

**THE LAW OF THE NAGORNO KARABAKH REPUBLIC
ON REFERENDUM**

**Approved
on March 23, 2005
Amendments and additions are made
as of March 12, 2010**

**CHAPTER 1
GENERAL PROVISIONS**

Article 1. The definition of referendum

1. Referendum (national voting, hereinafter referred to as "Referendum") is the direct implementation of power by the people through adoption or amendment of constitution, through passing legislation as well as identifying public opinion on issues of importance to the State.
2. The Referendum shall be held across the whole territory of the Nagorno Karabakh Republic.
(Ed. Article 1 17.02.2010 LR-09-N)

Article 2. The principles governing the conduct of referendum

1. The Referendum is held on the basis of universal, equal, direct suffrage by secret ballot. Every citizen is entitled to one vote.
2. Participation in the referendum is free. Control over the expression of the citizens' will is forbidden.

Article 3. The right to participate in the Referendum

1. Citizens of the Nagorno Karabakh Republic who have reached the age of 18 years can participate:
2. Citizens eligible for participation in the referendum, who reside or find themselves abroad during the preparation and conduct of the referendum, participate in the referendum on equal basis in accordance with the procedures defined by this law and the Referendum Central Commission.
3. Citizens recognized as incapable by court ruling as well as the ones convicted to imprisonment by effective court sentence and serving a punishment cannot participate in the referendum.

Article 4. The Issues Submitted to the Referendum

1. The issues put to Referendum can be adoption or amendments to the Constitution, adoption of legislation, as well as identifying public opinion on issues of importance to the State.
2. The following issues cannot be put to Referendum:

a) Item removed 17.02.2010 LR-09-N)

b) extension or reduction of the powers of the incumbent President of the Republic and the National Assembly, as well as of the incumbent state and local self-government bodies;

c) human and citizen's rights, freedoms and duties, elimination or restriction of constitutional guarantees for their observance as well as the issues directly delegated by the Constitution exclusively to the state and self-government bodies.

(Add. Article 4, Amend. 17.02.2010 LR-09-N)

Article 5. Circumstances Precluding the Conduct of Referendum

1. Referendum shall not be held in the case when the office of the president of the Nagorno Karabakh Republic is being vacant and until the newly elected president takes office, as well as in case of war or

declaring a state of emergency on a territory including more than one-third of the population of the Nagorno Karabakh Republic, and within two months after the end of war or state of emergency.

2. A second Referendum on the same issue or a subject having the same content shall not be held within one year after the official publication of the results of Referendum.

(Ed. Article 5 17.02.2010 LR-09-N)

Article 6. Legislation on Referendum

The legislation on Referendum consists of the Constitution, this Law, the Electoral Code of the Nagorno Karabakh Republic, and other legal acts.

CHAPTER 2

INITIATING THE CONDUCT OF REFERENDUM AND ASSIGNMENT OF THE REFERENDUM. THE PUBLICATION OF THE DRAFT SUBMITTED TO REFERENDUM

Article 7. The Initiation of Referendum on Adoption or Amendments to the Constitution, Appointing and Holding a Referendum

1. The right to initiate a referendum on adopting or amending the Constitution is reserved to the President and the National Assembly of the Nagorno Karabakh Republic.
2. After approving the draft Constitution or the draft constitutional amendments, as prescribed by the Law of the Nagorno Karabakh Republic, "National Assembly Rules of Procedure," the National Assembly forwards the draft to the President of the Nagorno Karabakh Republic to submit it to referendum.
3. The President of the Republic may remand the draft Constitution or draft constitutional amendments approved by the National Assembly, within thirty days following its submittal back to the National Assembly, with his objections and suggestions, requesting a review.
4. The President of the Republic submits to referendum, within the period prescribed by the National Assembly, the draft Constitution or draft constitutional amendments repeatedly presented by at least two thirds of the total number of the members of the National Assembly.
5. The President of the Republic presents the draft Constitution or draft constitutional amendments introduced by himself/herself to the National Assembly. In accordance with the procedure defined by the Law of the Nagorno Karabakh Republic, "National Assembly Rules of Procedure," the National Assembly makes a decision on approval of the draft introduced by the President for referendum.
6. The President of the Republic calls a referendum within 30 days after submitting the draft suggested by the National Assembly with the exception of the case defined in Paragraph 4 of this Article, or within 7 days after receiving the approval of the National Assembly.
7. The referendum shall be conducted not earlier than 30 and not later than 45 days after the official publication of the President's decree on conducting a referendum.
8. For the purpose of a nation-wide discussion, the draft submitted to referendum shall be published in the "Official Bulletin of the Nagorno Karabakh Republic" for public information and the mass media established by the state, not later than 25 days prior to the referendum day.

Article 8. The Initiation of Referendum on Adoption of Legislation, Appointing and Holding a Referendum

1. The right to initiate a referendum for adoption of laws is reserved to the National Assembly or the Government.
2. After approving the draft law, in accordance with the Law of the Nagorno Karabakh Republic, "National Assembly Rules of Procedure," the National Assembly forwards the draft to the President of the Republic to submit it to referendum.
3. The President of the Republic, within thirty days after the receiving the draft law approved by the National Assembly, may remand it to the National Assembly, with his objections and suggestions, requesting a review.
4. Within the period prescribed by the National Assembly, the President of the Republic submits to referendum a draft law repeatedly presented by at least two thirds of the total number of the members of the National Assembly..
5. Within three days after receiving the draft law proposed by the Government, the President of the Republic introduces the draft to the National Assembly for its approval to submit the draft to referendum.

6. The National Assembly makes a decision in accordance with the procedure defined by the Law of the Nagorno Karabakh Republic, "National Assembly Rules of Procedure," on approval to submit the draft presented by the President to referendum.
7. The President of the Republic calls a referendum within 30 days after receiving the draft suggested by the National Assembly with the exception of the case defined in Paragraph 4 of this Article, and within 7 days after receiving the approval of the National Assembly on the draft introduced by the Government.
8. The referendum shall be conducted not earlier than 30 and not later than 45 days after the official publication of the President's decree on conducting a referendum.
9. For the purpose of a nation-wide discussion, the draft submitted to referendum shall be published in the "Official Bulletin of the Nagorno Karabakh Republic" for public information, and the mass media established by the state, not later than 25 days prior to the referendum day.

Article 8¹. The Initiation, Appointment and Holding of Referendum on Issues of Importance to the State

1. The National Assembly or the Government shall have the right to initiate a Referendum on issues of importance to the State.
2. The decision of the National Assembly or the Government on appointing a Referendum shall indicate the issues on which it is necessary to identify the public opinion.
3. The necessity of holding a Referendum to identify public opinion on the country's foreign policy, military and national security issues, as well as the questions put to Referendum shall be discussed previously with the President of the Nagorno Karabakh Republic.
4. To ensure public awareness, the decision of the National Assembly or the Government on initiating a Referendum shall be published in the Official Bulletin of the Nagorno Karabakh Republic no later than 21 days before the Referendum. Within the same period the text of the decision shall be made available to the media.
5. Referendum shall be held no sooner than 30 and no later than 40 days after the official publication of the decision of the National Assembly or the Government.
6. Referendum precincts and precinct centers shall be formed no later than 21 days before the Referendum.
7. Military commanders shall submit the number of voters registered in their military units to the corresponding community heads, authorized bodies and relevant district commissions no later than 21 days before the Referendum.
8. District commissions shall be formed in accordance with the Electoral Code of the Nagorno Karabakh Republic, no sooner than 19 and no later than 16 days before the Referendum as defined by the procedure for setting up district commissions.
9. The authorized body shall post up the lists of citizens eligible for voting at the precinct centers and in a conspicuous place no later than 20 days before the Referendum.

(Add. Article 8 17.02.2010 LR-09-N)

**CHAPTER 3
REFERENDUM COMMISSIONS**

Article 9. The System of Referendum Commissions

The referendum commissions are:

- a) the Central Referendum Commission (referred to hereinafter as the Central Commission);;
- b) the District Referendum Commissions (referred to hereinafter as the District Commissions);
- c) the Precinct Referendum Commissions (referred to hereinafter as the Precinct Commissions).

(Add. Article 8 17.02.2010 LR-09-N)

Article 10. The formation of referendum commissions

1. The Central and District Referendum Commissions are the respectful commissions formed according to the procedure defined by the Electoral Code. The Central Commission formed by the procedure stipulated in the Electoral Code of the Nagorno Karabakh Republic exercises the functions of the Referendum Central Commission.
2. The Precinct Referendum Commissions are formed in accordance with the procedure of the formation of Precinct Commissions defined by the Electoral Code of the Nagorno Karabakh Republic. If the referendum takes place on the same day as the elections of the President or the National Assembly of

the Nagorno Karabakh Republic, then, the Precinct Commissions, formed according to the procedure stipulated in the Electoral Code of the Nagorno Karabakh Republic, perform the functions of the Precinct Referendum Commissions.

(Amend. Article 10 17.02.2010 LR-09-N)

Article 11. The powers of the Central Commission

The Central Commission:

- a) the work of referendum commissions;
- b) oversees the lawfulness and provides the standard application of this law during the organization and conduct of referendum;
- c) considers the applications and complaints regarding the decisions, the actions and inaction of the referendum commissions; reviews or invalidates the decisions contradicting the laws and decisions of the Government of the Nagorno Karabakh Republic, contradicting the decisions of referendum commissions adopted within their competences, as well as the decisions of the referendum commissions adopted in excess of their powers, eliminates the violations of citizens' rights resulting from the actions or inaction of the referendum commissions;
- d)) takes decisions and other normative acts ensuring the application of the provisions of this law and binding for all the commissions;
- e) gives clarifications and instructions on the implementation of this law;
- f) listens to reports of state and local self-government bodies on the issues relating to the preparation and conduct of the referendum;
- g) disburses the financial resources allocated for the conduct of the referendum, distributes the funds between the commissions, oversees their efficient spending;
- h) provides the referendum commissions with facilities, materials, technical support and means of communication complying with the working conditions required for the referendum commissions;
- i) establishes the samples of the ballots and other referendum documents;
- j) establishes the samples of the seals of the commissions, orders them and allocates to the commissions, defines the procedure for the return of the seals after the referendum;
- k) publishes the draft submitted to referendum in the mass media;
- l) in accordance with its own procedure, accredits the representatives of the mass media and international organizations performing observation missions;
- m) defines a uniform procedure for the summary of referendum results;
- n) in accordance with the requirements of the Electoral Code of the Nagorno Karabakh Republic summarizes and announces the results of referendum, and forwards the relevant documents to the archive;
- o) organizes training for the members of referendum commissions;
- p) in case of violation of the provisions of this law, as well as on the issues relating to the organization of referendum, applies to relevant competent bodies;
- q) executes other powers defined by this law and the Electoral Code of the Nagorno Karabakh Republic.

Article 12. The powers of the District Commission

(Amend. Headline 17.02.2010 LR-09-N)

The District Commission:

- a) coordinates the work of the precinct commissions;
- b) oversees the lawfulness during the organization and conduct of referendum in a given district, and ensures the uniform application of this law;
- c) considers the applications and complaints regarding the decisions, actions and inaction of subordinate commissions; reviews and invalidates the decisions contradicting the laws and decisions of the Government of the Nagorno Karabakh Republic, the Central Commission's and its own decisions, as well as the decisions of the subordinate commissions made in excess of their powers; eliminates the violations of the citizens' rights as a result of actions or inaction of the subordinate commissions;
- d) according to the procedure established by the Central Commission, oversees the formation of voter lists

of the citizens eligible for participation in the referendum;
e) ensures the collaboration between the Central Commission and the territorial and local self-government bodies;
f) collaborates with the mass media with the purpose of covering the issues submitted to referendum;
g) accredits the representatives of the mass media;
h) organizes training for the members of precinct commissions;
i) endorses the referendum precincts upon presentation of community leaders, assigns numbers to them and the precinct center. Sends th?s? data to the Central Commission within two days;
j) disburses the allotted financial resources between the precinct commissions, oversees their efficient spending, provides the precinct commissions with required items;
k) provides the referendum commissions with facilities, materials, technical support and means of communication complying with the working conditions required for the referendum commissions;
l)sends the seals of the commissions to the chairmen of precinct commissions not later than 2 days prior to the day of voting;
m) based on the records of the precinct commissions, announces the preliminary voting results by precinct, summarizes and publishes the results of voting in the district;
n) applies to the relevant competent bodies in case of violation of this law and on the issues of the organization of referendum;
o)exercises other powers prescribed by this law and the Electoral Code of the Nagorno Karabakh Republic.

(Article 12 Amend. 17.02.2010 LR-09-N)

Article 13. The Powers of Precinct Commissions

1. The Precinct Commission:

a) notifies the citizens eligible for voting and registered in the given area through personal notices on the location of the commission, on the place and time of the events related to the organization of referendum;
b) equips the precinct center;.
c) oversees the application of this law in the territory of the precinct;
d) organizes the voting in the precinct, summarizes the results and presents them to the district commission;
e) resolves the issues of disputable ballots by voting;
f) considers the applications and complaints regarding the violation of this law and makes decisions on them, in case of necessity, applies to competent bodies;
g) disburses the allotted financial resources;
h) exercises other powers prescribed by this law and the Electoral Code of the Nagorno Karabakh Republic.

2. The powers of the precinct commissions are terminated in seven days after the official announcement of the referendum results, and in case of appeal against the referendum results at the Supreme Court, after the decision of the Supreme Court is taken.

(Article 13 Amend. 17.02.2010 LR-09-N)

Article 14. The Organization of the work of Commissions

1. The Commissions work by means of sessions, based on the principle of collegiality.
2. The Chairman of the Commission or the Deputy Chairman leads the work of the commission on the instructions of the Chairman.
3. For auxiliary work, the Chairman of the Central Commission establishes permanent staff. A similar staff may be established on temporary basis in district commissions upon the agreement of the Central Commission. The Central Commission determines the wages for the members of the staff.
4. The Chairman of the Commission sets the agenda for the regular sessions.
5. Extraordinary sessions are called by the Chairman of the Commission on his/her own initiative or upon written request of one third of the members of the Commission within the time specified by them. The Chairman of the Commission advises the Commission members on the conduct of the extraordinary session in advance.
6. The session of the Commission is valid, provided that more than half of the Commission members are present.

7. The decision of the Commission is adopted by the majority of the votes of the members present at the session. Voting may be considered valid provided that more than half of the total number of the commission members participated in voting. A decision may be considered adopted provided that more than half of the total number of the participants voted in its favour. In the event of equal share of votes, the vote of the Commission Chairman (presiding at the session) is decisive.
8. The commissions are supplied with registers with pages numbered and sealed by the superior Commission, wherein the relevant clerical work related to the organization and conduct of referendum shall be recorded indicating the date and hour. The requirements imposed on the register, as well as the procedure of making records in the register are defined by the Central Commission.
9. The commission members are obliged to participate in the sessions of the relevant commissions. In case of three absences without valid reasons, in accordance with the decision adopted by the majority of the total number of votes, the respective Commission is entitled to terminate the powers of a commission member.
10. The referendum documents are delivered and received at the commissions with a mandatory record in the register by signature of the courier and the recipient.
11. The referendum documents shall be submitted to the superior commission immediately after the summary of referendum results.
12. The Central Commission sends the referendum documents to the state archive of the Nagorno Karabakh Republic after the official announcement of referendum results for safekeeping in conformity with the defined procedure.

(Article 14 Amend. 17.02.2010 LR-09-N)

Article 15. Publicity of the work of Commissions

1. The Referendum Commissions operate in a transparent manner. The resolutions of the Referendum Commissions on the preparation and implementation of referendum shall be officially published in press within three days after their adoption.
2. The resolutions of the Commissions shall be published in the mass media. The copies of the resolutions shall be provided to the representatives of the mass media accredited at the Commission.
3. The Chairman of the Commission ensures the participation of observers and representatives of the mass media in the work of the Commission during its sessions and voting, in accordance with the procedure defined by this law and the Electoral Code of the Nagorno Karabakh Republic, and ensures the necessary and equal working conditions for them.
4. In accordance with the procedure established by the Electoral Code of the Nagorno Karabakh Republic, the citizens shall be advised about the composition, location and working hours of the commissions, the establishment of precincts and precinct centres, timeframes for submission of petitions on the inaccuracies in the lists of citizens eligible for participation in Referendum.

Article 16. Procedures for appealing against the decisions, Actions and inaction of the Commissions

1. Unless another deadline is prescribed by the law, the resolutions, actions and the inaction of the Referendum Commission, except for the resolutions of the District Commissions on the summary of voting results, can be appealed against at the superior commission or court within three days after the publication of the resolution, performance of action or the violation of the law as a result of inaction, except for the resolutions of the District Commissions on the summary of voting results, which can be appealed against on the next day of the vote, before 14:00. On these appeals, the superior commission and the court make decisions before the summary of vote results. Unless otherwise prescribed by the law, the superior commission and the court make decisions within five days. The resolutions of the District Commissions on the summary of the results are appealed at the Central Commission.
2. The petitions received within five days prior to the vote, are considered and resolved immediately.
3. The day of the vote is a working day for Courts and Public Prosecutor officers.

(Article 16 Amend. 17.02.2010 LR-09-N)

CHAPTER 4

THE LISTS OF CITIZENS ELIGIBLE FOR PARTICIPATION IN REFERENDUM, REFERENDUM PRECINCTS AND PRECINCT CENTERS, REFERENDUM FUNDING

Article 17. The Procedure for Compilation of the Lists of Citizens Eligible for Participation in Referendum

The procedure of compilation and listing of voters of the voter lists of the citizens eligible for participation in referendum (referred to hereinafter as the lists,) inclusion of citizens in the lists, requirements imposed on the lists, accessibility of the lists, the procedure of the consideration of applications regarding inaccuracies in the lists, correction of the lists and the submission of the lists to the commissions are defined in accordance with the provisions of Chapter 2 of the Electoral Code of the Nagorno Karabakh Republic, relating to the compilation and listing of voters of voter lists, inclusion of citizens in voter lists, requirements imposed on the voter lists, accessibility of the lists, the consideration of applications regarding inaccuracies in the lists, correction of the lists and submission of the lists to commissions.

Article 18. Precincts and Precinct Centers

The referendum precincts and precinct centers are established in accordance with the procedures defined by the Electoral Code of the Nagorno Karabakh Republic.

Article 19. Funding of the Referendum

1. Expenses for the preparation and conduct of referendum (including the compilation of the lists,) are covered by the state budget.
2. The Government of the Nagorno Karabakh Republic allocates the funds earmarked for the preparation and conduct of referendum to the Central Commission in five days after the referendum is assigned.
3. . If there are no funds in the state budget earmarked for the preparation and conduct of referendum, the latter is funded from the reserve fund of the state budget.
4. The funds shall be allocated to the commissions as prescribed by the Government of the Nagorno Karabakh Republic, based on the budget estimates made by the Central Commission in accordance with the procedure established by the Government of the Nagorno Karabakh Republic. The Commission Chairmen shall manage the financial resources and take the responsibility for spending these funds in compliance with the procedure established by the Central Commission.

CHAPTER 5 CAMPAIGNING

Article 20. The Campaigning during the Preparation of Referendum

1. The citizens, political parties and non-governmental organizations of the Nagorno Karabakh Republic are entitled to campaign by means and manners not prohibited by law on the issue submitted to referendum.
2. The state guarantees free implementation of the campaign regarding the issue submitted to referendum.
3. Campaigning shall begin after the official publication of the President's decree on holding a Referendum and shall end one day before the voting. In case of Referendum on issues of importance to the State, campaigning shall begin after entry into force of the decision of the National Assembly or the Government and shall end one day before the voting.
4. The posters posted at the Precinct Center can be left in their place on the voting day and on the day before.
5. The following entities cannot campaign:
 - a). state and local self-government bodies, as well as their staff while performing their official duties;
 - b). judges, police and national security officers, the officials (staff) of the Public Prosecutor's office, and the military;
 - c). charitable and religious organizations;
 - d). foreign citizens and organizations.
6. The campaign can be conducted through the mass media, public campaign events (such as meetings and gatherings, public discussions, debates, rallies, marches and demonstrations) publication of printed materials, and video footage.
7. The persons eligible for campaigning can publish and disseminate posters, leaflets and other printed campaign materials by means not prohibited by law.
8. The heads of communities shall assign special places for posting up campaign posters no later than within 5 days after the official publication of the President's decree on holding a Referendum, and in the case of Referendum on issues of importance to the State no later than within 5 days after entry into force of the decision of the National Assembly or the Government. The community leader makes sure that the posters displayed in special places are not torn. These places should be convenient for voters' visiting. In every precinct there should be at least one such place.

9. During the announcement of the results of the public opinion polls on the issue submitted to referendum the mass media is obliged to mention the name of the organization that conducted the poll, the time the poll was conducted, the number of the people interviewed (the sampling mode,) the data collection method, the correct formulation of the question, and the estimated possible statistical inaccuracies. It is forbidden to publish the results of the public opinion polls on the issue submitted to referendum within the last three days of the campaign.
10. Printed campaign materials shall contain information on the organizations and people responsible for the publication, as well as information on the printing company and the print-run.
11. It is forbidden:
 - a) to disseminate anonymous printed campaign materials. Whenever anonymous or false printed campaign materials are found, the notified Commission takes measures to terminate such activities and applies to the competent bodies for the termination of the illegal activities;
 - b) to grant (promise) money, food, securities, and goods to citizens, free of charge or on privileged terms, or provide (promise) services during the campaigning stage;
 - c) to influence the citizens eligible for participation in referendum orally or in writing, through music or visually, to collect signatures, as well as to campaign on the issue submitted to referendum in other ways on the voting day and the day before, at the precinct center or in its vicinity;
 - d) to publish the result of voting of the citizen who participated in the referendum before the voting has finished;
 - e) to assemble in groups on the voting day in the area adjacent to the precinct center, within the range of 50 meters.
12. The referendum commissions oversee the observance of the campaigning procedure. In case of violations, the commissions may apply to the competent bodies to prevent them, as well as to the Court for holding the person entitled for campaigning liable in accordance with the procedure defined by law.
(Ed. Article 20 17.02.2010 LR-09-N)

Article 21. Campaign Fund

1. Individuals eligible for campaigning can establish a campaign fund for the purpose of funding the campaign.
2. In accordance with the petition filed by the individual eligible for campaigning, the means of the fund are accumulated on a special account at the bank authorized by the Central Commission in the territory of the Nagorno Karabakh Republic.
3. The fund is formed from personal savings, voluntary donations of physical persons and legal entities.
4. The following have no right to contribute to the fund:
 - a) state and local self-government bodies;
 - b) budget institutions (organizations);
 - c) foreign physical persons and legal entities;
 - d) stateless persons;
 - e) charitable, religious and international organizations, international non-governmental movements;
 - f) organizations with more than 30 per cent of foreign share in their capital. Their contribution to the fund will be transferred to the state budget.
5. It is forbidden to spend means not included in the fund during the campaign.
6. The authorized bank, every three days, presents reports to the Central Commission on the financial activities of the funds, which are terminated one day prior to the voting.

CHAPTER 6 OBSERVERS

Article 22. The rights of the observation mission

1. During referendum, the following are entitled to perform the observation mission:
 - a) Political parties of the Nagorno Karabakh Republic, except for the cases when referendum is held on the day of Presidential or Parliamentary elections of the Nagorno Karabakh Republic.
 - b) International organizations.
 - c) Representatives of foreign countries.
 - d) The NGOs from the Nagorno Karabakh Republic and foreign countries whose charter includes provisions on democracy and human rights protection.
 If the referendum is held on the day of Presidential or Parliamentary elections of the Nagorno Karabakh

Republic, the organizations specified in item "d" of this Paragraph are entitled to observation missions provided they do not support the candidates or political parties..

2. The Central Commission establishes the procedure of executing the observation mission.
3. The accreditation of observers is implemented as prescribed in the Electoral Code of the Nagorno Karabakh Republic.

Article 23. The Rights, Duties and Guarantees for the Activities of the Observers and the Media Representatives

The observers and media representatives are entitled to:

- a) Attend the sessions of the referendum commission and at the polling station during the vote.
 - b) Familiarize themselves, without restriction, with referendum documents, the samples of the ballots, documents, the resolutions of referendum commissions, the minutes of the sessions; receive copies thereof, make extracts from the minutes.
 - c) Appeal against the decisions of the referendum commission, the actions of the commission members or inaction thereof.
1. The observer and media representatives do not have the right to intervene into the work of the commission.
 2. One member from each accredited observation mission can participate in the work with an advisory vote or be present during the voting of the sessions of the referendum commission. One member from each accredited observation mission can participate in the work with an advisory vote or be present during the voting of the sessions of the referendum commission.
 3. The observers follow the work of the referendum commission during the vote. They can make suggestions and remarks on their observations to the commission chairmen, and the latter take necessary measures.
 4. No restriction of the rights of observers and media representatives is allowed.
 5. The observers and media representatives cannot be liable for their opinions expressed in the course of voting and summary of the vote and results of the referendum.

CHAPTER 7 THE PROCEDURE OF PREPARATION AND CONDUCT OF VOTING

Article 24. The Procedure of Referendum Voting

The procedure of preparation and conduct of referendum voting is defined in the Electoral Code of the Nagorno Karabakh Republic, unless otherwise prescribed by this law.

Article 25. Referendum ballot paper, the ballot box, and the seals of the commissions

1. The samples of the ballot paper, ballot box and the seals of the commissions are approved by the Central Commission. During the vote each citizen receives one ballot.
2. If the referendum is held on two or more issues at the same time, the citizens are given as many ballot papers, as there are issues. The ballots must clearly differ from each other.
3. The form and the content of the ballot paper are set up by the Central Commission.
4. The ballot papers are issued not earlier than 9 days and not later than 3 days prior to the voting day.
5. The commission seals are manufactured by the order of the Central Commission, in accordance with the samples approved by the commission.
6. The procedure for delivery and return of the seals to the commissions is defined in this law and Electoral Code of the Nagorno Karabakh Republic.
7. The referendum ballot papers are delivered to the commissions in accordance with the procedure defined by this law and Electoral Code of the Nagorno Karabakh Republic.

Article 26. The Preparation for Referendum

1. The polling is prepared by the precinct commissions are in charge of preparation of voting.
2. Tables for the registration of voters, handing out ballot papers to voters, sealing the ballots, and for the oversight of the ballot papers, shall be installed at precinct centers.
3. The ballot box is installed in a place visible for the persons authorized to be present at the precinct.

4. The precinct commission shall install a notice board at the precinct center or at the entrance thereof, with filled out ballot paper specimens. The complete text of the draft submitted for referendum must be available at the precinct.

Article 27. The Preparation and Polling at Diplomatic and Consular Missions; the Preparation and Polling by the Arrested and Detained Persons

The procedure for preparation and conduct of polling at the diplomatic and consular missions, the preparation and conduct of polling of arrested and detained persons, including procedure for the access to the precinct center, registration of the citizens eligible for participation in the referendum, and the polling procedure are defined in the Electoral Code of the Nagorno Karabakh Republic.

Article 28. The procedure of Marking the Ballots

1. If the participant of the polling votes in favor, he makes a mark next to the word "YEA" in the ballot paper, if he votes against, he makes a mark next to the word "NAY."
2. The citizens unable to fill out the ballot paper by themselves can invite another person into the voting booth, who shall not be a representative of accredited media, observer or a commission member. Except for the above mentioned case, the presence of other persons in the voting booth while the ballot paper is being filled out is prohibited.
3. The voter comes out of the voting booth or room with his filled-out ballot paper folded in four and approaches the person responsible for the ballot papers. The latter checks the identification document and having ascertained the identity of the voter and his registration in the given precinct opens the ballot box slot and allows the voter to drop his ballot paper into the ballot box.
4. It is forbidden to take the ballot paper out of the precinct center.

Article 29. The Invalid Ballots

1. The ballot papers marked at the same time against the words "YEA" and "NAY", the unmarked ballot papers, the ones with extra marks, unsigned or unsealed ballot papers are considered invalid.
2. The relevant commission settles the matter of disputable ballots by vote.

Article 30. The Ballots Other than the Approved Specimens

1. The ballot papers other than the approved specimens are considered not corresponding to the approved specimens.
2. commission settles the matter of dubious ballot papers by vote.
3. When the results of elections are summed up, unapproved ballot papers will not be taken into account.

CHAPTER 8

THE SUMMARY PROCEDURE AND DETERMINING THE SHARE OF INACCURACIES

Article 31. The Procedure for Summarizing and Determining the Share of Inaccuracies at the Precinct

1. The chairman of the precinct commission bans the access of voters to the precinct center at 20:00 p.m., enables the voters in the precinct center, eligible for the participation in the referendum, to vote, closes the ballot box slot, asks all the persons not entitled to attend the sessions of the precinct commission to leave, and closes the precinct center. After these steps are performed, the precinct commission starts the session for the summarization of the voting results. For this purpose:
 - a) the envelope with the ballot papers cancelled and sealed as prescribed by the Central Commission, and unused, incorrectly marked and returned ballot papers is registered;
 - b) The total number of the voters who participated in the poll is calculated on the basis of the lists.
 - c) The number of the voters who participated in the poll and received ballots is calculated on the basis of the signatures in the list, and the list is sealed.
 - d) The ballot box is opened.
2. The chairman of the commission takes out one ballot paper from the ballot box, announces aloud that the ballot is inappropriate, valid or invalid; and in case of validity also says whether it is "for" or "against" the issue submitted for referendum. Upon request, the ballot shall be passed to the other members of

commission. If the commission member disagrees with the chairman, he makes an objection. The objection shall be put to vote. In case of objection the decision is made by vote, and in case of no objection the chairman puts the ballot in the "for", "against" or "invalid" ballot pile, according to his announcement, and takes the next ballot from the ballot box. The same action is repeated for all the ballots in the ballot box. During these actions the commission members are prohibited from making marks on the ballots, as well as having pencils, pens or other items for making notes..

3. After sorting out all the ballots available in the ballot box, the chairman, in the presence of the commission members, counts the ballots recognized as invalid, the ballots voted "for", the ballots voted "against" one by one. Based on the results the number of the invalid ballots, the ballots voted "for", the ballots voted "against" is counted. The counted and sorted out ballots are packed and sealed in accordance with the procedure defined by the Central Commission.
4. The precinct commission, based on the summary precinct minutes, compiles the minutes on the number of inaccuracies. The commission determines the number of inaccuracies by comparing the number of signatures in the list. The difference with the total number of the ballots in the ballot box is considered to be the number of inaccuracies.
5. Each action specified in Paragraphs 3 and 4 of this Article shall be performed in the order mentioned, in so doing, each action is performed after the previous one has been accomplished and the appropriate minutes compiled. Separate minutes are compiled for each of the actions, with the signatures of all the present members and in two copies, one of which is packed and sealed with relevant documents.
6. At the same time, in case the drafts of two or more issues are submitted for referendum, the summarization of voting results for each issue is performed separately.

Article 32. The Procedure for Summarizing the Voting Results at the Precinct Commission

1. The following is recorded in the summary minutes of voting results:
 2. a) The total number of the citizens eligible for the participation in the referendum, according to the list.
 - b) The number of registered voters who received ballots, according to their signatures.
 - c) The number of ballots allotted to the polling station.
 - d) The number of cancelled ballots.
 - e) The number of valid ballots in the ballot box.
 - f) The number of invalid ballots in the ballot box.
 - g) The total number of the ballots other than the established specimen in the ballot box.
 - h) The number of ballots cast "for."
 - i) The number of ballots cast "against."
2. The figures counted and registered in the minutes are announced aloud.
3. The minutes are signed by the members of commission present at the session and sealed by the Chairman of the commission. If any member of the commission has a special opinion on the data in the minutes, he makes a remark to that effect next to his signature and submits his written opinion which shall be attached to the minutes.
4. If the member of the commission refuses to sign the minutes, or left the commission after the summary session had started, minutes are compiled to that effect and attached to the summary minutes.
5. At the request of an observer he is provided with the copies of precinct minutes certified by the signature of the chairman or the secretary and the seal of the commission.
6. From the end of the voting until the compilation of the minutes on the inaccuracies, the session of the precinct commission cannot be interrupted.
7. At the end of the session, but not later than within 12 hours after the end of voting, the chairman of the commission publishes the voting results.
8. The copies of the minutes with the summary and the number of inaccuracies are displayed at the precinct centre, in a visible place. Not later than within 14 hours after the voting is over, the chairman of the precinct commission submits the referendum documents to the district commission in accordance with the procedure defined by the Central Commission.

Article 33. Procedure for Summarizing the Voting Results at the District Commission

1. Based on the minutes of the precinct commissions, the district commission summarizes the preliminary results of the referendum in the district: the total number of citizens in the lists, the number of votes cast "for," the number of votes cast "against," the total number of the participants of the vote, and the amount of inaccuracies.
2. Not later than within 18 hours after the end of the polling, at the district, the preliminary results are registered, publicized by the chairman of district commission and officially forwarded to the Central Commission.
3. Not later than within 48 hours after the completion of voting, and in case of complaints about the results of voting in the precincts filed with the court or district commissions, not later than with 5 days, the district

commission compiles summary minutes of the voting, indicating:

- a) the total number of the voters eligible for the participation in referendum, according to the voter lists;
 - b) the number of the registered voters who received ballots, according to the signatures;
 - c) the number of the ballots allotted to the precinct commissions;
 - d) the number of cancelled ballots;
 - e) the number of valid ballots in the ballot box;
 - f) the number of invalid ballots in the ballot box;
 - g) the total number of relevant ballots in the ballot box;
 - h) the number of the ballots cast "for;"
 - i) the number of the ballots cast "against;"
 - j) the number of inaccuracies.
4. The summary minutes are signed by the district commission members present at the session; it is sealed by the chairman. If any member of the commission has a special opinion on the data in the minutes, he makes a remark next to his signature and submits his written opinion which is attached to the minutes.
 5. If a member of commission refuses to sign the minutes, a record is compiled to that effect, which is attached to the summary minutes of the final results in the district.
 6. The minutes are signed by the members of the commission present at the session and sealed by the Chairman.
 7. The results of the referendum in the district are publicized, and the chairman of the district commission submits one copy of the relevant minutes with all the rest of referendum documentation to the Central Commission.
 8. At the request of an observer, he is given a copy of the summary minutes of referendum results in the district, which has to be certified by the signature of the chairman of the commission or the secretary and the seal of the commission.
 9. When the voting is over, the district commission must to report to the Central Commission, at least every three hours, the preliminary referendum results, by precincts.
 10. At the written request of a precinct commission member who expressed a special opinion, the district commission verifies the conformity of the precinct summary minutes of the relevant precinct with the factual results of the polling. The member of this precinct who expressed a special opinion on the compilation of the precinct minutes, the chairman of the commission and observers can participate in verification.

(Article 33 Amend. 17.02.2010 LR-09-N)

Article 34. The Procedure for Summarizing Referendum Results at the Central Commission

1. . Not later than 28 hours after the end of voting, the Central Commission publishes the preliminary results of referendum based on the preliminary results received from the district commissions, including the total number of eligible voters in the lists, the number of ballots "for," the number of ballots "against," the total number of the participants, and the number of inaccuracies.
2. Not later than 72 hours after the voting, the Central Commission calls a session, which can be attended by the eligible persons, based on the final results of the referendum in the districts, and in case of complaints filed with court or district commissions, not later than in six days, compiles the summary minutes of the referendum indicating the following data:
 - a) The total number of the eligible voters according to the voter lists;
 - b) The number of registered voters, who received ballots, according to the signatures;
 - c) The number of ballots allotted to the precinct commissions;
 - d) The number of cancelled ballots;
 - e) The number of valid ballots in the ballot box;
 - f) The number of invalid ballots in the ballot box;
 - g) The number of ballots of relevant specimen;
 - h) The number of ballots "for"
 - i) The number of ballots "against"
 - j) The number of inaccuracies.
3. The minutes are signed by the members of the commission present at the session, and sealed by the chairman.
4. If a member of the commission has a special opinion about the data in the minutes, he makes a note next to his signature and submits his written opinion which is attached to the minutes.
5. If a member of the commission refuses to sign the minutes, then a relevant note is made in the minutes to that effect.
6. The Chairman of the Central Commission or a member of the Commission at the Chairman's request gives information on the current referendum results every 3 hours after the end of voting on the Public

TV. Within 3 hours after having made a resolution on the results of the referendum, the Chairman of the Central Commission or a member of the Commission at the Chairman's request officially announces the final results of the referendum live on Public TV.

7. The session of Central Commission shall not be terminated before the announcement of the preliminary results of the referendum.
8. At the request of an observer, he is given the copies of the summary minutes of the referendum certified by the signature of the Chairman or the Secretary, and the seal of the commission.

(Article 34 Amend. 17.02.2010 LR-09-N)

Article 35. Summarization of the referendum results

1. The Central Commission, after having summarized the referendum results in accordance with Article 34 of this Law, makes one of the following decisions:
 - 1) on the acceptance of the issue submitted for referendum;
 - 2) on the non-acceptance of the issue submitted for referendum;
 - 3) on recognizing the results of the referendum as invalid.
2. The draft submitted for referendum is considered accepted, if more than half of the voters voted for it, but not less than one third of the citizens included in the lists. The results of Referendum as defined in Article 81 of this Law shall be considered affirmative (adopted) if more than half of the voters voted affirmatively.
3. . The draft submitted for referendum is considered not accepted, if the provisions of Paragraph 2 of this Article are not complied with.
4. he results of referendum are considered invalid, if the number of inaccuracies or violations during the preparation and conduct of referendum impacted or could have impacted the results of the referendum. If the results of referendum are considered invalid, a new voting is conducted in accordance with the procedures defined in this law, not sooner than 10 days and not later than 20 days after the decision to invalidate the results entered into force.
5. The results of the referendum can be disputed in the Supreme Court within 7 days after the official announcement of the results.

(Article 35 Amend. 17.02.2010 LR-09-N)

Article 36. The Entry into Force of Constitution or Amendments to Constitution and Laws Approved by the Referendum

1. The Constitution or its amendments and the laws accepted by the Referendum enter into force from the moment of publishing the drafts in the "Official Bulletin of the Nagorno Karabakh Republic" within five days after announcing the resolution of the Central Commission or the Supreme Court on the results of the the Referendum.
2. The laws adopted by the Referendum can be amended only by the Referendum.

Article 37. The Storage of the Referendum Documents

The Referendum documents are stored at the State Archives for at least 10 years in conformity with the procedures established by the Central Commission.

CHAPTER 9 LIABILITY FOR VIOLATION OF THIS LAW

Article 38. The Liability for Violation of the Provisions of this Law

Violation of the provisions of this law causes liability as defined by law for violations committed against the suffrage.

CHAPTER 10 CONCLUDING PROVISIONS

Article 39. The Entry into Force of this Law

This law shall come into force upon its official publication.