2 of this article, forms an Alliance with another party to participate in National Assembly proportional elections, it will still preserve the right to appoint a member of Central Electoral Commission, as determined in Par.1, point 2 of this article.

4. The new Central Electoral Commission is formed and accepts its authorities on the second day of the expiration of the term envisaged for the registration of the party list, running for the National Assembly proportional elections.

5. The members nominated for the Central Electoral Commission are appointed and removed respectively by the party (faction) that has nominated them or the Government.

6. The composition of the Central Electoral Commission is announced by the Chairman of the current Central Electoral Commission. The activities of the Central Electoral Commission are supervised by the Chairman of the Commission or by his/her assignment – the Deputy Chairman. The Central Electoral Commission elects the Chairman, Deputy Chairman and the Secretary of the Central Electoral Commission at its first meeting. The first session of the Central Electoral Commission commences in the administrative building of the Central Electoral Commission, on the first day of the formation of the Central Electoral Commission, at 12:00 p.m. and can go on until 12:00 a.m. The Chairman of the previous Central Electoral Commission chairs the first session.

7. The right to nominate candidatures for the position of the Chairman of the Central Electoral Commission belongs to the members of the Central Electoral Commission.

8. If one candidate has been running for the position of the Chairman of the Central Electoral Commission, he/she is considered as elected, if he/she has received more than half of the votes cast.

9. If two candidates have been running for the position of the Chairman of the Central Electoral Commission, the candidate, who has received more votes, is considered as elected.

10. If more than two candidates have been running for the position of the Chairman of the Central Electoral Commission, and none of them has received more than half of the votes cast, repeated voting is held between the candidates, that have received more votes.

11. In the event if no Chairman is elected at the first session of the Central Electoral Commission in the established procedure, within three days Government appoints the Chairman of the Central Electoral Commission from among the members of the Central Electoral Commission.

12. The election of the Deputy Chairman and the Secretary of the Central Electoral Commission is held in the procedure envisaged for the election of the Chairman of the Central Electoral Commission by this Article.

### **Article 36: Procedure for Formation of Regional Electoral Commissions**

1. The Regional Electoral Commission is formed according to the procedure and within dates established for the formation of the Central Electoral Commission.

2. The composition of Regional Electoral Commissions is published by the Chairman of the current Central Electoral Commission.

3. The activities of the Regional Electoral Commissions are supervised by the Chairman of the Commission or by his/her assignment – the Deputy Chairman.

4. The Regional Electoral Commission elects the Chairman, Deputy Chairman and the Secretary of the Regional Electoral Commission, from among the members of the commission, at the first session of the Regional Electoral Commission. The first session of the Regional Electoral Commission commences on the first day of the formation of the Regional Electoral Commission, at 12:00 p.m. The Chairman of the previous Regional Electoral Commission chairs the first session.

5. The right to nominate candidatures for the position of the Chairman of the Regional Electoral Commission belongs to the members of the Regional Electoral Commission.

6. The Chairman, Deputy Chairman and the Secretary of the Regional Electoral Commission are elected in the procedure established for the election of the Central Electoral Commission Chairman.

7. In the event if the Chairman of the Regional Electoral Commission is not elected in the established procedure and dates, the Government appoints the Chairman of the

Commission from among the members of the Regional Electoral Commission within three days.

8. The new Regional Electoral Commission is formed and accepts its authorities on the next day of the expiration of powers of the former Regional Electoral Commission.

### **Article 37: Procedure for Formation of Precinct Electoral Commissions**

1. The members of the Precinct Electoral Commission are appointed by members of the respective Regional Electoral Commissions, according to the principle of one member of the Regional Electoral Commission – one member of the Precinct Electoral Commission.

2. For the formation of the Precinct Electoral Commission in the above-mentioned procedure, applications to the Regional Electoral Commission are submitted 21 days and end 18 days prior to the day of voting.

3. In the event if the Precinct Electoral Commissions are not formed in the above-mentioned procedure, the Chairman of the Regional Electoral Commission fills in the vacancies of the commission within three days. The composition of the Precinct Electoral Commission is filled also if after the formation of the commission, in the procedure established by this Code, the number of the members of the commission is:

3.1 less than nine people, in the precinct covering less than 700 voters;

3.2 less than eleven people, in the precinct covering 701 to 1500 voters;

3.3 less than thirteen people, in the precinct covering 1501 to 3000 voters.

4. The first meeting of the Precinct Electoral Commission is opened by the Chairman of the Regional Electoral Commission at the precinct center, on the next day of the

formation of the commission, at 12:00 p.m. and is chaired by the eldest member of the Precinct Electoral Commission.

5. At its first session, the Precinct Electoral Commission elects the Chairman of the commission, Deputy Chairman and the Secretary from within its members.

6. The elections of the Chairmen, Deputy Chairmen and the Secretaries of the Precinct Electoral Commission are held in the procedure established for the election of the Chairman of the Central Electoral Commission, within two days time.

7. In the event if the Precinct Electoral Commission, within the dates established in point six of this Article, does not elect the Chairman of the commission, the Chairman of the relevant Precinct Electoral Commission is appointed by the Chairman of the Regional Electoral Commission, not later than two days after the formation of Precinct Electoral Commissions, from within the members of the relevant commission.

8. Authorities of the Precinct Electoral Commissions are terminated seven days after the official publication of the election results, in case there is no Court dispute over the election results. In the event if there is a Court dispute, the authorities of the Precinct Electoral Commissions are terminated after the court resolution has entered into legal force.

#### **Article 38: Procedure for Early Termination of Powers of the Chairman and the Members of the Electoral Commission**

1. The powers of the Chairman of an electoral commission can be terminated early by the decision of the relevant commission, adopted by at least two-thirds vote of the entire number of the votes cast. The Chairman of an electoral commission can be indicted not later than three days prior to the day of voting. New elections of the Chairman of the commission are conducted in the procedure established by this Code.

2. Powers of members of electoral commissions are terminated ahead of time, if:

- 2.1 he/she has does not any more have the right to vote;
- 2.2 by the party decision (for the case of its appointee);
- 2.3 by the Government's decision (for the case of its appointee);
- 2.4 by the decision of the member of the Regional Electoral Commission (for the case of his/her appointee);
- 2.5 in the event of his/her death;
- 2.6 based on the point ten of [Article 39](#);
- 2.7 based on his/her application of resignation;
- 2.8 if he/she has been conscripted.

3. In the event of early termination of the authorities of members of the electoral commission, vacancies are filled in the procedure established by this Code. With the exception of Precinct Electoral Commissions, the vacancies in commissions are not filled in within three days prior to the day of voting.

4. During the three days preceding the voting and in the period of the process of summarization of the election results, no changes shall be made in the composition of commissions.

### **Article 39: Organization of Activities of Electoral Commissions**

1. Activities of the electoral commission are conducted based on the principle of partnership.

2. Activities of the electoral commission are supervised by the Chairman of the commission, or by his/her assignment – by the Deputy Chairman.

3. For auxiliary works the Chairman of the Central Electoral Commission forms a staff, working on permanent basis, headed by the Secretary of the commission. A similar staff, working on temporary basis, can be created within the Regional

Electoral Commission, upon the consent of the Central Electoral Commission. The Central Electoral Commission determines the amount of the remuneration of the staff.

4. Chairman of the electoral commission decides upon the timetable for holding regular sessions.

5. Extraordinary session is convened by the Chairman of the commission on his/her initiative or upon the written request of at least one-third of the commission members, within the dates fixed out by them. The Chairman informs the members of the commission in writing, on the date of convening the extraordinary session.

6. The session of the electoral commission is competent, if more than half of the commission members are present.

7. The voting is considered as valid, if more than half of the members of the commission have participated in voting. The decision is considered as adopted with more than half of the votes cast. In the event of a parity of votes the vote of the Chairman of the commission (Chair) is decisive.

8. The electoral commissions get a register with numbered pages and sealed by the superior commission, which necessarily includes records on preparation and conduct of elections, with respective dates. The requirements for the registry, as well as the procedure on how they have to be filled out, are established by the Central Electoral Commission.

9. Records about the attendance of the commission members to the sessions of the commission are entered into the registry. The members present at the session of the commission put their signatures under the minutes.

10. The members of the electoral commissions should attend the sessions of relevant electoral commissions. In case of three absences without an excuse, the

relevant commission is entitled to terminate the authority of the member by a decision taken by the of votes of the total number of commission members.

#### **Article 40: Procedures for Adjudication of Decisions, Actions and Inactivity of the Electoral Commission**

1. Decisions, actions and inactivity of the electoral commission, with the exception of the decisions of the Regional Electoral Commission, on the summarization of the results of voting, can be appealed to a superior electoral commission or court, within two days after the publication of the decision, or the action, or the disclosure of the violation of legislation as a result of the inaction, and with the exception of the decisions of the Precinct Electoral Commission, on the voting results, which can be appealed on the day following the voting, until 14:00, if no other date determined by the Code. The superior electoral commission takes a decision about those appeals until the final results of elections are summarized. If no other procedure is established by this Code, the superior electoral commission and the Court of first instance take decisions within five days. With the exception of the elections of the President of the Republic, Deputies of the National Assembly and refusal to register the lists of the parties, based on the proportional system, the rows on declaring the registration void, the Court of first instance takes final decision. Court of appeals takes a decision on those issues within three days, and the cassation Court – within two days.

2. The Court decisions concerning election disputes will come into force right after their publication.

3. The appeals received during five days prior to the day of voting are considered and decisions taken promptly. The decisions of the Regional Electoral Commission on summarization of the results of elections, with the exception of the decisions on summarization of results of the National Assembly majority elections, are appealed to the Central Electoral Commission.

4. The decisions, activities and inactivity of the Central Electoral Commission, with the exception of the decisions on the results of elections of the President of the Republic and the National Assembly proportional elections, can be appealed to the Court.

5. The disputes over the election results, with the exception of those over elections of the local self-governing bodies, are resolved by the Constitutional Court.

6. The voting day is a working day for the employees of courts and the prosecutor's office.

## **CHAPTER NINE: POWERS OF THE ELECTORAL COMMISSIONS**

### **Article 41: Powers of the Central Electoral Commission**

1. The Central Electoral Commission is the body, in charge of organization and oversight of elections, which functions on a permanent basis, guided by the procedure adopted by itself and has the status of a legal person. The Central Electoral Commission

1.1 controls the means of the state budget allocated to it for preparation and conduct of legitimate elections, oversees the provision of electoral commissions with buildings, furniture, other material and technical equipment;

1.2 takes a decision on the order of business for itself and inferior electoral commissions;

1.3 oversees the equal application of this electoral Code;

1.4 establishes the procedure for the compilation of the voter lists in communities;

1.5 oversees the ensuring of equal opportunities established for campaigning through mass media;

1.6 establishes forms of ballots and other election documents, provides the electoral commissions with necessary election documentation;

1.7 publishes instructions on the application of this code and other normative acts, which are obligatory for all electoral commissions preparing and conducting the elections and oversees their fulfillment;

1.8 establishes the procedure for verification and correction of voter lists;

1.9 ensures equal conditions for the pre-election activities for Presidential candidates, parties running in the National Assembly proportional elections, and candidates registered for elections in majority constituencies;

1.10 within its powers takes decisions, that are mandatory for all state and local self-governing bodies, NGOs, parties, institutions, enterprises and organizations, as well as for officials;

1.11 considers the applications and complaints on decisions and actions of electoral commissions, reviews or eliminates the decisions of commissions, which contradict the Code and the decisions taken by superior Electoral Commissions;

1.12 hears the reports of electoral commissions and relevant state bodies on preparation and conduct of elections;

1.13 accredits the representatives of mass media, registers the representatives of foreign countries as observers, NGOs, international organizations, and on the basis of the submitted lists, issues them certificates;

1.14 approves the forms of ballot boxes;

1.15 approves the forms of seals of electoral commissions, orders them and allocates to the electoral

commissions, establishes the procedure for the return of the seals after the elections;

1.16 registers and issues certificates to the persons nominated as candidates for the President of the Republic; in the cases envisaged by the law rejects, recognizes their registration as out of force or invalid; provides the registered candidates for Presidency or their proxies with a sufficient number of certificates;

1.17 registers the parties and initiative groups nominating a candidate for the President of the Republic;

1.18 organizes the publication of biographical data of the nominated candidates for the President of the Republic;

1.19 in the event of the availability of bases envisaged by the law recognizes the presidential election as invalid or not held, makes a decision about his/her election;

1.20 summarizes and approves the results of the elections of the President of the Republic, the National Assembly proportional elections;

1.21 registers parties, which have submitted application on running in the National Assembly proportional elections and publishes the lists of candidates nominated by them;

1.22 registers Deputies elected to the National Assembly and issues them a certificate of the Member of Parliament;

1.23 assigns by-elections of the National Assembly of the Republic of Armenia;

1.24 applies to the relevant competent state bodies in cases of violation of this Code;

1.25 resolves other matters related to the application of this Code;

1.26 establishes the procedure for organization of training, organizes the training of the members of electoral commissions;

1.27 establishes the procedure for drawing a lot in electoral commissions;

1.28 numbers the majority constituencies of the National Assembly;

1.29 establishes the order of business in connection with the pre-election fund and the electoral deposit;

1.30 realizes other powers envisaged by this Code.

2. If the constituency includes communities belonging to more than one region, at least 65 days before the day of voting the Central Electoral Commission determines the Regional Electoral Commission in charge of organization and conduct of elections in that particular community.

3. After each national elections, in 90 days period, the Chairman of the Central Electoral Commission, or upon his request, one of the members of the Central Electoral Commission makes a statement in the National Assembly on the organization and conduct of elections.

#### **Article 42: Powers of the Regional Electoral Commissions**

1. The Regional Electoral Commission functions on a permanent basis, and in accordance with the procedure adopted by the Central Electoral Commission has the status of a legal person. Regional Electoral Commission

2. Organizes the training of the persons included in Precinct Electoral Commissions;

3. Controls the means of the state budget allocated for the preparation and conduct of elections;

4. Upon the presentation of the community head approves the precincts, stating the latter's place of voting (precinct center). This information is transferred to the Central Electoral Commission within 2 days;
5. In conformity with the procedure established by the Central Electoral Commission determines the consecutive numbers of constituencies of precincts and local self-governing bodies;
6. Provides the Precinct Electoral Commissions with necessary material and technical means, election documentation; in the established procedure organizes events required for preparation and conduct of elections, oversees the provision of the Precinct Electoral Commissions with buildings, furniture, means of transportation, communication and other necessary means.
7. Informs the Central Electoral Commissions on its own activity and that of the Precinct Electoral Commissions;
8. Considers applications and complaints received about the decisions and actions of Precinct Electoral Commissions, reviews or eliminates the decisions of Precinct Electoral Commissions that contradict this Code;
9. Makes public the preliminary results of elections by precincts, based on the data of protocols of Precinct Electoral Commissions;
10. Clarifies and summarizes the election results and submits them to the Central Electoral Commissions, and in the cases envisaged by the law – conducts verification;
11. Declares the day of elections to local self-governing bodies;
12. Follows the compilation of voter lists by the community head and their display in precincts for public inspection;

13. Ensures the preparation of precinct centers, voting booths, ballots, as well as other means required for voting;

14. Accredits the representatives of mass media that have submitted applications;

15. Registers the candidates running in National Assembly majority elections and issues them a certificate of the sample approved by the Central Electoral Commission; in the cases envisaged by the law recognizes their registration as out of force or invalid; issues to representatives of candidates nominated for the community head or council member, certificates of proxies, in the amount envisaged by the law;

16. Registers and issues certificates to the candidates nominated for the community head and council member;

17. Clarifies, summarizes and approves the results of elections to local self-governing bodies; in the cases prescribed by the law conducts verifications, recognizes the elections as held, invalid or not held;

18. Summarizes the results of the elections of the community head and council member;

19. Issues certificates to the elected community heads and council members;

20. Clarifies and summarizes the results of the presidential elections, the National Assembly proportional and majority elections, as well as the results of elections to local self-governing bodies, and with exception of the results of the elections to local self-governing bodies, submits them to the Central Electoral Commission;

21. Oversees the process of implementation of this Code by Precinct Electoral Commissions;

22. Applies to competent state bodies in the event of violation of this code;

23. Performs other powers envisaged by this Code.

#### **Article 43: Powers of Precinct Electoral Commissions**

##### 1. The Precinct Electoral Commission

1.1 controls the means of the state budget allocated to it for the preparation and conduct of elections;

1.2 organizes the voting, summarizes its results at the precinct and submits them to the Regional Electoral Commission;

1.3 resolves the issue of disputed ballots by a vote;

1.4 creates conditions for the free conduct of elections at the precinct, ensures the procedure for voting established by this Code;

1.5 applies to competent state bodies in the event of violation of this code;

1.6 implements other powers envisaged by this code;

2. Precinct Electoral Commissions operate on the basis of regulations adopted by the Central Electoral Commission.

#### **Article 44: Submission and Receipt of Election Documentation at Electoral Commissions**

1. Election documentation are submitted and received in the electoral commissions by making records in registers, with the signatures of the submitting and receiving persons, and by issuing a receipt.

2. For preparation and conduct of elections electoral commissions are supplied with ballots, forms, other documentation, stationery, and other materials – the

responsible person for their receipt, transfer and preservation being the Chairmen of relevant electoral commissions.

3. After the summarization of election results and compilation of relevant protocols, all election documents are immediately transferred from precincts to the Regional Electoral Commission.

4. All the election documentation, with the exception of the documentation on elections of the local self-governing bodies, after the final summarization of election results are transferred from Regional Electoral Commissions to the Central Electoral Commission. The Central Electoral Commission ensures the preservation of the above-mentioned documentation, and two months after the election official results are announced – and in the case of a Court dispute, after the final decision has been made – submits them to the state archives of Armenia for preservation in the established procedure.

5. Within 2 months after the announcement of official results of elections to the local self-governing bodies, – and in the case of a Court dispute, after the final decision has been made – the Regional Electoral Commission submits them to the state archives of Armenia for preservation in the established procedure.

#### **Article 45: Cooperation between Electoral Commissions and the Law Enforcement Bodies**

The national and regional bodies of the Ministry of Interior Affairs and National Security, their services and subdivisions shall ensure the natural course for conducting the elections, the unhindered activity of electoral commissions and their members, and support the commissions, upon the commissions' request, for the establishment of due order during the events related to elections.

### **SECTION THREE: VOTING SUMMARIZATION OF THE VOTING**

#### **CHAPTER TEN: ORGANIZATION OF THE VOTING**

#### **Article 46: The Venue and Time of the Voting**

The voting is held at the precinct centers from 8:00 a.m. until 8:00 p.m. The citizens that are in the voting rooms at 8:00 p.m. but have not voted yet, have the right to vote.

#### **Article 47: The Room for Voting**

1. The voting is held in a room furnished for that purpose on the basis of one room per one precinct. The room for voting shall be as spacious building as possible and meet the following requirements:

1.1 enable the simultaneous normal work of all the members of the electoral commission, proxies, and observers, during the whole process of voting;

1.2 enable all the members of electoral commission, proxies, and observers to have within their sight the voting booths, the ballot box, as well as the entrance and exit of the voting booths, and the area between them and the ballot box.

2. The furnishing of the room for voting ends at least 24 hours prior to the beginning of the voting.

#### **Article 48: Voting Booths (Rooms)**

1. Voting booth (Room – hereinafter, voting booth) shall be furnished in a way, so that the citizens can fill in the ballots privately from the persons present at the precinct center.

2. A table shall be installed in the voting booth with a pen on it. The voting booth shall have sufficiently lighting.

3. Booths are furnished for voting, at least one booth or one room for each 750 voters.

4. Voting booths shall be situated in the area between the tables for handing out the ballots and the ballot box.

#### **Article 49: Ballots, Ballot Box, and Seals of Electoral Commissions**

1. The Central Electoral Commission approves the specimens of ballots, ballot boxes and seals of the electoral commissions. During the voting each citizen gets equal number of ballots.

2. In the event of holding different elections simultaneously the ballots are prepared in a manner, so that they obviously differ from each other.

3. The Central Electoral Commission establishes the form of the ballot and the text on it. The ballots shall be printed on non-transparent paper.

4. The family name, first name and party affiliation (names of parties and alliances) are mentioned on the ballot in the alphabetical order.

5. Each ballot shall contain a note on the procedure for marking the ballot.

6. The line "against all" shall be written after the candidates (names of parties) in the ballot, with a rectangle on the right, for making the mark.

7. Ballots are prepared not early than ten days and not later than three days prior to the voting.

8. The seals of electoral commissions are prepared by the order of the Central Electoral Commission, according to the specimen approved by the Central Electoral Commission.

9. The seals of Precinct Electoral Commissions shall have four-digit numbers.
  
10. The Central Electoral Commission wraps the seals of Precinct Electoral Commissions in non-transparent parcels, seals them without making any marks on them, and not earlier than five days and not later than three days prior to the day of voting hands them out to Regional Electoral Commissions, counting solely the number of the seals given away, on the principle of one precinct – one seal.
  
11. The parcels are numbered and sealed in the Regional Electoral Commission. On the day prior to the day of voting, the Regional Electoral Commission gives the parcels to the Chairmen of Precinct Electoral Commissions, one packed seal to each.
  
12. Within 15 days after the day of voting, Chairmen of the Precinct and Regional Electoral Commissions, return the seals, according to the procedure established by the Central Electoral Commission.

#### **Article 50: Preparation for Voting**

1. The Precinct Electoral Commissions are in charge of preparing the voting.
  
2. The Chairman of the Precinct Electoral Commission shall ensure the implementation of the requirements envisaged by this Code during the voting, and to establish a good order at the precinct center.
  
3. Tables for registration of voters, handing out ballot to voters, sealing the ballots, and for the conduct of oversight on the ballot, shall be installed at precinct centers.
  
4. The ballot box is installed in a place visible for the persons authorized to be present at the precinct.
  
5. The Precinct Electoral Commission shall install a signboard at the precinct center or at the entrance of the precinct center, with ballots specimen filled in.

6. On the day of voting, the electoral lists of the parties nominated for the National Assembly proportional elections, shall be displayed in a visible place at the precinct.

#### **Article 51: Organization of Voting in Diplomatic and Consular Missions**

Citizens of the Republic of Armenia who have the right to vote, that live or are in the foreign countries, can participate in the elections of the President of the Republic, the National Assembly proportional elections, at the diplomatic and consular missions of the Republic of Armenia. Seven days prior to the day of voting, the Central Electoral Commission forwards through the Ministry of Foreign Affairs to the diplomatic and consular missions of the Republic of Armenia, data on the registered candidates for the President of the Republic and electoral lists of the parties registered for the National Assembly proportional elections, the specimens of ballots, electoral and other documents. The head of the diplomatic or consular mission ensures the preparation of ballots, in conformity with the requirements of this code. The head of the diplomatic or consular mission of the Republic of Armenia, according to the procedure established by this code and the Central Electoral Commission, prepares, organizes and conducts the elections, summarizes the voting results, compiles a protocol, and forwards without delay that information officially to the Central Electoral Commission. That protocol, together with the electoral documentation is sealed and forwarded by a special pouch to the Central Electoral Commission.

#### **Article 52: Organization of Voting for Arrested and Detained Citizens**

1. The arrested citizens participate in elections at the precinct organized at the place of their registration. The procedure for participation in the elections of arrested citizens is established by the Central Electoral Commission.

2. The heads of the institutions that have the authority to keep detainees, prepare, organize and conduct elections in the procedure established by this Code and the Central Electoral Commission.

## CHAPTER ELEVEN: VOTING PROCEDURE

### **Article 53: Beginning of the Voting**

1. On the day prior to the day of voting the Precinct Electoral Commission selects at its session, by drawing a lot, the three members in charge of signing the ballots, who then have to sign all the ballots until 8:00 p.m. (the signatures are put on the back side of the ballot). The signed ballots are kept in a special fire-proof safe. The procedure of preservation of ballots is determined by Central Electoral Commission.

2. At 7:00 a.m. on the voting day, the Precinct Electoral Commission selects at its session, by drawing a lot, the members of commission, in charge of registering the citizens (one member per each 1000 voters), the members in charge of handing out ballots to voters (one member per each 1000 voters), the two members for overseeing the ballots, and those two in charge of sealing the ballots, as well as takes a decision on the timetable of their shifts. The Chairman and the Deputy Chairman of the commission do not participate in the drawing.

3. At 8:00 a.m. on the voting day, the Chairman of the Precinct Electoral Commission declares the precinct open, afterwards, in the presence of the commission members (persons authorized to be present at the voting can also be present) he/she opens the packed seal, verifies that the ballot box is empty, closes the ballot box and seals it. Then in the presence of the persons authorized to be present there, he/she opens the safe with the ballots and submits the counted ballots to the persons responsible for handing out the ballots, and the voter lists – to the persons responsible for the voter registration, making relevant notes in the registry.

### **Article 54: Access to the Precinct Center**

1. The military and the servicemen of the Ministry of Internal Affairs and National Security enter the precinct center not in a marching line, unarmed. Access to the precinct centers with arms and ammunition is prohibited, with the exception of cases

of endangering the normal course of the elections. In those cases the Chairman or the Deputy Chairman of the Precinct Electoral Commission permits the entry into the precinct center.

2. Apart from the members of Precinct Electoral Commission and the voters, candidates' proxies, observers, representatives of mass media and members of superior electoral commissions can be present at the precinct center.

3. After having voted the voter shall promptly leave the precinct center.

4. In order to ensure the normal course of the voting the Chairman has the right to allow the voters to enter the voting room one by one. Not more than fifteen voters can be present in the voting room simultaneously.

#### **Article 55: Registration of Voters**

1. Every voter having arrived for voting is registered in the list, by the commission member responsible for registration.

2. The commission member responsible for the registration verifies the identification documents, finds his/her name, family name and the consecutive number in the voter list, fills in the data of the identification documents in the voter list, and the voter signs in front of the data. In case if the voter cannot independently sign in the voter list, he/she has the right to apply for getting assistance from another citizen, with the exception of the members of the commission and proxies.

3. Passport, document replacing the passport, the military certificate for the military officers and servicemen, and for other militaries – the military document, are the identification documents.

#### **Article 56: Voting**

1. Immediately after the registration, the member of the commission responsible for allocation of the ballots to the voters, hands the ballot out to the voter.
2. The member of the commission responsible for sealing the ballots seals them. The seal shall not come out of the limits of the ballot.
3. The voter marks the ballot in privacy in the voting booth or the room. The presence of any other person in the voting booth or room while the ballot is being marked, is forbidden.
4. In case the voter feels that he/she has marked the ballot wrongly, he/she can apply to the Chairman of the Commission, and in case of his absence – to the Deputy Chairman, to be allocated a new ballot. The commission member allocating a new ballot, makes an appropriate note in front of the name of the voter in the voter list. The spoilt (damaged) ballot is promptly cancelled, upon which an appropriate protocol is compiled.
5. The voter has no right to declare who he/she is going to vote for or against/has already voted for or against. It is prohibited to inquire in any way, as to who the voter has voted for or against.

#### **Article 57: Procedure for marking the Ballot**

1. The voter makes a note in the ballot in front of the name of the candidate (party), whom he/she is voting for. If the voter is against all the candidates (parties), he/she makes a note on the line “ I'm against all” , after the names of candidates (parties).
2. When voting for one candidate (party), the voter makes a note in front of the words “ I'm for” , if he/she votes for, and in front of the words “ I'm against” , if he/she votes against.
3. Citizens, who are unable to fill in the ballot independently, have the right to invite another person into the voting booth, who shall not be a proxy or a member of the

electoral commission. Except for the above-mentioned case, the presence of other persons in the voting booth while filling in the ballot is prohibited.

4. The voter takes the four-folded ballot out of the voting booth or the room, and approaches the commission member responsible for the ballots. The latter verifies the identification document and making sure of the identity of the voter and his/her being registered in the district where the Precinct Center is located, opens the ballot box slot enabling the voter to drop the ballot in the ballot box.

5. During the voting, all cases of violation of the voting procedure established by this Code, upon the request of two members of the commission or two proxies, as well as all the decisions of the Precinct Electoral Commission are recorded in the register.

#### **Article 58: Invalid Ballots**

1. Ballots containing votes for more than one candidate (party), ballots containing notes supporting one candidate (party) and at the same time in the “ I'm against all” line, in case when one candidate (party) is running, and there are notes in front of both “ I'm for” and “ I'm against” words, ballots without any notes, ballots with unnecessary notes and remarks are considered as invalid.

2. Unsealed and unsigned ballots are considered as invalid.

3. The electoral commission settles the matter of disputable ballots by means of voting.

#### **Article 59: Ballots of Not Approved specimen**

1. Ballots differing from the approved specimen are considered as not corresponding to the approved specimens. The electoral commission settles the matter of disputable ballots by means of voting.

2. When the results of elections are summed up, ballots of not approved specimen will not be taken into account.

## **CHAPTER TWELVE: SUMMARIZATION OF THE ELECTION RESULTS, PROCEDURE FOR DETERMINING THE INACCURACIES**

### **Article 60: Procedure for Summarization of the Results of Voting and Determining the Inaccuracies at Precincts**

1. The Chairman of the Precinct Electoral Commission bans the access of voters to the precinct center at 8:00 p.m., enables the voters at the precinct center to vote, closes the ballot box slot, invites asks all the persons not entitled to attend the sessions of the Precinct Electoral Commission out, and closes the precinct center. After these steps are performed the Precinct Electoral Commission starts the session for summarization of the voting results. For that purpose:

1.1 unused ballots, wrongly marked by voters ballots and returned ballots are counted, cancelled in the procedure established by the Central Electoral Commission, and sealed;

1.2 the total number of voters is counted based on voter lists;

1.3 the number of voters, that have received ballots, based on the signatures available in the voter list is counted; afterwards the above-mentioned lists are sealed;

1.4 the ballot box is opened.

2. The Chairman of the commission takes one ballot out of the ballot box, declares not approved specimen of the ballot, the validity or invalidity of the ballot, and in case the ballot is valid ballot – also who it is voted for. Upon request he/she shall pass the ballot to the other members of the commission. In case a commission member disagrees with the opinion of the Chairman, he/she submits an objection. It is put to vote. In the event of the objection, based on the voting results, and in case of no objection, in accordance with his/her statement the Chairman puts the ballot in the

pack of ballots for the particular candidate (party), "against all", or "invalid" ballots, after which takes the next ballot out of the ballot box. This action is repeated for all the ballots available in the ballot box. During the implementation of the assortment of the ballots the members of the commission are banned from making notes, as well as having pens, pencils or other objects for making notes.

3. After the assortment of all the ballots available in the ballot box the Chairman, in the presence of the members of the commission, one by one counts the invalid ballots, ballots with votes against all, as well as the votes given for each candidate (party). Based on the results, the total number of valid ballots of approved specimen and of votes given for the candidates is counted. The counted and assorted ballots are wrapped and sealed, in the procedure established by the Central Electoral Commission.

4. Afterwards the Precinct Electoral Commission, based on the data of the precinct summarization protocol, compiles a protocol on the amount of inaccuracies. The commission decides the amount of inaccuracies in the following way:

4.1 compares the number of ballots given to the Precinct Electoral Commissions, with the total number of the ballots in the ballot box and the cancelled ballots. The difference is noted as the amount of first inaccuracy;

4.2 compares the number of signatures in the voter lists with the number of the ballots in the ballot box. The difference in absolute number is noted as the amount of second inaccuracy;

4.3 the amounts of inaccuracies mentioned in sub-points one and two of this point are added. The total is the amount of inaccuracies at that precinct;

5. Each activity envisaged in the points three and four of this Article are carried out in the order mentioned, and each action is carried out after the previous one is over, and a protocol has been compiled. On each of the mentioned actions a separate protocol, in two copies, is compiled and signed by the members of the commission

attending the session, one of the copies being wrapped and sealed together with documents serving as a basis.

### **Article 61: Precinct Protocols**

1. The protocol of summarized results of voting includes:

- 1.1 the total number of voters according to voter lists;
- 1.2 the number of the registered voters, that have received ballots according to signatures;
- 1.3 the number of ballots allocated to the Precinct Electoral Commission;
- 1.4 the number of cancelled ballots;
- 1.5 the number of valid ballots in the ballot box;
- 1.6 the number of invalid ballots;
- 1.7 the total number of the ballots in the ballot box;
- 1.8 the number of the ballots cast against all candidates (parties);
- 1.9 the number of votes cast for each of the candidate (party);
- 1.10 the total number of votes cast for candidates (parties).

2. The figures, that are counted and registered in the protocol, are declared loudly.

3. The protocols are signed by the members of the commission attending the session; it is sealed by the Chairman of the commission. If any member of the commission has a special opinion on the data of the protocol, he/she makes a remark next to his/her signature and submits his/her written opinion, which is attached to the protocol.

4. If a member of the commission refuses to sign the protocol, a protocol thereof is compiled and attached to the summarization protocol of the voting results.

5. From the end of the voting until the compilation of the protocol on the inaccuracies, the session of the Precinct Electoral Commission cannot be interrupted.

6. At the end of the session, but not later than 12 hours after the end of the elections, the Chairman of the commission publishes the results of the voting.

7. Upon the request of the proxy of a candidate (party) or an observer they are provided with copies of the Precinct summarization protocol, ratified by the signature of the Chairman of the commission or the Secretary and the seal of the commission.

8. Copies of the summarization protocol and the protocol on the inaccuracies are displayed at the precinct center, in a visible place. Afterwards the Chairman of the Precinct Electoral Commission submits one copy of the summarization protocol and the protocol on the inaccuracies, and the sealed package of ballots promptly submits to the relevant Regional Electoral Commission, in conformity with the procedure established by the Central Electoral Commission.

#### **Article 62: Procedure for Summarization of the Precinct Summarization Protocols at the Regional Electoral Commissions**

1. Based on the summarization protocols of Precinct Electoral Commissions, the Regional Electoral Commission summarizes the preliminary results of the elections in the Region, the number of votes cast for each candidate in the region, the total turn-out, and the amount of inaccuracies.

2. Not later than within 22 hours after the voting has been completed, the preliminary results of elections are recorded, published by the Chairman of the Regional Electoral Commission, and are officially forwarded to the Central Electoral Commission.

3. Not later than within 48 hours after the completion of voting, and in case of complaints in the Court, or Regional Electoral Commission on the results of voting in

the precincts – within four days, the Regional Electoral Commission compiles summarization protocol of the election results in the Region, entering:

- 3.1 the total number of voters by voter lists;
- 3.2 the number of the registered voters, who have received ballots, according to the signatures;
- 3.3 the number of ballots, allocated to the Precinct Electoral Commissions;
- 3.4 the number of cancelled ballots;
- 3.5 the number of valid ballots in the ballot boxes;
- 3.6 the number of invalid ballots;
- 3.7 the total number of the ballots in the ballot box;
- 3.8 the number of the ballots cast against all candidates (parties);
- 3.9 the number of votes cast for each of the candidate (party);
- 3.10 the total number of votes cast for candidates (parties);
- 3.11 the amount of inaccuracies.

4. The summarization protocols of the election in the Region are signed by the members of the commission attending the session; it is sealed by the Chairman of the commission. If any member of the commission has a special opinion on the data of the protocol, he/she makes a remark next to his/her signature and submits his/her written opinion, which is attached to the protocol.

5. If a member of the commission refuses to sign the protocol, a protocol thereof is compiled, which is attached to the summarization protocol of the final results of elections in the Region.

6. The summarization protocol is signed by the members of the commission attending the session; it is sealed by the Chairman of the commission.

7. The results of elections in the region are made public, and the Chairman of the Regional Electoral Commission submits one copy of the relevant protocol together

with all the election documentation left in the Regional Electoral Commission to the Central Electoral Commission.

8. Upon the request of the proxy of a candidate or an observer, they are given copies of the summarization protocol of the elections in the Region, on the election results in the Region, which has to be ratified by the signature of the Chairman of the commission or the Secretary and the seal of the commission.

9. During national elections the Regional Electoral Commission, after voting is completed, has to report to the Central Electoral Commission, at least every three hours, the current election results by Precincts.

10. Upon the written request of two members of the Regional Electoral Commission or the proxy of the candidate (party), the Regional Electoral Commission verifies the conformity of the precinct summarization protocols of the relevant precinct with the factual results of the elections. The members of the relevant precinct commission – authors of the special opinion made during the compilation of the precinct summarization protocol, Chairman of that commission, candidates (parties) and proxies can participate in verifications.

### **Article 63: Procedure for the Summarization of the Election Results at the Central Electoral Commission**

1. Based on the preliminary results of elections received from the Regional Electoral Commissions the Central Electoral Commission, not later than 28 hours after the completion of voting announces the preliminary results of elections, the number of votes cast for each candidate, the total number of the voters and the amount of inaccuracies.

2. Until the announcement of the preliminary results of the elections the session of the Central Electoral Commission is not interrupted.

3. The Central Electoral Commission, whose session can be attended by persons entitled to be present at the session, based on the complete final results of the elections in the Regions, not later than within 72 hours after completion of the voting, and in case of the complaints in the Court, or Regional Electoral Commission on the results of voting in the precincts – within five days, compiles the summarization protocol of the election, entering the overall information and that by Regions:

- 3.1 the total number of the voters by voter lists;
- 3.2 the number of the registered voters, who have received ballots, according to the signatures;
- 3.3 the number of ballots, allocated to the Precinct Electoral Commissions;
- 3.4 the number of cancelled ballots;
- 3.5 the number of valid ballots in the ballot boxes;
- 3.6 the number of invalid ballots;
- 3.7 the total number of the ballots in the ballot box;
- 3.8 the number of the ballots cast against all candidates (parties);
- 3.9 the number of votes cast for each of the candidate (party);
- 3.10 the total number of votes cast for candidates (parties);
- 3.11 the amount of inaccuracies.

4. The protocol is signed by the members of the commission attending the session; it is sealed by the Chairman of the commission.

5. If any member of the commission has a special opinion on the data of the protocol, he/she makes a remark next to his/her signature and submits his/her written opinion, which is attached to the protocol.

6. If any member of the commission refuses to sign the protocol, a note thereof is made in the protocol.

7. Upon the request of the proxy of a candidate (party) or an observer they are provided with a copy of the summarization protocol on election results ratified by the

signatures of the Chairman and the Deputy Chairman of the commission and the seal of the commission.

8. The preliminary summarization protocols of the elections of the President of the Republic and elections to the National Assembly by proportional system are compiled within two hours after the voting is completed.

9. The Chairman of the Central Electoral Commission, or upon his request one of the members of the commission, after the voting is completed, makes a report on the state television and radio, every three hours, on the current results of the elections of the President of the Republic and the elections to the National Assembly by proportional system. Within three hours after taking a decision on the elections of the President of the Republic and the elections to the National Assembly by proportional system, the Chairman of the Central Electoral Commission, or upon his request - one of the members of the commission makes a live report on the state television and radio on final official results of the elections.

## **SECTION FOUR: ELECTIONS OF THE PRESIDENT OF THE REPUBLIC**

### **CHAPTER THIRTEEN: GENERAL PROVISIONS**

#### **Article 64: Electoral System**

1. During the elections of the President of the Republic the entire territory of the Republic of Armenia is considered as a single majority constituency.

2. The President of the Republic is elected by an absolute majority system, and in the second round – by a relative majority system.

#### **Article 65: Requirements for Candidate of the President of the Republic**

1. In accordance with [Article 50 of the Constitution](#) anyone, who has attained the age of thirty-five years, who has been citizen of the Republic of Armenia for the last ten

years, who has been a permanent resident of the Republic of Armenia for the last ten years and has the right to vote.

2. The same person cannot be elected to the office of the President of the Republic for more than two successive terms.

## **CHAPTER FOURTEEN: NOMINATION AND REGISTRATION OF THE CANDIDATE FOR THE PRESIDENT OF THE REPUBLIC**

### **Article 66: The Right to Nominate a Candidate for the President of the Republic**

In the procedure established by Articles [67](#), [68](#) and [69](#) of this Code, parties and citizens have the right to nominate a Candidate for the President of the Republic.

### **Article 67: Nomination of the Candidate for the President of the Republic by Parties**

1. A party nominates a candidate for the President of the Republic by the decision of its permanently functioning body.

2. In the event of the support of the same person's candidature by different parties, party alliances can be set up.

3. Party alliances can be set up in the event of the union of at least two parties supporting the candidature of the same person.

4. In the period of the elections, parties, within a party alliance, cannot join other party alliances.

5. The decision on joining a party alliance is made by the permanently functioning body of the party.

6. The party alliance is registered in the Central Electoral Commission not later than within three days after the submission of the decision of the permanently functioning body of the parties. Each party has the right to nominate one candidate for the President of the Republic.

7. The decision of the permanently functioning body of the party on the nomination of a candidate for the President of the Republic shall include the following data of the candidate nominated:

7.1 family name and first name;

7.2 the year, month and date of birth;

7.3 place of residence;

7.4 place of work and position (occupation);

7.5 party affiliation;

7.6 passport number;

7.7 declaration about his/her private property and his/her and his/her family members' income for the last one year.

8. Together with the submission of the party's decision on the nomination of a candidate for the President of the Republic to the Central Electoral Commission, the charter of the party, which has nominated a candidate for the President of the Republic is also submitted (in the event of the party alliance – the charters of all the parties in the alliance).

9. The permanently functioning supreme body of a party submits to the Central Electoral Commission data of two plenipotentiary representatives for registration (family name, first name, date of birth, passport number, place of work and position (occupation)).

10. The party shall submit the documents on the nomination of a candidate for the President of the Republic mentioned in the points two and three of this Article and data on plenipotentiary representatives to the Central Electoral Commission within the term, established in point one of [Article 89](#) of this Code.

11. The Central Electoral Commission ascertaining the validity of the submitted documents, within five days after the expiration of the term of supporting the nomination gives to the party (party alliance) in the person of their plenipotentiary representatives registered with the Central Electoral Commission, the official papers supporting the nomination of a candidate for the President of the Republic. A protocol on the allocation of the official papers supporting the nomination is compiled.

11.1 A candidate for the President of the Republic is considered as nominated, if at least 35,000 citizens have supported his nomination by signing in the official papers supporting the nomination.

#### **Article 68: Nomination of the Candidate for the President of the Republic by Citizens**

1. At least 100 citizens of the Republic of Armenia can form an initiative group for the nomination of a candidate for the President of the Republic.

2. The initiative group applies in writing to the Central Electoral Commission, with a request for registration, and to this end, besides the application, submits the decision of the meeting on the nomination of a candidate for the President of the Republic, as well as data for two plenipotentiary representatives of the initiative group, as mentioned in [Article 67](#) of this Code and the letters of attorney, as established by the law.

3. The decision of the meeting of the initiative group shall contain the data about the nomination for the candidate for the President of the Republic, mentioned in point seven of [Article 67](#) of this code, as well as the family names, first names, dates of birth, identification document numbers, places of residence and signatures of the members of the initiative group.

4. Upon the submission of the required documents to the Central Electoral Commission the plenipotentiary representatives of the initiative group are handed the

official papers on the support of the nomination in the procedure and dates established in point eleven of [Article 67](#) of this code.

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

**Article 69: Procedure for Collecting Signatures in Official Papers for Supporting the Nomination of Candidates for the President of the Republic**

1. Each official paper supporting the nomination of the candidate for the President of the Republic shall contain the family name, first name, year, month and date of birth, place of residence, place of work and position (occupation) of the nominated candidate.

2. The official paper of the support of the presidential nominee is a numbered booklet printed in a printing house, containing 500 numbered lines for the citizens' family name, first name, place of residence, where the voter is registered, identification document number and the signature. The number of the booklet is mentioned on each page of the official paper.

3. A separate line is set at the bottom of each page of the official paper for the support, for the family name, first name, place of registered residence, passport number and signature of the person responsible for collection of signatures.

4. A separate line is set at the bottom of each page of the official paper for the support for the signature of the person, who has received the official paper of support from the Central Electoral Commission.

5. The plenipotentiary representatives of each party (party alliance) or the initiative group are handed 80 official papers for support of the nomination.

6. Each party or initiative group organizing the nomination of the candidate for the President of the Republic decides itself on the persons that it trusts to collect the signatures – giving them a certificate.

7. Every citizen personally signs in the official paper of support.

8. For the purpose of collecting signatures it is prohibited to give (promise), personally or through other means, money, bonds, food, goods or render (promise) services to citizens free of charge.

**Article 70: Verification of the Validity of Citizens' Signatures in the Official Papers for Supporting the Nomination**

1. When receiving the official papers for the support of nomination the Central Electoral Commission counts the total number of the collected signatures and gives out a receipt to the person authorized to submit the official papers.

2. Falsified signatures and signatures belonging to a person without the right to vote, as well as the signatures of those voters, whose data has been entered onto the official papers wrongly, are considered as invalid.

3. The Central Electoral Commission verifies the validity of signatures by a two per cent selective verification of the actual number of signatures in each booklet. To this end the Central Electoral Commission:

3.1 in the procedure established by itself for drawing a lot receives the numbers of the two per cent of signatures from the total number of signatures available in the given booklet. The protocol thereof contains the numbers of signatures subject to verification in the official paper for the support of each nomination with the data of the citizen;

3.2 as a result of verification a protocol on the invalid signatures shall be compiled, mentioning the number of the official paper, number of signatures and the data of citizens;

3.3 the relationship of valid and invalid signatures in the two per cent of the total number of signatures proportionally extends to the total number of signatures, thus getting the number of valid and invalid signatures within the total number of signatures. A protocol is compiled on the results of the verification.

3.4 upon the request of the candidate or his/her plenipotentiary representative, the copies of all the protocols on the verification of the validity of signatures are promptly handed to him/her.

### **Article 71: The Electoral Deposit of the Nominated Candidate for the President of the Republic**

1. The candidates nominated for the President of the Republic pay an electoral deposit to the Central Electoral Commission account, opened in the Central Bank of the Republic of Armenia, in the amount of 5,000 times the minimum salary, established by the legislation of the Republic of Armenia. In the event of receiving five per cent and more of the votes cast for the candidates, the sum of the electoral deposit is returned within sixty days after the election results are summarized.

2. In the event of receiving less than five per cent of the votes cast for candidates nominated for the President of the Republic the sum of the electoral deposit of the candidate is transferred to the state budget.

3. In the event of recognizing the election as invalid or not held, the sum of the electoral deposit is returned.

### **Article 72: Registration of the Candidate Nominated for the President of the Republic**

1. Each nominated presidential candidate can be registered upon the nomination by one party or by one initiative group.

2. The Central Electoral Commission considers the registration of a candidate nominated for the President of the Republic, if within the term established by points one and two of [Article 89](#) of this Code the following documents have been submitted:

3. official paper for the support of nomination filled out in the procedure established by [Article 69](#) of this Code;

4. the receipt to the citizen nominated to run in Presidential elections, on the payment of the electoral deposit;

5. reference on the citizenship of the Republic of Armenia for the last ten years for the citizen nominated to run in Presidential elections;

6. reference on the permanent residence in the Republic of Armenia during the last ten years for the citizen nominated to run in Presidential elections;

7. the written statement of the nominee on the willingness to be registered as a candidate for the President of the Republic;

8. the declaration of the citizen nominated to run in Presidential elections on his/her private property and his/her and his/her family members' income for the last one year.

9. References mentioned in the sub-points three and four, of point two of this Article are allocated to the citizen nominated for the candidate by the authorized state body, within three days after the application has been presented, in the procedure established by the Central Electoral Commission.

10. Upon the receipt of the documents required for the registration of the candidate for the President of the Republic by the Central Electoral Commission and until his registration, the nominee or his plenipotentiary representative is entitled to attend the session of the Central Electoral Commission, with an advisory vote.

11. The Central Electoral Commission publishes the communiqué on the registration of the candidate for the President of the Republic within three days.

### **Article 73: Denial to Register the Candidate Nominated to run for Presidency**

1. The Central Electoral Commission denies the registration of a presidential nominee, if:

1.1 the restrictions anticipated by the Constitution of the Republic of Armenia extend onto the nominee;

1.2 as a result of the verification, in the procedure established by this Code, the number of valid signatures in the official papers for the support of the nomination of a candidate is less than 35.000;

1.3 documents submitted for registration are falsified.

2. In the event of objection about the registration of the candidate for the President of the Republic, the Central Electoral Commission puts the issue to vote. The registration of a candidate for the President of the Republic is denied by at least with two-thirds vote of the total number of the commission members. In case of no objection the candidate is considered registered.

3. In the event of the denial in registration for Presidential candidate the sum of the electoral deposit is paid back.

### **Article 74: Recognizing the Registration of the Candidate Nominated for the President of the Republic as Invalid**

1. The Central Electoral Commission recognizes the registration of a candidate nominated for the President of the Republic as invalid, by a decision adopted with two-thirds vote of the total number of the commission members, if after the registration, facts are revealed, which extend onto the candidate the restrictions established by point one of [Article 73](#) of this Code.

2. In the event of recognizing the registration of the candidate for the President of the Republic as invalid, the sum of the electoral deposit is paid back.

**Article 75: Procedure for Appealing the Decisions on Denial of Registration, or Recognition of the Registration of the Candidate for the President of the Republic as Invalid**

1. The decision of the Central Electoral Commission on denial of registration or recognition of the registration of the candidate for the President of the Republic as invalid, can be appealed to the Court within three days after the day the decision was taken.

2. Based on the court ruling on recognizing illegal the decision on denial in registration or recognition of the registration of the candidate for the President of the Republic invalid – the person is considered registered or re-registered as a candidate for the President of the Republic.

**Article 76: Recognizing the Registration of the Candidate for the President of the Republic as Out of Force**

1. The registration of a candidate for the President of the Republic shall be recognized out of force, if he/she:

1.1 does not any more have the right to vote;

1.2 has submitted an application on self-withdrawal;

1.3 has died;

1.4 has violated the requirement set forth in point eight of [Article 18](#) of this Code;

1.5 has violated the requirement set forth in point seven of [Article 25](#) of this Code;

2. In the event of self-withdrawal of the candidacy by the candidate in the second round, the candidate that had next maximum number of votes in the first round,

participates in the second round instead of him/her. In case there is no such a candidate, one candidate shall be running for Presidency in the second round.

3. Based on the application of self-withdrawal the registration of the candidate is recognized as out of force, and the sum of the electoral deposit and means left in his/her pre-electoral fund are transferred to the state budget.

4. In the event the registration has been recognized out of force as a result of the death of the candidate the sum of the electoral deposit is transferred to the heirs, and the means left in the pre-election fund – to the state budget.

4.1 In the event of recognizing as out of force the registration of a candidate under point eight of [Article 18](#) and point seven of [Article 25](#) of this Code the sum of the electoral deposit and the means left in the pre-election fund are transferred to the state budget.

## **CHAPTER FIFTEEN: THE STATUS OF CANDIDATE NOMINATED FOR THE PRESIDENT OF THE REPUBLIC**

### **Article 77: Equality of the Candidates for the President of the Republic**

Candidates nominated for the President of the Republic have equal rights and responsibilities.

### **Article 78: Rights and Responsibilities of Candidates for the President of the Republic**

1. From the moment of registration the candidates for the President of the Republic who are in civil service or work in local self-governing bodies, are dismissed from the performance of their professional duties during the election period, and have no right to use the advantage of their office. The President of the Republic of Armenia, or in conformity with the Constitution of the Republic of Armenia, the acting President –

the Chairman of the National Assembly, or the Prime Minister – in the event of being nominated as a candidate for the President of the Republic, continue the performance of their duties, but shall not use the advantage of their office.

2. The person registered as a candidate for the President of the Republic shall be released from military call-ups and training exercises.

3. Within that period the Central Electoral Commission pays to the candidates financial compensation, in the amount of their average salary, from the means allocated for organization and conduct of elections.

4. It is prohibited to fire a candidate for the President of the Republic, transfer to another job, or send on a mission trip, on the initiative of the administration. This term for the candidate is considered as continuation of the profession of the candidate before he/she was nominated.

5. Until ten days prior to the day of voting the candidate for the President of the Republic has the right to withdraw his candidature. In such cases Central Electoral Commission declares the registration of that candidate invalid. Candidate will reimburse all expenses made by the state to finance his nomination and election campaign.

6. Candidates for the President of the Republic cannot be subjected to criminal or administrative liability in court order, without the consent of the Central Electoral Commission. The decision on the mentioned issue is adopted by the Central Electoral Commission with two-thirds of votes of the total number of members of the commission.

## **CHAPTER SIXTEEN: PRE-ELECTION CAMPAIGN OF THE CANDIDATE FOR THE PRESIDENT OF THE REPUBLIC**

### **Article 79: The Pre-Election Fund of the Candidate for the President of the Republic**

1. For the implementation of the pre-election campaign the candidate for the President of the Republic can set up a pre-election fund on his own name or on the name of his plenipotentiary representative in the Central Bank of the Republic of Armenia, which is formed from voluntary contributions set forth in [Article 25](#) of this Code.
2. The amount of the personal contributions of the candidate to the pre-election fund shall not exceed the minimum salary for 10,000 times.
3. The amount of the contributions by the party to the pre-election fund, which has nominated the candidate, shall not exceed the minimum salary for 30,000 times.
4. The amount of expenditures by the candidates from their pre-election funds shall not exceed the minimum salary for 60,000 times.
5. Each physical person can pay voluntary contributions in the amount of up to 200 times the minimum salary, and each legal person – up to 500 times the minimum salary.
6. In the event of being elected as the President of the Republic, as well as in the event of getting more than five per cent of votes cast for the candidate, the sum of the electoral deposit is paid back; after the election, within one month of the official publication of the election results, the means left in the pre-election fund are transferred to the account of the party, upon whose nomination he/she was registered, or they are used for charitable purposes. After the expiration of one month the means left in the pre-election fund of the candidate are transferred to the state budget.
7. In the event of receiving less than five per cent of the votes cast for the candidate, the means left in the election fund of the candidate for the President of the Republic and the electoral deposit are transferred to the state budget.

8. In the event of recognizing the elections as not held, the sum left in the pre-election fund after the elections is frozen until the registration of candidates for the new elections. The candidate registered for a repeated voting can use the means left in the fund from the previous election.

9. The candidates registered to run for President of the Republic have the right to use only the means of their pre-election fund for the pre-election campaign.

10. If a candidate has used means other than those of the pre-election fund for the pre-election campaign, the Central Electoral Commission has the right to apply to the Court, requesting to declare the registration of the candidate out of force. The court takes a decision within five days, and in the period of five days prior to the elections – immediately. In the event of recognizing the candidate's registration as out of force by the resolution of the court, the candidate's name is removed from the ballots, in the procedure established by the Central Electoral Commission.

#### **Article 80: Record of the Financial Means**

1. Acceptance and usage of budgetary means, contributions made to the pre-election funds and expenditures, as established by the procedure of the Central Electoral Commission, is recorded, in conformity with the legislation of the Republic of Armenia.

2. In the procedure established by the Central Electoral Commission within ten days after the elections the candidates and parties present a report to the Central Electoral Commission, on the expenditures from the means of the election fund. Immediately upon the receipt of the reports, the Central Electoral Commission publishes the copies of reports, in the procedure established by the Central Electoral Commission.

3. The Precinct Electoral Commission reports on financial expenditures to the Regional Electoral Commission within ten days after the elections are conducted. The Regional Electoral Commission reports on financial expenditures to the Central

Electoral Commission, within twenty days after the elections are conducted. The Central Electoral Commission reports to the Audit Chamber of the National Assembly of the Republic of Armenia, within sixty days after the elections are conducted.

**Article 81: Pre-Election Campaign of the Candidate nominated for the President of the Republic**

1. The free of charge and paid pre-election campaign of the candidates for the President of the Republic on state TV and radio is carried out in the procedure established by the Central Electoral Commission.

2. The Central Electoral Commission ensures equal opportunities for candidates for the President of the Republic for the use of free of charge and paid live airing time on state TV and radio.

3. A candidate nominated to run for the President of the Republic has the right to use not more than 60 minutes of free airing time on state TV, and not more than 120 minutes of free airing time on state radio.

4. A candidate nominated to run for the President of the Republic, or upon his consent the party or initiative group, that has nominated him have the right to use the paid airing time on state TV for not more than 120 minutes, and on state radio - for not more than 180 minutes, at the expenses of the candidate's pre-election fund.

5. Upon the consent of the candidate for the President of the Republic the party or initiative group, that has nominated him, can also use the airing time.

6. The Central Electoral Commission guarantees 5 minutes of airing time on state TV for each of the candidate on the day prior to the day of voting.

7. The Central Electoral Commission reimburses to the candidates, who have received 25 and more per cent of the votes cast in the elections, fifty per cent of the

costs during the pre-election campaign, from its means allocated for organization and conduct of elections.

## **CHAPTER SEVENTEEN: BALLOTS, SUMMARIZATION OF THE ELECTION RESULTS**

### **Article 82: Ballots**

1. Family names of candidates in alphabetical order, first names, and the name of the nominating party, and in the case of nomination by civil initiative – the words “ civil initiative” , are entered onto the ballot for the elections of the President of the Republic.
2. The ballots for the elections of the President of the Republic are printed and prepared by the order of the Central Electoral Commission.
3. The Central Electoral Commissions hands out the ballots through Regional Electoral Commissions to Precinct Electoral Commissions on the day prior to voting.
4. Ballots are allocated in the amount of five per cent more than the number of the voters in the precinct voter list.

### **Article 83: Summarization of the Election Results**

1. The Central Electoral Commission, based on the results of summarization protocols of elections in regions, in the procedure established by [Article 60](#) of this Code summarizes the election results, and within the time frame established in point three of [Article 63](#) takes one of the following decisions:
  - 1.1 on the election of the President of the Republic;
  - 1.2 on conducting the second round of voting;

1.3 on recognizing the election as invalid and on the non-election of President;

1.4 on recognizing the election as not held and on the non-election of President.

2. The disputes over the decision of the Central Electoral Commission on the results of the elections of the President of the Republic can be appealed to the Constitutional Court of the Republic of Armenia not later than within seven days after the official announcement of the results.

**Article 84: The Decision of the Central Electoral Commission on the Election of the President of the Republic**

1. The Central Electoral Commission adopts a decision on electing the President of the Republic the candidate, who has received more than half of the votes cast for candidates.

2. In the event of one candidate running, he/she is considered as elected, if he/she has received more than half of the votes cast.

**Article 85: The Decision of the Central Electoral Commission on Conducting the Second Round for the Elections of the President of the Republic**

1. If more than two candidates were running, and none of them has received the required number of votes, on the fourteenth day after voting the second round of the election is conducted, with the two candidates having received more votes to be running in it.

2. The candidate, who has received more votes in the second round, is considered as elected.

3. In the event of one candidate running, he/she is considered as elected, if he/she has received more than half of the votes cast.

**Article 86: The Decision of the Central Electoral Commission on Recognizing the Election of the President of the Republic as Invalid**

1. The election of the President of the Republic is recognized as invalid, at any stage, if:

1.1 the amount of inaccuracies influencing the number of votes cast for the candidate has significant impact on election results, i.e. it is impossible to restore the actual election results and determine the elected candidate;

1.2 such violations of this Code have taken place during the preparation and conduct of the elections, which could have influenced the result of the election.

**Article 87: The Decision of the Central Electoral Commission on Recognizing the Election of the President of the Republic as Not Held**

1. The election of the President of the Republic is recognized as not held, if:

1.1 the only candidate running has not received the required number of votes to be elected;

1.2 the elected candidate has died before the summarization of the election results.

**CHAPTER EIGHTEEN: CONDUCTING THE ELECTIONS OF THE PRESIDENT OF THE REPUBLIC**

**Article 88: Time frames for Conducting the Elections of the President of the Republic**

1. The election of the President of the Republic is conducted fifty days prior to the expiration of the term of powers of the President of the Republic.

2. The Chairman of the Central Electoral Commission makes a statement on day of the election of the President of the Republic on state TV and radio not later than 100 days prior to the election day.

3. The day of the election of the President of the Republic is declared a day-off.

### **Article 89: Time frames for Nomination and Registration of the Candidate for the President of the Republic**

1. Documentation required for the nomination of a candidate for the President of the Republic are submitted to the Central Electoral Commission by a party (party alliance) or initiative group not earlier than 90 days and not later than 75 days prior to the election day, until 6:00 p.m.

2. The process for support of the nomination of a candidate is implemented not earlier than 70 and not later than 50 days prior to the election day, until 6:00 p.m. The Central Electoral Commission accepts the documents supporting the nomination until the deadline for supporting the nominations

3. The registration of the candidates is done not earlier than 50 and not later than 30 days prior to the election day.

4. If until the last day of the submission of the official lists of support of the candidates, lists are not submitted for any candidate or are submitted for one candidate only, the deadline for the submission of the official lists of support and the registration of the candidates is extended for five days.

### **Article 90: New Election of the President of the Republic**

1. If the President of the Republic is not elected as set forth in cases in Articles [86](#) and [87](#) of this Code, on the fortieth day after the voting a new election is conducted.

In this case the new election of the President of the Republic is held with another nomination of candidates.

2. In the event of insurmountable obstacles for one of the presidential candidates, the presidential election is postponed for two weeks. If within this term the insurmountable obstacles are not overcome or in case of death of one of the candidates before the voting, new elections are held.

3. The new election is held on the fortieth day after the obstacles have been recognized insurmountable.

#### **Article 91: Extraordinary Elections of the President of the Republic**

In the event of the resignation, death, impossibility of implementation of powers of the President of the Republic, or his impeachment, by the procedure established in [Article 57 of the Constitution](#) of the Republic of Armenia, on the fortieth day of the vacancy in the president's office – extraordinary elections of the President of the Republic are held.

#### **Article 92: Procedure for Conducting New and Extraordinary Elections of the President of the Republic**

1. The new and extraordinary elections of the President of the Republic are held in the procedure established by this Code for the regular election.

2. In cases set forth by the Articles [86](#) and [87](#) of this Code, when holding new as well as extraordinary elections of the President of the Republic at least 20,000 signatures are collected to support of the nomination. For that purpose fifty official papers for the support of the nomination are allocated.

3. The Chairman of the Central Electoral Commission makes a statement on the day of the new and extraordinary elections of the President of the Republic, on state TV and radio not later than 39 days prior to the election day.

**Article 93: Nomination and Registration of Candidates for the President of the Republic, Formation of Electoral Precincts and Precinct centers, Publication of Voter Lists during the Extraordinary Elections of the President of the Republic**

1. Documents required for the nomination of a candidate for the President of the Republic are submitted to the Central Electoral Commission by a party or an initiative group not earlier than 36 and not later than 30 days prior to the election day, until 6:00 p.m.

2. Support of the nomination of a candidate is done not earlier than 28 and not later than 20 days prior to the election day, until 6:00 p.m. The Central Electoral Commission accepts the documents supporting the nomination until the deadline for supporting the nominations.

3. The registration of the candidates is done not earlier than 20 and not later than 12 days prior to the election day.

4. Electoral precincts and precinct centers are formed at least 25 days prior to the election day. The community head submits the voter lists to the head of the institution that administers the building of the precinct center at least 20 days prior to the voting day, who immediately displays them at the precinct center, in a place visible for all.

**SECTION FIVE: ELECTIONS TO THE NATIONAL ASSEMBLY**

**CHAPTER NINETEEN: GENERAL PROVISIONS**

**Article 94: Composition of the National Assembly**

In accordance with [Article 63 of the Constitution](#) of the Republic of Armenia, the National Assembly is composed of one hundred and thirty one deputies.

### **Article 95: The Electoral System**

1. Elections to the National Assembly are held by proportional and majority systems.
2. 56 deputies are elected by proportional system from among the number of candidates nominated for deputy by lists from one multi-mandate constituency, covering the entire territory of the Republic.
3. 75 deputies are elected by majority system – one deputy from one constituency.

### **Article 96: Electoral Right**

1. Every citizen is entitled to one vote at the multi-mandate constituency, and one vote at the single-mandate constituency.
2. A citizen can be nominated exclusively by one list and exclusively at one majority constituency.

### **Article 97: Requirements for a Candidate for Deputy**

1. In accordance with [Article 64 of the Constitution](#) of the Republic of Armenia, anyone who has attained the age of 25 years, has been a citizen of the Republic of Armenia for the last five years, has been a permanently residing in the Republic of Armenia for the last five years and has the right to vote, can be elected a Deputy.
2. Members of the Constitutional Court, judges, Ministers, Deputy Ministers, the Mayor of Yerevan, Deputy Mayor, Governors, Deputy Governors, employees of the Ministry of Internal Affairs and National Security, employees of tax inspection and customs department, employees of the prosecutor's office, the military, and the insurance agents (employees of the social security) cannot be nominated as candidates for deputy to the National Assembly by majority system. The above-mentioned persons can be registered as candidates for the deputy of the National Assembly after they resign from the positions they are holding.

3. Members of the Constitutional Court, judges, employees of the Ministry of Internal Affairs and National Security, employees of tax inspection and customs department, employees of the prosecutor's office, and the military cannot be nominated as candidates for deputy to the National Assembly by proportional system. The above-mentioned persons can be registered as candidates for the deputy of the National Assembly by proportional system after they resign from the position they are holding.

### **Article 98: Constituencies**

1. For conducting the National Assembly majority elections 75 constituencies are formed on the territory of the Republic of Armenia, which shall meet the following requirements:

2. equal number of voters shall be included in the constituencies; up to 15 per cent difference of the number of voters is allowed;

3. constituencies form a unified territory; it is not allowed to include precincts without common borders in one constituency.

4. constituencies are formed and numbered by the Central Electoral Commission, on the basis of the number of voters registered in their regions, which is provided by the Governors. The data is submitted according to the communities, at least 95 days prior to the day of elections.

5. The Central Electoral Commission establishes and publishes the numbered list of the single-mandate constituencies and their scheme, at least 90 days prior to the day of elections.

6. During the extraordinary elections constituencies do not undergo changes.

## **CHAPTER TWENTY: NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTIES**

### **Article 99: The Right to Nominate a Candidate for Deputy**

1. Parties and party alliances have the right to nominate candidates for deputies to the National Assembly by proportional system.

2. Party alliances can be set up in the event if at least two parties form a pre-electoral union.

3. In the period of elections, parties, within a party alliance, cannot join other party alliances.

4. The decision on joining a party alliance is made by the permanently functioning body of the party.

5. The party alliance is registered in the Central Electoral Commission not later than within three days after the submission of the decision of the permanently functioning body of the parties.

6. Lists of the party alliances are compiled from the separate lists presented by the each of the parties within the alliance. The order of the candidates in the party lists of the alliance is decided during the joint consultations of the parties within the alliance.

7. In the event of withdrawal of a party from the party alliance the names of candidates submitted by those parties is withdrawn from the party alliance list.

8. Parties registered in the Republic of Armenia, in accordance with the procedure in [Article 104](#), and the citizens, in accordance with [Article 105](#) of this Code have the right to nominate candidates for deputies of the National Assembly by majority system.

### **Article 100: Nomination of Candidates for Deputies of the National Assembly by Proportional System**

1. Parties present application to the Central Electoral Commission on running in elections of the National Assembly by proportional system, upon the decision of their permanently functioning body.

2. Each party has the right to nominate only one list of candidates for deputies. The party within a party alliance has no right to nominate a separate candidates' list on its own behalf. Women shall make at least five per cent of the candidates in the electoral lists presented by a party for the elections to the National Assembly by proportional system. Non-partisan representatives can also be included in the electoral lists presented by a party, by proportional system.

3. The application of a party on running in the elections of the National Assembly shall include:

3.1 party charter (in the event of the party alliance – the charters of all the parties in the alliance), the document on naming the alliance;

3.2 decision of the permanently functioning body of the party on the nomination of candidates for deputies to the National Assembly by the proportional system, the list of the candidates, which includes – by consecutive numbers – the family name, first name, date of birth, passport number, place of registered residence, place of work and position (occupation) of nominated candidates;

3.3 receipt on the payment of the electoral deposit in the amount of 2,500 times the minimum salary;

3.4 references, that the candidates nominated by party lists have been a citizen of the Republic of Armenia within the last five years;

3.5 references, that the candidates nominated by party lists have been permanently residing in the Republic of Armenia for the last five years;

3.6 written statement of the candidates nominated by party lists of their consent for being registered as candidates for deputies;

3.7 declaration about his/her private property and his/her and his/her family members' income for the last one year;

3.8 separate party lists presented by the parties within the alliance.

4. References mentioned in sub-points four and five of point three of this Article are allocated to the citizens nominated as candidates, in the procedure established by the Central Electoral Commission, by the authorized state body within three days after the application.

5. For the registration with the Central Electoral Commission the permanently functioning body of a party submits the data of up to three plenipotentiary representatives (family name, first name, date of birth, place of work and position (occupation)).

6. The Central Electoral Commission making sure of the validity of the submitted documents decides to issue official papers for the support of nomination (in the amount requested) to the party, in the person of its plenipotentiary representatives registered in the Central Electoral Commission. The Central Electoral Commission establishes the procedure for the allocation of the official papers of support.

7. If a party within an alliance has refused to be registered, its representatives shall be withdrawn from the general list.

8. The sum of the electoral deposit of the party that has received mandates in the National Assembly by proportional system is returned; the electoral deposit of the parties that have not received mandates – is transferred to the state budget.

9. A party list is considered as nominated, if at least 30,000 citizens have supported its nomination and expressed their will by signing the official papers for the support of nomination.

10. The procedure for collecting signatures in the official papers for the support of nomination of parties, which have submitted application on participation in the elections of the National Assembly by proportional system, and the verification of

validity is carried out according to the procedure set forth in Articles [69](#) and [70](#) of this Code. 11. In the event of recognizing the elections as invalid, the sum of the electoral deposit is returned.

**Article 101: Registration of Party Lists, running in the Elections of the National Assembly by Proportional System**

1. A party list is considered as registered, if the party submits all required documents within the determined dates and in compliance with the procedure determined by the Code, and if at least 30,000 valid signatures are available in the official papers for the support of its nomination.

2. In case of objections around the registration of party list, a voting will be set. If there are no objections, the list is considered registered. The registration of the party list may be rejected following the decision, taken by two thirds of the total number of the members of the commission.

3. The session of the commission discussing the issue of registration of the party list, can be attended by the plenipotentiary representative of the party.

**Article 102: Denial in Registration or Recognition as Invalid of a Party List and the Candidate on it**

1. Central Electoral Commission denies the registration of a party list if:

2. In accordance with the procedure of this code, the number of valid signatures for the support of the nomination of the party is less than 30,000.

3. Documents submitted for registration are falsified.

4. Central Electoral Commission denies the registration of a citizen in the party list, if

5. restrictions set forth by the Code extend onto him/her;

6. documents submitted for his/her registration are falsified
7. Central Electoral Commission denies the registration of a citizen in the party list by at least two/third vote of the total number of its members.
8. In case of denial of registration of a party list, the sum of electoral deposit is paid back.
9. Central Electoral Commission declares the registration of the party list invalid, if the following facts are disclosed after the registration:
  10. restrictions set forth by the Code extend onto the party list;
  11. documents submitted for registration are falsified.
12. Central Electoral Commission declares the registration of a candidate in the party list invalid, if the following facts are disclosed after the registration:
  13. restrictions set forth by the Code extend onto the candidate;
  14. Documents submitted for the registration of the candidate are falsified.
15. In the above-mentioned cases, candidate is taken out of the party list.
16. If registration of party list is declared invalid, electoral deposit as well as all means of pre-electoral fund are transferred to the state budget.
17. Central Electoral Commission may declare the registration of the party list or a candidate in the party list invalid by at least two/third vote of the total number of its members.

18. The decision of Central Electoral Commission on the denial or recognition as invalid of the registration of party list or a person in it may be appealed to Court within three days after it has been taken.

19. Based on the verdict of Court on recognizing unlawful the decision on the denial or recognition as invalid of registration of the party list and a citizen in it, the party list or the citizen in it shall be recognized registered or re-registered.

### **Article 103: Recognition of the Registration of the Party List and the Candidate on it as Out of Force**

1. The registration of a party list shall be recognized as out of force, if:

1.1 an application on self-withdrawal has been submitted;

1.2 the requirement under point eight of [Article 18](#) of this Code has been violated;

1.3 the requirement under point 7 of [Article 25](#) of this Code has been violated.

2. A party can submit an application on self-withdrawal to the Central Electoral Commission not later than ten days prior to voting.

3. Based on the application on self-withdrawal the registration of the party list is recognized out of force and its electoral deposit, as well as the means left in the pre-election fund are transferred to the state budget.

4. In the event of recognizing the registration of a party list as out of force under point eight of [Article 18](#) and point seven of [Article 25](#), party's electoral deposit and the means left in the pre-election fund are transferred to the state budget.

5. The registration of the candidate on a party list is recognized as out of force, if he/she:

- 5.1 has submitted an application on self-withdrawal;
- 5.2 has died;
- 5.3 the requirement under point eight of [Article 18](#) of this Code has been violated;
- 5.4 the requirement under point seven of [Article 25](#) of this Code has been violated;
- 5.5 does not any more have the right to vote.

**Article 104: Nomination of Candidates for the National Assembly Deputies by Parties by Majority System**

1. Parties registered in the Republic of Armenia have the right to nominate candidates for the National Assembly Deputies by majority system.
2. Parties have the right to nominate one candidate at each constituency.
3. The nomination of candidates by majority system is carried out by the decision of permanently functioning body of the party by secret vote.
4. A party can nominate as a candidate also a person, who is not a party member.

**Article 105: Nomination of Candidates for the National Assembly Deputy by Citizens by Majority System**

1. At least fifty citizens of the Republic of Armenia who have the right to vote can form an initiative group for the nomination of candidates for the National Assembly deputy by majority system.
2. The initiative group applies in writing to the Regional Electoral Commission with a request for registration, for which, apart from the application, submits the decision of the meeting of the initiative group for the nomination of the candidate for the deputy of the National Assembly, as well as data, in accordance with [Article 67](#) of this Code,

on the two plenipotentiary representatives of the initiative group, in the manner prescribed by the law.

3. The decision of the meeting of the initiative group shall contain the family names, first names, dates of birth, identification documents numbers, place of residence, address and signatures of the members of the initiative group.

4. After submitting the necessary documents to the Regional Electoral Commission, authorized proxies of candidates will be given 2 official papers for support of the nomination of candidate, in compliance with the procedure determined by the Code.

#### **Article 106: Requirements for Nomination of a Candidate for the Deputy of the National Assembly by Majority System**

1. The decision of the permanently functioning body of the party and the application (decision) of the initiative group on the nomination of the candidate for the deputy of the National Assembly by majority system shall include the constituency number and the following data on the nominated candidate:

1.1 family name, first name;

1.2 year, month and date of birth;

1.3 place of registered residence;

1.4 place of work and position (occupation);

1.5 party affiliation;

1.6 declaration about his/her private property and his/her and his/her family members' income for the last one year;

1.7 passport number.

2. Together with the submission to the Regional Electoral Commission of the decisions of the permanently functioning body of the party and of the initiative group on the nomination of the candidate for the deputy of the National Assembly by the system, the written statement of the nominated candidate on his/her willingness to be registered in the given constituency shall be submitted.

**Article 107: Procedure for Collecting Signatures by Parties and Citizens for Nomination of the National Assembly Candidates by Majority System and the Procedure for Verification of their Validity**

In the time frame established by [Article 117](#), parties and citizens receive official papers for the support of the nomination of the National Assembly candidates from the relevant Regional Electoral Commission. For the support of the nomination signatures of at least 500 voters of the given constituency shall be collected for the nomination of the given candidate; the signatures are collected and their validity is verified in accordance with the procedure established by Articles [69](#) and [70](#) of this Code.

**Article 108: Registration of Candidates for Deputy of the National Assembly Nominated by the Majority System**

1. Candidates for the deputy of the National Assembly nominated by majority system are registered by the decision of the Regional Electoral Commission.

2. At least 45 days prior to the elections to the National Assembly, parties and initiative groups submit to the Regional Electoral Commission for registration of candidates by majority system the following documentation:

2.1 at least 500 signatures of voters residing in the given constituency, confirming the nomination;

2.2 receipt on payment of the electoral deposit in the amount of 100 times the amount of the minimum salary;

2.3 reference on citizenship of the Republic of Armenia for the last five years;

2.4 reference on permanent residence in the Republic of Armenia during the last five years;

3. The candidate submits the above-mentioned documentation to the Regional Electoral Commission by himself/herself or through a plenipotentiary representative.

4. In the event of being elected to the National Assembly, as well as receiving more than five per cent of the votes cast, the electoral deposit is paid back.

5. The candidate or his/her plenipotentiary representative or the plenipotentiary representative of the party, which has nominated him/her, has the right to be present at the session of the commission during the consideration of the registration of the nomination of the candidate.

6. The Regional Electoral Commission denies the registration of the nominated candidate, if:

6.1 the number of valid votes in the official papers for the support of the candidacy after the verification is less than 500;

6.2 restrictions set forth by this Code extend onto the citizens nominated for the candidate;

6.3 the documentation submitted for registration are falsified.

7. In the event of an objection about the registration of the citizen nominated for the candidate, the issue is put to vote. The registration is denied with at least two-thirds vote of the total number of the members of the Central Electoral Commission. In the event of no objection – the candidate is considered as registered.

8. In the event of the denial of the registration of the citizen nominated for the candidate, his/her electoral deposit is paid back.

9. The Regional Electoral Commission recognizes the registration of the citizen nominated for the candidate as invalid, if after the registration the following facts have been revealed:

9.1 the restrictions under this Code extend onto the candidate;

9.2 documents submitted for registration are falsified.

Central Electoral Commission declares the registration of a candidate invalid by at least two-third vote of the total number of its members.

10. In the event of recognizing the registration of the candidate as invalid, his/her electoral deposit and the means left in the pre-election fund are transferred to the state budget.

11. The decision of the Regional Electoral Commission on the denial or recognizing as invalid the registration of the candidate for the deputy can be appealed to court within three days after it has been taken.

12. Based on the judgement of the court on recognizing the decision on the denial or recognition invalid of the registration of the candidate for the deputy unlawful, he/she is recognized as registered or re-registered.

#### **Article 109: Recognition as Out of Force of the Registration of the National Assembly Candidate Nominated by Majority System**

1. The registration of the National Assembly candidate by majority system is recognized as out of force, if he/she:

1.1 has not any more the right to vote;

1.2 has submitted an application on self-withdrawal;

1.3 has died;

1.4 has violated the requirement under point eight of [Article 18](#) of this Code;

1.5 has violated the requirement under point seven of [Article 25](#) of this Code;

2. In the event of recognizing the registration of the candidate nominated for the deputy of the National Assembly by majority system as out of force in the result of

his/her death, the electoral deposit is transferred to his/her heirs, and the means left in the pre-election fund are transferred to the state budget.

3. In the event of recognizing the registration of the candidate nominated for the deputy of the National Assembly by majority system out of force under point eight of [Article 18](#) and point seven of [Article 25](#) of this Code the electoral deposit and the means left in the pre-election fund are transferred to the state budget.

4. In the event of recognizing the registration of the candidate nominated for the deputy of the National Assembly by majority system as out of force in the result of losing the voting right, the sum of the electoral deposit is paid back and the means left in the pre-election fund are transferred to the state budget.

## **CHAPTER TWENTY-ONE: STATUS OF THE CANDIDATE FOR DEPUTY**

### **Article 110: Equality of the Candidates for National Assembly Deputies**

Candidates for deputy have equal rights and responsibilities.

### **Article 111: Rights, Responsibilities and Guarantees for Activity of the Candidates for National Assembly Deputies**

1. Those candidates, who are employees of the state and local self-governing bodies of the Republic of Armenia, are released from the performance of their official duties, from the time of registration until the official announcement of the election results.

2. The candidates are released from call-ups, military service and military training until the official announcement of the election results.

3. The period of time of candidate's running in elections is considered as continuation of his/her professional career.

4. Candidates have the right to withdraw their candidature not later than ten days prior to the election. In the event of the withdrawal of the candidacy the electoral deposit and the means left in the pre-election fund are transferred to the state budget.

5. Parties have the right to withdraw their party lists, as well as withdraw any candidacy registered by the lists by the decision of the permanently functioning body of the party, not later than 10 days prior to the day of voting. That decision is immediately submitted to the Central Electoral Commission. It is forbidden to make any changes in the party electoral lists after the voting is completed.

6. A candidate on the party list can be arrested, subjected to administrative or criminal liability by court order, solely upon the consent of the Central Electoral Commission, and the candidates nominated to the National Assembly by majority system – upon the consent of the Regional Electoral Commission. The Central Electoral Commission and the Regional Electoral Commission take a decision on the above-mentioned issue by at least two-thirds vote of the total number of the members of the commission.

## **CHAPTER TWENTY-TWO: PRE-ELECTION CAMPAIGN DURING THE ELECTIONS TO THE NATIONAL ASSEMBLY**

### **Article 112: The Pre-Election Fund of the Candidate for Deputy and the Party**

1. The candidate for the deputy and the party that has nominated an electoral list for the National Assembly proportional elections, for the purpose of conducting pre-election campaign, can establish an pre-election fund on the name of their plenipotentiary representative, which is formed from voluntary contributions set forth in [Article 25](#) of this Code.

2. A candidate has the right to make a contribution to his/her own pre-election fund in the amount 1,000 times the minimum salary of the Republic of Armenia, and a party – in the amount of 2,000 times the minimum salary.
3. Each physical person can make a voluntary contribution to pre-electoral funds of candidates and parties, in the amount of up to fifty times the minimum salary, and each legal person – up to 150 times the minimum salary.
4. During the pre-election campaign a candidate has the right to spend an amount not exceeding 5,000 times the minimum salary, and a party – an amount not exceeding 60,000 times the minimum salary.
5. Candidates for deputies of the National Assembly and parties, registered in the procedure established by this Code to run in the elections of the National Assembly, for the purpose of conducting pre-election campaign have the right to use the means of their pre-election funds only.

#### **Article 113: Pre-Election Campaign**

1. The pre-election campaign during the elections to the National Assembly is conducted in accordance with the procedure and time frames set forth in Articles [18](#), [19](#), [20](#), [21](#), [22](#) and [23](#) of this Code.
2. Parties running in the elections to the National Assembly, in the period of the pre-election campaign enjoy the rights established by [Article 81](#) of this Code.

### **CHAPTER TWENTY-THREE: BALLOTS, SUMMARIZATION OF THE ELECTION RESULTS**

#### **Article 114: Ballots**

1. The elections to the National Assembly by the proportional and majority systems are held with separate ballots.

2. A ballot for the elections to the National Assembly by proportional system contains the names of parties (party alliances) in alphabetical order, as well as the family names and first names of the first three candidates on the list.

3. Ballots for the elections to the National Assembly by proportional system are printed by the order of the Central Electoral Commission. The Central Electoral Commission, through Regional Electoral Commissions allocates the ballots to Precinct Electoral Commissions on the day prior to the day of voting. The ballots shall be of the same color.

4. A ballot for the elections to the National Assembly by the majority system contains the family names and the first names of the candidates in alphabetical order, according to the family name, and the names of the nominating parties (party alliances), and in the event of civil initiative – the words “ Civil initiative” .

5. Ballots for the elections to the National Assembly by majority system are printed by the order of the Regional Electoral Commission. The Regional Electoral Commission allocates the ballots to Precinct Electoral Commissions on the day prior to the day of voting.

6. Ballots shall be of the same color, and differ from the color of the ballots mentioned in point two of this Article.

7. The number of ballots allocated shall be five per cent more, than the number of voters on the precinct voter list.

**Article 115: Summarization of Results of the National Assembly Proportional Elections**

1. The Central Electoral Commission based on the data of the summarization protocols of voting results in the regions, in the procedure and time frames established by [Article 63](#) of this Code summarizes the election results, and takes one of the following decisions:

1.1 on the election of the deputies of the National Assembly by proportional system;

1.2 on recognizing the election to the National Assembly by proportional system as invalid;

2. Mandates envisaged for the National Assembly by proportional system are distributed among those party lists, which have received at least five per cent of the total of the number of the votes cast for party lists, running in the elections and the number of inaccuracies. In case only one party has received the five per cent of the total of the number of the votes cast for party lists and the number of inaccuracies, the two parties that have received the next maximum votes participate in the distribution of the mandates. If up to three parties run in the elections to the National Assembly by proportional system, then all the parties participate in the distribution of mandates.

3. Mandates envisaged for the National Assembly by proportional system are distributed among the party lists – proportional to the votes cast for them. The counting of the mandates to be distributed to each party list is done as follows: the number of votes cast for each list is multiplied by the number of mandates to be allocated to the lists, the result is divided by the total number of votes cast for the lists participating in the distribution of the mandates, and the integer numbers are separated, which are the numbers of mandates to be allocated to each list.

4. The rest of the mandates are distributed among the lists by the magnitude of residuals, on the principle of one mandate to each. In the event of the equality of the magnitude of residuals the disputed mandate is given to the list, which has received the biggest number of “ yes” votes. In the event of their equality the matter is settled by drawing a lot.

5. The candidate, whose consecutive number in the list is small or equal to the number of mandates to be allocated to the given list is considered elected by the list.

6. The mandate to be allocated to the candidate elected by proportional system, but who has been also elected by majority system, shall be given to the next candidate on the list.

7. Elections to the National Assembly by proportional system are recognized as invalid, if:

7.1 Such violations of this Code have taken place during the preparation and conduct of the elections, that could have influenced the election results.

8. Appeals related to disputes over the results of the National Assembly proportional elections can be adjudicated to the Constitutional Court of the Republic of Armenia within seven days after the results are officially announced.

9. Re-election will be held not sooner than 10 days and not later than 20 days after the decision on declaration of National Assembly proportional elections invalid comes into force, with the same number of candidates, in compliance with the current Code.

#### **Article 116: Summarization of Results of the National Assembly Majority Elections**

1. Based on the data of the summarization protocols of voting, in the procedure and time frames set forth in [Article 62](#) of this Code, the Regional Electoral Commission summarizes the election results by constituencies, and takes one of the following decisions:

1.1 on the election of a deputy;

1.2 on recognizing the elections of the deputies as invalid;

- 1.3 on recognizing the elections of the deputies as not held;
2. The candidate, who has received the maximum “ yes” votes, is considered as elected.
3. In the event if only one candidate runs at the elections, he/she is considered as elected, if he/she has received more than half of the votes of the participants in the elections.
4. In the event if two and more candidates have received maximum equal “ yes” votes, drawing is held among them, to determine the elected candidate.
5. The election of the deputies is recognized invalid, if the amount of inaccuracies influencing the number of votes excludes the possibility to determine the elected candidate, if in the course of preparation or conduct of elections such violations of the Code occurred, that might effect the results of elections.
6. The election of a deputy is recognized not held, if:
  - 6.1 the only candidate running has not received the required number of votes for being elected;
  - 6.2 the elected candidate has died before the election results have been summarized.
7. Within two hours after the decision on summarization of the election results has been made, the Chairman of the Regional Electoral Commission sends a report to the Central Electoral Commission.
8. Appeals related to disputes over the results of the National Assembly majority elections can be adjudicated to the Constitutional Court of the Republic of Armenia within seven days after the results are officially announced.

9. Re-elections will be held not sooner than 10 days and not later than 20 days after the decision on declaration of the election of a candidate invalid comes into force.

10. Re-elections will be held not sooner than 30 and not later than 40 days after the decision on declaration of the election as not held comes into force. Re-elections will be held with new nominations of candidates and within dates determined for the conduct of extraordinary elections.

## **CHAPTER TWENTY-FOUR: ASSIGNMENT AND CONDUCTING OF THE NATIONAL ASSEMBLY ELECTIONS**

### **Article 117: Time frames for Assignment and Conducting of the National Assembly Regular Elections and for Nomination and Registration of the Candidates**

1. Regular elections to the National Assembly are held within 60 days proceeding the end of its authorities.

2. The President of the Republic issues a decree on assignment of regular election, not later than 100 days prior to the day of voting.

3. Parties submit the documents for nomination of candidates for deputies by proportional system to the Central Electoral Commission not later than 61 days prior to the voting day, before 6 PM, and parties receive the official papers for supporting the nomination from Central Electoral Commission not sooner than 65 and not later than 60 days prior to the voting day.

4. The documentation required for registration is submitted to the Central Electoral Commission not later than 45 days prior to the voting day, until 6:00 p.m.

5. The registration of party lists is done not earlier than 45 and not later than 35 days prior to the voting day, until 6:00 p.m.

6. Documentation on nomination of candidates for deputies of National Assembly by majority system is submitted to relevant Regional Electoral Commission not later than 55 days prior to the voting day, before 12 PM, and candidates receive official papers for supporting the nomination from Regional Electoral Commission not sooner than 60 days and not later than 55 days prior to the voting day.

7. The documentation required for registration of candidates is submitted to the Regional Electoral Commission not earlier than 45 days prior to the voting day, until 6:00 p.m.

8. The registration of candidates for deputies of the National Assembly by majority system is done not later than 35 days prior to the voting day, until 6:00 p.m.

9. In the event if official papers of support for one candidate or one party list are submitted in the dates established by points four and seven of this Article, those dates, as well as the dates mentioned in the points five and seven are extended for five days.

#### **Article 118: Assigning and Conducting By-elections of the National Assembly**

1. In the event of a vacancy in the National Assembly by the system after the regular elections or as a result of early termination of powers of a deputy, by-elections are held at the relevant constituency.

2. By-elections to the National Assembly by majority system are held in the procedure established for regular elections:

2.1 on the third Sunday in May, if the mandate has been left vacant until the 1st of March;

2.2 on the third Sunday in October, if the mandate has been left vacant until the 1st of August.

3. In the fourth year of the powers of the National Assembly by-elections by majority system are not held.

4. By the decision of the Central Electoral Commission the mandate of a deputy elected by proportional system, whose term of powers has been pre-terminated, is given to the candidate next on the relevant list, within one week. If there is no other candidate on the party list, the mandate stays vacant.

### **Article 119: Assigning and Conducting Extraordinary Elections of the National Assembly**

1. Extraordinary elections are held not earlier than 30 and not later than 40 days after the dissolution of the National Assembly.

2. The President of the Republic issues a decree on assigning extraordinary elections together with the decree on the National Assembly's dissolution.

3. A party submits the required documentation to the Central Electoral Commission for nomination of candidates to the National Assembly by proportional system, not later than 25 days prior to the election day, until 6:00 p.m.

4. The registration of the party lists is done not earlier than 25 and not later than 20 days prior to the day of voting, until 6:00 p.m.

5. Documentation required for nomination of candidates by majority system is submitted to the Regional Electoral Commission not earlier than 20 and not later than 15 days prior to the election day, until 6:00 p.m.

6. The registration of candidates for the deputy of the National Assembly by majority system is done not earlier than 15 and not later than 10 days prior to the election day, until 6:00 p.m.

## **SECTION SIX: ELECTIONS TO THE LOCAL SELF-GOVERNING BODIES**

## CHAPTER TWENTY-FIVE: GENERAL PROVISIONS

### Article 120: Electoral System

1. For the election of the community head multi-mandate majority constituencies are formed on the territory of the community.

2. The community council comprises of:

2.1 five members – in a community with a population of up to 3,000 inhabitants;

2.2 ten members – in a community with a population of 3,001 to 20,000 inhabitants;

2.3 fifteen members – in a community with a population of more than 20,001 inhabitants.

3. For the election of the community council the territory of the community is considered:

3.1 one multi-mandate majority constituency – in a community of up to 3,000 inhabitants;

3.2 two multi-mandate majority constituencies – in a community of 3,001 to 20,000 inhabitants, each constituency having five mandates. The number of the population in the community constituency shall not exceed 55 per cent of the total number of population of the community;

3.3 three multi-mandate majority constituencies – in a community with over 20,001 inhabitants, each constituency having five mandates. Up to five per cent

variance is allowed between the community constituencies.

#### **Article 121: Electoral Right**

1. Every citizen has the right to one vote:

- 1.1 at the election of the community head,
- 1.2 at the election of the council members.

#### **Article 122: Requirements for the Candidates for Community Head and Council Member**

1. Every citizen of the Republic of Armenia, who has attained the age of 25 years, has been a resident of the given community for at least the last one year, and has the right to vote, can be elected as community head.

2. Every citizen of the Republic of Armenia, who has attained the age of 21 year, has been a resident of the given community for at least the last one year, and has the right to vote, can be elected a council member.

3. Members of the Constitutional Court and judges cannot be nominated as candidates for community head and council member.

### **CHAPTER TWENTY-SIX: NOMINATION OF CANDIDATES FOR COMMUNITY HEAD AND COUNCIL MEMBER**

#### **Article 123: Nomination of Candidates for Community Head and Council Member**

1. Citizens have the right to be nominated as candidates for community head and the council member by self-nomination, upon submitting to the relevant Regional Electoral Commission an application and a receipt on the payment of the electoral

deposit; in the communities with up to 5,000 voters it makes fifty times the minimum salary for the community head, and ten times – for the council member; in the communities with over 5,000 voters it makes one hundred times the minimum salary for the community head, and twenty times – for the council member.

2. In the event of being elected as the community head, as well as getting more than five per cent of votes cast for the candidates, the sum of the electoral deposit of the candidate is paid back. In the event of getting less than five per cent of votes, the sum of the electoral deposit is transferred to the state budget.

3. In the event of being elected as a council member, as well as getting more than five per cent of votes cast for the candidates in the constituency, the sum of the election deposit is paid back. In the event of getting less than five per cent of votes, the sum of the electoral deposit is transferred to the state budget.

4. In the application on self-nomination, the citizen notifies his/her family name, first name, year, month and date of birth, place of residence, place of work, position (occupation) and party affiliation.

5. The citizen, who is nominating himself / herself, encloses together with the submitted application:

5.1 receipt on the payment of the electoral deposit;

5.2 reference on citizenship of the Republic of Armenia for the last one year;

5.3 reference on being registered in the given community for the last one year, reference on being registered in the city of Yerevan for the last year if the citizen is nominating himself for a position of a Community Head or a Council Member.

5.4 declaration about his/her private property and his/her and his/her family members' income for the last one year.

6. References mentioned in the sub-points two and three, of point five of this Article are allocated to the citizen nominating himself / herself for the candidate by the

authorized state body, within three days after the application has been presented, in the procedure established by the Central Electoral Commission.

7. The above-mentioned documentation is submitted by the self-nominating candidate for the community head and council member in person or through his/her plenipotentiary representative.

8. A candidate for the community head can be nominated in one community only. A candidate for the council member can be nominated in one constituency only.

#### **Article 124: Registration of Candidates for Community Head and Council Member**

1. Candidates- nominees for the community head and the council member are registered by the decision of the Regional Electoral Commission. The nominated candidate or his/her plenipotentiary representative has the right to attend the meeting of the commission during the consideration of the issue of the registration.

2. The Regional Electoral Commission denies the registration, if:

3. restrictions anticipated by this Code extend onto the citizen nominated as a candidate;

4. the documents submitted for registration have been falsified. In the event of an objection about the registration of the candidate nominated for the community head and the council member, the issue is put to vote. The registration is denied with at least two-thirds vote of the members of the Regional Electoral Commission. In the event of no objection – the candidate is considered as registered. In the event of denial of the registration of the citizen nominated for the community head and council member, his/her electoral deposit is paid back.

5. The Regional Electoral Commission recognizes the registration of the candidate nominated for the community head or the council member as invalid, if after the registration, facts have been revealed, by the force of which the restrictions under

this Code extend onto the candidate. Regional Electoral Commission declares the registration of candidate nominated for the Community Head or Council Member invalid, by at least two-thirds of the votes of the total number of its members. In the event of recognizing the registration of the candidate as invalid, the sum of the electoral deposit and the means in the pre-election fund are transferred to the state budget.

6. The decision of the Regional Electoral Commission on the denial in registration or recognizing invalid the registration of the candidate nominated for the community head or the council member can be appealed to the court within three days after it has been adopted. Based on the court judgement on recognizing the decision of the Regional Electoral Commission on the denial in registration or recognizing invalid the registration of the candidate nominated for the community head or the council member unlawful, he/she is recognized registered or re-registered.

#### **Article 125: Recognizing the Registration of Candidates Nominated for Community Head and Council Member as Out of Force**

1. The registration of the candidate for the community head and the council member is recognized as out of force, if he/she:

- 1.1 has no more the right to vote;
- 1.2 has submitted an application on self-withdrawal;
- 1.3 has died;
- 1.4 the requirement under point eight of [Article 18](#) of this code has been violated;
- 1.5 the requirement under point seven of [Article 25](#) of this code has been violated;

2. The candidate nominated for the community head or the council member can submit an application on self-withdrawal to the Regional Electoral Commission not later than ten days prior to voting. Based on the application for self-withdrawal the registration of the candidate nominated for the community head or the council

member is recognized out of force, the sum of his/her electoral deposit and the means left in the pre-election fund are transferred to the state budget.

3. In the event of the death of the candidate nominated for the community head or council member, his registration is considered out of force; the sum of the electoral deposit is transferred to his/her heirs, and the means left in the pre-election fund are transferred to the state budget.

4. In the event if the registration of the candidate nominated for the community head or council member has been recognized out of force in conformity with point eight of [Article 18](#) and point seven of [Article 25](#) of this Code, the sum of the electoral deposit and the means left in the election fund are transferred to the state budget.

5. In the event if the registration of the candidate nominated for the community head or council member has been recognized out of force in conformity with sub-point one of point one of this Article, the sum of the election deposit is returned and the means left in the election fund are transferred to the state budget.

#### **CHAPTER TWENTY-SEVEN: STATUS OF THE CANDIDATES NOMINATED FOR COMMUNITY HEAD AND COUNCIL MEMBER**

##### **Article 126: Equality of Candidates Nominated for Community Head and Council Member**

Candidates nominated for the community head have equal rights and responsibilities. Candidates nominated for the council member have equal rights and responsibilities.

##### **Article 127: Guarantees for the Activity of Candidates Nominated for Community Head and Council Member**

A candidate nominated for the community head or council member can be arrested upon the consent of the Regional Electoral Commission. The Regional Electoral Commission makes a final decision on the matter with at least two-thirds vote of the commission members participating in the voting.

## **CHAPTER TWENTY-EIGHT: PRE-ELECTION CAMPAIGN OF CANDIDATES NOMINATED FOR COMMUNITY HEAD AND COUNCIL MEMBER**

### **Article 128: The Pre-Election Fund of Candidates Nominated for the Community Head and the Council Member**

1. A candidate nominated for the community head or the council member can establish a pre-election fund in his/her name or in the name of his/her plenipotentiary representative, which is formed from the voluntary contributions mentioned in [Article 25](#) of this Code. Each physical person can make a contribution to the candidate's pre-electoral fund up to 25 times the minimum salary, and each legal person – up to 150 times the minimum salary.
2. The candidates nominated for the community head or the council member have the right to use the means of their pre-election funds only, for the pre-election campaign.

### **Article 129: Pre-Election Campaign**

Pre-election campaign for the elections to the local self-governing bodies is conducted in the procedure and time frames established by Articles [18](#), [19](#), [20](#), [21](#), [22](#) and [23](#) of this Code.

## **CHAPTER TWENTY-NINE: BALLOTS, SUMMARIZATION OF THE ELECTION RESULTS**

### **Article 130: Ballots**

1. Elections of the candidates nominated for the community heads and council members are held by separate ballots.

2. The ballot for the election of the community heads contains the family names and the first names of the candidates in the alphabetical order of the family name, party affiliation, and if necessary other passport data. The ballots for the election of the community heads and the council members are prepared by the order of the Regional Electoral Commission. The Regional Electoral Commission allocates the ballots to the Precinct Electoral Commissions on the day prior to the day of voting. Ballots shall be of the same color.

3. The ballots for the election of the council members contain the family names and the first names of the candidates in the alphabetical order of the family name, party affiliation, and if necessary other passport data. Ballots shall be of the same color and differ from the color of the ballots for the election of the community heads.

4. Ballots are allocated in the amount of five per cent more than the number of voters on the precinct voter list.

#### **Article 131: Procedure for Summarization of the Election Results**

1. Based on the summarization protocols of the voting results received from Precinct Electoral Commissions, the Regional Electoral Commission, at its session, which can be attended by persons who have the right to be present, compiles summarization protocols on the election results in the community.

2. In case there is a written application of two members of the Precinct Electoral Commission the Regional Electoral Commission verifies and checks the conformity of the data of the precinct summarization protocol on the voting results at the relevant precinct, with the actual voting data. The authors of the special opinion and the Chairman of the relevant Precinct Electoral Commission can participate in the verifications.

3. In case of revealing discrepancies as a result of the verification the Regional Electoral Commission compiles verified summarization protocols on the voting results of the given precinct which are attached to the provisional protocols of the Precinct Electoral Commission. The members of the commission attending the session sign the verified protocols. The protocols are stamped by the Regional Electoral Commission. If a member of the Regional Electoral Commission has a special opinion on the data of the verified protocols, it is attached to the protocol. A note thereof is made in the protocol next to his/her signature. If a commission member refuses to sign the verified protocols, a note thereon is made in the protocol.

### **Article 132: Procedure for Summarization of Precinct Protocols at the Regional Electoral Commissions**

1. Summarization protocols of the election results of the candidates for the community head and council members are compiled separately.

2. The summarization protocol of the results of voting shall contain:

2.1 name of the community and the election day;

2.2 family names and first names of the Regional Electoral Commission members attending the session and of the absentees;

2.3 family names and first names of the proxies, observers and the representatives of mass media attending the meeting of the Regional Electoral Commission, and the names of their organizations;

2.4 the total number of citizens included on all the precinct voter lists of the community;

2.5 the total number of the registered citizens;

2.6 the total number of the votes cast for each candidate;

2.7 the amount of inaccuracies influencing the votes.

3. Each datum to be entered in the protocol is read out.

4. Summarization protocols of the voting results are compiled in the procedure and time frame established by [Article 62](#).

5. The members of the Regional Electoral Commission sign the summarization protocol of the voting results. The protocol is stamped with the stamp of the commission. If the signature of a commission member is missing, a note thereof is done in the protocol.

### **Article 133: Summarization of the Election Results of the Candidate Nominated for the Community Head**

1. Based on the data of the summarization protocols of voting results of the community head, the Regional Electoral Commission summarizes the election results and in accordance with the procedure and time frame established by [Article 62](#) of this code, adopts one of the following decisions:

- 1.1 on the election of the community head;
- 1.2 on recognizing the election of the community head as invalid;
- 1.3 on recognizing the election of the community head not held.

2. The candidate, who has received maximum “ yes” votes, is considered as elected. In case one candidate is running for elections, he/she is considered as elected, if he/she has received more than half of the votes of the voters.

3. Elections of the candidate nominated for the community head are recognized as invalid, if the amount of the inaccuracies influencing the number of votes excludes the possibility of determining the elected candidate, or if in the course of preparation and conduct of elections such violations of the current Code occurred, that might effect the results of the elections. In the event of recognizing the election of the community head as invalid, fourteen days after the election, in the procedure established by this Code and with the same composition of candidates repeated voting is held.

4. The elections of the candidate nominated for the community head is considered as not held, if:

4.1 the only candidate running has not received the required number of votes for being elected;

4.2 the elected candidate has died before the election results have been summarized;

4.3 as a result of the repeated voting, some bases for recognizing the elections of the community head as not held, have become available.

5. Within two hours after the decision on the election of the community head has been adopted, the Chairman of the Regional Electoral Commission forwards a notification to the Central Electoral Commission and the relevant governor.

6. The decision of the Regional Electoral Commission on the results of the elections of the candidate nominated for the community head can be appealed to court within three days after it has been adopted.

7. In the event if the court has ruled to recognize the election of the candidate nominated for the community head invalid, fourteen days after the decision has entered into legal force, repeated voting is held in the procedure established by this Code, with the same composition of candidates.

8. Repeated voting with the same composition of candidates can be held only once.

#### **Article 134: Summarization of the Election Results of the Candidates Nominated for the Council Member**

1. Based on the data of the summarization protocols of the election of the candidates nominated for the community council members, the Regional Electoral Commission sums up the election results, and within five days after the close of voting makes one of the following decisions:

- 1.1 on the election of the community council members;
- 1.2 on recognizing the election of the community council members as invalid;
- 1.3 on recognizing the election of the community council members as not held.

2. Election results of the candidates nominated for the community council members are summarized by multi-mandate majority constituencies, as established in point three of [Article 120](#) of this Code.

3. Elections of the candidates nominated for the community council members can be recognized as invalid or not held according to the multi-mandate majority constituencies, as established in point three of [Article 120](#).

4. The first five candidates for the community council members, who have received the maximum “ yes” votes, are considered elected at the given multi-mandate majority constituency.

5. The election of the community council members is recognized as invalid, if the amount of the inaccuracies influencing the number of votes excludes the possibility of determining the elected candidate, or if in the course of preparation and conduct of elections such violations of the current Code occurred, that might effect the results of the elections. In case the election of the community council members has been recognized invalid, fourteen days after the election repeated voting is held in the procedure established by this Code and with the same composition of the candidates.

6. The election of the community council member is considered as not held, if as a result of the repeated voting, some bases are available for recognizing the election of the community council member as invalid. In case the election of candidates nominated for the community council members has been recognized as invalid by the decision of the court, fourteen days after the decision has entered into legal force, repeated voting is held in the procedure established by this Code and with the same composition of the candidates.

7. In the event of the equal number of votes received in the election by candidates nominated for community council member, the distribution of the mandates is done by drawing a lot in the procedure established by the Central Electoral Commission.

8. The Chairman of the Regional Electoral Commission within two hours after the decision on the election of the community council members has been adopted, forwards a report to the Central Electoral Commission and the relevant governor.

9. The decision of the Regional Electoral Commission on the election results of the candidates nominated for the community council members can be appealed to court with three days after it has been adopted.

### **CHAPTER THIRTY: TIME FRAMES AND PROCEDURES FOR ASSIGNING AND CONDUCT OF THE ELECTIONS TO THE LOCAL SELF-GOVERNING BODIES**

#### **Article 135: Time Frames for Conducting, assigning of Regular Elections, Nomination and Registration of Candidates**

1. Regular elections to the local self-governing bodies are held not later than 30 days prior to the expiration of the term of powers of the local self-governing bodies.

2. The decision on assigning regular elections is taken by the relevant Governor not later than 60 days prior to the expiration of the term of powers of the community head.

3. The documentation required for the nomination of the candidates is submitted to the Regional Electoral Commission not earlier than 30 and not later than 25 days prior to the day of voting, until 6:00 p.m.

4. The registration of the candidates is done not earlier than 25 and not later than 20 days prior to the day of voting, until 6:00 p.m.

### **Article 136: Time frames and Procedures for Formation of the Multi-Mandate Majority Constituencies**

1. A community with a population of up to 3000 inhabitants is considered as one multi-mandate majority constituency for the elections to local self-governing bodies.
2. The community with a population of more than 3000 inhabitants is divided into majority constituencies by the relevant Governor (Mayor of Yerevan), upon the recommendation of the community head (district head).
3. The community is divided into multi-mandate majority constituencies not later than 35 days prior to the day of voting.

### **Article 137: Assigning and Conduct of New Elections**

On the thirtieth day after the decision of the Regional Electoral Commission on recognizing the elections of candidates nominated for the community head or council members as not held or after the entry into force of the court judgement, new elections are held. New elections are held with newly nominated candidates, in accordance with the procedure established by [Article 138](#) of this code, for the conduct of the extraordinary elections.

### **Article 138: Assigning and Conducting Extraordinary Elections**

1. Extraordinary elections for the community head are held within 30 days after the vacancy in the office.
2. Government adopts a decision on assigning the extraordinary elections simultaneously with the dismissal from the office of the community head or early termination of his/her powers.

3. In the event of reduction of the total number of the community council members twice as much, extraordinary elections of the community council members are held within 30 days time.

4. Documentation required for the nomination of candidates is submitted to the Regional Electoral Commission not earlier than 18 and not later than 15 days prior to the day of voting, until 6:00 p.m.

5. Registration of candidates is done not earlier than 15 and not later than 12 days prior to the election day, until 6:00 p.m.

## **SECTION SEVEN**

### **CHAPTER THIRTY-ONE: LIABILITY FOR VIOLATIONS OF PROVISIONS OF THIS CODE**

#### **Article 139: Liability for violations of provisions of this Code**

Liability cases, as established by the law, are coming below:

1. Registration in the voter lists in more than one precinct, voting more than once, voting for another person;
2. Violation by the community head of the procedures and time frames of compilation of the voter lists;
3. Falsification of the official lists of support of the candidates;
4. Falsification of the voting results;
5. Concealing the ballots, ballot-stuffing;
6. Distortion of the elections results on purpose;

7. Falsification of ballots and the stamps of the electoral commissions;
8. Falsification of protocols on the election and voting results;
9. Armed entry into the precinct center (not in the time of professional activities);
10. Taking the military in a marching line or with arms
11. Hindering the normal operation of the electoral commissions on purpose;
12. Election campaigning on the day of the voting and the day prior to it;
13. Hindering the free expression of the voters' will;
14. Applying forced methods or insulting the member of an electoral commission, observer, proxy, representative of mass media, member of their initiative group;
15. Hindering the election-related functions;
16. Stealing the ballot boxes;
17. Hindering the normal operation of electoral activities by members of the electoral commissions, civil servants, or officers of the local self-governing bodies;
18. Coercing the free expression of the voters' will;
19. Violating the ballot secrecy;
20. Publication of the results of public polls on rating of the candidates during the seven days period prior to the day of voting;

21. Tearing off or making graffiti on the election posters posted in specially allocated for this purpose places;
22. Dissemination of false and libeling information about the candidates or parties;
23. Deception of the person, incapable of marking the ballot independently;
24. Carrying out of pre-election campaign and dissemination of any type of campaign materials by persons and organizations which don't have the right to hold pre-election campaign;
25. Hindering the normal process of the pre-election campaign;
26. Dissemination of anonymous printed campaign materials;
27. Failure to present declaration on the expenditures of the means from the pre-election fund, by candidates and parties, according to the established procedure;
28. Not returning the stamps of the electoral commissions;
29. Not ensuring equal opportunities for the candidates by the state means of mass media;
30. Hindering proxies, observers representatives of mass media to get familiarized with the specimens of ballots, decisions of electoral commissions, not submitting the copies of decisions of Electoral Commissions, or not allowing to make excerpts from them;
31. Not filling in or not properly filling in the register of electoral commissions.

## **CHAPTER THIRTY-TWO: TRANSITIONAL AND CONCLUDING PROVISIONS**

### **Article 140: Terms of Operation of the Current Central and Regional Electoral Commissions**

The current Central and Regional Electoral Commissions continue their activity and perform the powers of the Central Electoral Commission and the Regional Electoral Commissions established by this Code until the formation of the new Central Electoral Commission and Regional Electoral Commissions. The 3rd point of Par. 5, Art. 123 will come into effect starting April 1, 1999.

### **Article 141: Concluding Provisions**

1. Upon the entry into force of this Code the following laws are out of force:

1.1 “ Law on the Elections of the Deputies of the National Assembly of the Republic of Armenia” of 1995, adopted April 4;

1.2 “ Law on the Elections of the President of the Republic of Armenia” of 1996, adopted May 30;

1.3 “ Law on the Elections to Local Self-Governing Bodies” of 1996, adopted June 10.

**Law of the Republic of Armenia on Amendments  
and Addenda to the Electoral Code of the Republic of Armenia  
(13.10.1999)**

**Article 1.** Add point 6 to Article 2 of the Electoral Code: “6. Citizens carrying out their military service or servicemen on training participate in elections to local self-governing bodies prior to the call up or training in the place of their registration.

Citizens in the military service or military on training for participating in elections to local self-governing bodies are allowed to go by the procedure established by the military regulations.”

**Article 2.** In Article 10 of the code

a. Add part 2 to point 1: “During the elections to local self-governing bodies voter lists include on general bases also those servicemen who due to the military call were withdrawn from registration. Citizens in the military service who were not withdrawn from registration shall be included in voter lists on general bases.”

b. At the beginning of point 3 the words “of military units” shall be replaced by the words “of military units at the election of the President of the Republic of Armenia and elections to the National Assembly”.

**Article 3.** This law shall enter into force upon its promulgation.

**Law of the Republic of Armenia on Addenda  
to the Electoral Code of the Republic of Armenia  
(05.04.2000)**

**Article 1.** In point 1 of Article 2 of the Electoral Code of the Republic of Armenia after the word “citizens” the following words are added: “and during the election of local self governing bodies also any individual who has reached the age of 18 years with a refugee status or mentioned in the certificate of a refugee family granted by the established procedure in the Republic of Armenia.

Rights and duties anticipated by this code for the citizens of the Republic of Armenia during the elections of local self-governing bodies apply to individuals endowed by franchise with a refugee status or mentioned in the certificate of a refugee family granted by the established procedure.”

**Article 2.** After the words “shall be included on general bases” in paragraph 2 of point 1 of Article 10 add the words “individuals who have reached the age of 18 years have a refugee status in the Republic of Armenia or are mentioned in the certificate of a refugee family granted by the established procedure and live at least for the past one year in a given community.”

**Article 3.** This law shall enter into force upon its promulgation.