

The Armenian Parliamentary Elections, 30th May 1999

The republic of Armenia held its second parliamentary election since independence on 30th May 1999. The first election in 1995 had been severely criticized as had the presidential elections in 1996 although most international observers had failed to condemn these polls outright. The exception was the 1998 presidential election the conduct of which OSCE observers and the US Department of State, in particular, condemned in unprecedentedly harsh terms.

Four members of the British Helsinki Human Rights Group visited Armenia to observe the 1999 elections. The Group has monitored all the previous national polls which they found to be seriously flawed – that is, apart from the 1998 presidential election which, in the opinion of the Group's observers, showed a marked improvement on previous elections.

Background to the 1999 Election

In the four years since the 1995 election the political landscape in Armenia has shifted considerably. In 1995 the Pan-Armenian National Movement (APNM) dominated the parliament and its leader Levon Ter-Petrossian was the country's president. However, in February 1998 Ter-Petrossian suddenly resigned, although it was universally accepted that he had been pushed from power by forces that objected to his seeming willingness to compromise over a settlement to the Nagorno Karabakh conflict.

The republic's powerful defence minister, Vazgen Sargssian, was reputed to be the initiator of these changes. A veteran of the Karabakh conflict, Sargssian supported the candidacy of the Armenian prime minister and former president of Karabakh, Robert Kocharian, for president in the elections slated for March 1998. An unlikely opponent appeared in the form of the last Communist Party boss of Armenia, Karen Demirchian. Since the collapse of the Soviet Union Demirchian had pursued a career as a businessman running the Armelektromash factory in Yerevan. Although his reappearance on the political scene was meant to reflect the Armenian public's desire to return to the certainties of the past and distaste for mafia capitalism personified by Ter-Petrossian's rule, to those in the know – the political elite - Demirchian was perceived as close to the former president whom he had supported in the 1996 election.

Powerful forces obviously wanted a Demirchian victory in the 1998 poll. Countries like the US with major economic and strategic interests in the Caucasus region feared that Kocharian's strong Karabakh connections could thwart any future settlement over the future of the break-away republic. Money and influence were probably brought to bear; a British journalist was even told not to bother going to Yerevan for the election as "Demirchian's victory was already stitched up". However, although Demirchian polled well (no doubt, he represented better times to many Armenians) Kocharian was elected by a wide margin. BHHRG observers saw for themselves how ordinary Armenians turned to Robert Kocharian as someone untainted by mafia connections and the intrigues of Yerevan politics.

However, Kocharian undoubtedly owed his victory to the support of Sargssian who had been and continued to be part of the Armenian power elite. During 1998-9 Sargssian seems to have distanced himself from the president by creating new alignments which culminated in the formation of the Unity bloc in time for the 1999 parliamentary election.

The Armenian Parliament

The largest party in the Armenian parliament, the APNM, suffered defections after the ouster of Levon Ter-Petrossian. In the last year the Republican Party has become the most influential group of deputies. At the end of January 1999 the party announced that over 50 MPs representing Yerkrpah (a group of deputies who had been volunteers in the Karabakh

war) would join its ranks and Sargssian, the chairman of Yerkrpah as well as Armenia's defence minister, would become the new party leader.

However, a much stranger and more significant development occurred in March 1999 when a new grouping was formed to fight the forthcoming parliamentary election. Miasnutiun, the "Unity" bloc, as it was called, comprised Sargssian's Republican party, including the Yerkrpahs, and the People's Party of Armenia led by Karen Demirchian. The formation of the bloc represented a rapprochement between the right (Republicans) with the left (Peoples Party) and promoted 'consensus' as a solution to the country's problems. In other words, it aimed to appeal to the electorate by being all things to all men. A bewildering array of promises was made by both Demirchian and Sargssian during the election campaign ranging from a reversal of previous privatizations and a return to some form of nationalized industry (from the former) to fast track economic reform (from the latter).

More importantly, part of the old CP structures that had helped Demirchian return so successfully to the Armenian political scene and the post-Communist party of power - now represented by the Republicans - promised to be the most formidable political force in the May elections. Even though Kocharian formally welcomed the formation of the bloc, rumours circulated that the president was being side-lined and that he would eventually be ousted from power – or, at best, to quote Vazgen Manoukian, he would end up like the "Queen of England". Some had always claimed, anyway, that Kocharian's presidency was unconstitutional as he was a citizen of Karabakh rather than Armenia.

If such rumours turn out to be true, they make the developments of the past 18 months in Armenian political life seem very complex, if not peculiar. If Vazgen Sargssian can now cooperate so closely with Karen Demirchian why did he not support the latter in the 1998 presidential election? It seems that within a very short time after that election the Defence Minister (who promoted Kocharian's candidacy) was casting around for partners unconnected with or down-right opposed to the president. Such delicate foot-work seems to defy explanation. However, cynics have suggested that under Western pressure Ter-Petrosian was preparing to sell out Karabakh too cheaply. By keeping the negotiations over the break-away republic's future in play some Armenian politicians may have felt they could exact a higher price for a deal. By producing Kocharian the Yerevan power elite 'upped the ante'.

While the politicians manoeuvred to maximize their positions in the domestic sphere the May elections were also regarded as a touch-stone for Armenia's future relations with the international community. In particular, the country is seeking full membership of the Council of Europe which it applied to join in 1996. A good report from the Council's election monitors was therefore seen as vital for the country's application to succeed.

The Election: The Election Law

A new Electoral Law was adopted by the Armenian parliament on 5th February 1999. A vigorous debate surrounded the contents of the new law – in particular, many parliamentarians including Paruyr Hairikian the widely respected leader of the Self-Determination Party wanted the country to adopt a fully proportional system of voting for the forthcoming election. In the old parliament there had been 190 deputies, 150 elected by majority vote, 40 by PR. Many felt that the preponderance of first-past-the-post candidates enabled government officials and influential businessmen to enter parliament under less than opaque conditions. According to the provisions of the 1995 Constitution and the new law there are now 131 MPs. However, although the balance has been redressed – 56 MPs are now elected by the proportional system and 75 under first-past-the-post - the majority of elected MPs are still subject to the same criticism.

The 1999 law abolishes one of the most contentious practices in Armenia – the addition of complementary voting coupons to the ballot paper. Ironically, this practice was introduced in 1995 after consultations with Western election experts like IFES (The International Foundation for Electoral Systems) to bolster the accuracy and transparency of the vote.

However, all it did was to lengthen and confuse both the process of voting and counting as the ballot paper and the coupon attached to it had to be filled in and accounted for. Many of the chaos and queues encountered at polling stations in 1995 were caused by the protracted procedure involving the coupons.

Again, in response to criticism, the new Law abolished the utilization of an additional voters' list. Following consultations with experts from the Council of Europe a process was envisaged whereby those not on the electoral register could apply to their regional court up to and including election day for a decision on whether or not their details enabled them to vote. They were then issued with a stamped voting certificate to present to the polling station where they should be registered. However, it will become manifest during this report that the whole issue of voting registers was so contentious in Armenia that this procedure did nothing (apart from reducing the queues in the polling stations) to improve the transparency of the poll.

Election commissions: The new law has increased the powers of the government in the formation of district election commissions (DEC): according to Art. 36 (4) if members of the DEC fail to elect a chairman the government, not the Central Election Commission, (CEC), can choose its own candidate from among commission members. The procedure for the composition of the Central Election Commission has also changed. Whereas the CEC previously had to have at least 7 members the number is now 13: 5 members from the 5 factions in the parliament, 3 appointed by the government and a further 5 reserved for parties and blocs with the largest number of signatures collected during the canvassing campaign. As the signature-gathering process was extremely dubious this change in the law is open to criticism.

For the first time domestic groups have the right to be present in the polling station to observe the election. In 1995 a scratch organization, Vote Armenia, had managed at short notice to gather large numbers of volunteers to observe the poll. This time 12 groups registered to observe, ranging from the Choice is Yours, the largest, which was funded by the Eurasia Foundation and the NDI to the less well-funded Justice and Truth .

Parties and Candidates

The parties. 21 parties contested the 1999 parliamentary elections – 8 more than in 1995. 1002 candidates were on the majoritarian ballot paper, 627 on the list (there were separate ballot papers for each part of the poll).

It was widely believed that several of the smaller parties were dummies which served to confuse people. These smaller parties also gained a disproportionate amount of influence in the election by the positions achieved by some of their representatives on electoral commissions due to their (remarkably) high collection of voter signatures in support of the parties' candidacies. All parties could also nominate members to the array of candidate and party proxies as well as party observers entitled to be present in the polling station on election day itself. Of course, actual votes for these parties were wasted votes as parties had to surmount a 5% threshold to gain representation in the parliament and, therefore, they increased the proportion of the vote gained by the larger parties.

Attempts by BHHRG members to find out more about parties like The Party of Law and Mighty Motherland met with vague responses. Mighty Motherland was allegedly connected with Armenians in Georgia. For such a small (and new) structure this party was widely represented on electoral commissions and it gave the impression despite this of being well-connected. It was even suggested to our observers that Demirchian's Peoples Party was a bogus construct

Parties had to collect 30,000 signatures to take part in the election. While larger parties like the Communists submitted 56,000 signatures the small organizations garnered many more all, apparently, collected within 3 days. On 19th April Communist Party first secretary Sergei Badalian said the 30th May elections were already discredited because of the questions raised by the procedure for collecting signatures. He also pointed out that it was impossible

for the CEC to check the veracity of the signatures put forward in the time provided. His criticisms were echoed by IFES representatives in Yerevan who told BHHRG that no proper check had been done of the signatures.

The numbers appear even more surreal when tallied with the votes these parties received on election day itself.

	Signatures collected	Votes
Mighty Motherland:	331,526	10,073
Ramkavar-Azatakan:	171,812	2828
Liberty:	121,229	2828

It seems to follow that Badalian's other claim – that only five or six parties out of the 21 on the list were serious political forces is probably true. Among these were:

Miasnutiun, the “Unity” bloc – The favourite to win the largest number of seats in the proportional part of the poll. The bloc resulted from a merger between the Republican Party with its parliamentary Yerkrpah supporters and the Peoples Party of Karen Demirchian. It is interesting to note that commentators who predicted a Unity win did not attribute this to the popularity of the bloc's leader and *eminence grise*, Vazgen Sargssian, it was rather the former Defence Minister's wide-ranging control of Armenia's power structures that would secure the victory.

BHHRG observers interviewed Professor Khatchatrian who had been in charge of Karen Demirchian's presidential bid in 1998. The Professor was unable to flesh out the bloc's programme in any detail although he repeated the mantra of 'unity' on numerous occasions.

National Democratic Union – Once the leading opposition party in Armenia. Led by Vazgen Manoukian a former prime minister and original Karabagh Committee member the party is perceived to be liberal and pro-Western. Manoukian is widely believed to have been the real winner of the deeply flawed 1996 presidential election and has probably never recovered from having been 'robbed' of the position. Since then the party has lost support. It played a somewhat inglorious role in the 1998 presidential election when Manoukian joined 5 other candidates to cry foul after the first round of voting which many put down to his continuing bitterness about events in 1996. However, such bitterness could be put to good use in the future. The NDU was reputed to have run a weak campaign and only just surmounted the 5% barrier on 30th May. However, its 6 MPs could provide crucial votes in the new parliament if attempts were made to impeach Korachian.

APNM – the former party of power its ranks are now depleted - some members have deserted to the Republicans or stood as independents. It failed to reach 5%, although the party's present leader, Vano Siradegyan, was elected on the majoritarian ballot.

Self-Determination Union – led by former dissident and Karabakh Committee member Paruyr Hairikian. The party received 42,987 votes and 3 seats in parliament in 1995 but failed to get more than 5% of the vote on 30th May. It would be disappointing if Hairikian himself had no future role to play in Armenian politics as he is one of the only truly respected politicians in the country. However, the party's platform has always been someone remote from ordinary Armenians with its emphasis on getting proper international recognition for the 1915 genocide and the regaining of Armenia's lost territories in Turkey.

“Law and Unity” bloc – a group of organizations with strong connections to the Karabakh Defence Minister, Samvel Babayan. It is close to the president and suspicious of the Unity bloc. The party did well in the election, particularly in Yerevan where it ranked second in the list.

Armenian Revolutionary Federation (Dashnakstutiun) – The oldest political party in Armenia dating from the period when Armenia briefly tasted independence before the Bolshevik takeover in 1919. The party was banned from standing in 1995 and many of its

leaders were imprisoned on terrorist charges. One of Robert Kocharian's first acts as president was to release them and the party returned to active political life. Although it is perceived as the most nationalistic party in the country a spokesman told BHHRG members that it also wanted to be part of 'European structures' which may mean that it could cooperate more closely with Unity than previously thought. The Dashnaks seem to be well-funded, probably from Armenians abroad.

Communist Party: The party is the second largest formation in the country and still has a loyal grass-roots membership. It wants to join the proposed Belarusian-Russian Union.

The candidates: 1002 candidates registered to take part in the majoritarian part of the poll. Some stood on a party ticket but many labelled themselves 'independent'. However, after the poll some independents admitted to supporting the Unity bloc and it was generally accepted that most would gravitate towards Unity as the natural 'party of power'.

The Law demanded that candidates who had positions in the state, legal and regional structures should resign if they wished to take part in the election. This meant that many candidates were deemed 'unemployed' on the ballot paper. However, mayors could stand (apart from the mayor of Yerevan and his deputy). It emerged from conversations in polling stations that majoritarian candidate Mr. X was, for example, the deputy-mayor or head of the regional education office. In other words, a powerful and influential player in the local structures. Others were businessmen who could count on their employees and the patronage on offer for support. In Echmiadzin observers were told about Hakob Hakobian one of the two leading local candidates who, it was emphasized, was a great local benefactor and charitable giver.

The results of the majoritarian poll published on 1st June show the successful candidates' web of state and business connections. 28 of the 75 have already pledged allegiance to the Unity bloc, 23 the Republican Party and 5 from Demirchian's party.

Many seem to have stepped straight from the pages of a Damon Runyon novel: characters like Levon Sarkisyan deputy chairman of the Yerevan elevator company, nickname 'Flourmill Levik' or Ruben Gevorkyan former prefect of the Davudashen community, nickname Rubo the Flower and Khachatur Sukiyasyan, president of the SIL group, nickname 'Grzo'. Sukiyasyan is also the brother-in-law of Vano Siradegyan who was also elected despite the fact that the prosecutor-general has accused him of involvement in a series of contract killings. All the other candidates on the majoritarian ballot paper in Siradegyan's constituency mysteriously removed themselves from the poll.

With such people elected to the new parliament it is no wonder one Armenian journalist wrote that "all congratulations should go to local strongmen and money bags with criminal backgrounds rather than to political forces" [David Petrosyan, *Noyan Tapan* 2/6/99]

Campaign

BHHRG observers were not able to observe the campaign in any detail. When asked, ordinary voters felt that the media had behaved properly and given the correct air time to each party although it is always impossible for so many independent candidates to receive the same kind of publicity. 60 minutes of free air time was given on state TV with a further 120 minutes paid airtime available. However, some majoritarian candidates broke the rules: Vano Siradegyan allegedly paid for 5 hours of broadcasting time on a local TV channel. The Country of Law Party also seemed to have plentiful financial resources and the support of the Ayy TV channel.

However, there were few posters in the streets and the low turn-out on election day itself revealed a deep malaise in the population. Even the most meticulous student of the campaign literature would find it impossible to distinguish one party's programme from another, as is so often the case in the FSU. Vague slogans about reform but always tempered by social justice and topped up with commitments to join 'European structures'. It is, perhaps, unsurprising

that many Armenians feel a little more enthusiasm, however cynical, for the entrepreneur, independent candidate who might at least spread about some of his wealth or magic.

Allegations were made that treating of voters had taken place. That mayors in the regions had improved local facilities prior to election day, for example A great deal was made of allegations that Robert Kocharian's supporters had offered free kerosene for votes in 1998 but no one seemed to want to make an issue of pre-election bribery this time.

Election Day observation

BHHRG observers visited over 20 polling stations in Aragat, Echmiadzin, Arevik, Ashtagat, Dzoragpuyr, Abovian, Razdan, Sevan, Norhajan and Yerevan. They observed the count in Yerevan Districts 11 and 12.

The polling stations : Organization inside the polling stations visited had improved compared with 1995. The abolition of the voting coupon undoubtedly helped as people can now sign the register take the ballot papers and vote in a quick and orderly manner. In the stations visited the ballot box was clearly visible to the members of the commission except in Ashtagat 0508/32, a badly organized place anyway.

However, observers were unhappy about the need for a commission member to control the process of casting the ballot by opening and closing the slit in the box. Added to which, the voter had to show his/her passport to this person before the ballot paper could be dropped in. In small communities where everyone knows one another and where many voters will probably work for a candidate standing in the election on the majoritarian list this is potentially oppressive. We noticed that people often went through the process of showing their passports with one hand while their (unfolded) ballot papers were held in the other for all to see. We also saw cases of people voting in the vicinity of the box. In some polling stations several people had taken up a position around the box although it was impossible to see why. Again, this kind of thing can be intimidating.

While the atmosphere in most polling stations was superficially relaxed, there was an underlying tension. For example, BHHRG observers in the village of Karshi, (Razdan) a district where there had been rumours of pre-election violence faced a hostile crowd in the polling station and felt it would have been dangerous to linger there too long. In other places, disputes flared easily, particularly when there were problems with the register.

Turn-out: Turn-out was sluggish during the day. By lunchtime barely 100 people had voted in many polling stations visited. Commission chairmen said that people were "at work" and would vote later. BHHRG observers found the final figure for the turn-out – 55.7% - higher than they would have expected from their observations. In fact, in the early post-election period a figure in the mid forties was being reported.

Election Commissions : Accusations had been made that there had been a lively trade for seats on the local election commissions. In the larger constituencies these consisted of 13 people in the smaller 9 although there always seemed to be many more people sitting with or near the commission members. The commissions were made up of mixed party membership often with representatives from the smaller parties - Mighty Motherland featured regularly. Many of the commission chairmen had been changed since the 1998 election.

Domestic observers and proxies : Although the new Armenian Election Law has been praised for allowing domestic groups to observe the election this is one area that gave rise to concern during election day. The BHHRG observers who went south to Echmiadzin and Ararat had the same experience in every polling station visited: a large poster with a pink rose displayed prominently on a window announcing the presence of observers from the domestic group, the Choice is Yours.

On every occasion one, sometimes two, members of this group would greet the observers on arrival, take them to meet the precinct commission chairman and stay with them while

technicalities were being discussed. Often middle-aged or late middle-aged, these people gave every impression of being 'in control'. When not monitoring the movements of the international observers they were directing people into the voting booths and generally keeping 'order'. In one station, a member of this group was sitting at the table with the members of the commission. When asked why she said she was 'writing something down'.

Compared with the young people who had taken part in the Vote Armenia exercise in 1995 and those monitoring the poll for the Justice and Truth group in 1999, these observers seemed to be very professional. While it is perfectly possible that this was not the case everywhere – the other team of BHHRG observers did not have the same experience - it was so marked for one group that it must be mentioned.

As well as independent observer groups a polling station could have, in theory at least, 21 party observers and observers for however many independent candidates were on the list. On top of this, a party was allowed to have up to 2 proxies present. All these various groups as well as commission members were given spurious authority by wearing pink, green or beige badges. It meant that most polling stations were over-crowded – not with voters (there were never many of them) but with this army of verifiers. It would be unheard of for a polling station in the Britain or the US to allow so many people to hang around even if their bona fides were impeccable. The situation was so confused at the count in Yerevan No.11 (where BHHRG counted 52 observers/proxies) that the commission chairman had to send a large number away. CIS observers criticized "the scope given to candidates proxies to intervene in the affairs of the electoral commissions".

One of the criticisms made of the 1998 presidential election was the large numbers of unknown people hanging in and around polling stations. However, there were many more such people in and about polling stations on 30th May 1999. Such was the underlying feeling of control that it often seemed pointless to talk to ordinary voters about the election as their every move could be monitored by someone else.

Electoral registers: Every Armenian election since 1995 has been criticized for having incorrectly compiled voters' registers. The authorities excuse themselves for this by saying that the country has not undertaken a proper census for the past 10 years. However, every Armenian citizen has to be registered with the authorities and only recently all those who would be entitled to vote were issued with new, dark blue Armenian passports. On top of this, the population is small with c. 2,200,000 nominally qualified to vote.

It is true that people go abroad to work although that does not render them disenfranchised. Otherwise, as in other post-Soviet countries, people live and work in the same places all their lives. The opportunity to move house or apartment on several occasions in a lifetime simply does not occur in places like Armenia. Added to which, the law obliges local authorities to update the registers twice a year in January and June.

Why, then, are the registers so inaccurate? The answer may be that it enables the authorities to manipulate the election process. As it is nigh impossible to show that this official or that deliberately added or left off someone's name the outcome can be put down to confusion and slipshod work. We also saw cases where a minor slip in the recording of people's names disqualified them from voting – unless they were prepared to go to the local court and seek clarification there.

Attempts had been made to improve the compilation of the register this year. A database was created of 2,136,482 names based on lists drawn up by community administrations and computerized with the help of the UNDP in Yerevan. When criticized for the inaccuracies the UNDP said they had pointed out all sorts of errors to the local administrations which went unheeded. 517,000 people were listed with the month and date of their birth missing but no additional clarification or corrections were made by the community heads.

The authorities made much of the new procedure according to which those not on the registers could appeal to a local judge to be reassessed for inclusion on the lists, including on election day itself. Apparently 22,000 people took the opportunity to do this out of which

21,000 were allowed to vote. But BHHRG observers met people who did not want to be bothered going to the court – it was a very hot day. At polling station 753/44 (Sevan) of 30 to 35 people who had complained to the chairman about not being able to vote only one person had been to the local court by 4.18 p.m. Earlier in the day two of our observers had visited the court for the Abovian region. Conditions were shambolic with large numbers of people milling about. An official told the observers that 50-60 people had applied to the court (this was c. 11 a.m.) but a voter told them it had been nearer to 400. Even those who did get the certificate to allow them to vote from the court did not necessarily do so. The chairman at the court in Yerevan 0135/11 said that 105 voters had permission but only 98 had voted.

Although the lists should have been ready 40 days before the poll and displayed 5 days beforehand there were many examples of lists being posted only 2 days before 30th May giving people little opportunity to correct them. At Abovian 1126/60 the chairman said he had only received the register on 28th May, too late to make corrections which was why he was unable to let someone vote whose name had been printed incorrectly. In fact, minor misspellings meant that people were turned away. This often led to heated exchanges as observers heard at Ashtagat 32 – the women in question here could not be bothered to go to court.

At Razdan 1025/54 all the dates on the voters list were printed 01/01 and several of the birth years were 1900. At Karhsi, Razdan the entire list showed the dates and months 01/01. In Ashtagat 0508/32 numerous names were crossed off the lists and in Ashtagat 0505/32 there was a written list besides the printed version. Observers in Armavir 2107/38 said that at least 40 people had been unable to vote by midday. They claimed that these people had been on the register in the last election.

On reflection, it is difficult to see how the judges could have been in any better position to sort out anomalies in the registers if they were working from computerized data that (according to the UNDP) contained a large amount of uncorrected material. The evidence seems to be that many more than 22,000 people were either left off the register or registered inaccurately. Some go as far as saying up to 200,000 people were unable to vote.

At the end of the day, many polling stations had more people voting with a paper from the local court than would have previously been the case with the additional list. At the count at Yerevan 0135/11 there were 98 such voters. A normal additional list is usually no more than 40 names at most. It is difficult to see why the new system is an improvement on the additional list as the possibility must exist that corrupt court officials could enfranchise someone for money or favours or just through laziness. However, in Echmiadzin 0560/35 The Choice is Yours representative emphasized that the court would register voters “without payment”.

Refugees: According to the UNDP there are 400,000 refugees in Armenia, victims of the Karabakh conflict. The UN suggested that the CEC should obtain a proper database containing the details of refugees from the Ministry of Social Affairs to compare with its own database, but the request was never replied to. One month before the election a new law was passed preventing refugees without permanent seals of residence in their passports from voting. In the last election refugees with old Soviet passports could vote.

This, inevitably, caused problems. Many polling stations said they only knew about the law 2 days prior to the election. So, it was too late for lists to be revised. In Ashtagat 0508/32 we were told that “the president” had deliberately ordered the commission to leave the refugees’ names on the register although this was disputed by party observers. All in all, it added another layer of mistrust and confusion to an already unsatisfactory state of affairs.

Military lists: Party leaders complained about the secrecy surrounding where the military would vote. It had not been possible to find this out from any polling station and the suspicion was raised that without proper checks soldiers might vote more than once. The problem is that no one is completely sure how many people are in military service at any one time.

The Count: Observers attended the counts at polling stations in Yerevan districts 11 and 12. Counting the votes in FSU countries has now become almost farcical through painfully slow adherence to the rules. It seems that international bodies have demanded so much transparency and attention to detail that frustration and exhaustion among commission members (who have been on duty in many cases for nearly 15 hours) will soon derail the entire process. Of course, commission chairmen will, no doubt, adhere most precisely to the rules when observers are present in the polling station. But no electoral commission should even be expected even in theory to count votes so slowly: in both these polling stations it took over 2 hours to open the ballot box. In the UK some constituencies consisting of several tens of thousand voters where the ballot boxes have to be taken to a central location for the count declare the results an hour after the polls close. There must be a suspicion that international organizations who help former Communist countries devise rules for their elections implicitly believe that the authorities will cheat which sits uncomfortably with the insouciance shown by these organizations towards many genuine irregularities

Despite an almost overpowering respect for legitimacy – all decisions regarding the ballot papers and the procedures to be adopted were taken democratically - BHHRG observers could not help noting at the count in Yervan 12 the central role played by the commission member responsible for the Unity bloc ballot papers. Unlike the ballot papers for the remaining parties these were not subject to examination by other committee members.

Results: 6 political parties surmounted the 5% hurdle to enter the Armenian parliament, the Unity bloc had the largest share of the proportional vote as well as the greater number of majoritarian candidates pledging allegiance to the party. Unsurprisingly, other theoretically independent candidates are expected to ally themselves with the bloc in the future.

Miasnutiun "Unity" Bloc	448,133	(44.67%)
Communist Party of Armenia	130,161	(12.10%)
"Unity and Right"	85736	(7.97%)
Dashnaksutiun	84232	(7.83%)
Country of Law	56807	(5.28%)
National-Democratic Union	55620	(5.17%)

55.7% of the registered electorate voted

Aftermath: Party leaders like Paruir Hairikian had complained before the election about the shambolic state of the voters' registers. He, and others, claimed that anything between 100,000 to 200,000 people had been prevented from voting on 30th May because of this. Artak Sahradian, chairman of the CEC answered that the 22,000 people who had appealed to the courts for their names to be reinstated was more likely to be the real number, but this is unconvincing. BHHRG observers met members of the public who had been unable to vote at their local polling station but were unwilling to make the trip to the local court to rectify the situation.

On 3rd June the prosecutor's office started to investigate irregularities in 7 cases which, allegedly, took place during the campaign. 3 cases involved shots being fired, windows broken; there were 2 cases in which candidates were beaten up and another kidnapped. 4 people were arrested for attacking a candidate, Bagrat Keryan. Some confusion seems to surround the claims of an attack on the leader of the Aryan Party, Shant Arutyunyan as he is also accused of beating up a local official. Preparation is under way at the prosecutor's office for consideration of a further 15 to 16 cases. But this number falls far short of the infringements of the law claimed by Hairikian and others.

International observers: Both the OSCE and the National Democratic Institute criticized the conduct of the election, the situation with the registers, in particular. However, the OSCE was more positive in its conclusions than the NDI. The Council of Europe report was overwhelmingly positive which bodes well for Armenia's accession to membership of the Council in the near future.

No organization made the serious allegations of ballot stuffing, theft of ballot boxes, violence and the presence of unauthorized people in the polling stations made after the presidential elections in 1998. On examination, most of these allegations were made at the time only by a handful of observers (mostly from the US). They did not accord with the observations of the majority of the participants in the OSCE team (84% of whom gave a positive assessment of the poll) or with the observations of BHHRG observers. However, they managed to pollute the atmosphere and contrived, successfully, to dominate the conclusion of the OSCE's final report. This enabled the US State Department to condemn the election of President Kocharian. The fierce criticism directed at Armenia by its spokesman James Rubin may very well provide useful ammunition if attempts are made in the future to unseat the president by MPs elected in circumstances no better than in 1998 and in some ways worse.

In fact, BHHRG observers (who observed both elections) found the 1999 parliamentary elections compared badly with the 1998 poll. In 1999 there were:

- a) more reported acts of violence
- b) many more unauthorized people in and around the polling stations
- c) jerryandering of the procedure for the registration of parties and candidates
- d) reported incidents of favours being offered to voters by majoritarian candidates.
- e) The voters registers were in far worse a state than has been recorded in any previous election in Armenia, including in 1995.

As for ballot stuffing and stealing of ballot boxes, BHHRG observers were unconvinced that such things had happened in any significant or organized manner in 1998. Many of the accusations seemed like provocations; others pointed to foul play on the part of the Karen Demirchian's supporters as much as anyone else.

Conclusion

The Unity Bloc triumphed and powerful individuals in Armenia managed to steer themselves into government through the 30th May parliamentary elections. Vazgen Sargssian, the architect of the victory, is now prime minister, his partner, Karen Demirchian, speaker of parliament.

Undoubtedly, the electoral system which still has a predominantly majoritarian base contributed to the victory of the Unity Bloc. Candidates with strong business and administrative ties at the local level were able to exert pressure on voters, something that we heard about or detected at polling stations visited. Many nominally independent candidates, quite naturally, will gravitate to the 'party of power'.

Such pressure and/or influence could have been compounded by the army of proxies and observers present in all the polling stations. While it would be nice to think that the bona fides of such people were honourable the behavior of many of them led BHHRG observers to think they could have intimidated people to vote in a certain way. In small, close-knit communities this was all the more likely to be the case. The potentially oppressive way ballot boxes were supervised during the poll gave further cause for concern.

Although some of the procedures followed in the election (due to the new law) were an improvement on 1995, underlying problems still remain. The appearance of so many small parties late in the day raises suspicions, more so when the new law presents many opportunities for such 'parties' to actively participate in the conduct of the poll.

For whatever reason, be it incompetence or foul play, the many inaccuracies in the voters registers raises serious concerns about the legitimacy of the whole process. As stated before in this report, there is no reason why the authorities in Armenia should not be able to maintain and update voters' lists on a regular basis.

No election is either good or bad in the same way. BHHRG observers saw few examples of multiple voting and no cases of ballot stuffing in the Armenian election. However, the ultimate test for an election to be acceptable is how much latitude the voters have to make their choices and whether the conditions exist for these choices to be made freely and fairly. The state of affairs that made it so easy for a powerful clique of politicians and businessmen to be elected on 30th May 1999 mean that it is impossible to say that these conditions did, in fact, exist.