

**THE ROLE OF SPECIFIC ACTORS IN THE ELECTION PROCESS,
ESPECIALLY THE ROLE OF THE MINISTRY OF INTERNAL AFFAIRS
(ACCORDING TO THE LAW OF THE RA) ***

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The purpose of this article is to emphasize the role of elections from the perspectives of political stability, the establishment of democracy, and the formation and functioning of political parties. One of the key objectives of the article is also to analyze and understand the involvement of international and local observer missions in these processes. The article examines and discusses the role of the most important institutions responsible for organizing and conducting electoral processes in the Republic of Armenia, without which the fair, free, and transparent conduct of elections would be impossible.

In this context, the article highlights several issues related to the involvement of the Ministry of Internal Affairs of the Republic of Armenia, which, in accordance with the Electoral Code and the Constitution of the Republic of Armenia, ensures the protection and security of electoral materials throughout the entire electoral process. Particular attention is given to issues related to the institution of the Police of the Republic of Armenia. As decisive political processes, elections shape political power at various levels; therefore, their lawful organization and conduct are of essential importance for the future stability and development of the state.

The main task of the article is to present the cooperation of the Ministry of Internal Affairs of the Republic of Armenia within the framework of organizing electoral processes, focusing on the effectiveness of its interaction with the Central Electoral Commission, territorial and precinct electoral commissions, as well as with local and international observer missions. The article also aims to identify contemporary challenges and issues faced by the Ministry of Internal Affairs as an institution.

The article employs comparative, historical, and analytical research methods.

The main conclusion is that electoral processes cannot be free, fair, and transparent if the institutions necessary to ensure them do not function effectively. This, in itself, may pose a serious risk in terms of electoral fraud and manipulation. As a conclusion, the article also emphasizes political stability, the strengthening of democratic values, and the protection of electoral rights, which can be ensured and consolidated only through free and transparent elections.

Keywords: *Political stability, electoral processes, police, security, political parties, international observers, The Ministry of Internal Affairs of the Republic of Armenia.*

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Introduction

The study of this issue is particularly relevant for countries undergoing a transitional period, including the Republic of Armenia. It can be noted that this topic, as part of the democratization process, particularly elections, has been a focus of Armenian researchers (Մարգարյան 2006, Մանուկյան 2011, Զեռյան 1996, Թոխյան 2004). However, it has not been examined from the perspective of political stability and the role of its actors. From the standpoint of organizing electoral processes, international monitoring organizations play an extremely important role. In the 21st century, international observers are an inseparable part of organizing electoral processes in states. The organization of electoral processes with the accompaniment of international observers also carries a controlling significance.

The organization and smooth conduct of electoral processes are of decisive importance for the state. This is an extremely important process both from the perspective of political development and stability in the country, as well as from the standpoint of the rule of law and the transparent implementation of justice. Electoral processes, as a concept, encompass a broad interpretation and research framework, bringing together various professional communities, such as lawyers, philosophers, sociologists, political scientists, linguists, historians, and other specialists. Therefore, we can state that elections already have their own distinct and established place within the research field of political science.

Below, we outline the key points that highlight the importance of electoral processes:

- In the context of political stability, elections contribute to a peaceful and legal transfer of power, reducing the risks of political violence and crises. When considering political stability as a concept, it should be noted that it includes larger and more important processes, such as domestic and foreign policies. When a country's internal stability is favorable, it contributes to international cooperation, the establishment, and development of diplomatic relations in foreign affairs. Economic growth occurs when a country's stable situation contributes to the development of the economy and attracts foreign investors, which is one of the preconditions for prosperity in the country. Legality, the rule of law, and the judicial system, where political stability fosters the impartial implementation of justice, the functioning of the judiciary in accordance with the provisions enshrined in the Constitution of the Republic of Armenia, as well as other factors. From this perspective, it is worth mentioning Article 2 of the Constitution of the Republic of Armenia (Constitution of the Republic of Armenia), which states: " In the Republic of Armenia, the power belongs to the people. The people shall exercise their power through free elections, referenda, as well as through state and local self-government bodies and officials provided by the Constitution. Usurpation of power by any organization or individual shall be a crime" (Constitution of the Republic of Armenia). Therefore, the Constitution, as the supreme law, must ensure the rule of law with all its power and appropriately, so any violation would be evident in the harmful phenomena that may undermine political processes, including elections. Many experts note that the lack of constitutional regulation of key aspects of the electoral system negatively affects the country's political stability. Since the electoral system is a crucial link in the formation of state power, it is hard to overestimate the political and practical significance of finding a proper solution to the problem of constitutional regulation of the electoral system (Ковачов 107-113).

Many actors (Политический процесс: Основные аспекты и способы анализа, 102) participate in the organization and conduct of elections: the government, election commissions, political parties, mass media, and others. Among them is the Ministry of

Internal Affairs of the Republic of Armenia (Հայաստանի Հանրապետության Ներքին գործերի նախարարություն), specifically the police. The role of these institutions is of great value for the stability of political processes in the Republic of Armenia, and therefore, a comprehensive study could be dedicated to each of them. This article deals with the issues related to political stability, as well as the activities, functions, qualitative indicators of the police, the importance of electoral processes, and other issues that require a systematic approach and significant time, human, and technological resources.

The conduct of elections ensures the protection of fundamental human rights, providing the opportunity for free self-expression. Dr. Armenak Manukyan, a political science professor, notes: The essence of the electoral process primarily means that all candidates have the opportunity to participate in elections, with equal conditions for competition, such as political financing, access to media, control over the tabulation of results, and effective sanctions for undermining the established rules of the game (Մանուկյան 99).

The Importance of Electoral Processes in Democracy

Electoral processes are one of the cornerstones of democracy, during which citizens are provided the opportunity to participate in the governance of the country and to choose their representatives. These constitutional rights of citizens are fundamental, and their implementation is ensured through a series of specific powers and duties exercised during the various stages of the electoral process (Թոխյան 10).

In this regard, elections are a driving force in public life, contributing to the increase of political responsibility and awareness, and promoting civic participation.

In this context, elections can be seen as a powerful tool for implementing social change.

Transparent electoral processes contribute to the increase of public trust in state institutions. In this regard, high levels of voter participation are noteworthy, as voters take responsibility for their vote, valuing it by going to the polling station and exercising their constitutional right. In this case, citizens' trust in political parties is high because increased voter participation is an indicator that the electoral processes are fair and transparent.

Electoral processes provide a great opportunity for citizens to hold the elected political elite accountable for fulfilling the promises made during the election campaign.

It is important to assess to what degree the country's legal framework for elections complies with international electoral standards. This will provide a set of constructive suggestions for corrections, improvements and possible best practices to strengthen the legislation. At the same time, another country's particular system or practice of legislation should not be considered to be ideal or directly transferable. (International Electoral Standards Guidelines for reviewing the legal framework of elections). In other words, replicating another country's experience requires deep and comprehensive analysis, which will make the adoption of new practices more convincing and accurate. Indeed, studies on the constitutional regulation of electoral systems in foreign countries can greatly contribute to the improvement, modernization, and updating of Armenia's electoral system.

The Role of Law Enforcement in Electoral Processes: The Case of the Armenian Police

Throughout the organization and conduct of electoral processes, the Police of the Republic of Armenia has a unique and significant role in ensuring the safety, discipline, and uninterrupted conduct of elections. In fact, all elections held since Armenia's independence in 1991 have been qualitatively different from each other. Despite these qualitative differences and changes, it is important to note that the police have been

involved in every electoral process. Let us try to discuss the issues related to the police's activities, functions, qualitative criteria, and other related matters that require a systematic approach, along with temporal, human, and technological resources.

Security, being a multi-layered and broad system, includes not only political, economic, cultural, informational, social, educational, and other sectors, but also the law enforcement agencies, including the Ministry of Internal Affairs of Armenia, which oversees bodies such as the Migration and Citizenship Service (Migration and Citizenship Service of the Ministry of Internal Affairs of the Republic of Armenia), the Police of the Republic of Armenia, and the Emergency Situations Service. From the perspective of national security, important roles are also played by the National Security Service of the Republic of Armenia, the Ministry of Defense of the Republic of Armenia and others. It should be noted that these agencies should never play a role in the country's electoral processes.

It is also worth mentioning that the Ministry of Internal Affairs of Armenia was restored on December 30, 2022. As a newly implemented reform program, we can confidently say that it has not yet proven or substantiated the effectiveness and usefulness of its activities. In this case, as a newly introduced reform, it is necessary to study, compare, analyze, and assess its performance both before and after its consolidation, so that evaluations and needs assessments can be more accurate and targeted.

As in every country undergoing a democratic transition, in Armenia too, political processes, including electoral processes, undergo complex and multi-layered developments. In general, political processes are constantly subject to changes and do not remain in a stable or fixed state. When examining any system or structure (including the socio-political one), we encounter the issue of revealing its regularities and identifying its deeper problems, which leads to uncertainties regarding its stable state, especially when trying to understand the possible regularities of movement and deeper issues (Ընտրական համակարգի ազդեցությունը ժողովրդաիշխանության իրացման գործում 110).

Political parties also play a significant role in electoral processes. Doctor of Political Science, Professor Garik Keryan writes: *A political party is an organization of people created with the goal of gaining state power, and after gaining it, to preserve and exercise that power* (Дюверже 413-433). In general, a party cannot be called political if it does not strive for power. The concept of a party in the Law on Political Parties states: "A party is a voluntary association of citizens of the Republic of Armenia, whose purpose is to contribute to the formation and expression of the political will of the people by participating in referendums, elections to state and local self-government bodies, and other forms of participation in the political life of society and the state" (ՀՀ Սահմանադրական օրենքը Կուսակցությունների մասին. 2016). The role of political parties is emphasized even more in a parliamentary system of government, making this topic a high priority in Armenia. The active, quality, and strategic activities of political parties can essentially keep the country stable and resilient. Let us present the following thought of Doctor of Political Science, Professor Ashot Aleksanyan: *It is evident that democratic effectiveness, constructiveness, and rationalism must be complemented by citizen-centeredness and civil archetype procedures. In this regard, the political science study of the establishment of civic democracy in Armenia reveals that the consistent development of parliamentary parties, NGOs, trade unions, civil journalism, and women's political representation procedures is not only appropriate but also a historical necessity under current conditions* (Ալեքսանյան 97). The role of parties in electoral processes is particularly emphasized because their main and key mission is to conquer power through the party, which is one of the greatest achievements of the civilized world. This is an

extremely important and comprehensive topic, to which, for understandable reasons, we are addressing in a very measured and concise manner.

The political process, as a multi-layered phenomenon, emerges in space and time. In Armenia, as in any country undergoing a democratic transition, the political process is extremely complex, multi-layered, and contradictory (Margaryan 87).

With the emergence of modern states, a number of institutions were also formed, among which is the police. Its establishment and development have followed a complex path, facing numerous differing cultures, regimes, and challenges. In modern states, the role of the police is multifaceted, encompassing functions aimed at maintaining public order and security. Despite the widespread, unified opinion and attitude that the functions of the police are the same everywhere, there are still disagreements and differences of opinion. It should be noted that in true democratic states, there is great trust in the Ministry of the Interior, particularly in France, where it is responsible not only for maintaining public order but also for organizing elections. Thus, in France, the Ministry of the Interior plays a central role in organizing and overseeing the electoral process, coordinating the technical aspects of elections, managing and supervising voter lists in accordance with the law, and ensuring the safe and secure conduct of elections (Ministry of Internal Affairs of France). From this perspective, the state plays a decisive role, as it is the state that decides and implements the logic and approach through which the tasks should be carried out.

Let's highlight some of the key functions of the police:

1. **In the context of protection and support:** The police protect the citizens of the state and their constitutional rights, properties, and provide quick and effective assistance in emergencies and exceptional situations.
2. **In the context of public support:** The police implement preventive measures to prevent crimes, violence, and disturbances.

As an essential institution supporting the maintenance of public order, the police play an essential role and are deeply involved in the electoral process. In essence, we can state that without the involvement of the police, electoral processes cannot be organized, as without the participation of this institution, elections would take place in more vulnerable, unstable, unmanageable, and uncontrollable conditions and circumstances. Therefore, let us highlight the functions that the police perform in the electoral processes in Armenia. These are regulated by the Constitution of the Republic of Armenia (Constitution of the Republic of Armenia), the Law of the Police (ՀՀ օրենքը նստիկանության մասին), the Electoral Code of the Republic of Armenia (ՀՀ ընտրական օրենսգիրք), and other legal documents.

1. **Protection of electoral materials:** This is a very crucial process, as it includes voter lists, ballots, election result protocols, seals, and other necessary documents. This function ensures transparency, impartiality, and fairness in the electoral process.
2. **Transportation of election results from polling stations:** This is one of the most important functions, as it determines whether there will be electoral violations or ballot stuffing, which could completely disrupt the electoral process.

Challenges and Reforms:

When talking about the challenges faced by the police, we must address contemporary issues. Contemporary, because the changes and reforms taking place today differ significantly from the established rules of past times. The police face a number of challenges that require continuous reforms, development measures, and programs.

Police Cooperation: The police cooperate with state bodies and organizations, including the Central Electoral Commission of the Republic of Armenia (CEC). The cooperation between the police and the CEC is established to ensure the safe and legal conduct of electoral processes. In Armenia, besides the CEC, there are other electoral bodies that ensure, organize, and facilitate the implementation of these processes at various levels. In addition to the CEC, the main electoral bodies are the Territorial Electoral Commissions (TEC) (Հայաստանի Հանրապետության Ընտրական օրենսգիրք, Սահմանադրական օրենք), which are formed for organizing elections in the capital and regional areas. The TEC receives electoral documents and coordinates the organization of fair and transparent electoral processes at the polling stations. The next electoral body is the Local Electoral Commissions (LEC), which are formed at specific polling stations and are responsible for recording the results, counting votes, compiling protocols, ensuring the accuracy of voter lists, and preparing electoral materials. These three levels carry out the full, uninterrupted, and systematic course of the electoral process. The CEC performs the main supervisory role and regulates the activities of the TECs and LECs, ensuring the uniform and legal conduct of elections across the entire country.

The task of the electoral commissions is to ensure the exercise and protection of citizens' constitutionally important electoral rights. The electoral commissions ensure the free expression of citizens' political will and the lawful and civilized transfer of state power, taking into account the formed socio-economic and political conditions (Թոխյան 190).

Law Enforcement Bodies: This includes the Prosecutor's Office of the Republic of Armenia (RA Prosecutor's Office) and other judicial bodies, which can also uncover electoral violations and assist in the fight against them.

Observer Organizations: The police cooperate with both local and international observer missions, individuals, or groups who ensure the safe and smooth conduct of the electoral processes.

Cooperation with Civil Society: This cooperation is aimed at maintaining the transparency of the electoral process and protecting human rights.

Economic Consequences: The loss of public trust in the police leads not only to events occurring within the country's borders but also has an external impact, as international companies may avoid investing in countries where public order is at risk. These are just a few examples that clearly demonstrate the significant role of the police in maintaining public stability and ensuring healthy and sustainable development.

Issues of Social Justice may arise in the context of disproportionate, unnecessary, and harsh actions carried out by the police.

As mentioned earlier, the police, as an institution, have gone through a long and complex journey. This is not only true in the case of the Republic of Armenia but can be confirmed globally, as the police have undergone the turmoil of various cultures, societies, geopolitical changes, reforms, and other events. The police, as a social institution, have undergone diverse and often different processes of change and development.

Technological progress has raised the need to reassess activities in various fields, including policing and law enforcement systems. This progress opens up a vast environment of possibilities, but along with these opportunities come a number of challenges. At the forefront of contemporary challenges is cybercrime. This is a type of crime in the 21st century that is committed through computers or other technological devices. The number of users is growing daily, which creates favorable conditions for an increase in criminal activities. It is clear that this type of crime can also interfere with electoral processes.

In the Republic of Armenia, the Convention on Cybercrime came into force on February 1 (Կոնվենցիա կիբեռնահանցագործության մասին), 2007. From this, there arises the pressing need to raise public media literacy, master a number of skills, and manage and use information, which is a separate topic for study and research. The police has a unique role in combating these crimes.

In general, police institutions are subject to deep reforms. However, in any case, the effectiveness of police operations begins with the internal security of the state and the individuals performing those tasks. In this context, it should be noted that a significant challenge to the effective and fair functioning of the police could arise if the police are required to work for any political faction or if they fail to maintain a politically neutral position. In such a case, there are fewer obstacles to committing crimes, as an individual with the necessary skills can commit various crimes using anonymous credentials. Among these crimes, notable examples include cyber piracy, theft of personal accounts and data, the distribution of illegal or anti-state information, online fraud, which can be used for purposes such as extortion and other illegal activities.

In this situation, the police must use their tools to uncover the issues at hand. Furthermore, this creates a need for continuous training in advanced computer skills, professional retraining, international cooperation, and the exchange of expertise. The proportionality of police actions is determined by ensuring that these actions align with both national and international standards. This is particularly important in the context of human rights protection, and in various areas, it is crucial to maintain independence, for example, by ensuring the work of independent bodies and others.

In general, the perceptions of the police by society are highly diverse and contradictory, influenced by a number of factors such as the culture of society, the political situation - particularly in terms of stability, social factors, the quality of their work, and, perhaps most importantly, post-Soviet stereotypes. During the Soviet era, the police (or militia) was characterized by features that significantly impacted the reduction of mutual trust and respect between society and the authorities. This was because there was a rigid system of control and disciplinary service in place, and power was centralized, which often turned the police into a tool in the hands of those in power to maintain party-political order. These circumstances have had a significant influence on shaping public perceptions.

Therefore, the police should strive to improve and become a trusted example of a social institution, where citizens of the state view it as the institution that ensures their security. However, today, the current situation is far from the desired image. A way to address many of these problems could be through closer engagement with society, raising awareness, and building trust. To make these results tangible, it is necessary to emphasize and reassess professional and continuous education, as well as ethical and moral standards. From the perspective of raising public awareness, it is essential to review the framework of duties and rights, and the legal regulations that govern them.

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**ԸՆՏՐԱԿԱՆ ԳՈՐԾԸՆԹԱՑՆԵՐՈՒԻՄ ԱՌԱՆՁՆԱՅԱՏՈՒԿ
ԴԵՐԱԿԱՏԱՐՆԵՐԻ, ՄԱՍՆԱՎՈՐԱՊԵՍ՝ ՆԵՐՔԻՆ ԳՈՐԾԵՐԻ
ՆԱԽԱՐԱՐՈՒԹՅԱՆ ԴԵՐԸ (ՀՀ ՕՐԻՆԱԿՈՎ)**

ԼՈՒՍԻՆԵ ՍՈՂՈՍՈՆՅԱՆ

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քաղաքագիտության ամբիոնի ասպիրանտ,
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Սույն հոդվածի նպատակն է ընդգծել ընտրությունների դերը քաղաքական կայունության, ժողովրդավարության հաստատման, քաղաքական կուսակցությունների ձևավորման և գործունեության տեսանկյունից: Հոդվածի կարևոր նպատակներից է նաև վերլուծել և հասկանալ միջազգային և տեղական դիտորդական առաքելություն իրականացողների ներգրավվածությունը այս գործընթացներում: Հոդվածում վերլուծվում և քննարկվում է ՀՀ ընտրական գործընթացների կազմակերպումն ու անցկացումն ապահովող այն կարևորագույն ինստիտուտների դերակատարությունը, առանց որոնց անհնարին կդառնար ընտրությունների արդար, ազատ ու թափանցիկ անցկացումը: Կարևորվել են նաև ՀՀ ՆԳՆ ներգրավվածության մի շարք հարցեր. նա, ըստ սահմանված կարգի, Ընտրական օրենսդրության, ՀՀ Սահմանադրության, ընտրական գործընթացի ողջ

ընթացքում ապահովում է ընտրական կյուրերի պաշտպանությունն ու անվտանգությունը: Հոդվածում առանձնակի ներկայացվում են ՀՀ Ոստիկանության ինստիտուտին առնչվող մի շարք հարցեր: Որպես վճռորոշ քաղաքական գործընթացներ՝ ընտրությունները ձևավորում են քաղաքական իշխանությունը՝ տարբեր մակարդակներում: Ուստի՝ նրանց օրինական կազմակերպումն ու վարքը էական նշանակություն ունեն պետության ապագա կայունության և զարգացման համար:

Հոդվածի գլխավոր խնդիրն է ընտրական գործընթացների կազմակերպման համատեքստում ներկայացնել ՀՀ ՆԳՆ համագործակցությունը Կենտրոնական ընտրական հանձնաժողովի, տարածքային և տեղամասային հանձնաժողովների, ինչպես նաև տեղական և միջազգային դիտորդական առաքելություն իրականացնողների հետ, ինչպես նաև վեր հանել ժամանակակից մարտահրավերներն ու խնդիրները, որոնց հանդիպում է ՆԳՆ-ը՝ որպես ինստիտուտ:

Հոդվածում կիրառվել են համեմատական, պատմական և վերլուծական մեթոդներ:

Գլխավոր եզրահանգումն այն է, որ ընտրական գործընթացները չեն կարող լինել ազատ, արդար և թափանցիկ, եթե վերջինիս ապահովման գործում չեն աշխատում անհրաժեշտ ինստիտուտները: Դա ինքնին մեծ վտանգ կարող է ներկայացնել ընտրական խարդախությունների և ընտրակեղծիքների տեսանկյունից: Որպես եզրահանգում հոդվածում ընդգծվում են նաև քաղաքական կայունության, ժողովրդավարական արժեքների ամրապնդման, մարդու ընտրական իրավունքների պաշտպանվածության խնդիրները, դրանք կարող են հաստատվել և ամրապնդվել միայն ազատ և թափանցիկ ընտրությունների միջոցով:

Հիմնաբառեր՝ քաղաքական կայունություն, ընտրական գործընթացներ, ոստիկանություն, անվտանգություն, քաղաքական կուսակցություններ, միջազգային դիտորդներ, Հայաստանի Հանրապետության Ներքին գործերի նախարարություն:

РОЛЬ ОСОБЫХ СУБЪЕКТОВ В ИЗБИРАТЕЛЬНОМ ПРОЦЕССЕ, В ЧАСТНОСТИ, РОЛЬ МИНИСТЕРСТВА ВНУТРЕННИХ ДЕЛ (СОГЛАСНО ЗАКОНОДАТЕЛЬСТВУ РА)

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Цель данной статьи – подчеркнуть роль выборов с точки зрения политической стабильности, установления демократии, а также формирования и функционирования политических партий. Одной из ключевых задач статьи является также анализ и понимание участия международных и местных наблюдательных миссий в этих процессах. В статье рассматривается и обсуждается роль наиболее важных институтов, ответственных за организацию и проведение выборов в Республике Армения, без которых справедливое, свободное и прозрачное проведение выборов невозможно.

Среди них особое внимание уделено вопросам участия Министерства внутренних дел Республики Армения, которое в соответствии с установленным порядком — Избирательным кодексом и Конституцией Республики Армения — на протяжении всего избирательного процесса обеспечивает защиту и безопасность

избирательных материалов. Особое внимание уделяется вопросам, касающимся института полиции Республики Армения. Поскольку выборы являются решающими политическими процессами, они формируют политическую власть на различных уровнях; поэтому их законная организация и проведение имеют существенное значение для будущей стабильности и развития государства.

Главная задача статьи — представить сотрудничество Министерства внутренних дел Республики Армения в контексте организации избирательных процессов с Центральной избирательной комиссией, территориальными и участковыми комиссиями, а также с местными и международными наблюдательными миссиями, с точки зрения эффективности взаимодействия. Статья также направлена на выявление современных вызовов и проблем, с которыми сталкивается Министерство внутренних дел как институт.

В статье применялись сравнительный, исторический и аналитический методы исследования.

Главный вывод заключается в том, что избирательные процессы не могут быть свободными, справедливыми и прозрачными, если необходимые для их обеспечения институты не функционируют эффективно. Это само по себе может представлять серьезную угрозу с точки зрения избирательных махинаций и фальсификаций. В качестве заключения в статье также подчеркивается значение политической стабильности, укрепления демократических ценностей и защиты избирательных прав человека, которые могут быть утверждены и закреплены только посредством свободных и прозрачных выборов.

Ключевые слова: *политическая стабильность, избирательные процессы, полиция, безопасность, политические партии, международные наблюдатели, Министерство внутренних дел Республики Армения.*