

# Caucasus ELECTIONSWATCH

A weekly review of elections related processes in the Caucasus Region

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Commentary

## An odd affair: The Armenian Presidential election on February 18 needs to be more than about ticking boxes.

**On 18 February 2013 Armenians go to the polls to elect their President for the next five years. All three South Caucasus countries will have presidential elections this year, but in Georgia and Azerbaijan polling is expected to be in October.**

Armenia held parliamentary elections not so long ago, in May 2012. These elections were considered a step forward in the country's transition to democracy. Some aspects of the poll were problematic, but a result which enabled all the main political forces in the country to enter parliament was positively assessed. February's Presidential election was considered the logical next step forward. The stakes here are however higher. Unlike in the Parliamentary elections this time the winner takes all, and in the circumstances that have developed since May, there is little doubt who that winner is going to be.

So far everybody has been going through the motions. The Central Elections Commission worked through the New



**Armenia's Presidential candidates: Top row from left to right: Serzh Sargsyan, Raffi Hovhannisyan, Hrant Bagratyan, Paruyr Hayrikyan; Second row from left to right: Arman Melikyan, Andrias Ghukasyan, Vardan Sedrakyan, Aram Harutyunyan (picture courtesy of ArmeniaNow news portal).**

Year and Christmas holidays to accept the nominations. It then went through the process of weeding out those of the 15 candidates who were initially registered but who could not make the approximately 20,000 USD deposit that is required by law (and which will be forfeited if the candidate does not get 5% of the vote). seven of the fifteen candidates did not, and have been eliminated leaving eight: incumbent President Serzh Sargsyan and seven others. It is difficult to

describe the seven others as non-entities, since they are not that. Some have long and distinguished political careers, such as former Foreign Ministers Raffi Hovhannessian and former Prime Minister Hrant Bagratian. Others also are recognisable personalities due to their political activity (Melikyan) or civil society or patriotic work (Harutyunyan, Hayrikyan, Sedrakyan and Ghukasyan).

However it is equally not possible to say that these were the candidates that the Armenian people were expecting to be voting for in this election. The candidates have a difficult job

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Caucasus Elections Watch is a specialised weekly publication focusing on elections related processes in the Caucasus, with news and analysis compiled by experts with long experience of the region.

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to inspire and grow in stature to the point where they can provide a credible challenge to the incumbent – and only five weeks to do it.

There is then the position of some of the main Armenian political forces: The Prosperous Armenia Party, the Dashnaks, the Armenian National Congress who have declared that they will not support any candidate. Quite what the strategy is here is not clear. Some may see it as a boycott, but others simply describe it as aloofness.

One of the current President's seven challengers, Andreas Ghoukasian, has now also written to his six colleagues encouraging them to withdraw en masse and leave the President alone, to cook in his own stew, so to say. It is unlikely that they will do so.

A lot of Armenian politics takes place behind the scenes and the Armenian people can only speculate what is going on – a very unhealthy aspect of Armenian politics that does not contribute to a democratic transition at all. Most of the speculation revolves around the Prosperous Armenia Party, until last year Sargsyan's government coalition partner, but since May outside government, even though it does not like to call itself an opposition. There was speculation that its leader Gagik Tsarukyan might contest the Presidential election. He left everybody guessing until the last moment and then he said he would not, but that he would not support anybody else either. For some, the dream candidate would have been Vartan Oscanian, veteran ex foreign minister. He seemed to be preparing to throw in his hat and everybody agrees that he would have given Sargsyan a run for his money. However soon after getting elected to Parliament in May (he was the second person on the list of Prosperous Armenia Party) he became the subject of an investigation by the Ministry of State Security who were accusing him and an NGO he led, of money laundering. The investigation remains wrapped in mystery and controversy. Armenia first President, Levon Ter Petrossian declared himself too old to run, and the second President, Robert Kocharian said he was not interested.

With serious economic challenges ahead; a state of semi war with Azerbaijan, and under economic blockade by Turkey, the Armenian



**Heidi Tagliavini, experienced and no-nonsense Swiss diplomat heads the OSCE/ODIHR Observation Mission.**

Presidency may seem like a poisoned chalice. President Sargsyan may also have done enough in the last five years to secure a level of popularity with his calm and cautious approach which may suit the Armenian temperament. But the current situation around the election still remains very odd and may contribute very little to Armenia's political future.

Enter the international community. Armenia needs to get a clean bill of health on this election from the international community if it is to secure the assistance it hopes to get from the EU and others over the coming years. An OSCE/ODIHR mission has deployed already with its core and long term team; more than two hundred observers will join them on election day. The mission is led by Heidi Tagliavini, an experienced and no-nonsense Swiss diplomat, who some think was more needed observing last October's difficult Georgian elections, and its tense build up and outcome. She has already made a press conference in which she is quoted as saying that the mission is interested in the process, not the result. Indeed. But, up to a point. There has been a tendency in ODIHR in recent years to turn election observation into a check list. Tick enough boxes and you're ok. Expectations from Tagliavini will be higher.

Everything indicates that it will be possible to tick enough boxes come next February for one to say that the Armenian election process was in line with international standards. This is commendable and a step forward, but is far from being the whole story. Whether this election will be a free and fair expression of the will of the Armenian people is a much bigger question, that may be more difficult to answer. ■

This commentary was prepared by the CEW Editorial Team.

# Georgian Parliament overrides Presidential veto on Amnesty law

**In a move unprecedented in Georgia's modern political history, the Georgian parliament has overridden a Presidential veto, and enacted into law an amnesty that affects all of Georgia's large prison population except those serving a life sentence.**

On Sunday, 13 January 190 persons who the Georgian parliamentary had earlier declared to be political prisoners were released. Amongst them were many who had been involved in various attempts to bring down the government of President Saakashvili over the last three years.

The long constitutional process started in December when the Parliament approved the amnesty law. President Mikheil Saakashvili refused to sign the law, and sent it back to parliament. In a second vote, which also showed how much the strength of the pro Saakashvili United National Movement had weakened in parliament since the October elections, the veto was overturned with 91 votes against 24. Three fifths of the members of parliament (89 MPs) were required by the Constitution for the presidential veto to be overturned.

The President then had until 11 January to sign the bill, and in case that he did not, the Chairman of Parliament had the right to sign it instead.

On 12 January, Parliamentary Chairman David Usupashvili signed the law in a televised event triggering the release of about 3,000 prisoners, as well as reduction of prison terms for thousands of others.

Usupashvili, a respected lawyer, and lifelong defender of human rights and the rule of law in Georgia said after the signing,

"The process of drafting this bill was not flawless, but these shortcomings cannot be even compared to what was happening in the justice system and penitentiary system for years. For that reason the new government, the Parliament delivered on its promise to put an end to this and it led to this broad amnesty."

**David Usupashvili, Chairman of the Georgian Parliament, signing the Amnesty Bill into Law on 12 January 2013.**



On the issue of political prisoners, Usupashvili had a word of caution:

"Georgia should never again require such an act in the future because no one should be persecuted for political reasons; the new government should spare no efforts for this purpose and the society, media and international organizations should be much more vigilant and uncompromising than they were during the previous government."

President Saakashvili has repeatedly criticised the government for the amnesty, saying that amongst those released were people who spied for Russia and that the mass release of criminals would harm society. The Georgian Minister of Interior in a separate statement on the day the amnesty came into effect said that the Law enforcement agencies will be extra vigilant to ensure that society was not harmed by the amnesty. ■

# Azerbaijani Political activism searches for ways of expression

**Political activism in Azerbaijan continues to search for ways of expressing itself in an environment that whilst not being totalitarian, leaves little space for the expression of dissent.**

For many years street protests were the way that Azerbaijanis vented their political opinions. But opportunities for that have become increasingly limited, with the government restricting public demonstrations, and banning them completely from the centre of the capital, Baku.

Despite technical and financial problems, several anti-government newspapers continue to publish. Journalists report harassment of all forms, especially when reporting on corruption, but many remain undeterred.

In recent years many young activists have taken to cyberspace, where many young activists now blog regularly in Azerbaijani, English Russian and other languages, connecting not only with their own compatriots at home and abroad, but also internationally. The government has by and large tried to ignore this phenomena, using positive methods to counter it, largely by strengthening its own on-line presence.

Youth groups have become increasingly active and increasingly artistic in their methods. Increasing international attention has made the Azerbaijani government more sensitive to the way it handles dissent, and there are some signs that "soft policing" may be more in fashion now. Both sides however are testing the water.

On Saturday, 12 January a demonstration took place in the centre of Baku. There were many things about it that made it different from others. First it was issue based. The demonstrators were protesting against abuse in the Azerbaijani military which has seen a number of deaths of conscripts. This is a popular issue in Azerbaijani and one to which both young people and their families relate very closely. Second, it was not organised by the political parties, although certainly many opposition activists were present; third it was backed up by an online campaign, including a facebook page to which thousands signed up; fourthly it had a specific demand, the resignation of the Defence Minister.



**A demonstration in Baku on 12 January, was different in many ways from similar events in the past. (Photo courtesy of Mehman Huseynov).**

There were other things that made the protest different. Unlike other unsanctioned, i.e. illegal demonstrations in recent years, the numbers of those participating was large, maybe one or two thousand, and not just a few dozen. But what was even more striking was the fact that the police did not try to break it up, even though some incidents were reported as the demonstrators were dispersing. This could have been the result of soft policing policies, or the fact that the issue was too sensitive for the government to be seen unconcerned by it. Probably it was a mixture of both.

Speaking on behalf of the ruling New Azerbaijan Party (YAP) Deputy Secretary, Mubariz Gurbanli said that Azerbaijani police demonstrated professionalism. He said that the protest was unauthorized but peaceful and the police treated the protesters calmly and professionally: Gurbanli noted that death of each Azerbaijani soldier outside the Regulations is condemned by everyone, including the Governing Party and supported a full investigation of recent deaths in the army.

Politics in Azerbaijan is slowly evolving. Some think the process is too slow and that more radical action is going to be required for basic freedoms of expression to be secured. Others insist the country needs to move cautiously on the path of political reform. One thing is clear. Things are changing, and most seem to agree that this is for the best. ■

Source: CEW Staff report