

*Working session I*

*Structure of Electoral Management Bodies*

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In order to build a truly democratic state, it is also essential to hold periodically free and fair elections under democratic standards. The principles of formation of electoral commissions and the role of the commissions during elections are more important for newly-independent states without deeply - rooted, long-term traditions of democracy. The electoral management body should satisfy the following principles:

- 1.impartiality
- 2.professionalism
- 3.secure participation of representatives of candidates, of political parties in the electoral body
- 4.be transparent and predictable in its actions
- 5.actions and decisions of the electoral management body must be understandable and acceptable for the public, which will arouse trust towards the electoral process.

In case of securing the principles listed above, the election results will be understandable and acceptable for the public.

In the case of our country the formation of electoral commissions was built on the attempt to combine the professionalism with party presence.

And today our electoral commissions include members appointed by parties with a faction in the National Assembly, judicial servants appointed by the Council of Chairman of the Republic of Armenia Courts and one member appointed by the President of the Republic of Armenia. In our opinion, this way of formation of electoral commissions doesn't give the opportunity to carry out effective election administration, the independence and impartiality of some members of the commissions, especially of those, who represent parties, is prejudiced.

Owing to the realization of a number of electoral-system-amendments projects that were implemented by various international organizations such as OSCE, OSCE/ODIHR, IFES, as a result of applying the suggestions referring to the amendments to the legislation made by the Venice Commission, OSCE/ODIHR election observation mission carried out during various elections and due to the consistency of authorities and the CEC creative work the electoral system of the Republic in terms of its technical equipment (though stepwise, at present the Central Electoral Commission is already in the process of discussing in some cases the opportunity of implementation of the internet voting) transparency and effectiveness of actions, its understandability and implementation of electoral legislation, was brought to such a level that it is much more advanced than our parties' preparedness in election participation.

Are the international organizations in the same way consistent while working with the parties for adopting European advanced experience of party building as well as acting in accordance with European standards? Do our parties know how to conduct proper campaign, how to involve financial means, how to make their expenses effective, how to find real supporters, how to evaluate their own chances before elections, how to estimate the work done by electoral management bodies, how to evaluate the election results, and in which cases election results can be appealed, do the parties appointing members to electoral commissions realize that they do have accountabilities in organizing elections, or do they think that the only responsibility of their commission members is the raising of particular party issues.

In the case of population that is a little bit more than 3.5 million, there are more than 70 parties in our country.

You would agree that existence of more than 70 parties has an artificial character. The formation of these parties is not always based on the ideological principles. They don't make efforts in regard of uniting and making their activities more effective.

The party alliances are formed only a few months before the elections and generally have temporary character. And the basis for the formation of civil society are to be the parties.

In case of the formation of partisan or mixed partisan commissions each subject that appoints a commission member, may say, that in the matter of election conduct he/she is responsible as much as he/she is participating in the formation of commissions. Consequently, in this case anonymity of accountability takes place.

The parties are to establish public confidence. But, unfortunately, in our case the parties don't possess enough courage to accept election results, or their own defeat in elections, even in such conditions when they do have all possibilities to oversight election process (in our case the mentioned process is conducted in a very transparent manner and is very easy to monitor). Does the problem of establishing electoral culture belong only to the CEC or the electoral system, and the parties have nothing to do with this issue?

We do think that the biggest number of our parties have much to do in regard of party building and they are in need of support as well...

Assessing the model of the formation of electoral commissions for years, taking into consideration the experience of European states as well, we come to a conclusion that it's better to have non-party professional commissions.

Although the CEC doesn't have the right of such a legislative initiative, we will make a suggestion. The gratifying point is that non-parliamentary opposition forces have also presented the same point of view. In case of the formation of non-party, professional commissions we will manage to solve a number of basic problems:

1. the matter of effective electoral administration,
2. the parties will input all their resources in party activities and will refrain from activities that aren't characteristic of this or that party,
3. the matter of accountability.

In this regard it may seem that the question of involvement of parties in electoral process remains unsolved, but it also has its solution. Every candidate-party in all commission levels may be represented with an advisory vote in the status of commission member, which will secure the appropriate oversight of the electoral process by the election participants.

The matter of enough budget of the staff and members of permanently operating commissions shall also be taken into consideration. This will secure their independence.

It should be mentioned that those who wish to be included in the electoral commissions, regardless of their party affiliation, attend special training courses that are organized by the CEC every year at the expense of the state budget.