**Elections of deputies
to Local Councils of Deputies
of the Republic of Belarus
of the 27th Convocation**

**23 March 2014**

**Preliminary monitoring report**

*The observation was carried out by activists of the Belarusian Helsinki Committee and the Human Rights Center "Viasna" within the frames of the campaign "Human Rights Defenders for Free Elections"[[1]](#footnote-1). The campaign involved 30 long-term and 220 short-term observers, who observed at 180 polling stations across Belarus. The Report used information on voting day observation provided by observers of the project “Election Observation: Theory and Practice (EOTP)”.*

**KEY FINDINGS**

The campaign "Human Rights Defenders for Free Elections" believes that the electoral process was marked by serious violations of the principles of democratic and fair elections set by the OSCE standards and the Belarusian legislation. The atmosphere of political persecution and repression of government opponents, which accompanied the electoral campaign, restrictions during the formation of election commissions and election campaigning had a negative impact on the freedom of choice. Lack of transparency of the counting of votes does not give grounds to assert that the election results reflect the will of the Belarusian people.

Electoral legislation does not provide for transparency in the creation of election commissions at all levels. Information on the date and place of meetings of bodies in charge of establishing election commissions was unavailable. There were facts of direct refusals in obtaining this information by the observers.

46% of the observers of the campaign "Human Rights Defenders for Free Elections" were not allowed to attend the meetings for the formation of the TECs, and 43% were not allowed to attend meetings which formed the DECs; 52% were not allowed to attend meetings which formed the PECs. 100% observers of the campaign "Human Rights Defenders for Free Elections" were denied the right to observe the procedure of verification of signatures and other documents submitted for the registration of candidates. Therefore, it is impossible to state that the commissions’ approach to the verification of documents was unbiased.

As a rule, meetings that formed the election commissions were extremely formal: they failed to discuss the candidates’ nominations; a list of candidates was voted for, instead. In reality, the meetings were limited to uncontested approval of commission lists prepared in advance by the local authorities.

The results of formation of election commissions testify of clearly discriminatory approaches. Only five representatives of opposition parties became members of the TECs (0.047 % of the total number of TEC members or 11.4% of the total number of nominated representatives of opposition parties). 80% of candidates from the pro-government parties were included in the TECs.

In the DECs, the rate of representatives of opposition parties was 0.25%. At this level, the commissions included only 11 opposition activists (5.95% of the nominees), while representatives of the pro-government parties were selected in 69.6% of cases.

In the PECs, the representation of the opposition parties was 0.031%. Of all the candidates nominated by the opposition parties, only 5.6% included, while 86% of the total number of persons nominated by the pro-government political parties worked on the commissions.

The PECs were traditionally formed according to the "occupational principle" (when different means are sued to nominate employees of the same company to the commission). This makes the PECs dependent on both the local executive bodies, which formed them, and the administrations of the enterprises where members of the PECs are employed. With few exceptions, the PECs included the persons that worked there during the last election to the House of Representatives in 2012.

The lack of specific criteria for the selection of candidates in the TECs makes it virtually meaningless to appeal in the courts the decisions of the bodies that formed them.

At the stage of registration of candidates, the observers could only attend meetings, where results of the checks were voiced and decisions on registration were taken. The procedures for the verification of documents submitted for registration were however not transparent. This significantly reduces the credibility of the work of the election commissions, allows to question not only individual decisions to refuse the registration of candidates, but also the decisions to register candidates.

According to the CEC, 22,338 candidates were registered, or 98.81 % of the number of nominated representatives. The same percentage of registration was in the previous elections to the local councils. Analysis of the practice and statistics suggests that verification procedures were used selectively by the election commissions, primarily against opposition candidates. Elections were uncontested in 88% of the constituencies.

According to the amendments to the Electoral Code of 2013, candidates for local councils are entitled to use their own campaign funds for election campaigning. All expenses for campaign materials shall be covered solely from the election funds established by the candidates.

The maximum size of the election funds of candidates for deputies of local councils by far exceeds the amount of funds previously allocated from the state budget for campaigning in local council elections. However, these funds are not sufficient to organize a complete and visible campaign: printing of political programs, payment for advertising in the media, rental of premises for meetings with voters etc.

In general, the changes in the EC affecting the procedure for election campaigning failed to contribute to a greater publicity of the current campaign and voters’ awareness. Information on candidates prepared by the election commissions were uninformative and often did not reach citizens. Observers of the campaign "Human Rights Defenders for Free Elections" report a generally passive nature of campaigning carried out by the candidates.

There were cases of censorship of the opposition candidates’ printed materials and their performances on the radio, as well as instances of deprivation of registration of candidates for violations during the campaign. Observers recorded several cases of distortion of information about the biographies (convictions) of candidates, which testifies of a selective approach of election commissions to candidates.

There were facts of seizures by law enforcement officials of printed campaigning materials of opposition candidates, as well as creating obstacles in conducting campaign pickets by the candidates.

Arrests of opposition parties’ representatives running in the elections created a very negative political background against which the elections took place.

The stage of early voting was marked by numerous instances of coercion to participate in it. Administrative resources were used as a means to "encourage" early voting.

Just like during previous election campaigns, the observers had little opportunity to observe the counting of votes. Some of them were admitted to the tables, where the counting of the ballots was conducted, but faced with the inability to actually observe the simultaneous separate counting by all the commission members. Requests to provide opportunity to observe the counting of votes in close proximity to the tables were not satisfied. This constitutes a violation of the principle of transparency and openness of the elections.

In many cases, all the ballots were counted together. There was no announcement of the results of separate counting at 35% of the polling stations covered by the observation.

There were several cases of ballot stuffing by PEC members.

In some polling stations, no copies of the minutes were posted for the public or only posted on demand of the observers.

Home voting was conducted in violation of the procedure laid down in Art. 54 of the Electoral Code.

The commission traditionally did the "joint" vote count, when all members of the commission count simultaneously, each being in charge of one pack of ballots. Such a method of tabulation does not suggests that these results truly reflect the will of the voters.

In the vast majority of cases, the PEC members ignored requests of the observers to be allowed to observe home voting.

Observers registered with the territorial commissions were denied the right to be present during the procedure of receiving the documents from the polling station commissions.

Observation opportunities were somewhat improved due to the CEC’s amended Regulation "On the procedure of sending observers in the preparation and conduct of elections". The CEC agreed with the proposal of human rights defenders to allow political parties and other national associations to send observers to meetings of election commissions and polling stations.[[2]](#footnote-2)

**Formation of election commissions**

The main problem faced by political parties in nominating their representatives to the election commissions was the lack of organizational structures, registered or put on record at the district and city levels. In previous years, many of the organizational structures of political parties have been eliminated on the claims of departments of justice due to the fact that they had been registered in private apartments. This seriously affected the nomination of representatives of political parties to the TECs.

The Electoral Code does not regulate the procedures of observers’ involvement in the formation of election commissions. In 2010, observers could attend the sittings on the formation of the TECs almost without hindrance from the authorities. Meanwhile, during this year’s campaign, 46% of observers weren't permitted to attend such sittings. For instance, such a situation occurred with representatives of the BHC during the formation of the Brest City Election Commission, Vitsebsk City Election Commission, Barysau District Election Commission etc. The election officials referred to the absence of legal regulation of observers’ right to monitor the formation election commissions. This, however, violates the principle of openness and transparency of the elections, guaranteed by Art. 13 of the EC, and Art. 3 of the Law "On Local Government and Self-Government in the Republic of Belarus", which allows representatives of NGOs to attend such meetings.

Those observers who could attend the meetings of the bodies in charge of establishing the commissions report the formal nature of the electoral procedures. A meeting of the Presidium of the Mahiliou Regional Council of Deputies and the Regional Executive Committee lasted about 30 minutes. The candidates’ names were not announced or discussed, but approved as one. The meeting included speeches by the Executive Committee Chairman Piotr Rudnik and the Chairman of the Organizational and Personnel Department Aliaksandr Sivaye only, while the audience was forbidden to ask questions. No one was provided with an opportunity to study the documents on the nomination to the DEC. The nomination method and place of work of nominees included in the DEC were not reported.

A meeting of the administration of Hrodna’s Kastrychnitski district lasted 15 minutes. All the questions on the list of members of the PECs were voted for unanimously. Head of the personnel department, Larysa Barysava, only voiced the total number of the representatives of public associations and political parties who were included in the PECs – 371 people (41.4%). The type of nomination and the places of work of the PECs members weren't announced.

Representatives of the entities which nominated candidates to the commissions were denied the right to study written materials of nomination (minutes of the meetings of relevant structures of political parties, public associations and labor groups, applications of citizens).

**Composition of election commissions**

10,607 people were included in the 1,328 TECs. The political parties demonstrated a low activity level. Only 97 out of 151 persons nominated by them were included in the commissions. Most of the included nominees belonged to the parties which were loyal to the current authorities. In particular, 71 members of the Communist Party of Belarus and 16 members of the Republican Party of Labor and Justice were included in the TECs. Out of the four opposition parties involved in the campaign, only 5 out of their 44 nominees were included in the commissions (0.047 % of the total number of TECs members).

Thus, representatives of opposition parties were present in only 5 out of 1,328 TECs. The biased attitude of the bodies which formed the election commissions to members of opposition political parties is obvious: almost each of the average candidates got into the TECs, whereas in the case of members of opposition political parties this ratio is 1/10, whereas 8/10 of nominees of loyal parties got in the commissions.

According to the CEC, 4,393 ​​people became DEC members. Representation of the opposition parties in the composition of the DECs is 11 people (0.25% of the total number of members of the commissions and 5.95% of the number of candidates nominated by the opposition parties).

222 representative of the pro-government parties were included in the DECs (69.6% of the total number of nominees).

Just like during the previous election campaigns, the majority of DEC members were represented by the Federation of Trade Unions of Belarus, the NGO "Belarusian Republican Youth Union", the NGO "Belaya Rus" and the Belarusian Public Association of Veterans.

According to the CEC Secretary, representatives of opposition political parties received 21 seats in the PECs (out of 372 nominees). According to observers of the campaign "Human Rights Defenders for Free Elections", 12 of 186 candidates nominated by the BPL "Fair World" were included in the PECs, 6 out of 64 members of the BPF, 3 out of 118 members of the UCP, and 2 out of 4 members of the BSDP (Hramada).

The representation of the four opposition parties is just 0.03%. In the parliamentary elections of 2012, it was about 0.1%; in the presidential elections of 2010, the percentage of the five opposition parties was 0.26%.

The percentage of "success" of members of the opposition and pro-government parties in becoming the PEC members indicates a significant disparity: only 5.6% of applicants from the opposition parties joined the PECs, while pro-government parties can boast 86% of their nominees being included in the commissions.

**Registration of campaign teams**

The CEC reported that 99.7 % of the campaign teams were registered. Figures show that the election commissions mostly did not create obstacles to the registration of campaign teams except for the cases of nominees filing applications for registration of campaign teams in several constituencies.

Election commissions actively used the 2013 amendment that allows a candidate to be nominated in only one constituency. If the nominee had applied for registration of campaign teams in several constituencies, the DECs ruled to deny the registration of all his campaign teams. Such decisions, for example, affected Deputy Chairman of the National Human Rights and Educational NGO “Movement For Freedom” Ales Lahvinets, BPF Chairman Aliaksei Yanukevich, Chairman of the United Civil Party Anatol Liabedzka and others.

This approach, according to experts of the campaign “Human Rights Defenders for Free Elections”, is too restrictive and contrary to the electoral law. Decisions to deny registration to the campaign teams of a candidate who had submitted applications for several constituencies generally deprived the candidate of an opportunity to run in the elections. However, the EC, as suggested by an analysis of the provision, prohibits nominating in more than one constituency. Therefore, it would be legitimate to register a candidate in the first constituency, where he tried to stand.

As a result, most failures in the registration of campaign teams were reported by candidates from opposition parties. The UCP had filed 50 applications, 39 of them were granted (22% denials). The BPF Party had filed 50 applications, 40 were granted (20% denials). Meanwhile, the registration of campaign teams in support of non-party candidates for deputies resulted in a significantly lower amount of denials – only 0.1 %.

**Collection and verification of signatures for the nomination of candidates for deputies**

Local authorities had selected places prohibited for picketing for the purpose of collecting signatures. These included central squares and streets, locations within 50 meters from the executive committees’ buildings, public transport and so on. Places allowed for picketing to collect signatures, according to observers, were mostly poorly populated or inconvenient. However, campaign activists collected signatures in places not allowed by local authorities. Local governments were relatively liberal towards such activities held in Hrodna, Homel and Mahiliou.

Observers of the campaign “Human Rights Defenders for Free Elections” reported that at the stage of collecting signatures there were cases of obstacles from the authorities. In particular, a member of a campaign team of Aleh Shabetnik representing the “Tell the Truth” campaign in Karavatsichy constituency No. 35 (the Rechytsa District Council), was threatened with dismissal from the post of an accountant at a local farm. On the day after a rally in support of a UCP candidate, Dyana Kastsiukovichy, Chairman of the UCP’s Brest regional office, Uladzimir Vuyek, received a subpoena saying he should come to the police station and give explanations on the picket.

Procedures for verifying signatures and other documents submitted for registration still lacked transparency. 100% of the campaign observers were not allowed to attend such checks and had no opportunity to witness the commissions’ complete and unbiased approach to reviewing the documents. Observers could only attend meetings, where results of the checks were voiced and decisions on registration were taken. This significantly reduces the credibility of the work of the election commissions, allows to question not only individual decisions to refuse the registration of candidates, but also the decisions to register candidates.

On February 13, an observer of the campaign “Human Rights Defenders for Free Elections” in Baranavichy, Siarhei Housha, received a reply to his statement signed by the Chair of Baranavichy City DEC, Tamara Shukala. It said that the observer could not attend the verification of signatures for candidates Ryhor Hryk and Viktar Tsiapin. The Election Commission Chair refers to Art. 13 of the EC and adds that “the observer has no right to interfere in the work of the commission”. Siarhei Housha notes that Article 13 of the EC provides for open and transparent elections, so he considers his claim legitimate.

Approach to checking the documents for registration of candidates was not unbiased and equitable. In particular, election commissions invalidated the signatures collected for the nomination of each of the nine activists of the campaign “Tell the Truth”, Vitsebsk coordinator of the movement “For Freedom” Khrystafor Zhaliapau, and coordinator of the organizing committee of the BCD Tatsiana Seviarynets, who wanted to run for the Vitsebsk City Council, as some of their supporters allegedly failed to write the date in person. The activists argue that the signatures were collected in full compliance with the procedures, and their supporters were pressured or their statements were received through deception. Some of them appealed against the decision to refuse registration. Party members were able to register by party nominations.

**Results of registration of candidates for deputies of local councils of deputies**

According to the CEC, 22,338 candidates were registered, representing 98.81% of the number of nominated candidates. The same percentage of registration was reported in the previous elections to the local councils. 14,931 registered candidates were nominated by signature collection, which is 66.8% of the total number; 7,727 candidates were nominated by labor collectives (34.6%), 675 candidates were nominated by political parties (3%).

The number of registered candidates from pro-government political parties is larger than that of the opposition parties. In particular, four opposition parties nominated 315 candidates, of whom 238 were registered, which is about 75% of the total number of nominated candidates. At the same time, the average percentage of the registration of candidates from the pro-government parties amounted to 88% of the number of nominated representatives. The number of registered candidates from the Communist Party of Belarus amounted to 92%, the Republican Party of Labor and Justice – 94%. Election commissions registered 100% of applicants from the Belarusian Patriotic Party and the Belarusian Social and Sports Party.

Apparent is the difference in approaches to the opposition representatives who were nominated by signature collection. While the total percentage of registration of candidates by collecting of signatures was 98%, the proportion for the nominees of the unregistered BCD party is 32%, and for the representatives of the “Movement for Freedom” – 43%.

Analysis of the CEC data on the results of the registration of candidates allows to draw interesting conclusions. It is known that traditionally political activity is most concentrated in the capital: the contest of nominations for the Minsk City Council was 4.74 candidates for a seat, while competition for the district councils was 1.29, and in rural councils – 1.12. Representatives of both the opposition and pro-government parties were nominated primarily in Minsk. Few of them are running to the regional councils, while elections to the village councils will virtually have no party members.

84 persons representing political parties will be running in the 57 constituencies of the Minsk City Council, and in 3,913 constituencies of the district councils there are 134 candidates from parties, and 58 party candidates in the 13,638 constituencies of the rural councils.

Statistics of refusals of registration and withdrawals of applications for nomination allow to see the level of political intensity, as well as the scope of use of technical procedures for registration (verification of signatures, declarations, etc.) in the political struggle. In particular, the number of refusals to register candidates for the Minsk City Council was 25.6%, at the district council level – 1.9%, in rural councils – 0.2%. The difference in quality of documents submitted for registration cannot be explained by the level of training of candidates running for the councils of lower levels as compared to the experienced party members and activists running in the capital. Experts of the campaign “Human Rights Defenders for Free Elections” believe that the review of documents and registration of candidates by the election commissions was accompanied by a selective use of technical procedures.

**Election campaigning**

The legal basis for election campaigning was the recent version of the EC of November 25, 2013, which significantly changed the approach to campaigning and its financing.[[3]](#footnote-3)

The new version of Art. 47 of the EC prohibits calls that encourage or aim at supporting the disruption or cancellation or postponement of the elections or referendums appointed in accordance with the laws of the Republic of Belarus. These calls are equated with war propaganda, calls for violent change of the constitutional system and violation of the territorial integrity of the Republic of Belarus. Earlier, calls for a boycott of the election were a form of election campaigning provided by the EC, and were prohibited only on election day. The ban on calls for a boycott of the elections at the legislative level returns the jurisprudence that existed in Belarus before the introduction of the Electoral Code in 2000.

The updated version of Article 48.1 of the Code granted a right to form election funds to finance the election campaigning to the candidates of all levels. The maximum amount of all expenditures from the electoral fund of a candidate for the Regional Council and the Minsk City Council may not exceed 30 base units, of a candidate for the District Council, the City Council (city of regional and district subordination), the Settlement Council and the Village Council – 10 base units. It also set the limits on the size of donations of citizens and legal persons to the funds of candidates for local councils (2 and 5 base units, respectively). The Code failed to settle the issue of transparency of the formation of election funds of candidates for observers.

**Campaigning in the media**

Observers registered cases of censorship of the opposition candidates’ printed materials and their performances on the radio.

The address to voters by a nominee to local councils representing the Belarusian Party of the Left "Fair World" in Brest city constituency No. 13, Liudmila Dzenisenka, was censored to remove the words on the need for truly democratic elections in the country. The speech of an independent candidate in Brest city constituency No. 11, Vasil Burak, was cut to censor his appeal to the citizens not to participate in early voting.

Aliaksei Haurutsikau, an activist of the organizing committee of the Belarusian Social Democratic Party "Narodnaya Hramada", was not allowed to have his program and biographical information published in the Dubrouna-based newspaper “Dniaprouskaya Prauda” ("The Dnieper Pravda"). The ban referred to the fact that, according to the editor, the program featured a "hidden call to change the constitutional order and regime". In response to a complaint by Aliaksei Haurutsikau, the CEC says that the electoral law regulates only the monetary relationship between the candidate and the media, and, according to the media law, no one can force a periodical print materials rejected by the editor.

The candidates stress that the maximum size of election funds, as defined by the existing legislation, does not allow to carry out a full election campaign (printing of political programs and advertising in the media, rental of premises for additional meetings with voters).

**Campaign events and meetings with voters**

Observers of the campaign "Human Rights Defenders for Free Elections" note that in Minsk, Mahiliou, Vitsebsk, Homel and Brest additional facilities for campaigning activities were appropriate: plazas outside shopping centers, educational institutions and cultural establishments, grounds in residential areas of cities and others.

However, in Hrodna and in some district centers, such places were poorly populated or areas rarely visited by adults: in Hrodna – sports grounds, stadiums and Kalozha Park; in Salihorsk – the Stadium “Budaunik”, stadiums of the town schools, the Maladosts Park; in Starobin – the “Sluch” Stadium; in Baranavichy – the 30th anniversary of the Komsomol recreation park; the Peacekeepers Memorial Park, the “Lakamatyu” Stadium; in Barysau – sports grounds of enterprises located on the outskirts of the city, a dance pavilion in the city park of culture and others.

**Production and distribution of printed campaign materials**

Opposition candidates often faced obstacles and delays in printing their campaign materials, which prevented them from carrying out campaigning in full.

Representatives of a printing house in Orsha told local BPF member Ihar Kazmerchak that his leaflets would be printed only after permission of the Executive Committee. Ihar Kazmerchak, along with four other independent candidates, complained to the district election commission. The commission Chairman Mikalai Davydovich told the activists that the issue would be resolved "today" (March 7). Later, however, the period of printing the leaflets was extended by a week. Only after transferring money to a printing company, an activist of the Movement "For Freedom", Valiantsina Ihnatsenka, learned that her campaign leaflets would be published in the best case 7 days before the election. Some candidates in Orsha were told by employees of a local printing house that the company might not have time to print their leaflets before the elections.

The biographical information of Vadzim Kuzmin, a member of the "Fair World" Left Party, running for the Vitsebsk City and Regional councils were approved for printing by the Regional Election Commission. However, the text was edited by the City Commission. As a result, the poster had no information on the three orders the candidate’s was awarded for his work to combat the aftermath of the Chernobyl accident, as well as five medals. At the same time, it still said that he was retired, a member of the "Fair World" Party, and that he had a previous conviction. When publishing a biography of the candidate, the city newspaper "Vitsbichy" mixed the facts and failed to indicate that Vadzim Kuzmin’s conviction had been removed from official records.

Many informational materials about pro-government candidates provide details on their medals and diplomas, while alternative candidates were only "awarded with state awards".

The district election commission deprived Mikalai Ulasevich, a candidate for the Varniany Rural Council running in constituency No. 4, of a candidate’s status for allegedly calling in his leaflet to boycott the elections. Mikalai Ulasevich argues that there were no calls for a boycott in its leaflets, but slogans and calls: "Stop Nuclear Power Plant Construction", "Bring Corrupt Officials to Justice", "Give us Small Border Traffic", "Varniany will have a Public Sauna" and "Fair Elections and Change of Power". The election commission also accused Ulasevich of distributing his flyers outside his constituency.

The campaign observers witnessed a very passive nature of campaigning through distribution of printed materials. The main source of informing voters about the candidates who are running in the constituency are information messages by the district election commissions. It should be noted that the CEC failed to settle the rules and timing limits of informing voters about the candidates, not did it approve a unified sample for such communications. In this regard, the polling station commissions informed the voters in different ways: placing information on the candidates on invitations to the elections, sending leaflets etc. At the same time, there were recorded cases when voters did not received adequate information from the polling station election commissions.

**Obstacles in campaigning and pressure on candidates**

An example of how the election commissions and authorities created illegal obstacles to opposition candidates were the registration and the campaign activities of a BPF candidate Illia Dabratvor. Earlier, the polling station commission unlawfully refused to register him as a candidate for the Minsk City Council. The Minsk City Commission endorsed the decision. As a result, the candidate was forced to go to court. The court recognized the decisions of commissions illegal and ruled to register Illia Dabratvor as a candidate. On 14 March, he was detained by the police and his leaflets were seized without following any formal procedures. These leaflets were printed at the expense of the candidate’s fund and met the approved sample requirements. On 16 March, police officers once again seized some 200 leaflets during an election picket Illia Dabratvor staged in Minsk. As of 17 March, the website of the administration of Minsk’s Zavodski district of Minsk, which provided information about candidates for the Minsk City Council, had no biographical information about Illia Dabratvor. On 21 March, it was reported that the district election commission issued a warning to the candidate, as his campaign materials showed signs of incitement to ethnic hatred. Also, the commission was not satisfied with the information about political prisoners and their illegal imprisonment, which was viewed as slandering officials of the Republic of Belarus who passed sentences in these criminal cases.

An indicative case was the detention of participants of a campaign picket held on March 16, 2014 by the United Civil Party at a plaza outside the Kamarouski Market in Minsk. The event was violently suppressed by the police, and ten people, including journalists and the Chairman of the United Civil Party Anatol Liabedzka, who was the organizer of the election rally and proxy of one of the UCP candidates, were detained. On 17 March, the Court of Minsk’s Savetski district convicted the picketers under Art. 23.34 of the Administrative Code, sentencing Anatol Liabedzka to 15 days of arrest, and five more campaigners to ten days of arrest each.

The sentencing was based on posters with images of political prisoners displayed by the election rally participants. Meanwhile, demands for the release of political prisoners are part of the electoral program of the party and its candidates. Arrests of representatives of the party, which has been taking an active part in the election process, create a negative background of the election campaign.

**Early voting**

Observers of the campaign "Human Rights Defenders for Free Elections" observed at 105 PECs. According to Art. 53 of the Electoral Code, early voting begins no earlier than five days prior to election day. It should take place in the room occupied by the PEC in the presence of not less than two members from 10 a.m. to 2 p.m. and from 4 p.m. to 7 p.m. No official confirmation of the voter’s inability to go to the polls on the election day is required. The PEC shall daily draw up and post a protocol, which indicates the total number of ballots received, the number of voters who received them (on the last day – the total amount for all days), the number of spoiled and separately – unused ballots. Coercion to early voting is prohibited.

Early voting was marked by distortion of facts on voter turnout, as well as cases of coercion to participate in early voting. There were case of unjustified refusals to register observers.

On March 21, PEC No. 71 in Mahiliou illegally canceled the accreditation of an observer of the campaign "Human Rights Defenders for Free Elections" Natallia Samakhvalava. On March 18, she filed a complaint, saying that only 3 of 15 PEC members were present at the polling station during the sealing of the ballot box for early voting, which is contrary to Art. 53 of the EC. The decision to cancel accreditation refers to alleged obstacles in the work of the commission on the part of the observer.

Observers were allowed to be present in the voting room only in the working hours of the PEC. There were documented cases of PECs’ failing to seal the premises with ballot boxes during breaks and for the night.

Coercion to participate in early voting was recorded at an average of 30.4% of the polling stations covered by the observation. This is almost twice as much as revealed during the parliamentary elections in September 2012 (16.8%). As before, early voters mostly included students, residents of dormitories, the military, employees of state-owned enterprises and others.

There were numerous cases of reporting by the PEC members to representatives of state-owned enterprises and institutions on the lists of voters. The PECs regularly provided to the administrations of these institutions information on the number of early voters, which clearly indicates the administrative control over voter turnout in the early voting campaign.

Interference of unauthorized persons in the work of the PECs was registered at an average of 6.6% of the polling stations. As a rule, these persons were representatives of local executive authorities, enterprises and institutions.

During early voting, the number of polling stations, where variations from official figures were reported by the independent observers, reached 34.2%. In some cases, observers witnesses significant discrepancies. For example, throughout the early voting campaign, PECs Nos. 11 and 12 in Mahiliou, PEC No. 43 in Baranavichy tended to show voter turnout several times higher than the figures reported by independent observers.

**Number of early voters**

|  |  |  |  |
| --- | --- | --- | --- |
| Day | Number of early voters | Difference | Percentage of polling stations with discrepancies on early voter turnout between the official data and the observers’ information |
| PEC data | Observers’ data |
| 18 March | 1,684 | 1,606 | -78 (4.8%) | 4.7 |
| 19 March | 3,869 | 3,576 | -293 (8.1%) | 8.5 |
| 20 March | 5,358 | 4,425 | -933 (21%) | 14.2 |
| 21 March | 8,091 | 6,481 | -1,610 (24%) | 26.6 |
| 22 March | 11,081 | 8,959 | -2,122 (23.6%) | 21.9 |
| Total(average) | 30,083 | 25,047 | -5,036 (**20.1%)** | 34.2 |

One could see a positive trend of discrepancies in voter turnout between the observers’ estimates and the official data. Voter turnout was initially distorted by 4.8%. On 21 and 22 March the discrepancy peaked, reaching 24% and 23.6%, respectively.

The commissions covered by observation showed official turnout data exceeded on average by 20.1%. This difference indicates that during early voting there were significant distortions of voter turnout towards its increase, which casts doubt on the official data of 32.04% turnout.

**Voting on election day and vote count**

The list of citizens eligible to vote includes citizens over 18 years to the day or the day of voting and having registration at the time of drawing up the list of voters in their place of residence or place of stay in the territory of the polling station. Citizens registered in the place of stay shall be included in the electoral lists only in their current location. 15 days before the start of voting, voters can study the voter lists. Art. 21 of the EC provides the opportunity for every citizen. This enables CEC to prohibit access to information on the lists to other persons (observers), as well as their transfer in full or partially to the voter.[[4]](#footnote-4) Issuance of ballots to voters is regulated by the CEC.[[5]](#footnote-5)

On election day, observers recorded discrepancies in voter turnout. The number of voters who voted on election day, according to the PECs, was 27.6% higher than the observers’ data.

According to Art. 54 of the EC, PECs must provide the opportunity to participate in the voting to voters who for health or other legitimate reasons cannot appear at the polling station on election day. For such voting, the commission should have no more than three boxes. PECs, at the request of the voter received in writing or orally, delegates at least two members of the commission to organize voting in the location of these persons on election day. Data on such voters is recorded in a special list signed by the chairman of the commission. No official confirmation of the inability to come to the polling station is required.

There were documented cases of violations of home voting referred to in Art. 54 of the EC. In particular, members of PEC No. 8 of Homel received 150 ballots for home voting, while the corresponding list had 26 people. PEC No. 11 in Mahiliou received four requests for voting at the place of residence, but eventually reported that 21 persons voted at their homes. In PEC No. 39 in Homel, nine people were surprised to learn that their relatives had been added to the list of home voters.

Counting of votes shall be public; the right to be present at the polling station is enjoyed by accredited observers and media representatives, candidates running in the constituency and their proxies. On the basis of ballots that were found in the ballot boxes, the commission first separately and then in the aggregate establishes: for each electoral district, the total number of voters who participated in the vote, including the number of voters who participated in early voting, the number of voters who voted at home, and the number of voters who took part in the vote on election day at the polling station, the number of votes cast for each candidate and the number of votes cast against all candidates for deputies (in single-candidate constituencies – number of votes cast against the candidate), and the number of invalid ballots. Invalid ballots are packed separately. After the counting of votes, a meeting of the PEC is held to determine and record in the minutes the results of vote count. The minutes shall be drawn up separately for each constituency. The meeting considers, if any, personal opinions of the commission members, as well as complaints and allegations of violations during the voting or counting of votes.

After the establishment of vote count results the chairman in person or vice-chairman or secretary of the PEC shall submit the minutes to the appropriate district, territorial election commission, as well as to the body that formed the commission. Attached to the minutes, if any, are dissenting opinions of the commission members, statements of proxies and other individuals about violations during the voting or counting of votes, and actions taken by the commission.

A copy of the minutes of the commission after it signing is posted at the place designated by the commission. Thus, the commission makes ​​three copies of the report on results of vote count, one of which is stored by the commission. The Electoral Code does not provide for the possibility of issuing and certifying a copy for observers. They have the right to make copies at their own expense.

In reality, only excerpts from the minutes of the PECs are made and posted according to these rules. A manual for PEC members[[6]](#footnote-6) has two sample minutes (Annex 11 and 12). Detailed minutes of the PEC meeting with results of vote count for each type of voting (early voting, home voting and voting at the polling station) and consideration of complaints is issued in only one copy, which cannot be copied and is not posted.

Observers of the campaign "Human Rights Defenders for Free Elections" documented numerous violations of the counting procedures.

At 98% of the polling stations, observers were not able to fully observe the counting of votes. At 93% of the polling stations, observers noted that the distance to the table where the ballots were counted did not allow them to see their contents. All observers reported that the voting was carried out simultaneously by all its members, with each member of the commission in charge of one pack of ballots. Such a method of tabulation gives no reasons to state that they truly reflect the will of the voters. Only in two cases, observers noted that they could fully supervise the counting of votes and the count did not cause any doubts. In one of the cases, an independent candidate was elected deputy of the Pershamaiski Village Council of Deputies in Biaroza district, Brest region. In August-November 2013, he was involved in a public campaign to protect the rights of rural residents after the authorities ordered to destroy numbers of private pigs citing an ASF epidemic.

At 35% of the polling stations, observers noted that the PEC members failed to report on the results of separate vote count, which is a violation of counting procedures established by the EC. In addition, observers of the campaign documented cases where the PECs did not post voting results at all.

There were cases of pressure on observers and proxies of opposition candidates. On March 22, Minsk police detained Dzianis Sadouski, executive secretary of the BCD’s organizing committee and a trustee of the candidate Maksim Hatsak, running in constituency No. 20. The activists was charged under Art. 17.1 of the Administrative Code (disorderly conduct). He was placed in temporary detention pending consideration of his case in court. The detainee said that he was detained over an incident at polling station No. 53, when he tried to find out the reason for removing a BCD observer from the polling station. Complaints against the detention of Dzianis Sadouski were sent to the CEC, the Prosecutor's Office and the Police Department of Minsk’s Kastrychnitski district.

Activist of the movement "For Freedom" Leanid Haravy was forced to leave the polling station in the town of Haradok, Vitsebsk region. On March 22, he was shown a protocol of the election commissions’ meeting, saying that he was deprived of accreditation for “gross violations of the electoral law”, namely standing next to the table, where the ballots were issued, and near the voting booths", as well as that he allegedly interfered with the work of the commission. The observer stresses that the place he has received at the polling station is 9 meters from the tables of the commission. He is confident that his removal is due to the large number of complaints about the noted violations. The most curious of them happened on the first day of voting: the observer said that after the end of the working day the commission Chairman Piotr Prasolau locked himself in a room with the box, along with a police officer and three members of the commission.

Leanid Haravy has filed a complaint with the Vitsebsk Regional Election Commission.

On March 22, an observer of the campaign "Right of Choice" Anastasiya Aleksandrovich was deprived of accreditation at polling station No. 47 of election commission No. 46 in Minsk. The PEC’s decision signed by the Chairman, deputy head for financial and economic activities of the Department of Education, Sports and Tourism of the Savetski district Uladzimir Zaliashchuk says that the reason for the decision was "violation of the Electoral Code of the Republic of Belarus" (without further explaining).

On March 23, an activist of the organizing committee of the Belarusian Christian Democracy, an observer in the campaign "Right to Choice" Valeryia Charnamortsava was stripped of accreditation at polling station No. 25 in constituency No. 44. The official decision said that “she was standing near the ballot box, interfered in the work of the Commission and took unauthorized photos and videos".

1. Republican public association “Belarusian Helsinki Committee”: <http://belhelcom.org/docs>; Human Rights Center «Viasna»: [http://spring96.org/](http://spring96.org/be/tags/1204). [↑](#footnote-ref-1)
2. http://www.rec.gov.by/sites/default/files/pdf/Elections-PPNS5-36-post15.pdf [↑](#footnote-ref-2)
3. http://spring96.org/en/news/70020 [↑](#footnote-ref-3)
4. See § 5.10. Guide for members of the precinct election commission for elections of deputies of local Councils of Deputies of the Republic of Belarus of the twenty-seventh convocation. Approved by Resolution No. 21 of the Central Commission for Elections and National Referendums of December 17, 2013. [↑](#footnote-ref-4)
5. Resolution No. 16 of February 19, 2014, "On the documents for the issuance of the ballot paper for voting in the elections of deputies of local Councils of Deputies of the Republic of Belarus of the twenty-seventh convocation and the repeat election of the deputy of the House of Representatives of the National Assembly of the Republic of Belarus of the fifth convocation in Homel Navabelitskaya constituency No. 36." [↑](#footnote-ref-5)
6. Guide for members of the precinct election commission for elections of deputies of local Councils of Deputies of the Republic of Belarus of the twenty-seventh convocation. Approved by Resolution No. 21 of the Central Commission for Elections and National Referendums of December 17, 2013. [↑](#footnote-ref-6)