



HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

Elections*2024. Analytical report on the formation of precinct commissions

*The expert election*2024 observation mission was organized by the Belarusian Helsinki Committee and the Viasna Human Rights Center as part of the "Human Rights Defenders for Free Elections" campaign. The mission collects and analyzes information about the election campaign based on open sources and messages from voters from Belarus.*

CONCLUSIONS

1. On January 25, 2024, the formation of precinct election commissions (PEC) ended. PEC are an important subject of the electoral process: they directly organize and conduct voting and vote counting. Because parliamentary and local elections* will happen at the same time, integrated PEC will be used for both campaigns;
2. A total of 5,411 PEC were formed (374 fewer than in the last parliamentary elections and 459 fewer than in the last local elections). They included 57,233 persons. A reduction in the number of PEC and their membership when the workload increases (a single voting day for parliamentary and local elections*) may indicate confidence in the administrative control of all processes, as well as low political activity of voters and low turnout (against the background of population outflow), and the desire of the authorities to include exclusively loyal people in the commissions;
3. The formation of PEC (as well as other stages of the elections*2024) takes place without independent observation, therefore, the procedural aspects of the PEC formation remain outside of public control. For example, there is no information about attempts to access the documents on nomination to the PEC (minutes of meetings of relevant structures of political parties, public associations, labor collectives, citizens' statements); there is no information about how the process of discussion and voting on candidates for the PEC took place;

1 The term "elections*" in relation to the 2024 election campaign is used with an asterisk by the "Human Rights Defenders for Free Elections" campaign to emphasize the perfunctory nature of this term, since any free and fair election campaign presupposes, first of all, conditions where rights and freedoms are fully realized, including freedom of speech, freedom of peaceful assembly and association, the right to take part in the conduct of public affairs, freedom from discrimination, which is currently practically absent in Belarus

4. The range of subjects that nominated their representatives to the PEC is sharply limited (as a result of ongoing repression, the number of public associations has dropped dramatically; after re-registration, only 4 pro-government political parties remained out of 16);

5. Representatives of 4 political parties received 4,763 (8.3%) seats in the PEC. Representatives of the largest pro-government public associations, which have a legislatively established special relations with the state since 2023, received 27,880 (48.7%) places;

6. As in the case of territorial and district commissions, a gender imbalance persists: the share of women (74.7%) in the PEC significantly exceeds the share of men (25.3%);

7. The updated legislation makes it possible not to publish the information about individual PEC members, which makes it much more difficult to assess the composition of PEC, in particular, the extent to which the commonly noted "occupational principle" of forming election commissions is preserved, when commission members represent the same organization and the workers' immediate superiors are the chairpersons of these election commissions;

8. An almost complete lack of information about the stage of formation of the PEC and the rights and opportunities associated with it, addressed to a wide range of voters, shows the complete disinterest of the authorities in the real participation of citizens in the electoral processes and confirms the course towards absolute control by the authorities over all stages of the elections*2024.

I. LEGAL FRAMEWORK

A precinct election commission is a body responsible for organizing and conducting elections at a certain polling station. It is the smallest unit in the system of election commissions responsible for the direct organization of voting, registration of voters, and counting of votes in its precinct.

The PEC is formed for the period of a specific election campaign and operates within the framework of the powers defined in Article 44 of the Electoral Code (EC). Since the elections* of deputies of the House of Representatives of the eighth convocation of the National Assembly and local Councils of Deputies of the twenty-ninth convocation will be held simultaneously, the formed PEC will be common for elections at both levels².

The procedure for the formation of PEC and their composition is determined by Articles 34-35 of the EC. Their language is rather cumbersome, which is why they are difficult to understand. A clarification of the procedure for the formation of PEC in the framework of the elections*2024 is given in the Resolution of the Central Election Commission (CEC) dated November 21, 2023 No. 30 "On clarification of the procedure

² The Electoral Code of the Republic of Belarus, Part 1 of Article 34. Formation of commissions for the election of the President of the Republic of Belarus, deputies, for a referendum, for voting on the recall of a deputy

for the formation of election commissions for the election of deputies on a single voting day on February 25, 2024".

The formation deadline. PEC must be formed no later than 30 days before the start of the elections³. In relation to the 2024 elections*2024, it should happen no later than January 25, 2024⁴.

Nomination of representatives to the PEC. The procedure for political parties, other public organizations, labor collectives, and groups of voters to nominate their representatives to the PEC is established by Article 35 of the EC.

The following entities are authorized to nominate one representative to the PEC:

- a political party, other public association;
- labor collectives of organizations or collectives of their structural divisions, which number at least 10 workers;
- citizens in the number of at least 10 people who have the right to vote.

The same representative may be nominated to only one territorial, district, or precinct commission.

Political parties and other public organizations may nominate representatives from among their members to the PEC in the following order. The governing bodies of their regional organizational structures and primary organizations nominate representatives to the PEC located in the relevant territory: the governing body of the Minsk city organizational structure nominates representatives to the PEC located in Minsk, and so on. The nomination takes place at a meeting of the governing body of regional organizational structures and primary organizations, the minutes of the meeting are provided to the body forming the PEC.

Belarusian legislation has preserved the Soviet principle of workers' participation in government, giving "labor collectives" the right to nominate representatives to the PEC from among their members either from the entire labor collective of the organization, or separately from the labor collectives of the structural divisions of the organization. Representatives from labor collectives are nominated to the PEC of the corresponding region, city of oblast subordination, district in a city. The nomination takes place at a meeting of a labor collective, the minutes of the meeting are provided to the body forming the PEC. This procedure for the formation of PEC is aimed primarily at the "labor collectives" of institutions and enterprises that depend on the state.

Groups of citizens with the right to vote, in the number of at least 10 persons, may nominate their representatives to the PEC in their territory of residence by submitting an application signed by them to the body forming the PEC.

The requirements for documents submitted to the body forming the PEC for the nomination of its representatives are defined in Article 35 of the EC. The sample forms are developed by the CEC and have a recommendatory nature⁵.

3 The Electoral Code of the Republic of Belarus, Part 1 of Article 34

4 Resolution of the Central Election Commission of the Republic of Belarus No. 30 dated November 21, 2023 "On clarifying the procedure for the formation of election commissions for the election of deputies on a single voting day on February 25, 2024", Paragraph 1

5 Resolution of the Central Election Commission of the Republic of Belarus dated November 21, 2023 No. 30, Part 3, Paragraph 10

The formation of PEC. The procedure for the formation of PEC is established by Article 34 of the EC.

The formation of PEC is carried out by region or city executive committees, and by local administrations in cities with district division. Assigning decision-making to the executive branch of government, controlled and accountable to the president, prevents the adoption of an independent and impartial decision.

The decision on the formation of a PEC is made at a meeting at which representatives of subjects authorized to nominate their representatives to the PEC are entitled to attend. Observers cannot be present at such meetings.

Certain questions on the conduction of such meeting were clarified by the CEC Resolution No. 30 dated November 21, 2023. Thus, according to it, the professional and personal qualities of persons nominated to the election commission are put up for discussion. If the number of candidates exceeds the stipulated number of members of the election commission, information on each candidate is examined and a personal vote is held. The selection criteria and the candidate evaluation system have not been developed.

The decision on the formation of the PEC indicates the surname, first name, patronymic (if any) of each member of the commission, the way of nomination to the commission, the location, and phone numbers of the commission. The decision on the formation of the PEC is not published. Instead, no later than 7 days after the formation of the commissions, a message about the fact of the formation of the PEC is published in the print media.

The composition of the PEC. PEC have 5 to 19 members⁶. It is also recommended to form at least one third of PEC (with the exception of PEC in military units and places of temporary residence of voters) from representatives of political parties and other public associations⁷. At the same time, there are no guarantees of ensuring equality of participants in the election campaign, except for the restriction of no more than one representative from one organization.

Mandatory restrictions have been established for the membership of civil servants in the PEC. The share of civil servants in a single PEC may not exceed one third⁸. The categories of civil servants who cannot be part of the PEC are also defined: judges, prosecutors, heads of local executive and administrative bodies⁹.

II. THE PROCESS OF NOMINATION TO THE PEC

In accordance with the Calendar Plan, the nomination of representatives to the PEC and the provision of relevant documents to the bodies forming them should have taken place no later than January 19, 2024. There is no information about the acceptance of documents after the specified period.

6 The Electoral Code of the Republic of Belarus, Part 1 of Article 34

7 The Electoral Code of the Republic of Belarus, Part 2 of Article 34

8 The Electoral Code of the Republic of Belarus, Part 4 of Article 34

9 The Electoral Code of the Republic of Belarus, Part 3 of Article 34

Basically, the stage of formation of precinct election commissions has become one of the most unnoticeable for society. Despite the fact that the EC provides¹⁰ ordinary citizens with the opportunity to participate in the activities of the PEC, poor information coverage from the state media (with almost complete absence of independent media) and the electoral administration did not facilitate citizens' access to such information and the opportunity to exercise their right. During the entire period of nomination, the coverage of this stage by the state media was mainly limited to stating the fact: *"No later than January 25, the relevant precinct election commissions will be formed,"* as the chairman of the Central Election Commission commented¹¹ on this stage. From such formulations, it is difficult for voters to conclude that they can also take part in the process.

Information from the executive committees was limited to virtually identical formulations:

"Documents on the nomination of representatives to precinct election commissions are accepted until January 19, 2024, inclusive, at the address: Valožyn, pl. Svabody, 2, office 321 from 8.30 to 17.30 (lunch break from 13.00 to 14.00). Days off: Saturday, Sunday."

Such messages are often missing from the general news feed on the websites of local executive authorities, and they must be searched among the documents in a separate section dedicated to the elections*2024. Individual executive committee websites also contained samples of documents that must be filled out and submitted to the commission for nomination. None of the mentioned resources published detailed information explaining the rights of citizens and the way they are implemented, including a list of necessary documents, deadlines for submission, and other important details. Thus, people who do not have digital literacy, along with those who do not use the Internet and do not track changes on the unpopular websites of the executive committees, were actually cut off from information related to the possibility of nomination to the PEC.

Electoral education remains targeted, aimed at selected groups of citizens: members of pro-government trade unions and other public associations. Thus, the pro-government Youth Parliament of the Mahilioŭ region held¹² "a business game / rehearsal of the work of a polling station" for "future members of the PEC" before the formation of commissions (the meeting of the Mahilioŭ District Executive Committee, at which commissions should be formed, was scheduled for January 24¹³; a report about the "game" appeared on a state TV-channel five days earlier¹⁴).

Informing about the meetings of local authorities where PEC should be formed turned out to be even more problematic. Despite the fact that the legislation grants political parties, labor collectives, and citizens who nominated their representatives to

¹⁰ <https://elections2024.spring96.org/ru/news/114040>

¹¹ https://t.me/belta_telegramm/231696

¹² <https://elections2024.spring96.org/ru/news/113722>

¹³ https://mogilev.mogilev-region.by/ru/Vybory_2024/

¹⁴ <https://www.youtube.com/watch?v=4UU1US4Vyqc>

the commissions the right to attend such meetings, it was impossible to exercise this right in some cases due to the lack of information about the date and time of the meeting (see, among others, examples of Maladzečna¹⁵ and Vilejka¹⁶ district executive committees).

Such coverage of the nomination of representatives to the PEC creates a climate where their composition looks predetermined, further reduces public trust in the electoral campaign, and discourages independent initiative of voters.

There is no information about the facts of refusal to accept documents for the nomination of candidates to the PEC; in this regard, it is important to emphasize once again the purged political field (where there are no parties with an agenda alternative to the pro-government one)¹⁷, the lack of a real opportunity to participate in the elections*2024 for independent public associations and the general situation of incessant repression, which stifles any independent initiative. The stage of nominating representatives to the PEC was also accompanied by new acts of intimidation of persons who were active in previous elections (as observers among other roles).

III. MEETINGS OF THE BODIES FORMING THE COMMISSIONS

In accordance with the Calendar Plan¹⁸, meetings of regional, city (cities of oblast subordination) executive committees and local administrations were held on time: no later than January 25, 2024.

As with the coverage of the nomination process, information on the place and time of meetings of the bodies forming the commissions was rarely published.

Thus, there were no announcements on the website of the Lahoisk District Executive Committee¹⁹, stating when and where the meeting on the formation of the PEC took place²⁰. 32 precinct election commissions were formed at the meeting of the Vilejka District Executive Committee, but it is not reported when the meeting took place²¹. The Smaliavičy District Executive Committee reported²² that the meeting "On the formation of precinct election commissions" was held on January 23, 2024, that is, after it was held.

However, some executive committees informed about the meetings before they were held. Thus, on January 19, 2024, the Malaryta District Executive Committee

15 <https://www.molodechno.gov.by/edinyj-den-golosovaniya>

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<https://vileyka.gov.by/novosti-respubliki/item/59109-edinyj-den-golosovaniya-25-fevralya-2024-g>

17 <https://elections2024.spring96.org/ru/news/113484>

18 The Calendar Plan of organizational measures for the preparation and conduction of elections of deputies on a single voting day on February 25, 2024, approved by the CEC Resolution No. 29 of 11/21/2023: <https://rec.gov.by/uploads/files/Calendar/calend-edg.pdf>

19 <http://logoysk.gov.by/edinyj-den-golosovaniya>

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<https://vileyka.gov.by/novosti-respubliki/item/59109-edinyj-den-golosovaniya-25-fevralya-2024-g>

21 <https://vileyka.gov.by/images/banners/TOOLBAR/25-01-2024-03.pdf>

22 <https://smolevichi.gov.by/images/doc/049-18401840.pdf>

informed²³ about the date, time, and place of the meeting on the formation of precinct election commissions. The website of the Babrujsk District Executive Committee also posted a message²⁴ about the time and place of the meeting.

IV. THE COMPOSITION OF THE PEC.

A total of 5,411 PEC were formed on the territory of the Republic of Belarus (374 fewer than in the last parliamentary elections²⁵ and 459 fewer than in the last local elections²⁶). They included 57,233 persons²⁷ (6,413 fewer than in the last parliamentary elections and 6,583 fewer than in the last local elections). The reduction in the number of precincts and commission members involved in organizing voting may indicate the confidence of the authorities in administrative control at all stages, as well as the desire to form precinct commissions exclusively from people loyal to the authorities. Also, this may be due to the fact that the authorities do not expect high interest in the elections* and a large number of people visiting polling stations (high turnout), against the background of a declining population and its low public political activity. Additionally, such reductions allow the state to save budget funds. Moreover, smaller collectives of extremely loyal PEC members can ensure unhindered violations during the voting and counting of votes and their concealment. Reducing the number of polling stations may also lead to more careful control by the authorities over the expression of citizens' will in the upcoming elections*.

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<http://malorita.brest-region.gov.by/ru/vybory-ru/view/soobschenie-o-vremeni-i-meste-provedenija-zasedanija-maloritskogo-rajonogo-isponitelnogo-komiteta-po-2000002677>

24

<https://bobruisk-rik.gov.by/index.php/vyb24/item/28269-сообщение-о-времени-и-месте-проведения-заседания-районного-исполнительного-комитета-по-вопросу-образования-участковых-избирательных-комиссий>

25 Analytical report on the results of monitoring the formation of precinct election commissions:

<https://elections2019.spring96.org/ru/news/94339>

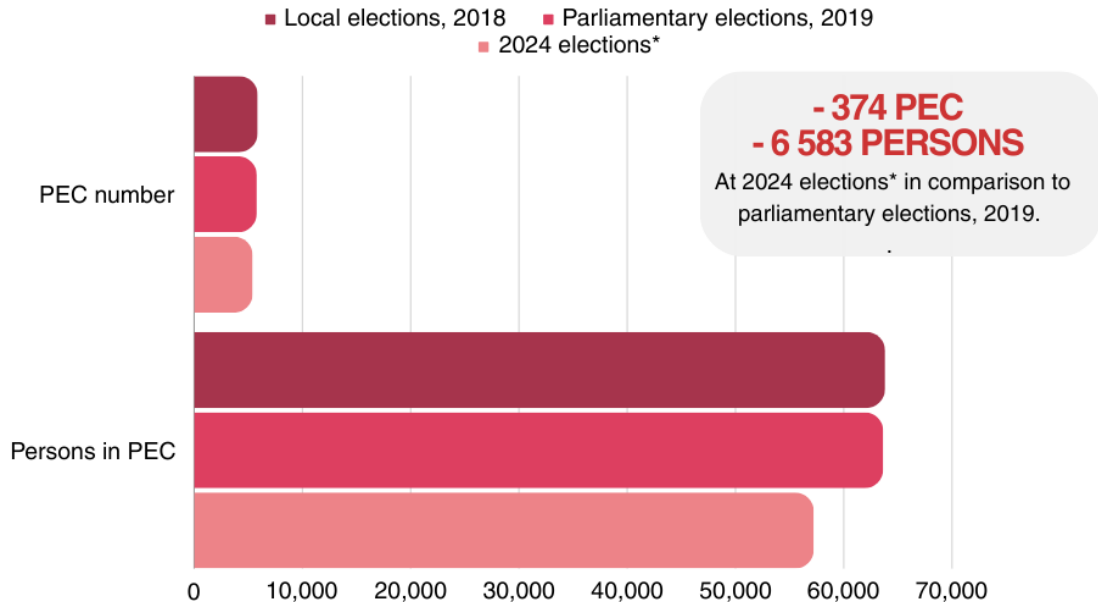
26 Report on the results of monitoring the formation of precinct election commissions:

<https://elections2018.spring96.org/ru/news/88746>

27 INFORMATION on the composition of precinct election commissions:

<https://rec.gov.by/uploads/files/Calendar/stat29.pdf>

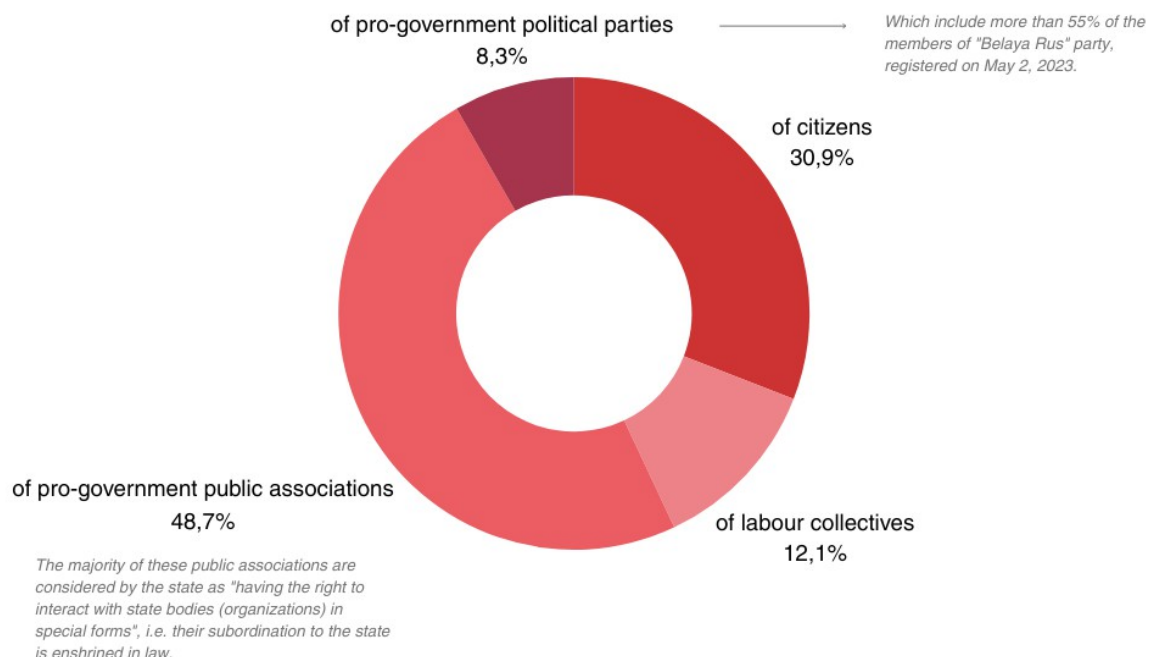
PEC NUMBER AND THEIR COMPOSITION



Representatives of pro-government political parties received 4,763 (8.3%) seats in the PEC. Representatives of other pro-government public associations received 27,880 (48.7%) seats. As before, the main parties involved in the process of forming the composition of the commissions are the largest *Belarusian party "Belaya Rus"* (registered on 02.05.2023), the *Communist Party of Belarus*, the *Liberal Democratic Party of Belarus*, the *Republican Party of Labor and Justice*, "Belaya Rus", *Belarusian Republican Youth Union*, *Belarusian Women's Union*, *Belarusian Peace Foundation*, *Belarusian Public Association of Veterans*, and *trade unions of the Federation of Trade Unions of Belarus*. All these five public associations (except the Peace Foundation), in accordance with the new law "On the Foundations of Civil Society", are classified by the decision of the Ministry of Justice²⁸ as subjects of civil society "having the right to interact with state bodies (organizations) in special forms", i.e. their subordination to the state is enshrined in law.

²⁸ https://minjust.gov.by/directions/compare_coverage/

PEC INCLUDE THE REPRESENTATIVES



Opposition and independent entities are not represented in the PEC. A discriminatory approach to opposition parties and organizations was also presented in the last elections. For example, in 2018, 26 persons (11% of those nominated or 0.04% of the total number of PEC members) from opposition parties were included in the PEC, and out of 83 candidates from the United Civic Party, the only party that was represented in parliament, only 1 person joined a commission.

The updated legislation makes it possible not to publish the lists with the names of PEC members, which makes it much more difficult to assess the composition of PEC, in particular, the extent to which the commonly noted "occupational principle" of forming election commissions is preserved, when commission members represent the same organization and the workers' immediate superiors are the chairpersons of these election commissions.

The CEC provided generalized information on the composition of the PEC²⁹, according to which citizens under the age of 31 made up only 6.5%. It also shows that the overwhelming majority of seats in the PEC are occupied by women: 74.7% of the total composition. The same trend towards gender imbalance is observed at the level of

²⁹ <https://rec.gov.by/uploads/files/Calendar/stat29.pdf>

territorial and district commissions, where the share of women accounts for 81.7% of the total composition. At the same time, the number of women increases as the administrative and territorial level of the commission decreases.

WOMEN IN ELECTION COMMISSIONS OF DIFFERENT LEVELS

