

**NAGORNO-KARABAKH GROUP IN THE EUROPEAN PARLIAMENT**

**ELECTION OBSERVATION DELEGATION TO THE PARLIAMENTARY ELECTIONS IN THE  
REPUBLIC OF NAGORNO-KARABAKH**

**(3 May 2015)**

Annexes:

A- Preliminary report

## **Introduction**

The self-declared Republic of Nagorno-Karabakh is a de facto independent state with the necessary democratic institutions: a unicameral parliament, presidency and government. The 2 referendums having taken place (9 September 1991 and 10 December 2006), the 5 parliamentary and presidential elections enabling the Karabakhi population to take actively part in the shaping of the political landscape have been contributing to consolidate the Nagorno-Karabakh governance, as well as the development of a more participatory civil society.

On 3 May 2015 the 6<sup>th</sup> elections of the Nagorno-Karabakh parliamentary took place. Previously, the President of the National Assembly, Mr. Ashot Ghulyan, had sent invitation letters to the Nagorno-Karabakh Group in the European Parliament to observe the elections. Therefore, despite the non-recognised status of Karabakh, the Group decided to send a delegation of observers composed of several MEPs and supporting staff. The delegation represented various EU countries and also 3 European Parliament mainstream political forces.

Headed by the President of the Nagorno-Karabakh Group in the European Parliament, Mr. Frank Engel, the delegation conducted its activities between 2-4 May following the usual practise of the European Parliament in the OSCE area. The members of the European Parliament also cooperated together with parliamentarians of EU member states present on the ground and were supported in their activities by European Friends of Armenia.

According to the preliminary findings and conclusions, the elections in Nagorno-Karabakh offered a wide variety of political alternatives and were administrated in line with international standards.

## **Political Context**

The parliamentary elections in Nagorno-Karabakh offered voters a wide choice of political alternatives, with some new parties competing with the existing 3 ones, with presence in the parliament, for seats in the National Assembly. The campaign was also marked by the fact that the newly elected parliamentarians will be fully dedicated to parliamentary activity thus all of them being remunerated by the National Assembly with a tight regime of incompatibilities.

On the other hand, the previous 12 months have been the most violent ones in terms of cease-fire violations since 1994, both in number and in intensity, including the downing of a helicopter and constant intrusions in Nagorno-Karabakh by members of the Azerbaijani army.

Despite the non-recognised status of the Republic of Nagorno-Karabakh and therefore, the absence of official observation missions of the European Parliament, Council of Europe or the OSCE, there was a large presence of international observers. Nagorno-Karabakh's positive evolution and commitment in terms of democratic development and respect for human rights, as well as rule of law since its independence in 1991 plays also a positive role in attracting observers.

### **Program of the Delegation**

Prior to the Election Day, the observation delegation took part in a briefing with the Central Electoral Commission and met representatives from every political party (Free Motherland Party FMP, National Renaissance Party NRP, Artsakh Democratic Party ADP, NK Communist Party NKCP, Peace and Development Party PDP, Armenian Revolutionary Federation ARF, Movement-88 Party M88) running for the parliamentary elections.

Ahead of the observation of the electoral process, the group was welcome to:

- attend meetings of the Central Electoral Commission,
- visit randomly any voting station and moving freely within the stations,
- monitor distribution, transfer and counting of the voting ballots,
- examine electoral documents as well as acts in the presence of the commission members,
- take any video or picture material of any part of the electoral process (apart of the signed voters lists),
- carry out other responsibilities in accordance with paragraph 15, part 1 of article 48 of the NKR Electoral Code adopted by the national Assembly 29 October 2014.

Accordingly, on 3 May the delegation split into several teams and observed elections in various polling stations, starting with the opening of several precincts, voting, and closing and counting of the votes. The polling stations observed by the delegation of the Nagorno-Karabakh group in the European Parliament were located in different areas: Stepanakert, Vank, Askeran, Khanapat, Krasni, Tsaghkashat, Aygedzor, Karin Tak and Shushi.

On 4 May, at 11:00 a.m., a press conference took place with 3 members of the Nagorno-Karabakh Group in the European Parliament. A detailed statement with interim conclusions was released (see annex A). As head of the delegation, Mr. Engel issued a statement during the Press conference, he underlined that "Overall, the electoral process took place in line with international standards and represents not only progress, but also a clear consolidation of democracy and rule of law in the Republic of Nagorno-Karabakh."

## **Assessment of the electoral process**

The Nagorno-Karabakh Group in the European Parliament assessment of the electoral process is in line with the preliminary findings, and the conclusions are positive. The electoral process was generally well-administered and was characterised by a high turn-out, offering voters various political alternatives.

Unfortunately there was no long term observation mission and neither the OSCE nor any other international organisation has sent a long term missions that provides data regarding the **electoral campaign**. In any case, none of the competing parties interviewed put forward any significant complaint. They had access to media and to public spaces for their promotion materials, as well as to public sites to organise their meetings. However, one of the parties did mention the use of official cars by certain candidates during the campaign. Another party informed the delegation that they had started legal proceedings on defamation and filed another case on the basis of pressures resulting in the loss of their rented party office.

The Electoral Code updated in October 2014 provided a good **legal framework**, a good basis for conducting democratic elections and was generally respected by the administration and all political forces.

The **candidate registration** process provided voters a wide choice among different parties and candidates, especially in this election that saw -new parties competing. None of the parties put forward any reservation on the registration procedure. There were 42 registered candidates under the majoritarian system and 164 in different proportional party lists. The National Assembly is composed by 33 MPs, 11 elected through majoritarian system and 22 by the proportional system.

The **number and the location of polling stations**, 279 spread around 11 constituencies, covering properly rural and urban areas, seemed right to the observers. However, access to some of the polling stations by handicapped people and elderly was in some cases difficult. Most chairpersons at the observed polling stations were women.

The **Election Day** was well organised and proceeded calmly and peacefully in the polling stations that were randomly visited by the delegation. All personnel involved in the electoral process fully cooperated with the delegation in a completely transparent manner. There were proxies both from parties and independent candidates present in the visited voting facilities and none of them expressed any violation of the electoral code. Voters were allowed to vote only in those polling stations where they were registered. Voting booths provided sufficient privacy for the voting process and most ballot boxes were correctly marked and sealed. Citizens abroad could also vote in diplomatic and consular representations. No case of political advertising at the polling stations, violence or intimidations was reported to the observers. No presence of unidentified individuals at the polling stations was registered.

## **Elections Results**

On 3 May 2015, as a result of the Parliamentary Elections of 6<sup>th</sup> convocation in the Republic of Nagorno-Karabakh, 33 deputies were elected for a five-year term. 22 deputies were elected by proportional system and 11 deputies by majoritarian system. 7 parties participated in the elections through proportional representation, while members of 5 parties and 27 independent/self-nominated candidates took part in the elections through majoritarian representation. The threshold for political parties for proportional elections was set at 5 per cent of the valid votes. After the closing of the polls, the voter turnout was set at 70.8 per cent.

### **Results of the 2015 Parliamentary Elections in NKR**

Table 1: Deputies elected by proportional system

<b>Party</b>	<b>Vote share (%)</b>	<b>Votes</b>	<b>Seats</b>
Free Motherland	47.35	32632	11
National Renaissance	5.38	3709	1
Democratic Party of Artsakh	19,01	13105	4
The Armenian Revolutionary Federation (ARF) – Dashnaktsutyun	18,81	12965	4
Movement-88	6,93	4778	2

Table 2: Deputies elected by majoritarian system

<b>Full Name</b>	<b>Precinct</b>	<b>Party affiliation</b>
Davit Hayk Melqumyan	N1	Democratic Party of Artsakh
Arsen Aramays Arstamyan	N2	Independent
Arzik Martiros Mkhitaryan	N3	Free Motherland
Vahram Razmik Balayan	N4	The Armenian Revolutionary Federation (ARF)
Vitaly Mikhayil Balasanyan	N5	Movement-88
Ivan Khoren Avanesyan	N6	Free Motherland
Sergey Syomik Harutyunyan	N7	Free Motherland
Davit Ruben Ishkhanyan	N8	The Armenian Revolutionary Federation (ARF)
Artur Babken Tovmasyan	N9	Free Motherland
Lernik Lentrusha Hovhannisyan	N10	The Armenian Revolutionary Federation (ARF)
Armo Mardi Tsatryan	N11	Democratic Party of Artsakh

Five political parties have overcome the 5% electoral threshold, thus will have their representatives in the new Parliament.

The winner of the elections is Free Motherland party, led by NKR Prime Minister, Mr. Arayik Harutyunyan, with 15 seats of total representation in the new Parliament, as a result of both proportional and majoritarian elections. The Armenian Revolutionary Federation (ARF) – Dashnaktsutyun, led by Mr. Artur Aghabekyan, comes second with 7 seats in total, followed by Democratic Party of Artsakh, led by the Chairman of the National Assembly, Mr. Ashot Ghulyan, with 6 seats of total representation. Movement 88, led by Mr. Eduard Aghabekyan, has won 3 seats. National Renaissance will be represented in the new Parliament by the party leader, Mr. Hayk Khanumyan. Only 1 independent candidate was elected by the majoritarian system.

Two political parties, Peace and Development party and Artsakh Communist Party did not pass the 5% threshold, thus will not be represented in the Parliament.

### **Political assessment and conclusions**

Despite the non-recognised status of Nagorno-Karabakh since its independence in 1991, this region has been known for its high democratic development. Since then, 6 parliamentary and 5 presidential elections have taken place, where different parties and political figures have alternated in power. This democratic behaviour which is standard for most European countries is not so frequent in the region, and actually Nagorno-Karabakh has been often referred as the most democratic region in South Caucasus by international observers.

Along this same line, the rule of law is another distinctive feature of this unrecognised republic and fundamental to keep corruption indexes marginal. Its judiciary enjoys the highest level of trust (72%) in all the former soviet space, higher also than in most EU members states, and without any doubts the highest among all South Caucasus countries. In addition, the unilateral adoption of international conventions and agreements (mostly those by the Council of Europe and the EU) launched over 2 years ago, have also contributed to the modernisation of the political culture, in strong contrast especially with its immediate neighbour.

Paradoxically, the Republic of Azerbaijan follows a completely different development pattern, suppressing Azerbaijanis fundamental freedoms, thus deeply undermining their democratic institutions while at the same time increasing its military aggressions over Nagorno-Karabakh. Obviously, this situation that has been exacerbated during the last 18 months, has consequences in Karabakh.

On the other hand, the crisis in Ukraine and the pressure on Russia have had an effect on the economy as well. The currency has suffered a strong depreciation at the end of 2014

and beginning of 2015, due partly to the fact that Nagorno-Karabakh depends also on the remittances from the Karabakhis working in the Russian Federation.

In any case, during the elections, participation was over 2 percentage points higher than in the previous parliamentary elections, 2 new political forces went over the minimum 5% threshold to be elected and National Revival as well as Movement 88 secured one and 2 seats respectively in the new term. Therefore, 5 political parties will be represented in the national Assembly, plus 1 independent MP.

The party of the Free Motherland, led by the Prime Minister emerged as the winner of the elections gaining 4 additional seats while ARF (aligned with Socialist International) and DPA (European Free Alliance associated party) alternated their previous positions as second and third.

Despite the fact that women representation remains low in the National Assembly, only 4 women got elected, 2 of them took the responsibility of chairing the defence and the foreign affairs committees, the most important committees in the House.

Participation in these elections stood at 71%, and was higher than in many EU member states. Together with the quality of the electoral process, this shows strong commitment of the people of Nagorno-Karabakh to democratic life and confirms the legitimacy of the institutions of the NKR.

The Nagorno-karabakh Group in the European Parliament commends the courage of the population together with their strong engagement with democracy and rule of law resulting in a well conducted election and therefore welcomes the results.

### **Recommendations**

Following the successful election observation mission of the delegation of the Nagorno-Karabakh Group in the European Parliament, first and foremost the group would like to express its gratitude to the authorities of the Republic of Nagorno-Karabakh for providing the delegation with full assistance in complete transparency and open cooperation to conduct the observation mission to the elections of the Republic of Nagorno-Karabakh National Assembly 6<sup>th</sup> convocation.

Even though the quality of the observed electoral process was remarkable, several limited areas where there is still room for progress for Karabakhi authorities and political parties were identified:

- Gender balance within the party lists and especially at leading positions should be improved;

- The access to polling stations by people with reduced mobility should be further facilitated;
- According to international best practises, electoral codes should not be modified during the 12 months prior to the elections;
- A system could be established enabling voters who are not in their place of residence during the elections day to be able to vote also for constituency candidates;
- Closer attention should be paid to the proper sealing of all ballot boxes.

On the other hand the Nagorno-Karabakh Group in the European Parliament would like to point out the importance of the OSCE Minsk Group and the US State Department statements that although could be more explicit, still “recognises the role of the people of Nagorno Karabakh in deciding their own future”. In this respect, the Group considers a missed opportunity for the EEAS not to have expressed the support of the EU to democratic elections at least along the same lines.

Moreover, the Nagorno-Karabakh group in the European Parliament strongly recommends to the 3 EU Institutions, in line with several statements in their adopted official documents, to develop further contacts and initiatives supporting civil society and strengthening the capacity of political parties and democratic institutions in Nagorno-Karabakh.

Finally, the Artsakh Group in the European Parliament would also like to thank European Friends of Armenia (EuFoA) for their committed and decisive support to the preparation and accomplishment of the observation mission.

## **Annex A**

# Artsakh Group in the European Parliament Election Observation Delegation to the Legislative Elections of the Republic of Nagorno- Karabakh

## ***Interim conclusions***

04 May, 2015

### **Introduction**

Following an invitation sent by Mr. Ashot Ghulyan, President of the National Assembly of the Republic of Nagorno-Karabakh, the Artsakh Group in the European Parliament decided to send a delegation to observe the legislative elections in Nagorno-Karabakh scheduled for 03 May, 2015.

Despite the non-recognised status of the Republic of Nagorno-Karabakh and therefore, the absence of an official observation mission of the European Parliament or the OSCE, the Group decided to assess and witness the electoral process. In particular, we take into consideration its positive evolution and commitment in terms of democratic development and respect for human rights and rule of law since its independence in 1991.

The delegation was headed by Mr. Frank Engel, President of the Artsakh Group in the European Parliament, and was composed of several MEPs and supporting staff. They conducted their activities from 02 May till 04 May, and also cooperated with other Parliamentarians of EU Member States.

The delegation conducted its short-term observation mission in accordance with the European Parliament practices, starting with interviews to all candidates, then observing over 20 polling stations, including the opening of some, as well as the counting and closing.

### **Findings**

#### ***Interviews with the political parties***

Most of the political parties stated that they did not perceive any significant breach of the electoral code during the election campaign, which was carried out on equal competitive grounds for the 7 parties. All of them registered easily, had access to media and to public spaces for their promotion materials, as well as to public sites to organise their meetings. It is noteworthy that 3 new parties participated in the election for the National Assembly of 6<sup>th</sup> convocation.

However, one of the parties did mention the use of official cars by certain candidates during the campaign. Another party informed the delegation that they had started legal proceedings on defamation and filed another case on the basis of pressures resulting in the loss of their rented party office.

### Election Day

Proxies of most of the political parties, as well as of single seat constituency candidates were present in all polling stations; neither they, nor voters voiced any violation of the electoral code. Voters were allowed to vote only in those polling stations where they were registered. Voting procedures were well organised and went smoothly in the randomly observed polling stations. Voting booths provided sufficient privacy for the voting process and ballot boxes were correctly marked and sealed.

All personnel involved in the electoral process fully cooperated with the observers in a completely transparent manner.

No case of political advertising at the polling stations, violence or intimidations was reported to the delegation. No presence of unidentified individuals at the polling stations was registered.

## **Conclusions**

Overall, the electoral process took place in line with international standards and represents not only progress, but also a clear consolidation of democracy and rule of law in the Republic of Nagorno-Karabakh.

Participation in these elections stood at 71%, and was thus higher than in many EU member states. Together with the quality of the electoral process, this shows strong commitment of the people of Nagorno-Karabakh to democratic life and confirms the legitimacy of the institutions of the NKR.

The observation mission would like to express its gratitude to the authorities of the Republic of Nagorno-Karabakh for providing the delegation with full assistance in complete transparency and open cooperation to conduct the observation mission to the elections of the Republic of Nagorno-Karabakh National Assembly 6<sup>th</sup> convocation.

Finally the Artsakh Group in the European Parliament would also like to thank European Friends of Armenia (EuFoA) for their committed and decisive support to the preparation and accomplishment of the observation mission.