

Armenian Elections. No Room for Optimism?

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Abstract

This article argues that despite the cosmetic changes that the Armenian government undertook in order to comply with international standards and meet expectations, the situation on the ground worsened after the 2012 parliamentary elections.

Presidential Elections: The “Best Elections Ever” in Practice

After the rigged and highly criticised presidential elections of 2008, and especially following the post-electoral violence when ten people were killed by government forces and hundreds arrested, the international community advised the Armenian government that it would apply the “more for more” principle, providing international aid and cooperation in direct proportion with better elections.¹

Nevertheless, the 2012 parliamentary elections were marked by numerous violations, including extensive use of “administrative” (i.e. government) resources, and an unprecedented level of bribery—of voters, proxies, and members of the electoral commissions. A wide range of educational institutions, public utilities, and health, social, and housing services were dragged into the electoral process.² The most rude, barefaced, impudent and, at the same time, visible methods of electoral manip-

ulations from the 1990s and early 2000s, such as ballot-box stuffing, violence at the precincts, stealing of ballot boxes, and tampering with protocols, were complemented by a more sophisticated, state-orchestrated system that infiltrates all aspects of society.

Following the 2008 disaster, the regime applied all possible efforts to insure its systemic presence in all spheres of people’s lives in order to have full control over the situation in the future. Thus, existing mechanisms were strengthened: the majority of school principals throughout the country became members of the Republican Party, as did university rectors, student government leaders, and the heads of big hospitals and polyclinics. The majority of elected mayors are members of the Republican Party too. District-level police officers, heads of condominium councils, housing operations office managers, and others who have direct access to people at the grassroots level became “agents” of the ruling regime. They are continuously collecting various data on each family in their area of operations³, updating unofficial voter lists; providing an escort to “their” voters at the election day, and engaging in a variety of other activities.

Additionally, in bigger towns and cities, semi-criminal street authorities became deeply knitted into the regime’s system. Along with the actors mentioned above, they became a major force for distributing bribes and exerting voter intimidation and pressure. There is even an unofficial terminology used within those groups (foremen, centurions, millenials) which refers to the number of people they “supervise” and “bring to the polls” on election day. Naturally, this is not work performed for free.

The 2013 presidential elections were expected to be “intrigue free” since the major candidates who could compete with incumbent Serzh Sargsyan—former President Levon Ter-Petrossian, leader of the oppositional Armenian National Congress (ANC), and Gagik Tsarukyan, head of the large and rich Prosperous Armenia

1 “The EU expects elections to be conducted according to international standards. We fully support the OSCE ODIHR recommendations, made after the parliamentary elections, on improving election procedures and their implementation. These recommendations should be implemented as soon as possible. Our policy is, as you know, based on the ‘more for more’ principle: the deeper the reform, the more the EU can and will help”. Interview with Jose Manuel Barroso <http://www.mediamax.am/en/news/interviews/6368/#sthash.FcgBveXO.dpuf>

2 “Notwithstanding fundamental progress in the external, visible aspects of the electoral process, it is impossible to ignore the fact that the distortion of the genuine will of the Armenian electorate is no less than before. The most significant techniques used in limiting free expression of will in the election included employers pressurising staff, the use of various ‘administrative’ (i.e. government) resources, and an unprecedented level of bribery—of voters, proxies, and members of the electoral commissions. A wide range of educational institutions, public utilities, and health, social, and housing services were dragged into the electoral process. Given government employees’ and civil servants’ political dependence on their bosses, as well as the merging of business and government, members of the ruling coalition had exclusive leverage in calling in favours or otherwise influencing governmental organs. These infringements could not have been possible without the engagement of state bodies at various levels”. Boris Navasardyan. Parliamentary Elections in Armenia: From Decorative to Genuine Democracy? <http://library.fes.de/pdf-files/id-moe/09186.pdf>

3 The required data includes the following information: where members of the family work, what’s their income, do they have relatives working in state or public sectors, do they have children in the army, does anyone have any health problems etc.

party, boycotted the elections. Hence, many believed that the elections would be marred not as much by fraud, as during previous elections, but rather by public apathy...there would be no distribution of election bribes, since the main candidate had no formidable opponent⁴.

These elections also demonstrated the increasing competition inside the ruling clique: in the Republican Party, the “young-republican”⁵ group, took the opportunity to guide the action. For them it was important to conduct “the best elections ever” as promised to the international community and, at the same time, to use this chance to take power within their own party from oligarchs, such as Ruben Hayrapetyan and Samvel Alexanyan, who are famous for using the most violent forms of electoral fraud.

With a good degree of confidence, it is possible to state that the Republican Party relied on already established platforms, such as exaggerated voter lists⁶ and administrative resources (including schools, polyclinics, local authorities etc). Most probably, according to their calculations, these actions should have been sufficient to ensure victory to Sargsyan without violence and unnecessary noise. In order to address the criticism that the elections were “non competitive”⁷ and give the appearance of a free vote, the authorities eased control over the broadcast media⁸ and did not obstruct the electoral campaigns of non-incumbent candidates. There were fewer electoral bribes distributed and less pressure on the voters.

Nonetheless, from the very beginning, the campaign did not go the way the Republicans wanted. On January 31, presidential candidate Paruyr Hayrikyan was wounded by unknown gunman in the center of Yerevan and another candidate Andrias Ghukasyan declared a hunger strike under the slogan “Stop the fake elections.” In parallel, Sargsyan’s campaign and interaction with people proved to be rather arrogant and presumptuous. Thanks to instruments of social media and citizen jour-

nalism, many “mistakes” that could be cut from the ordinary media coverage were revealed in the Internet. For instance, in an interview to Gyumri-based Gala TV (one of the traditionally free media outlets), Sargsyan arrogantly and in a vulgar manner proclaimed that he could win as many votes in Shirak Marz as he wanted. This provoked public displeasure and became a subject of political sarcasm.⁹

Opposition candidate Raffi Hovhannisyan took advantage of the freedoms provided. He launched an extensive campaign enjoying a privileged position with at least one TV channel, Yerkir Media TV, as YPC media monitoring suggests. In an unprecedented move, he was allowed to tour the frontlines of the Nagorny Karabakh defence, and the visit was covered by the media.¹⁰ He also spent the largest amount of money during the campaign.¹¹

But, most importantly, the main reasons why Raffi Hovhannisyan unexpectedly performed so well in the election was the voters’ deep distrust toward the authorities¹² and the protest vote. People took the opportunity of the regime’s relative indulgence to vote against the ruling party and Sargsyan in particular. Toward the end of Election Day and as the ballots began to be counted, it became clear to the Republican Party leadership that Hovhannisyan was performing well and the Republican campaign plan did not work. Hence, the oligarchs and their resources were called into action, and all the available arsenal of violent and unlawful practices, such as ballot box stuffing, that artificially increased the number of people voting, were executed throughout much of the country. Here is a quote from Heritage party statement that illustrates the situation “In Abovyan, Serzh Sargsyan lost the vote in 21 precincts out of a total of 25, but received 1101 votes from just one polling station (while his average for the other 24 polling stations was 231 votes) which seems to have compensated for the loss from the other polling stations. In Etchmiadzin, Serzh Sargsyan lost in 19 out of 22 polling stations, but received more than 96% of the votes in neighbouring Aygek village—26 to 758 to his favor. It is inexplicable how a candidate registering similar results in 90% of polling stations, suddenly receives several times more in the remaining 10%.¹³”

4 http://www.armenianow.com/vote_2013/42853/armenian_presidential_elections_2013_campaign_programs

5 The “young republican” is an idiom used predominantly by some members of political opposition and picked up by the media. It refers to younger generation of Republican Party of Armenia and establishes clear linguistic connotations with Young Turks (yeni turk), the government responsible for the Genocide or Armenians in the Ottoman Turkey in 1915–1922. For example see: <http://www.tert.am/en/news/2013/05/05/zahrabyan/>

6 Ambassador of the Great Britain to Armenia worries about exaggerated lists of voters <http://www.arminfo.info/index.cfm?objectid=7F616AB0-649D-11E2-A793F6327207157C>

7 See for example <http://regional-studies.org/en/publications/analytical/70-310113>

8 YPC media monitoring report http://www.ypc.am/upload/YPC%20Monitoring_RA%20Presidential%20Elections%202013_eng.pdf

9 https://www.youtube.com/watch?feature=player_embedded&v=my-e6OEMmCk

10 <http://times.am/?l=en&p=18275>

11 <http://www.pastinfo.am/en/node/7052>

12 According to CRRC Caucasus Barometer 2012 data only 2% of population trust political parties, 4% the parliament and 7% the president http://www.crrc.am/hosting/file/_static_content/barometer/di12/CB_2012_Presentation_eng.pdf

13 <http://www.tert.am/en/news/2013/02/22/heritage-announcement/>

By the end of the day, Sargsyan was re-elected with 59% of the votes, Hovhannisyan received 37%¹⁴. It is noteworthy that Sargsyan was officially defeated in a number of urban areas, including Gyumri, the second biggest city of Armenia. Notwithstanding the numerous cases of electoral malpractices reported by local and international observers and journalists¹⁵, post-electoral street protests, Hovhannisyan's hunger strike and appeal to the Constitutional court, the results of elections were eventually recognised as valid. The USA, Russia, France and others congratulated Sargsyan with victory. The inauguration ceremony was conducted peacefully. The protesters gathered around Hovhannisyan did not undertake any significant resistance under his leadership.

Yerevan City Council Elections: Back to Square One

Within three months after the presidential elections, in May 2013, Yerevan planned to hold city council elections. About 40% of Armenia's population lives in Yerevan and about 80% of economic activities are concentrated in the capital. Hence, the elections are important both for the regime and for the opposition. If the opposition were able to form a majority in the City Council, which elects the mayor of the city, a de facto diarchy, an unprecedented power balance could be created between the city and federal government. Prior to the May elections, opposition parties including ANC, Prosperous Armenia, Heritage and ARF Dashnaksutyun agreed to cooperate in the City Council and work together to prevent fraud.

The regime, however, learned its lesson from the previous round and granted no "favours" to anyone this time. The electoral fraud machine was running at full power. Months before the elections, people were systematically threatened, intimidated and frightened. Cases of intimidation crossed society from ministries to schools. In almost every building block a Republican Party headquarters was established, the reason being not just electoral propaganda but first and foremost surveillance of the inhabitants. The role of semi-criminal, and to a significant extent, oligarch-affiliated elements in these elections is difficult to exaggerate. A widespread anecdote popular in those days claims that the most lucrative business project during the economic downturn was setting up a Republican electoral headquarters. Avetik Ishkhanian, Chairman of the Helsinki Committee of Armenia, which observed the elections

to Yerevan's Council said: "Observers were under pressure, and numerous instances of unknown people present at polling stations were reported. The elections do not at all meet democratic standards". Sona Aivazyan, Head of the Transparency International Anti-corruption Centre, noted that "disgraceful elections have once again been reported in Armenia."¹⁶

As a result of elections full of intimidation and violence, which were watched by few observers representing the Congress of Local and Regional Authorities of the Council of Europe and a few representatives of western embassies, the Republican Party won 56% of the votes, Prosperous Armenia 23% and Barev Yerevan (Heritage party bloc) only 8.48%. Prominent oppositional parties such as the Armenian National Congress and Dashnaksutyun didn't pass the 6% threshold. Oppositional parties and the majority of local observers marked the elections "not free and unfair".

The question then arises: Why did the protest vote approach that worked unexpectedly well only three months before fail this time, and the opposition dramatically lost its influence. I would argue that there are two main reasons for this failure. The first reason is rather objective. In Armenia, presidential elections are widely perceived as the sole possibility for regime change. Usually only these elections generate the largest voter turnout and provoke tense post-electoral developments. As for the rest, including parliamentary and local elections, there is an obvious lack of interest and confidence that they will have any serious impact on the regime change and on peoples' lives.

The second reason was the enormous pressure on voters, which was executed on a large scale and led by the state and its agents. As an illustration one can point out that some governors of regions were called up to Yerevan in order to use their levers of influence on natives from their respective regions living in Yerevan. All available mechanisms of voter intimidation, bribery and pressure that were described above were in use during the elections on May 5.

For instance, on May 5th MP Samvel Alexanyan (also known as "Lfik Samo", and introduced in US diplomatic channels as "A semi-criminal oligarch who maintains an army of bodyguards. He boasts little formal education (maybe the least among oligarchs). Close to the President's office"¹⁷, and the one who actually calls the tune in Malatia-Sebastia district of Yerevan), appeared in a polling station personally to establish "order" him-

14 Official results <http://www.elections.am/presidential/>

15 Check i-ditord map <https://iditord.org/2013-presidential-elections/> and Armenian times newspaper newsfeed <http://www.armtimes.com/tag/6077>

16 From "End of the carousel. Hardly fought election for Yerevan City Council consolidates President Sargsyan's hold on power." <http://electionswatch.org/2013/05/07/end-of-the-carousel-hardly-fought-election-for-yerevan-city-council-consolidates-president-sargsyans-hold-on-power/>

17 <http://wikileaks.org/cable/2003/12/03YEREVAN2975.html>

self.¹⁸ Transparency International, an election observer, appealed to the National Assembly Committee of Ethics, but it declined to discuss the issue based on the opinion that the issues raised in the application were not within the competence of the Ethics Committee.¹⁹

International Reaction: No Smoking Gun?

It is widely argued that reports of foreign election observation missions including those of PACE, OSCE/ODIHR, and CIS to a certain extent are always politically tailored and a product of some bargain with the authorities.²⁰ The question of to what extent they are trustworthy, impartial and really support democratic processes in Armenia is one of the most pressing issues related to the electoral processes. According to widespread public opinion, the international community is not sincere and unbiased in its promises and demands. For instance, despite four PACE resolutions (1609, 1620, 1643, and 1677) that have been passed on Armenia since March 2008, urging Armenian authorities to create an independent commission and to impartially investigate the events of March 1, 2008, the Armenian government managed to mitigate the international pressure without decisive action. No serious investigation was conducted and the people guilty of killing peaceful protesters remain unpunished.

Wikileaks materials related to the 2008 elections and post-electoral processes, including internal discussions over the OSCE report, provide food for thought on how things are done. For instance the US Embassy Chargé d’Affaires Joseph Pennington referring to the OSCE/ODIHR interim report states that “Characteristically, some of the most provocative findings are buried near the end of the nine-page document and in the footnotes” and ends up saying “The ODIHR report highlights an extensive array of various types of electoral violations in almost every phase of the process. However, while documenting a number of serious problems, and presenting other elements that suggest a distinctly malodorous air to the overall proceeding, the ODIHR report does not produce documented evidence of problems in enough precincts to add up to a high enough number of bad votes to categorically cast doubt on Serzh Sargisian’s 45,000 vote margin of victory... There is, however, no smoking gun here²¹”.

On March 5th 2013, Ireland’s former Minister for Justice Dermot Ahern, who served as observer in OSCE/

ODIHR mission in Armenia sent a letter to the Armenian Bar Association Chairman where he noted that “I was director of the elections board at the national and local level for my party. I have never witnessed anything like this. I feel that a full re-examination of this count should take place.”²²

Notwithstanding all the facts and concerns, at the final press conference OSCE/ODIHR election observation mission declared that “The 18 February presidential election was generally well-administered and was characterized by a respect for fundamental freedoms. Contestants were able to campaign freely. Media fulfilled their legal obligation to provide balanced coverage, and all contestants made use of their free airtime. At the same time, a lack of impartiality of the public administration, misuse of administrative resources, and cases of pressure on voters were of concern. While election day was calm and orderly, it was marked by undue interference in the process, mainly by proxies representing the incumbent, and some serious violations were observed²³”.

As a response to that, a group of young representatives of Armenian civil society interrupted the press conference and read their own statement addressed to OSCE/ODIHR mission. The “Stop legitimating the fraudulent election” statement in particular said: “Dear political tourists, we have had enough of your efforts to legitimize the fraudulent elections. The recent presidential election in Armenia, when compared to previous presidential elections, has registered one step forward and three steps backwards, two steps to the right and a half step to the left. In a word, they haven’t corresponded to the RA Constitution, to the demands of the Election Code as well as international standards.²⁴”

That was not the first and only protest of Armenian civil society against statements and practices that some institutes representing the international community exercise towards Armenia. In March 2008 there were protests in front of the OSCE office in Yerevan, in 2008–2009 activities targeting the Council of Europe and addressing the March 1st events and its consequences took place in Yerevan. One can argue that also thanks to the new media, the voice of the Armenian civil society, which to a certain extent breaks stereotypes and taboos, reaches more and more people and gains more influence.

Conclusions: Issues To Be Addressed

Prior to the 2012 elections, one of the most efficient means of fraud prevention was declared mass observation and media coverage. In 2012 and 2013 the num-

18 <http://www.tert.am/en/news/2013/05/05/aleksanyan/>

19 <http://transparency.am/news.php?id=669&inside=1>

20 For example see Judith Kelley. Election Observers and Their Biases <http://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/4625/279967300013.pdf?sequence=1>

21 <http://wikileaks.org/cable/2008/03/08YEREVAN213.html>

22 <http://asbarez.com/108717/osce-observer-details-voter-fraud-in-armenia/>

23 Full report is available here: <http://www.osce.org/odihr/elections/101314>

24 <http://hetq.am/eng/news/23565/>

ber of proxies, impartial observers and representatives of mass media was higher than ever. In the 2013 presidential elections, according to the law, political parties represented in the National Assembly could appoint members of local electoral commissions; hence all major political parties had at least one representative in each of the commissions. The 2012–2013 elections demonstrated that those means were helpful, indeed, to prevent some violations in precincts. However, it became absolutely clear that the overwhelming volume of violations is taking place not in the precincts and not on the election day.

The methods and techniques of organisation of the electoral fraud have been mastered by the ruling regime and brought to perfection. They are based on intimidation and terror both in rural areas and in urban districts through the use of administrative means and informal power. The system is fuelled by resources provided by loyal oligarchs and is a result of clear trade-offs. At this moment there are no political or civic forces that are able to counteract the regime given the existing rules of the game. It is extremely difficult to stand against *the state* that possesses unlimited power and employs all possible ways of electoral fraud.

In addition to the mentioned types of electoral malpractices, there are two phenomena that illustrate the essence of Armenian elections from a statistical analyses point of view. The first issue is an “implausibly high turnout,” which is in clear correlation with higher numbers for the ruling regime. This concern was raised both by international observers and the opposition. Second, the situation seems quite strange from a logical point of view since according to the official data, the socio-economic state of affairs in Armenia are worsening and emigration is expanding; at the same time, votes for the Republican Party are growing over the years at the expense of all other parties in absolute numbers.

Political party and electoral campaign financing are also among the most pressing issues, although rarely articulated. There are almost no local businessmen ready to fund any oppositional party openly. The case of Khachatur Sukiasyan, who publicly supported Ter-Petrosian in 2008, and whose business was actually smashed in response, is a vivid lesson learned by Armenian business community.

Despite vociferous statements articulated by the international community and the West, facts come to prove that issues of regional stability and predictability dominate the democracy discourse in the West, when assessing Armenia elections.

Although Head of IOM in Armenia Ilona Ter-Minasyan points out that there is no academically conducted research that clearly establishes correlation

between elections and emigration in Armenia²⁵, some experts suggest that there is a tendency of that kind. After each election taking place in Armenia, there is a new wave of emigration. Most probably the latest elections will not be different in that sense and a new flow of emigration should be expected.

There is no doubt that international election observation missions play huge role and do have very strong influence on the government. At the same time and just because of that, very often election observation reports along with highly professional content and critical remarks, put an emphasis on a rather ambiguous and at the end of the day satisfactory for the government final statement. This undermines the work of individual observers and members of local staff, disseminates seeds of distrust in the society and discredits international organizations.

One of most commonly articulated opinions by representatives of international structures is that elections in Armenia do not correspond to the international standards but in *comparison* with other neighboring OSCE/CoE member countries “they are not that bad”. However, I would argue that the way the elections are conducted should not be assessed *in comparison* with other elections (whether it is past elections in the same country or in neighboring one) but in *accordance and congruity* with OSCE 1990 Copenhagen document²⁶ as OSCE/ODIHR handbook suggests²⁷.

There are some down-to-earth recommendations that the international community could take into consideration. First and foremost, the amendments to the Electoral Code suggested by the opposition and currently rejected by the Republican majority. One of the most important suggestions reflected in the draft is lifting the ban on publication of signed voter lists, which is instrumental in counteracting electoral fraud through exaggerated voter lists.

Taking the above into consideration, it is possible to conclude that the election-free period until the next parliamentary elections in 2017 should be used both by political parties and by civil society for searching and finding creative ways of resistance. Political parties should reorganize and expand to the regions of Armenia and generate long-term support. The tight cooperation between oppositional parties should be strengthened.²⁸ Civil society, in its turn, should use all

25 <http://www.armtimes.com/en/node/31979> (interview in Arm.)

26 <http://www.osce.org/odihr/elections/14304>

27 <http://www.osce.org/odihr/elections/68439?download=true>

28 A positive example of cooperation is mutually agreed changes to the Electoral code of the Republic of Armenia supported by four oppositional parties presented at the National Assembly. The amendments were not accepted since the Republican majority voted against the proposal.

the institutional means available, such as oppositional MPs in the National Assembly, to upgrade the level of public advocacy. Definitely, rapid development of technologies, larger penetration of Internet and advancing new media and citizen journalism will play a crucial role in spreading alternative information and mobiliz-

ing people. From that point of view, it is very important that the opposition and civil society stand against any web regulating laws which may possibly be advanced by the ruling regime in preparation for the next round of elections.

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Political Parties Before, During and After the Elections of 2012–2013

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Abstract

The most important event during the first 100 days of Serzh Sargsyan's second presidential term is the abolition, or the radical collapse, of the organized political opposition. Immediately after the election, it seemed that the political opposition headed by Raffi Hovhannisyán (the leader of the "Heritage" party) was at the peak of its power. According to public opinion polls, as well as to his own statements, Hovhannisyán won the 2013 presidential elections. However, the election results were falsified by the government. Society revolted: meetings and protests were held every day in Liberty square. The situation seemed to be turning revolutionary. However, the City Council elections on May 6 were a total failure for the opposition; the Republican Party of Armenia became the leading force in city hall. Thus, the deep crisis of legitimacy that Sargsyan faced since the 2008 presidential elections, expressed in the great public support for opposition political forces, came to an end. This situation may change again, but currently no political force seriously challenges Sargsyan. This article provides an overview of Armenia's main political parties.

The Leading Party: the Republican Party of Armenia

The government is represented by the Republican Party of Armenia (RPA), whose leader is Serzh Sargsyan (Armenia's president). There is also an affiliate party of little influence called Rule of Law that will not be further discussed. During the last five years the representatives of the opposition have been the Armenian National Congress, headed by Levon Ter-Petrosyan, Heritage, headed by Raffi Hovhannisyán, Gagik Tsarukyan's Prosperous Armenia, a relatively "passive opposition", and the Armenian Revolutionary Federation (Dashnaktsutyun) with no definite leader.

Armenian political parties by themselves have not played a prominent role during the years of independence. They have been inconsistent political entities lacking regulations, ideological activity, an open inner debate, close relations with different strata of the society, a definite ideological orientation and a social base. These

parties are mainly clubs of supporters of this or that politician. They essentially support their leader's ideological, promotional and organizational activity.

The leading party's inner life is inevitably wider, as it carries out also the tasks of state governance, partially replacing the activity of other state institutions. This is the reason why it often becomes a place of rivalry between the sub-elites of the ruling elite. Such access to power adds to the attraction of the leading party and stirs public interest in it. The society still remembers the times when all the social events originated inside the leading and the only party, the Communist Party. In this respect, now the leading Republican Party also has some charm for the Armenian society, as there have formed in it some internal struggles and procedures for the resolution of differences.

The present day Republican Party was formed in 1998 as a result of President Levon Ter-Petrosyan's resignation. Before that it had been a minor and non-influential party. Two days after the resignation, several MPs