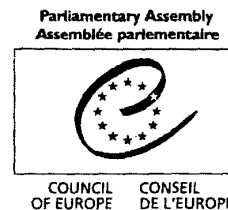


**Parliamentary Assembly**  
**Assemblée parlementaire**



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2006 ORDINARY SESSION

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(first part)

REPORT

First sitting

Monday 23 January 2006 at 3 p.m.

**ADDENDUM 1**

**Progress report of the Bureau of the Assembly and the Standing Committee**

The following texts were submitted for inclusion in the official report by members who were present in the Chamber but were prevented by lack of time from delivering them.

Mr MERCAN (Turkey) - The whole referendum process on the constitutional reforms in Armenia has been followed by the international community and the neighbouring countries.

Coming events cast their shadows before them. The Armenian authorities had been warned several times that the bad state of the electoral lists would endanger the credibility of the turn-out.

We do not know exactly how many people voted in favour of the constitutional amendments and whether the quorum was indeed reached since the census figures are classified as "top secret" in Armenia. What we do know is that the extremely low voting activity did not correspond to the high figures provided by the electoral commissions.

The outcome of the referendum could be in the interest of the Armenian people and in line with the expectations of the Council of Europe. Yet, the questions are: can we accept reforms as truly democratic even though they are achieved through undemocratic means? Can we overlook the lack of respect for the values the Council of Europe stands for? Can we advocate the principles of democracy for all other member countries while we tolerate their violation in one of them?

Armenia, like all other members of the Council of Europe, is obliged to hold free and fair ballots. Unfortunately, as highlighted in the report of the ad hoc committee, not a single election since its accession to the Council of Europe has been considered as free and fair.

What Armenia is expected to do is to investigate thoroughly all the allegations and take all the necessary measures against those responsible for fraud.

The Assembly, on the other hand, is expected to treat its members fairly and equally when it is reacting to similar events.

Mr DEMIRCHYAN (Armenia) - The report of the Bureau notes that not a single election in Armenia since its accession to the Council of Europe has been considered as free and fair. Unfortunately, it is true, it does not mean that Armenian people are not ready for democratic elections.

The failure of the 2003 elections to meet international standards as noted by observers of the Council of Europe and the OSCE lay in a lack of political will by the authorities to ensure a fair and honest process.

In order to overcome the crisis of confidence and to exclude falsifications during the referendum, we have demanded that those responsible for the violations in the previous elections are held accountable; that we get the A1 + TV station back on the air; and we provide a balanced structure of electoral commissions. Our demands are consonant with those of the Council of Europe.

The opposition called for a boycott of the referendum and boycotted electoral commissions because no measures had been undertaken to provide an atmosphere of confidence. Nobody was brought to justice for the fraud in the previous elections.

During the campaign leading to the referendum, the law on refenda was violated. As noted in the report, there was not equal access to the media and the awareness-raising campaign resembled Soviet-style propaganda in favour of the vote, rather than a genuine democratic debate.

The fact that constitutional reform is one of Armenia's major obligations to the Council of Europe does not mean that the falsified results of the referendum are acceptable. The means are as important as the goals.

The opposition has initiated the forming of a temporary parliamentary commission for investigating the fraud committed during the referendum. We will continue our struggle for democracy because it is the choice of the Armenian people.

Mr FEDEROV (Russia) - It is symbolic that today the first part of the 57 Session of the Parliamentary Assembly of the Council of Europe starts with the consideration of the items related to elections – the outcome of presidential elections in Kazakhstan and monitoring of the constitutional referendum in Armenia. Whatever could be said, it remains a fact that an election is a test not only for the entire political system of a country. It is a litmus test for the health of a society and the level of the development of its democracy.

Regrettably, I failed to visit Armenia, but in my capacity as a Commonwealth of Independent States international observer to the presidential elections in the Republic of Kazakhstan I was a member of the delegation of the Council of the Federation of the Parliament of Russia.

Just a few minutes ago, our old friend and colleague, Tadeusz Iwiński, gave clearly and in great detail his impressions about the preparation for, and holding of presidential elections in Kazakhstan. It is difficult to add anything to that. It is quite true to the facts.

However, I will try to tell you about my impressions with respect to the preparation and holding of the elections.

The CIS observer mission comprised representatives of 10 countries, including those of Russia. Our mission was not a small one – it numbered 420 people. Thanks to that, we managed to do quite a job. I would like to emphasise especially that 39 observers conducted pre-electoral monitoring of the preparation and holding of the elections.

This allowed us to analyse the electoral legislation related to presidential elections as well as to monitor the work of national electoral bodies dealing with the preparation for elections, nominations and the registration of candidates, submission of electoral lists and other issues.

CIS observers note that the Republic of Kazakhstan created proper legal organisational and technical conditions for the international monitoring of the presidential elections. In the course of their work the observers assessed and monitored the nomination and registration of candidates, information support for presidential elections and pre-election propaganda, ensured the completeness and accuracy of electoral lists and monitored the preparation and holding of elections as well as the process of voting and results of voting.

As you can see, this covers the whole range of issues related to presidential elections. Suffice it to say that on the day of the elections the CIS observers visited 4 926 polling stations, which account for 51.4% of their total number.

I will cite no more figures. I will refer to the CIS observers' conclusions and assessments which we arrived at on the basis of our monitoring proper, analysis of actual material and data collected in the course of the short-term and long-term monitoring. In our opinion, the state electoral bodies ensured the implementation and protection of electoral rights to the citizens of Kazakhstan during presidential elections.

As to shortcomings, there were some. We believe that it is necessary to make more precise the provision contained in Article 32 of the law on elections which contains some contradictions. The first section of the article prohibits any pre-electoral propaganda on the day and on the eve of elections, while paragraph 2 says that the printed propaganda material displayed outside earlier could be kept in place.

On the day of voting we came across some cases of poorly made electoral lists. On the day of elections we noted some violations of the voting process: at the second polling station in Astana a voter voted with two ballot papers, while at five polling stations, in different towns there were two people in secret ballot voting booths. There were a few cases of filling in ballot papers outside the voting booths, while some voters left without voting because of a long line in front of a polling station. We believe, however, that these few violations and mistakes did not have widespread character and did not have a substantial impact on the freedom of expression of voters and the outcome of voting.

Our conclusion is as follows: the presidential elections in the Republic of Kazakhstan were conducted in accordance with the acting legislation and these presidential elections were free open and legitimate.

In conclusion, I would like to cite newly elected President Nazarbayev, who said during the inauguration: "We decided to hold the most open and transparent elections in the history of Kazakhstan". This presidential statement means a lot. Let us wish the people of Kazakhstan every success in their national development and consolidation of their democracy. Let happiness and prosperity come to every home of citizens of Kazakhstan. Thank you Mr President.