

HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

**ELECTIONS TO THE HOUSE OF REPRESENTATIVES
OF THE NATIONAL ASSEMBLY OF BELARUS
OF THE SIXTH CONVOCATION
11 September 2016**

**RESULTS
OF INDEPENDENT OBSERVATION:
Facts, Analysis, Comments**

MINSK, 2017

CIVIL CAMPAIGN HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

ELECTIONS TO THE HOUSE OF REPRESENTATIVES OF THE NATIONAL ASSEMBLY OF BELARUS OF THE SIXTH CONVOCATION. 11 September 2016

Analytical report on the results of observation

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This publication provides an analysis of all stages of the elections to the House of Representatives of the National Assembly of the Republic of Belarus of the sixth convocation held in 2016. The analysis is based on the results of independent election observation, which was carried out by the Human Rights Center “Viasna” and the Belarusian Helsinki Committee in the framework of the campaign Human Rights Defenders for Free Elections. The book provides an assessment of the electoral process from the viewpoint of Belarusian electoral legislation and international standards of free and democratic elections. The publication also presents recommendations on improving the electoral legislation of Belarus, which are expected to bring the Belarusian elections in line with international standards, as well as to raise the level of confidence in the results of the elections on the part of citizens and the international community.

The analysis of the election campaign is based on reports submitted by the campaign’s long-term and short-term observers.

The edition features photos owned by the campaign Human Rights Defenders for Free Elections, as well as the websites minsk.gov.by, mspring.online, edinstvo.by, licviny.info, and nn.by.

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LIST OF ABBREVIATIONS

OSCE – Organization for Security and Cooperation in Europe

UCP – United Civil Party

DEC – district election commission

BAJ – Belarusian Association of Journalists

ODIHR – Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe

BPF – Belarusian Popular Front

BCD – Belarusian Christian Democracy

BHC – Belarusian Helsinki Committee

LDP – Liberal Democratic Party

BRSM – Belarusian Republican Youth Union

RPLJ – Republican Party of Labor and Justice

CPB – Communist Party of Belarus

CIS – Commonwealth of Independent States

TEC – territorial election commission

PEC – precinct election commission

CEC – Central Election Commission

FOREWORD

The campaign *Human Rights Defenders for Free Elections* is a non-partisan initiative co-run by the Human Rights Center “Viasna” and the Belarusian Helsinki Committee.

It does not intend to support political parties and politicians. The entire election process is assessed solely on the basis of the principles of free, democratic and transparent elections, which can enable the people of Belarus to fully exercise their constitutional right to participate in the government of the country.

The campaign aims to observe the elections of all levels, assessing the electoral process from the viewpoint of Belarusian electoral legislation and international standards of free and democratic elections, disseminating information on the results of observation both in Belarus and abroad.

The observation was carried out by members of the Human Rights Center “Viasna” and the Belarusian Helsinki Committee in strict adherence to the country’s legislation.

The campaign involved 55 long-term observers, who were accredited with the DECAs to cover more than 70% of the country’s voters. The results of processing the observers’ weekly reports were disseminated through the campaign’s weekly reports and milestone reports on separate stages of the elections.

During early voting, observation was carried out in 182 PECs, and on Election Day the observation covered 350 PECs across the country. Reports were processed on a daily basis, which allowed to identify the general trends in the organization of the electoral process and assess the level of electoral violations.

The campaign’s analytical report on the results of observation and recommendations on further improvement of the electoral legislation were forwarded to the Central Election Commission, the House of Representatives of the Belarusian Parliament, the Supreme Court, international observation missions of the OSCE ODIHR, the Parliamentary Assembly of the Council of Europe, and the Commonwealth of Independent States.

CONCLUSIONS

The parliamentary elections of 2016 were called against the backdrop of a complicated geopolitical situation in the world and Europe, in particular, which was primarily due to the Russian-Ukrainian crisis. Despite the fact that the vote was accompanied by unfavorable trends in the social and economic spheres, the campaign took place against a more favorable internal political background as compared to earlier elections.

It should be noted that the Belarusian authorities have not abandoned the repressive practices against their political opponents: peaceful protesters are still subjected to administrative liability, other civil and political rights are restricted, the country has new political prisoners. The Belarusian authorities have not made any measures aimed at systemic and qualitative changes in the field of human rights, especially at the legislative level.

The elections were marked by a number of positive trends: absence of significant constraints on the part of the authorities in the collection of signatures for nominating candidates and conducting campaign activities, a small percentage of refusals to register nominations groups and candidates.

However, the Belarusian authorities did not take into account the recommendations of the OSCE ODIHR and the campaign *Human Rights Defenders for Free Elections*, which were developed on the basis of observation of earlier campaigns, while the few, but widely announced changes were obviously unable to contribute to a qualitative change in the nature of the elections towards greater democracy and transparency.

The elections did not meet a number of key international standards for democratic and free elections, as well as the country's electoral legislation. First of all, the findings are due to the lack of equal access to state media for all candidates, lack of impartiality of election commissions, facts of abuse of administrative resources in favor of the pro-government candidates, numerous facts of forcing voters to participate in early voting, non-transparency of some election procedures for observers.

Traditionally, greatest criticism is caused by the opaque vote count procedures, which gives rise to serious doubts about the conformity of the results of this calculation to the actual will of the voters.

Election commissions

— formation of the TECs and the DECes took place against the backdrop of widely announced new approaches to selection procedures: the possibility for observers (including international ones) to attend the meetings of bodies in charge of forming election commissions, discussing business and political qualities of the nominated candidates, and a separate vote for each nominee;

- these approaches were often applied in the formation of the TECs and the DECes, however, most PECs were formed as a result of approving lists of candidates, without presenting and discussing the nominees;

— the absence of legislatively fixed criteria for selecting candidates to election commissions still resulted in a highly partial approach to the personal composition of these commissions; the CEC's Decree No. 18 failed to contribute to greater political pluralism: as in the earlier elections, the formation of the PECs was based on a bias in favor of representatives of the pro-government political parties and public associations;

— the proportion of representatives of political parties on the TECs, DECes and PECs remained extremely low (24.2%, 13.6% and 5.2%, respectively), as compared to the representation of public associations (51%, 54.3% and 44.1%, respectively);

— as before, the main administrators of the elections were representatives of the five largest pro-government associations — *Belaya Rus*, Belarusian Republican Youth Union, the Belarusian Women's Union, the Belarusian Public Association of Veterans, and the Belarusian Federation of Trade Unions. The total percentage of their representatives in the composition of the TECs and DECes was 40% and 42.3%, respectively;

— the formation of the election commissions was still based on a discriminatory approach towards the representatives of the opposition parties: the percentage of their admission to the commissions was traditionally low: 31.2% of the total number of candidates nominated to the TECs, 19.4% — to the DECes and 10.3% — to the PECs; the overall percentage of their representation in the composition of the TECs, DECes and PECs was insignificant (5.4%, 1.8% and 0.08%, respectively);

during the parliamentary elections of 2012, the proportion of representatives of opposition parties in the composition of the DEC was 3%; in the elections of 2008 — 2.2%; the PECs had even less members of the opposition parties: 0.01% in the elections of 2012 and 0.07% in the elections of 2008;

— a small number of representatives of political parties in the composition of the commissions reflects the specifics of the Belarusian political model, in which the main political actors in the election campaigns are representatives of the pro-governmental public organizations and labor collectives.

Nomination and registration of candidates

— the nomination and registration of candidates were not marked by any major differences from the previous parliamentary election campaigns, the collection of signatures was held in a calm atmosphere and without significant obstacles to the nomination groups;

— there were some facts of abusing administrative resources in favor of the pro-government candidates, pressure on members of the opposition candidates' nomination groups;

— in a number of DEC (27%), verification of signatures submitted for the nomination of candidates was sufficiently transparent, the observers were able to monitor the process, including the procedure of selecting signatures for verification; the observers regard this as a positive practice. A negative factor of the elections was that in the majority of the DEC (73%), as before, the observers of the campaign *Human Rights Defenders for Free Elections* were denied the right to observe the signature verification procedure;

— the election campaign was marked by a larger number of nominations as compared to previous campaigns (365 in 2008, 464 in 2012, 630 in 2016) and fewer refusals to register the candidates (23% in 2008, 24.7% in 2012, 14.8% in 2016).

Election campaigning

— the election campaign did not become a significant social and political phenomenon in the Belarusian society and failed to attract much public attention;

— in most regions, decisions of local authorities regarding the places for authorized campaigning activities and campaign advertising were improved as compared to the elections of 2012 and 2015; some regions preserved the negative practices of earlier campaigns;

— the candidates were not provided with equal rights; pro-government candidates enjoyed better conditions for campaigning: they made extensive use of the administrative resources, including electronic and print media; there were cases of pro-government candidates' meetings with voters during working hours, reporting inaccurate or false information about the schedule of meetings on the websites of local governments;

— there were instances of censorship of candidates' speeches and platforms, as well as obstacles in the publication of campaign materials (unauthorized editing etc.), although the current legislation does not provide for approving electoral texts by printing companies and does not impose such duties on the candidates themselves; there were facts of discrediting the opposition and independent candidates.

Early voting

— 31.29% of voters took part in early voting, which exceeds voter turnout of the previous parliamentary elections in 2012 (25.9%); in fact, early voting has become commonplace, despite the fact that it does not comply with the Electoral Code;

— the observers reported numerous cases of coercion of citizens to participate in early voting. The illegal measures were practiced by the administrations of government-owned enterprises and universities (at up to 18% of the polling stations). The trend repeated the negative practices of previous election campaigns;

— the official data on voter turnout significantly exceeded the calculations of the campaign's observers. These violations were documented throughout the five days of early voting; the total percentage of discrepancies in the data during the five days of early voting was 14%. During the 2012 parliamentary elections, the total percentage of overstated turnout was 10.4%;

— early voting remains one of the systemic problems of the country’s electoral process and creates opportunities for the use of administrative resources and other manipulations. In this regard, the OSCE ODIHR recommendations regarding changes to early voting procedures remain relevant.

Mobile voting

Existing procedures for mobile voting provide space for manipulation. Observers cannot check whether the voters really applied for mobile voting, which in practice allows to organize such a vote without any applications (86.4%).

In some polling stations, the observers reported an abnormally high number of voters who voted by a mobile ballot box.

Voting at the polling stations and vote count

The Electoral Code does not provide a description of the ballots counting process. The election authorities failed to take into account the recommendations and proposals of the OSCE ODIHR and the campaign *Human Rights Defenders for Free Elections*, that were expected to settle the procedure through a decision of the CEC.

As during previous election campaigns, the PECs counted the ballots jointly and simultaneously, without announcing the voter’s choice and displaying each ballot. Such a procedure of vote counting is not transparent and does not allow to refer the results of observation of the counting of votes to the data reflected in the protocols on voting results. 95.31% of observers noted that the vote-counting procedure were extremely non-transparent. During the observation of the parliamentary elections in 2012, this figure was 92.3%.

During the observation of the counting procedures, the campaign’s observers reported other violations of the counting procedures: 32% of the observed PECs failed to announce the results of separate counting of the votes, 42% of the observed PECs failed to secure a separate ballot counting for each candidate, in 61% of the PECs, the observers were forced to monitor the vote-counting procedure from a distance that prevented them to actually see the counting.

Complaints and appeals

According to official data of the Central Election Commission, the number of complaints and appeals submitted during the preparation and conduct of this year’s parliamentary elections has increased in comparison with previous elections by 82% (938 complaints during the elections of 2012 and 1,716 during the current campaign).

Despite the CEC’s Decree No. 22 June 8, 2016 “On informing the citizens about the work on the preparation and holding of elections to the House of Representatives of the National Assembly of the sixth convocation”, according to which the executive committees are required to publish the decisions of election commissions on their websites, in practice, most of these decisions were not made public.

As during previous election campaigns, this year’s elections were marked by facts of arbitrary application of provisions of the Electoral Code on the terms for the submission of complaints, which did not allow the candidates to exercise their right to appeal against illegal decisions.

The courts did not meet a single appeal against decisions on the formation of election commissions.

SOCIAL AND POLITICAL CONTEXT, HUMAN RIGHTS SITUATION

The elections took place against a difficult geopolitical background. The internal situation was adversely affected by the Russian-Ukrainian conflict and an economic crisis, including falling incomes and rising unemployment in the country.

The period that preceded the parliamentary campaign was marked by certain improvement in Belarus' relations with the EU and US. In August 2015, the Belarusian authorities released all the six political prisoners, who at that time were in prison on political charges. This was the key factor that prompted the EU's decision to freeze and later lift its sanctions against Belarus. The outcome of the parliamentary elections largely determined the fate of a dialogue between Belarus and the West, with the EU spokespersons repeatedly stating that the 2016 vote will be a test for Minsk. This statement, in particular, was made on July 11 by EU Commissioner for European Neighborhood Policy Johannes Hahn after the seventh informal dialogue of Eastern Partnership countries in Kyiv. "It looks obvious that, at a time like this, we must confirm strong support of the European Union for our neighbors from the East. I think there have been some positive moments in Belarus' development. Of course we haven't reached the desired level yet, but we do realize the difficulties and the challenges we need to overcome. However, this is very important for us how the elections will go. It is also an opportunity to see how they are prepared and how they will be conducted. Still, generally, I am totally convinced that at present moment we can continue such careful process of evolution of our relations."

Under these circumstances, the Belarusian authorities had incentives to arrange a non-violent election, as a standard procedure for the appointment of representatives to the legislature, the personal composition of which is predetermined in advance. The authorities made every effort to keep the campaign low-profile, inconspicuous and unattractive for the Belarusian public. Government-owned media provided little coverage of the election campaign, largely limited to reports on the activity of election commissions and public authorities during the preparation of the elections. They also published official documents provided by the CEC, including invitations to come to the polls. According to the state-controlled media, the election process looked like a strictly regulated technical process in the framework of the government's personnel policy, rather than a struggle of political forces and ideas. Undoubtedly, this coverage of the campaign in the media reduced the opportunities for voters to make an informed choice when voting. At the same time, state media actively covered the preparation and holding of the 5th Belarusian People's Assembly (held on June 22-23 in Minsk), representing it as the highest form of democracy. The Assembly was organized by the executive authorities, which excluded the possibility of participation of representatives of the opposition.

The visibility of the campaign was somewhat increased by a wide representation of candidates from opposition parties and movements. Despite the widely announced idea of a boycott ahead of the elections, the vast majority of the opposition chose to join the campaign, noting, however, the rigged nature of the electoral process. Their participation in the campaign was primarily aimed at highlighting the true essence of the process and to prevent the recognition of the vote results by the OSCE election observers. In general, the opposition's actions were aimed at using the parliamentary campaign for approaching a broad range of voters, advertising party platforms in the community and increasing the number of their supporters. With little hope for winning any parliament seats, many party leaders chose not to run in the elections. Part of the parties applied an independent strategy, without joining any coalitions (the Party of the Belarusian Popular Front, the Belarusian Party of the Left *Fair World*, campaign *Tell the Truth* and others), while Movement *For Freedom*, the United Civil Party and the organizing committee of the Belarusian Christian Democracy were united in a center-right coalition. Meanwhile, the opposition forces did not have any common strategy for the elections.

Compared with the previous election campaign of 2012, the 2016 elections took place against a better, but by no means favorable domestic political background.

The Belarusian authorities were not able to completely abandon the politically-motivated policy of harassment, and at the beginning of the election campaign in June 2016 the country's

prisons still held one political prisoner, Mikhail Zhamchuzhny, with two more persons in custody on political charges: Dzmitry Paliyenka for participating in a peaceful rally, and blogger Eduard Palchys, who was later recognized a political prisoner by the Belarusian human rights organizations. In July, the compulsory psychiatric treatment was ordered by the court for a 80-year-old critic of the regime Aliaksandr Lapitski, who was found guilty of defamation offenses (insulting the President, government officials, and judges). Uladzimir Kondrus, a participant in the post-election protests of 2010, was taken into custody and immediately recognized a political prisoner by the human rights activists.

Despite the fact that the period before the elections was marked by an overall decrease in the level of repression in the country, the Belarusian authorities continued to use negative practices against their political opponents. In September, there were cases of arbitrary detention of political activists, while this kind of persecution had not been applied by the authorities of Belarus since August 2015. Administrative arrests against peaceful protesters, which used to be practiced in the past, were not applied before and during the elections, however, there was a widespread practice of bringing them to administrative responsibility resulting in heavy fines. Since the beginning of 2016, there were 284 documented cases of detention and bringing to administrative responsibility of civil society and political activists. In 235 cases, the participants of peaceful assemblies were fined a total of USD 80,000. During the three months of the campaign, there were 77 cases of detentions and administrative penalties imposed on protesters for their involvement in events that were not related to the electoral process. 55 administrative trials were held, which resulted in fines totaling over USD 18,000. Twenty activists and politicians were fined a total of USD 9,000 for participation in a protest against rigged voting results held on the day after Election Day¹. Thus, it is clear that the authorities used the tactics of suppression of political activity through economic sanctions.

The election campaign took place against a backdrop of numerous violations of the right to freedom of assembly and freedom of expression. Both legislation and practice allowed banning peaceful assemblies without valid reasons. Conducting unauthorized events entailed administrative prosecution of their participants.

The authorities still prosecuted journalists working with foreign media without accreditation for alleged “illicit manufacture and distribution of media products.” At the same time, obtaining accreditation was still blocked by the Foreign Ministry of Belarus. Extensive pressure from the Belarusian security services and associated smear campaigns in a number of state-run media forced IISEPS (Independent Institute for Sociological, Economic and Political Research) to stop its activities in Belarus. The human rights community said the harassment was linked to the parliamentary elections, as well as attempts to limit the right to receive and impart information — the results of independent sociological studies on various aspects of political and social life.

There were no positive changes in the sphere of freedom of association. Independent organizations were still refused to be registered by the Ministry of Justice, thus running the risk if being charged under Article 193.1 of the Criminal Code, which provides for responsibility for activity on behalf of an unregistered organization. This practice was used in relation to political parties and associations of political orientation, including several active participants in the election campaign (Belarusian Christian Democracy and *Tell the Truth*). The absence of official registration prevented political parties from fully participating in the electoral process, including nominating their candidates through party nomination, delegating representatives to the election commissions etc. Restrictions on the nomination of their representatives to the election commissions were experienced by political parties and public associations, which had not been allowed to register their local branches. The authorities have not registered a single political organization since 2000.

Thus, human rights activists stress that the elections were still marred by systemic and systematic violations of human rights. Possibilities of exercising one’s civil and political rights, as guaranteed by the Constitution of Belarus and international standards, were still extremely limited.

Evaluating the election process in Belarus, Miklós Haraszti, UN Special Rapporteur on the human rights situation in Belarus, stressed that “the smooth-looking conduct of parliamentary elections in Belarus on 11 September 2016 should not eclipse the underlying systemic violations.” “The elections proved a clear lack of political will to promote and protect human rights in Belarus,” said Mr. Haraszti.

¹ <https://spring96.org/persecution>

“I commend the absence of violence so far, and the somewhat extended opportunities allowed for candidates to hold their meetings. I also welcome the elections of one member of an opposition party and one independent cultural activist, after two decades of total absence of any opposition in parliament. However, citizens’ right to a free and fair election continued to be abused in the grip of entrenched repressive laws and institutions, just as in previous parliamentary or presidential elections.” According to the UN expert, “even the election of the opposition candidate exhibited the fully guided character of the electoral process.” “It is regrettable that Belarus did not take into account real changes towards equal media access, verifiable turnout, honest vote count, and a pluralistic parliament,” said he in a statement.

LEGAL FRAMEWORK

The legal framework of the country's electoral system is made up by the Constitution, the Electoral Code and other legislative acts, as well as decisions of the Central Election Commission.

The elections to the House of Representatives of the National Assembly of the sixth convocation were preceded by several amendments in the Electoral Code, the latest of which was made by Law No. 268-3 of 4 June 2015. The Act specified and expanded the scope of bans on foreign funding of the electoral process.

Earlier, Law No. 72-3 of 25 November 2013 amended the Electoral Code to affect the procedure for state funding of campaigning activities, introducing the accreditation of observers and providing for the creation of regional and Minsk city territorial election commissions, which, inter alia, were tasked to supervise the activities of the district and precinct election commissions, to consider appeals against their decisions, to determine the results of elections of deputies in the territory of the region and the city of Minsk. It also provided for the right of political parties, which have nominated their candidates for Parliament, to delegate their members to these commissions in an advisory capacity.

Campaigning for a boycott of the elections was prohibited under the threat of administrative responsibility. The changes specified the scope of reasons for refusing registration to a candidate. Unlike previous elections, the 2016 vote consisted of only one round. Under the rule, the candidate who receives the majority of votes wins a Parliament seat.

These changes, unfortunately, failed to take into account the OSCE recommendations made on the basis of observation of the parliamentary elections in 2012. In addition, some new provisions of the Electoral Code further worsened the situation as compared to earlier regulations.

On 4 January 2014, Belarus acceded to the Convention on Standards for Democratic Elections and Electoral Rights and Freedoms in CIS Member States, which was signed on 7 October 2002 in Chişinău. The new rules banning campaigning for a boycott of the elections clearly contradict the CIS Convention, which stipulates that a boycott or calls for a boycott of the elections are forms of the free exercise of citizens' electoral rights and freedoms, while all obstacles to the exercise of these rights should be prosecuted.

As during earlier parliamentary and presidential elections, the Central Election Commission retained the practice of selective publication of its decisions, which is not consistent with the principle of transparency of elections (24 out of 55 CEC decisions had been published by Election Day).

These decisions of the CEC introduced a number of new standards, which, according to the CEC members, took into account the proposals to improve the electoral processes developed by OSCE ODIHR following its observation of the 2015 presidential election. An interdepartmental expert group was set up on February 12 on the orders of Aliaksandr Lukashenka with a view to consider their possible implementation in the electoral process. As a result, the CEC took into account two of the group's thirty proposals.

The CEC's Decree No. 18 of 8 June 2016 "On clarifying the application of the provisions of the Electoral Code of Belarus regulating the procedure of formation of election commissions during the elections of deputies of the House of Representatives of the National Assembly of the Republic of Belarus of the sixth convocation" said that the meetings of local executive committees in charge of forming the election commissions of all levels should consider the issue of business and political qualities of nominated persons, and if the number of candidates exceeds the necessary amount, each candidacy should be discussed and put on a separate vote. It also provided that the meetings could be attended by representatives of political parties and public associations, whose observers have been accredited by the CEC.

The Regulation specified the rights of national and international observers. In the period of early voting and on Election Day observers have the right to receive from the PECs information on the number of citizens registered on voter lists and the number of voters who have cast their ballots. In addition, observers accredited by the corresponding DEC have the right to observe the transfer of protocols from the PECs. The websites of local executive committees should publish court decisions on electoral disputes, which, according to the CEC chairperson, met the ODIHR recommendations and increased the transparency of the elections.

An important step to improve the transparency of the electoral process was the CEC's Resolution No. 22 of 8 June 2016 "On informing citizens about the work for the preparation and holding of the

elections to the House of Representatives of the National Assembly of the Republic of Belarus of the sixth convocation”. According to the decision, during the preparation and conduct of the parliamentary elections the progress of the election campaign should be covered in newspapers run by regional, Minsk city, district, city in the cities of regional subordination executive committees and posted on the official websites of these executive committees and the websites of district administrations in the cities in the specially created category “Elections-2016”. The Resolution regulates in detail the content of these posts and the terms of their publication by the executive bodies. Executive authorities are expected to publish information about every meeting of the election commissions and the decisions they take. The advantage of this Regulation is the mandatory nature of information that the executive authorities should provide to citizens within the prescribed period. On the other hand, the executive bodies are not required to publish full texts of the documents that approved a decision, but can only publish excerpts or even just announce a decision.

It is worth noting that the most sensitive point of the election campaign, which has always sparked particular criticism of observers, namely, the procedure of the vote count, still lacks clarification either in the above-mentioned guidelines or in any of the CEC decisions. This aspect shows the CEC’s unwillingness to secure a truly transparent vote count.

According to the Belarusian Constitution (Arts. 84, 91) and the Electoral Code (Art. 56), “elections to the House of Representatives of the new convocation are appointed by the President of the Republic of Belarus not later than four months and held no later than 30 days prior to the expiration of the powers of the House of Representatives of the current convocation.”

The date of elections, September 11, was appointed by President’s Decree No. 190, which was signed on 6 June 2016. The elections to Parliament’s lower house were held in 110 single-member electoral districts and were administered by 110 district and 6,149 precinct election commissions (including 49 commissions located abroad).

ELECTION COMMISSIONS

1. Legal framework

The process of formation of election commissions during the parliamentary elections of 2016 was regulated by the Electoral Code, as amended by Act № 268-W of 4 June 2015, and Resolution No. 18 of the Central Election Commission of 8 June 2016 “On clarifying the application of the provisions of the Electoral Code of Belarus regulating the procedure of formation of election commissions during the elections of deputies of the House of Representatives of the National Assembly of the Republic of Belarus of the sixth convocation.”

According to Art. 28 of the Code, preparation and conduct of parliamentary elections are administered by regional, Minsk city territorial election commissions, district and precinct election commissions.

2. Formation of Territorial and District Election Commissions

Amendments introduced to the Electoral Code in 2013 added a new level of election commissions during the parliamentary elections, which are known as territorial election commissions (TECs, regional and Minsk city territorial election commissions). Thus, for the first time ever the parliamentary elections were administered by regional and Minsk city territorial election commissions. Powers of the commissions are laid down in Art. 39.1 of the Electoral Code. These commissions supervise the activities of district and precinct election commissions. An important function of the territorial commissions is their ability to consider complaints and appeals against decisions and actions of district and precinct election commissions. This provision relieved the CEC from the necessity to consider such petitions and complaints, which allows the CEC to spend more on other functions.

TECs and DEC (district elections commissions) are an important mechanism of the electoral process, which significantly affects the holding of free and democratic elections.

According to Art. 34 of the Code, regional, Minsk city territorial and district commissions are formed by the presidiums of Regional and Minsk City Councils of Deputies and regional, Minsk city executive committees. The commissions are composed of the representatives of political parties and other public associations, labor collectives, as well as representatives of citizens nominated to the commission by submitting an application, comprising 9-13 members no later than 75 days before the election.

Political parties and other nation-wide public association, labor collectives, staff of a structural unit, a group of voters have the right to nominate only one representative to regional, Minsk city, district and precinct election commission.

According to a general rule, at least one third of the commission are representatives of political parties and other public associations. The commission may not include judges, prosecutors, heads of local executive and administrative bodies. Representation of civil servants cannot exceed one third of the commission. Meetings of bodies in charge of forming the commissions can be attended by representatives of political parties and other public associations, labor collectives and citizens who nominated their representatives to the commission.

The decision on the formation of the commission should be published in the press within seven days from the date of its adoption. The decision may be appealed within three days from the date of its adoption, respectively, to the regional, Minsk city, district or city court by the entities that nominated their representatives to the commission. The court shall consider the appeal within three days, its decision is final.

Formation of the TECs and DEC took place against the backdrop of widely announced new approaches to selection procedures: the possibility of observers (including international ones) to attend the meetings of bodies in charge of forming the election commissions, discussing business and political qualities of the nominated candidates. In cases where the amount of nominees exceeds the stipulated quota, information on each nominee should be considered and a separate vote should be carried out. These approaches were provided by the CEC's Decree No. 18 of 8 June 2016. The Decree also provided for the observers' right to attend the meetings of the bodies responsible for the formation of the election commissions.

Analysts of the campaign *Human Rights Defenders For Free Elections* wrote to the Central Election Commission with a request to explain the term of ‘political qualities’, which was introduced by the above Decree. A reply signed by the CEC chair Lidziya Yarmoshyna said that “the electoral law does not contain any legal interpretation of such concepts as business and political qualities of the person selected to the election commission.” She further admits that the concept of ‘political qualities’ has been replaced by the term of ‘political beliefs’: “The political qualities include political views, the level of representation of public associations and political parties in the region, their recognizability and credibility among the population.”

The campaign’s expert, Pavel Sapelka, again wrote to the Central Election Commission urging Ms. Yarmoshyna to remove the term of ‘political qualities’ from the CEC’s document before the formation of the commissions, as the practice of formation of the TECs and DEC’s showed that it was the “assessment of the political views of persons nominated to these commissions that was the primary cause of politically motivated selective approach to address the issue of their membership. Persons who hold political views that do not coincide with the official policy of the current government and belong to the opposition political parties were widely denied membership in the election commissions, while representatives of loyal political parties and organizations received much more seats.” Such concepts as the recognizability and credibility of a particular political party or association require further study of the issue by means of public opinion polls, which is a hard task in the short period allocated for the formation of election commissions, but otherwise, opinions of the representatives of local authorities in charge of forming the commissions may not coincide with the actual opinions of citizens, said the expert.

In her answer to the appeal, the CEC head said that “the Central Election Commission sees no reasons to adjust the said decision and to remove the term of ‘political quality’ from it, which, in your opinion, provokes different interpretations.” Lidziya Yarmoshyna further shares her personal opinion: “The Resolution of the Central Election Commission, which obliges the authorities in charge of forming the election commission to carry out this procedure in an open and transparent manner and based on the discussion of applicants for the commissions, does not limit the participants in these discussions in the approach to assessment of both business and political qualities of these individuals.”

The use of such vague wordings gave ample room for interpretation and, therefore, for the selective, arbitrary refusal to include certain candidates in the commissions. It should be noted that the absence of legislatively fixed criteria for selecting commission members and the lack of guarantees of representation of all the political actors involved in the electoral process remained an issue of great concern.

2.1 Nomination to TECs and DEC’s

In accordance with the Election Schedule approved by the Central Election Commission’s Resolution No. 14 of 8 June 2016, nomination of representatives to the district election commissions and the submission of their applications were completed by 24 June 2016.

144 people were nominated to the seven territorial (six regions and the city of Minsk) election commissions (TECs)², 14 of which were delegated by two entities. One of the fourteen was nominated by citizens through submission of applications and by two public associations. This method of nomination was extremely popular in the Hrodna region, where 12 of the 16 candidates to the TEC were nominated by two entities, one of which was a pro-government union (trade union, Peace Foundation, organization of Soviet-Afghan War veterans, the Belarusian Union of Women). This method of nomination is not contrary to the law, but has a significant effect on the statistics.

A total of 37 representatives were nominated to the TECs by political parties (26% of the total amount), including 16 persons from the opposition parties (43% of the total amount nominated by the parties).

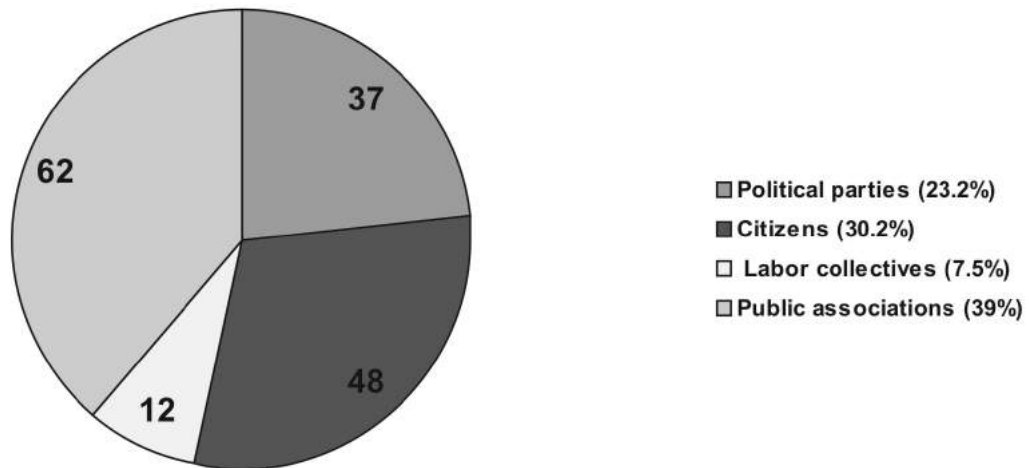
Public associations nominated 62 people (43% of 144). As in the previous elections, pro-government public associations nominated numerous representatives: the Federation of Trade Unions of Belarus — 16 persons (11.1%), Belarusian Public Association of Veterans — 5 (3.5%), Youth Union — 7 people (4.9%), *Belaya Rus* — 7 (4.9%), Belarusian Union of Women — 7 (4.9%). These five associations provided 31% of the total amount nominated to the TECs and 68% of the amount delegated by public and other associations, respectively.

² <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect1.pdf>

Representatives to the TECs were also sent by the Movement *For Freedom* (4 persons) and the BPF *Adradszhennie* – 1 person.

The average competition (with the maximum number of 13 members) in the territorial commissions was 1.6 persons per seat. In Hrodna, one seat was contested by an average of 1.2 persons, therefore some commissions were formed without any competition. In the Mahilioŭ region, 26 people applied for membership in the commission (2 persons per seat). A total of 7 commissions were formed, as a result.

NUMBER OF NOMINATIONS TO TECs BY VARIOUS ENTITIES



2,014 persons were nominated to the district election commissions³, including 353 nominees from political parties (18% of the total amount). 134 people were delegated by the opposition parties (38% of all the total number nominated by political parties).

Regular citizens nominated 639 people (35%), labor groups —145 people (6.6%), public organizations and associations — 925 people (46% of the total amount).

Active participants in the electoral process were the local branches of the Federation of Trade Unions, which nominated 249 people to the DECs (12.3%). Apart from that, the Belarusian Public Association of Veterans nominated 94 people (4.7%), the Youth Union and *Belaya Rus* — 110 people each (5.5%), the Belarusian Union of Women – 100 persons (5%). These five associations nominated 663 people, i.e. 33% of the total amount nominated to the TECs and 72% of the total number delegated by the public and other associations, respectively.

Representatives of pro-democratic groups were also nominated to the DECs: Movement *For Freedom* (44 people) and the BPF *Adradszhennie* – 13 people.

Most candidates to the district commissions of the Hrodna region, as well as the territorial ones, were nominated by two entities: 158 of 195 — by pro-government public associations and groups of citizens. It is not typical of the other regions: in three regions such an alternative method of nomination was never used, while in Minsk two subjects nominated 12 people; in the Viciebsk region — 4 persons.

Opposition parties were quite active in nominating their representatives to the commissions: the Belarusian Left Party *Fair World* — 72 people, the Belarusian Popular Front — 28 people, the Belarusian Social Democratic Party *Hramada* — 17 people. Thus, all opposition political parties nominated 150 people to the commissions.

The figures in the general context: during the 2016 elections, the opposition parties nominated 134 representative to the DECs, i.e. 43% of the representatives of all parties; during the elections of 2008, the opposition parties nominated 118 people, accounting for 31.9% of all the candidates from political parties. In 2012, the opposition parties nominated 199 persons, or 49.75% of the total

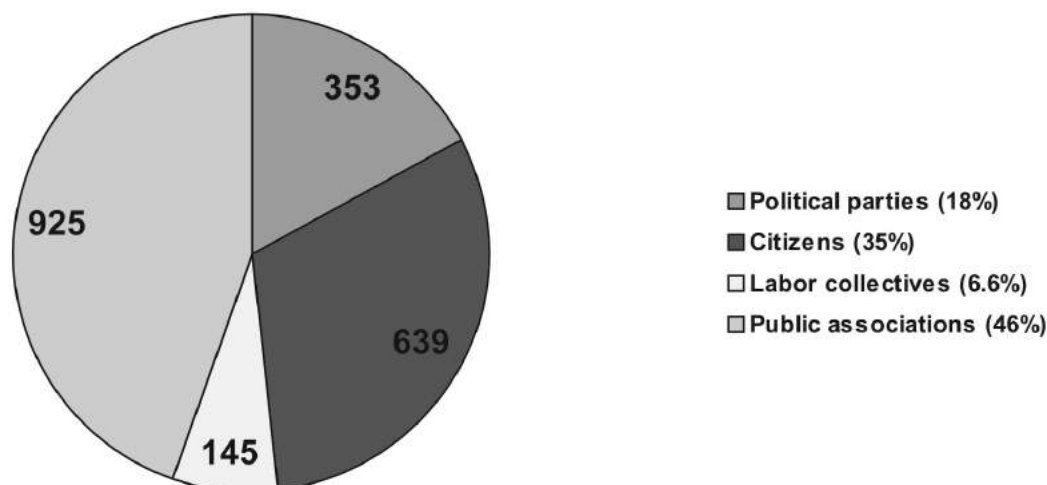
³ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect2.pdf>

number of candidates from the political parties. Thus, despite the absence of favorable conditions, opposition political parties preserved certain activity during the campaign.

The average competition (with the maximum number of 13 members) in the district commissions was 1.4 persons per seat. In the Hrodna region, the competition was 1.15, and in the Mahilioŭ region — 1.6 persons per seat.

A total of 110 district commissions were formed, including 20 in Minsk, 17 in the Minsk and Homiel regions each, 16 in the Brest region, 14 in the Viciebsk region, and 13 in the Hrodna region.

NUMBER OF NOMINATIONS TO DEC_s BY VARIOUS ENTITIES



Almost every entity had an opportunity to submit its application to the respective authority. However, there were exceptions: in the Brest region the *Movement For Freedom* submitted its applications by post within the stipulated period, but the body failed to consider three nominations. As a result, *For Freedom* filed a complaint with the Brest Regional Court, which was, however, eventually rejected.

In Minsk, candidates for the commissions were invited for an interview at the organizational and personnel department of the city executive committee, where they were interviewed about their qualifications. At the same time, representatives of parties that announced their intention to attend the joint meetings were ordered to prepare information about their candidates to the commissions.

2.2 Meetings of bodies in charge of forming the election commissions

Joint meetings of the presidiums of the Regional and Minsk City Councils of Deputies and the regional and Minsk city executive committees were held no later than 27 June 2016.

Paragraph 6 of the CEC's Resolution No. 18 of 8 June 2016 provided for the opportunity to allow observers (including international ones) to attend the meetings of bodies in charge of forming the commissions. It is worth noting that in earlier elections this, in some cases, constituted an obstacle in monitoring the procedures for the formation of election commissions.

The observers reported the presence of a quorum during these meetings. All representatives of the entities that nominated their representatives to the TECs and DECs had the opportunity to attend meetings of the bodies in charge of their formation.

The observers noted that there were different practices of forming the commissions in various regions of Belarus.

According to para. 6 of the CEC's Resolution No. 18, before deciding on the composition of the commission the question of the business and political qualities of the nominated persons should be discussed by the meeting. If the amount of nominated candidates exceeds the number of seats provided by the law, information on each nominee should be announced and a separate vote should be held.

Due to the fact that the CEC failed to provide any additional clarification as to what business and political qualities should the nominees possess, in each case different information was taken into account: previous convictions, earlier experience of working on the commission, a permanent job, reference from the employer, political views and beliefs and others.

Artsiom Tsuran, head of the organizational and personnel department of the Minsk city executive committee, noted that “the peculiarity of the current election campaign is that for the first time the meetings will include the discussion of the candidates before the vote and approval of the composition of the commission, their political beliefs, personal and business qualities will be discussed”.⁴ Before the meeting, the candidates were invited for an interview at the organizational and personnel department of the Minsk city executive committee.

At the beginning of the meeting at the Hrodna regional executive committee, Siarhei Patsevich, head of the committee’s organizational and personnel department, called the selection criteria for the candidates: experience of work on the election commissions, positive characteristics based on personal record and a reference from the employer. As for the representatives of the democratic parties, the officials also took into account references provided by the district police officer. It was emphasized that the representatives of the Belarusian Republican Youth Union, *Belaya Rus*, Belarusian Union of Women, Veterans’ Union, Soviet-Afghan War Veterans’ NGO, which are numerous and widespread public associations, represent the interests of the majority of citizens. It was stated that a representative of the BPF Party Edvard Dmukhouski had been repeatedly brought to administrative responsibility, he was unemployed, while a representative of the Belarusian Left Party *Fair World* had been brought to administrative and criminal responsibility. Another contender representing *Fair World* (a cook by profession) was also characterized by Siarhei Patsevich in a negative tone. The remaining candidates that were not included in the commission were presented as individuals without relevant experience and were not recommended by the official.

Before the beginning of the joint meeting of the Homiel regional executive committee and the Regional Council, the floor was given to D. Razhkou, head of the Committee’s organizational department, who stressed that the presidium of the executive committee and the Regional Council were not obliged to justify their decision to include or not to include candidates in the commissions and were not bound by any criteria and quotas. He read out the list of candidates to the commission, gave a brief description of them and announced a rating-based vote. However, his speech suggested that the selection was based on a definite criterion — previous experience of work on the commissions.

The formation of the Mahilioŭ regional TEC was based on a list proposed by a working group, which was headed by Henadz Herasimenka, head of the organizational and personnel department of the regional executive committee. Local activist Barys Bukhel, who had been nominated through collection of signatures, was not proposed by the working group. In response to the activist’s protest, Uladzimir Damaneuski, chairman of the meeting and head of the regional executive committee, told Barys Bukhel to refer the matter to the working group later, assuring the human rights activist that all of his questions would be answered. The members of the executive committee and the presidium of the Regional Council supported the chairman’s proposal.

Bukhel appealed against the decision. The CEC admitted in its reply that requirements of the CEC’s Decree were not observed during the formation of commissions in the Mahilioŭ region: “The Central Election Commission of Belarus examined your complaint about violation of paragraph 6 of Decree No. 18 of the Central Election Commission of 8 June 2016, which provides for a personal vote on the candidacies to the election commissions, during the formation of the Mahilioŭ regional election commission and the district commissions in the Mahilioŭ region. The provided facts do not point to a violation of the electoral law, but are evidence of a failure to follow the clarification by the Central Election Commission. In this regard, the Mahilioŭ regional executive committee was instructed to strictly comply with regulations of the Central Election Commission during the preparation and conduct of elections.”

During a joint meeting of the regional executive committee and the Regional Council in Viciebsk, representatives of political parties and public associations, which had nominated their representatives to the TECs and DEC’s, were given three minutes to present their candidates. Thus, for example, the Movement *For Freedom* nominated 15 persons in the region, and only 12 seconds were allocated to represent each of the candidates.

⁴ <http://minsknews.by/blog/2016/06/27/v-minske-sformirovaniy-izbiratelnyie-komissii-povyboram-v-palatu-predstaviteley>

In Brest, the meeting lasted for more than three hours. The candidates' place of work and methods of nomination were announced. The officials voted for a list of candidates. The vote was unanimous. Relevant experience was always taken into account. The selection of candidates to the election commissions was administered by so called 'working groups', whose function was to "examine the business and political qualities of the persons nominated to the district commissions". An order on the creation of 'working groups' was issued on June 20 by Chairman of the Brest regional executive committee Anatol Lis. Heads of the working groups were ordered to provide information on each nominee with recommendations on the formation of the district election commission before 10 am, June 27.

During the formation of the district election commissions in the Minsk region at a joint meeting of the Presidium of the Minsk Regional Council of Deputies and the Minsk regional executive committee, officials voted for a pre-arranged list. The voting was virtually identical, with either almost all for or against. No reasons for a refusal to vote for a candidate were announced. In Salihorsk, all the 13 seats in the district commissions had been filled when the list for discussion still had three candidates. As a result, all the nominees were rejected and Uladzimir Shyla, a representative of the Movement *For Freedom*, was not included in the commission.

In general, the observers reported that voting in the majority of cases was of a formal nature, although it was accompanied by a discussion of the nominated candidates. Representatives of pro-government political parties and public associations were supported almost unanimously, while representatives of opposition parties rarely received a vote in support of them.

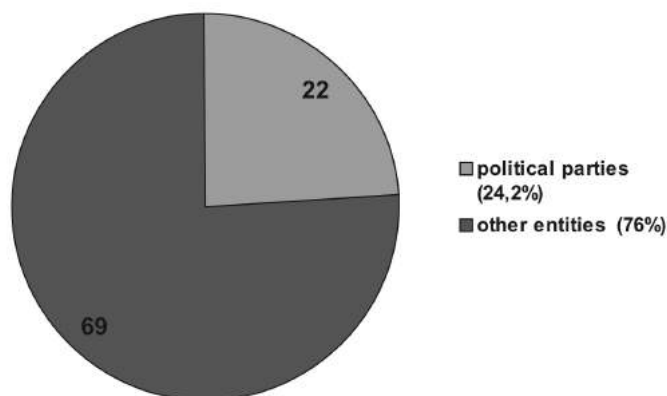
The fact that the composition of the commissions had been determined in advance was confirmed by the case of a BPF party activist Yauhen Sitsko, who was nominated to district election commission No. 1 in Ivacevičy. On the morning of June 27, he received a phone call from the executive committee and was invited to the first meeting of the district election commission scheduled for June 29. Meanwhile, the composition of the district election commissions in Brest region had been approved at a joint meeting of the executive committee and the Regional Council of Deputies, which began at 2 pm the same day and lasted about three hours. Thus, the executive committee knew the names of election commissioners even before the implementation of all the necessary procedures.

2.3 Composition of formed commissions

A total of 7 territorial commissions were created (in six regions and the city of Minsk) with 91 people included in them⁵. Simultaneously, 110 district election commissions were formed with 1,430⁶ people in their composition.

The proportion of representatives of political parties on the TECs and DECes remained extremely low (24.2% and 13.6%, respectively), as compared to the representation of public associations (51% and 54.3%, respectively).

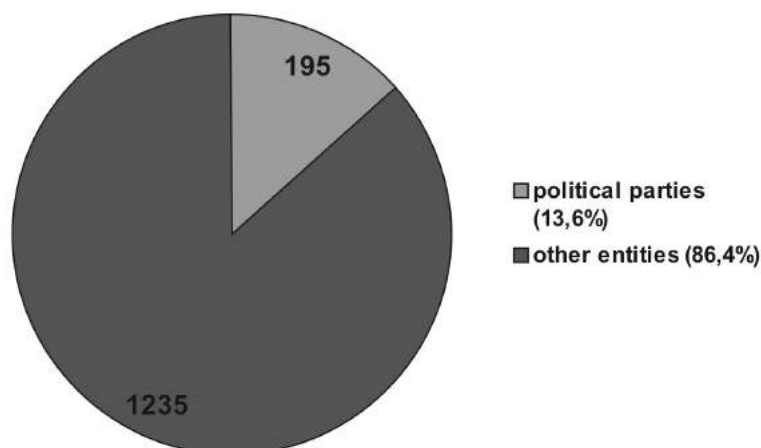
REPRESENTATION OF POLITICAL PARTIES IN THE TECs



⁵ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect3.pdf>

⁶ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect4.pdf>

REPRESENTATION OF POLITICAL PARTIES IN THE DEC_s

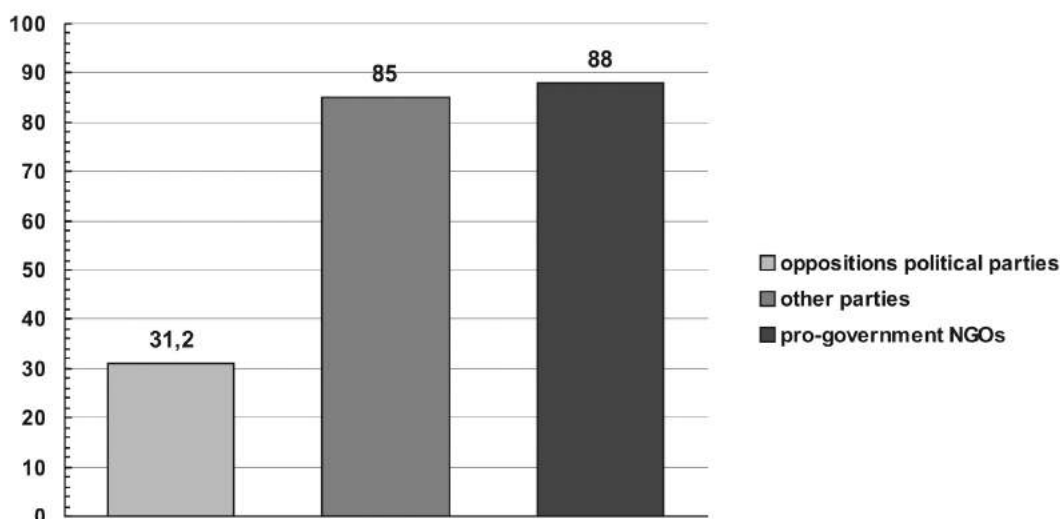


As in earlier elections, the main administrators of elections were representatives of the five largest pro-government associations — *Belaya Rus*, Belarusian Republican Youth Union, the Belarusian Women's Union, the Belarusian Public Association of Veterans and the Federation of Trade Unions. In total, these NGOs nominated 42 people to the TECs and 663 to the DEC_s, of which 37 were elected TEC members (88% of the nominated candidates) and 605 — DEC members (91.2% of the total amount). The total percentage of their representatives in the composition of the TECs and DEC_s was 40% and 42.3%, respectively.

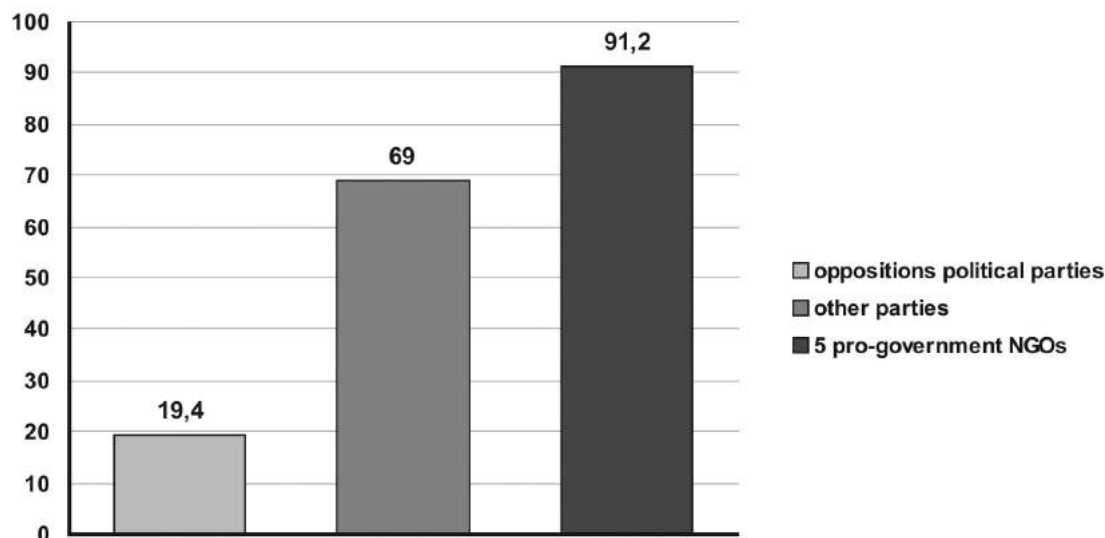
The representation of opposition parties was still extremely low: 31.2% of the nominated amount in the TECs and 19.4% — in the DEC_s. The total percentage of their representation in the TECs and DEC_s was insignificant (5.4% and 1.8%, respectively).

Thus, there was an apparent discriminatory treatment of those citizens who had been nominated to the commission by the opposition parties. A similar trend was documented during earlier elections: during the parliamentary elections of 2012, the proportion of representatives of opposition parties in the composition of the DEC_s was 3% (24% of the total number of nominations by the opposition parties), in the elections of 2008 — 2.2% (32%).

REPRESENTATION OF VARIOUS ENTITIES IN THE TEC_s AGAINST TOTAL NUMBER OF NOMINATED CANDIDATES



REPRESENTATION OF VARIOUS ENTITIES IN THE DEC_s AGAINST TOTAL NUMBER OF NOMINATED CANDIDATES



It was impossible to control the implementation of a legal provision limiting the participation of civil servants in the election commissions, as in most districts the lists of members of the TECs and the DEC_s were published without indicating their place of work and positions — only the type of nomination. However, the general trend can be seen in the data documented in the regions where such information was available.

One of these trends was nominating representatives of the power vertical and civil servants under the guise of members of political parties, public associations and labor collectives, as well as nominees from citizens. Another clear trend was the continuity of the commissioners from the previous elections. It was also reported that key positions in the territorial and district commissions were still occupied by employees of the executive committees and managers of state-owned enterprises and institutions.

An analysis of the composition of the district election commissions (chairpersons, deputy chairpersons, secretaries) in the Homieĺ region showed that virtually all the top positions were taken by the deputy chairpersons for ideology at local executive committees. These people have been members of various election commissions during numerous campaigns. For example, deputy head of the administration of Homieĺ's Čyhunačny district Natallia Kavaliova chaired DEC No. 31, deputy head of the administration of Centralny district Volha Datsenka — DEC No. 33, deputy head of the administration of Saviecki district Alena Herashchanka — DEC No. 34, deputy head of the administration of Navabielicki district Vasil Zubets — DEC No. 36. Similarly, chairpersons of district election commissions were Ihar Paluyan, deputy head of the Homieĺ regional executive committee; Leanid Valatauski, deputy head of the Žytkavičy district executive committee; Viktor Kastsiakou, deputy head of the Žlobin district executive committee; Aleh Makushynski, deputy head of the Kalinkavičy district executive committee; Kanstantsin Piatrouski, deputy head of the Svietlahorsk district executive committee; Zhanna Charniauskaia, deputy head of the Chojniki district executive committee. All of them were nominated by trade unions, citizens, the Belarusian Union of Women, and so on. Most DEC_s had heads of department of organizational and personnel work of the executive committees, either as secretaries or deputy chairpersons. In particular, Piotr Shutski of the Mazyr district executive committee chaired DEC No. 43, while the Rečyca commission was headed by Ryhor Yakushau of the district executive committee. Viachaslau Kirylenka of the Buda-Kašaliova district executive committee headed the district election commission. The Homieĺ-based district commission No. 32 was chaired by Andrei Laushuk, deputy head for ideology at the *Sialmašaŭskaje* enterprise, and his deputy was Mikalai Kavalevich, Deputy CEO at *Homsielmaš*.

Thus, the two high-ranking ideology official were delegated to ensure the transparency of electoral procedures.

The Babrujsk-based DEC No. 78 included Valiantsina Afanasenka, who was nominated by the National Trade Union of Government Employees, while in reality she is head of the department of organizational and personnel work of the Lieninski district administration. She has repeatedly been a member and secretary of election commissions, during the parliamentary election of 2016 Ms. Afanasenka became secretary of the commission. Sviatlana Babko was nominated by the Belarusian Peace Foundation, while she is an employee of the same administration. Iryna Yepifanova was nominated by the trade union of consumer industry workers, while she is chairperson of the official trade union at the *Slavianka* factory. The Communist Party of Belarus nominated head of kindergarten No. 74, acting member of the City Council Valiantsina Maksimava. Vasil Krasnikau was nominated by the employees of the department of education, sports and tourism of the Lieninski district administration. Aliaksandr Melnik used to be a commissioner in 2015; last year he was nominated by the voters. Inna Novikava was nominated by the Belarusian Union of Women; she is head of a territorial center of social security. Valiantsina Seliashniova was member of election commissions both in earlier parliamentary and presidential elections. Now she was nominated by the voters, being in fact an employee of the Mahilioŭ regional department of the National Center for rehabilitation and sanatorium treatment. She took the position of deputy chairperson of the commission. Natallia Smyslava has extensive experience of work in many elections; now she was nominated by *Belaya Rus* as head of the NGO's regional branch. Tamara Turtsevich was nominated by the Belarusian Public Association of Veterans.

Viktar Harbaniou, director of a construction vocational college, has been for many years chairman of the Babrujsk-based election commission No. 79; he was again nominated by citizens. Henadz Chuburkou, who was nominated by *Belaya Rus* and works as an engineer at the *Babrujskahrmaš* enterprise, was again among the commissioners. The same applies to head of a library Sviatlana Bialiak, who was nominated by the voters. Similarly, Tatsiana Haurylenka was nominated by the Belarusian Union of Women. Varvara Halejeva, chairperson of BRSM's Pieršamajski district branch, again became a member of the election commission. Vadzim Kulikou was nominated by the Belarusian Peace Foundation. Aliaksandr Adzinohanka was nominated by voters, while he is an employee of the Pieršamajski district administration. This official was a commissioner in the previous election, when he was nominated by *Belaya Rus*. Larysa Razhkova was nominated by the employees of an art school, where she works as a teacher. Katsiaryna Shyrokaya has a wide experience as a secretary of the commission; she was now nominated by the trade union of government employees. Tatsiana Shchus had worked in several recent elections, traditionally nominated by the citizens.

Iryna Staravoitava was elected chairperson of the Babrujsk-based electoral district No. 80. She earlier worked as a commissioner during parliamentary elections and is the chief accountant of the district executive committee nominated by the labor collective. Deputy chairperson of the district election commission, Natallia Yakimava, took a similar position in the past; she is an employee of the district executive committee nominated by the Belarusian Union of Women. The secretary of the commission was Sviatlana Semianchukova, an employee of the Babrujsk district executive committee nominated by the trade union of workers of education and science. She also has experience in the elections to the House of Representatives.

Alena Belavusava was again selected to work on an election commission; she was nominated by the voters, working at the district executive committee. Tatsiana Artsiukhova, member of the Kiraŭsk District Council, works as head of kindergarten No. 4; she was nominated by the voters. Yauheniya Dounar has experience of chairing election commissions; she is chairperson of the district branch of the Belarusian Public Association of Veterans, which nominated her to the commission. Alina Kalashmanava, chief accountant of the ideology department of the district executive committee, was nominated by the Belarusian Peace Foundation. Veranika Padaliak has experience of work in election commissions; she is the first secretary of the Babrujsk District Committee of the Belarusian Republican Youth Union; she was nominated by her organization. Another experienced member of the commission, Tatsiana Tarasevich, works as director of the regional center of social services; she was nominated by *Belaya Rus*. Vital Tokarau was nominated by the voters; he works as head of the Kiraŭsk branch of the *Mahilioŭabldarbud* enterprise. Siarhei

Fedneu, former member of the District Council, was nominated by the trade union of workers of agriculture, where he holds the post of chairman. Iryna Bobr has repeatedly been member of election commissions; she was earlier nominated by *Belaya Rus*, now by the voters. She is an employee at the Kiraŭsk district executive committee.

Sviatlana Yurchyk, an employee at the Maladziečna district executive committee, became chair of district election commission No. 73. Her deputy was Aliaksandr Ulanchyk, an employee of the Valogyn district executive committee. Both were nominated through the collection of signatures. Official publications failed to mention their positions.

Ihar Baranau was elected chairman of the Mazyr-based district election commission No. 42, Veranika Baikova — deputy chairman, Sviatlana Lauruk — secretary. Veranika Baikova, an employee of the district executive committee, was nominated by *Belaya Rus* in the last election, now she represented a trade union. Head physician of the local hospital Ihar Baranau was nominated by a trade union, while in the last election he represented *Belaya Rus*. Piotr Zykun, head manager of the *Kolor* company, was also nominated by a trade union, just like CEO of *Mazyrahrapramsna* Viachaslau Patarocha. The Belarusian Union of Women delegated Larysa Chornaya, editor-in-chief of a local government-owned newspaper, to work on an election commission.

Aliaksandr Huryn, a representative of the Communist Party of Belarus, became chairman of district election commission No. 90 in Škloŭ; he is chairman of the regional trade union of workers of education and science. Aliaksandr Huryn chaired the district election commission during the presidential elections of 2015; he was then nominated by the Communist Party and became a member of the district commission in the parliamentary elections of 2012. The commission's deputy chairperson was Halina Marfel of the Belarusian Public Association of Veterans; she works as head teacher at State Vocational Lyceum No. 12. In the parliamentary elections of 2012, Marfel was a member of the district election commission as a nominee of this school, during the presidential elections of 2015 she also worked as deputy chairperson as a representative of the Belarusian Union of Women. Alena Pekert became secretary of the district election commission; she was nominated by the National Trade Union of government employees. She worked as a nominee of the same trade union in the district election commission during the presidential election of 2015. The official is head of the department of organizational and personnel work at the Škloŭ district executive committee. Six of the thirteen members of the DEC worked on the same commission in 2012, others were members of election commissions during the presidential and local elections.

Alena Zdanovich, director of a consumer services center, was elected chairperson of the Kryčau-based constituency No. 83; she was nominated by the Belarusian Peace Foundation. During the presidential election in 2015, Ms. Zdanovich also worked in the election commission, but was nominated by *Belaya Rus*. Mikhail Miashkura, head of the organizational and personnel department of the Kryčau district executive committee, became deputy chairman of the district election commission; he was nominated by the voters. Another official employed at the executive committee, Natallia Tkachenka, became Secretary of the commission. She was nominated by *Belaya Rus*, in 2015 — from the trade union of government employees, previously working in the department of ideology at the Kryčau district executive committee.

The Salihorsk-based district election commission No. 68 was headed by Sviatlana Radziuk, who chaired the same TEC during the last presidential election. In 2008, she was nominated to the district commission from the executive committee; in 2010, she represented the union of government employees; this time she was delegated by the Belarusian Union of Women. Anatol Makhlai, a nominee of *Belaya Rus*, was deputy chairman of the district election commission. Mr. Makhlai is the chief ideology official at the potash giant JSC *Belaruskali*. He is considered the shadow administrator of all elections in Salihorsk district. Zhanna Staver became secretary of the commission; she was officially nominated by the voters, but in fact is an employee of the education department at the Salihorsk district executive committee. Among other officials, the commission included Yury Chukhrou, director of the city's capital construction management; Yauheniya Siamak, lawyer of the executive committee; Hanna Nosava, employee of the department of culture; Sviatlana Viaryha, employee of the education department. The commission also included two former deputy chairpersons of the district executive committee, Aliaksandr Lazuka and Iryna Zubarevich.

A similar pattern could be observed in DEC No. 69 in Salihorsk and No. 67 in Sluck. The former was headed by Hanna Yermalinskaya, head teacher at Salihorsk high school No. 1, managing the work of election commissions of different levels during previous election campaigns. The Sluck DEC was for the third consecutive time chaired by head of the *Ahraservis* state-owned enterprise and chairman of *Belaya Rus*'s local branch Andrei Kuntsevich. His deputy was director of the local branch of another state-owned enterprise, *Minablpaliva*, Aliaksandr Andrushkevich, who from 1994 to 2014 was chairman of the local DEC and TEC in the elections at all levels.

Aliaksandr Nelipovich was elected chairman of the Biaroza-based election district No. 9; he is head teacher of the local Construction Lyceum and a former employee of the district executive committee, who has repeatedly been chairman and deputy chairman of the DEC and TEC in earlier elections. His deputy was deputy chief of the ideological department of the district executive committee Aliaksandr Krahel. The secretary was Alena Muratava, an employee of the organizational and personnel work of the district executive committee. These officials chaired the Biaroza district election commission during the presidential elections of 2010 and 2015.

The Bychaŭ-based district election commission No. 81 was chaired by Viktor Ahnetau, his deputy was Mikhail Kazlou, commission secretary — Tatsiana Yermalitskaya. Viktor Ahnetau, who was nominated by *Belaya Rus*, is a top official at the district executive committee. Tatsiana Yermalitskaya is a representative of the National trade union of government employees, also working in the district executive committee. Mikhail Kazlou is a nominee of the Communist Party of Belarus and headed before retirement the district executive committee's department of education. Other members of the district election commission have repeatedly been included in the composition of election commissions of different levels, many of them work in a variety of local government bodies. In particular, a nominee of the Belarusian Republican Youth Union, Aliaksandr Zhelabkevich, is head of the Bychaŭ district inspection of natural resources and environmental protection. Natallia Bryzgalava, who was nominated to the commission by an application from the voters, is an employee of the district executive committee's department of education. Another nominee from the voters, Tatsiana Babichava, works in the Slaŭharad district executive committee.

3. Formation of Precinct Election Commissions

In accordance with Art. 28 of the Electoral Code, the preparation and conduct of the elections of deputies of the House of Representatives are administered by the regional election commissions, the Minsk city territorial election commissions (TECs), and the precinct election commissions (PECs). It is the PECs who organize the voting, counting and the announcement of voting results at the polling stations, which makes them one of the key mechanisms of the electoral process. At the stage of election campaigning, PECs send information about the candidates to voters; control the rules of placing campaign materials at polling stations. PECs consider complaints and appeals dealing with the preparation of elections, organization of voting, counting of votes and announce their decisions.

As with the territorial election commissions, PECs are composed of representatives of political parties and other public associations, labor collectives, as well as representatives of citizens nominated to the commissions by collecting signatures.

The procedure for sending representatives to the PECs is governed by the CEC's Decree No. 18 of 8 June 2016.

Political parties and public associations, labor collectives, collectives of their structural units and voters can nominate their representatives to the PECs in the following order:

The governing bodies of the regional branches — to the PECs formed in the territory of the region; the governing body of the Minsk city branch — to the PECs formed on the territory of Minsk; district, city, city district branches — to the PECs formed in the respective district, city, district of the city; the primary organization of a political party and other public association has the right to nominate a representative to the local commission of the polling station on whose territory it is situated;

Assemblies of labor collectives of organizations or their structural units having not less than 10 employees located on the territory of the district, city, district of the city, town, village council;

Voters in the amount of at least 10 people — to the PEC of the polling station, in whose territory they reside;

All of the above entities have the right to nominate only one representative.

The PECs are formed by the district and city executive committees, and in cities with district division — by a group of 5-19 members of local governments.

The entities who have put forward a representative to the commission have the right to appeal against the decision of the authority in charge to the district or city court.

Opportunities of nominating representatives by political parties and other public associations, as before, are limited by the requirement to have local branches. Thus, national public associations that do not have any organizational structures in the regions are deprived of the opportunity to nominate their representatives to the precinct election commissions.

In contrast to previous elections, the CEC's Decree No. 18 provided for the right of observers (including international ones) to attend the meetings of the executive committees and district administrations (in cities with district division) during the formation of the PECs.

In addition, according to para. 6 of the Decree, the business and political qualities of the persons who have been nominated to the election commission should be discussed before deciding on the formation of the PEC, and if the number of nominees exceeds the stipulated quota, information on each nominee should be considered and a separate vote should be carried out.

In the absence of an explanation of the notion of 'political quality' in the current legislation, experts of the *Human Rights Defenders for Free Elections* campaign requested clarification from the CEC.

The CEC said in response that the electoral legislation does not contain an explanation of the concepts of business and political qualities of a person nominated to the election commission. The CEC interprets the concept as "political views, level of representation of public associations and political parties in the region, their recognizability and credibility among the population."

In this regard, on July 7, representatives of *Human Rights Defenders for Free Elections* wrote to the CEC asking the election authorities to remove the term of 'political quality' from para. 6 of the CEC's Decree No. 18 in the absence of official interpretation of this term in the law, which is of extremely controversial nature and promotes the practice of a biased and selective approach in the formation of election commissions on the basis of the nominees' political views. The human rights activists asked to amend the Decree before the start of the formation of the PECs.

The CEC said in its reply on July 12 that there were no reasons to adjust the said decision or remove the notion of 'political quality'.

3.1 Nomination of representatives to precinct election commissions

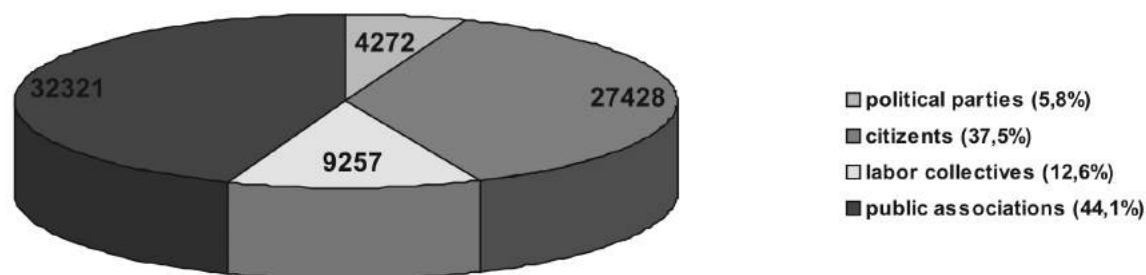
According to the Election Schedule, nomination of representatives to the precinct election commissions and submitting nomination documents were completed before July 24; the formation of PECs — before July 27. Within 7 days after the decision on the formation of the PECs, the bodies that formed them were expected to publish their decisions.

According to the Central Election Commission⁷, a total of 73,278 persons were nominated to 5,971 precinct election commissions, including through citizens' applications — 27,428 representatives (37.5%), from labor collectives — 9,257 (12.6%), political parties — 4,272 (5.8%) and other public associations — 32,321 representatives (44.1%).

As in previous elections, the greatest number of nominations was submitted by the pro-government associations: the Federation of Trade Unions of Belarus — 9,350 applicants (12.8%), *Belaya Rus* — 4,626 (6.3%), Belarusian Republican Youth Union (BRSM) — 4,066 (5%), Belarusian Union of Women — 4,344 (5.9%), and the Belarusian Public Association of Veterans — 3,160 nominations (4.3%). For example, in the Hrodna region, these entities nominated 91% of applicants from public associations, or 42.9% of the total number of nominated candidates. The activity of the pro-governmental organizations has increased as compared to earlier elections. Five of them nominated 34.5% of the total amount nominated to the PECs and 79% of the total amount sent by the public and other associations, respectively. In the current election campaign, the proportion of representatives of political parties and public organizations has increased from 47% (2012) to 49.9%.

⁷ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect10.pdf>

NUMBER OF NOMINATIONS TO PECs BY VARIOUS ENTITIES



According to information provided by the Viciebsk regional executive committee, other nominees were sent by the Belarusian Red Cross Society (342 representatives), the Belarusian Peace Foundation — 208, the Belarusian Union of Officers — 66, and the Belarusian Union of Soviet-Afghan War Veterans — 28 representatives. Four more representatives were delegated by unknown associations. Eight members were nominated by the opposition association *Local Government and Society*. Thus, at least 4,619 of the 4,631 nominees were put forward by the pro-government associations.

Ten political parties out of 15 registered nominated their representatives to the PECs. At the same time, pro-government political parties and public associations increased their activity. For example, the Republican Party of Labor and Justice nominated 1,141 applicants (in 2012 — 832).

Out of 4,272 representatives of the parties, 514 (12% of the total number nominated by the parties, or 0.7% of the total number of nominations) were delegated by the opposition parties.

Compared with the parliamentary campaign of 2012, the activity of the opposition parties slightly declined: in the 2012 elections, 664 candidates from five opposition parties accounted for about 0.8% of the total number of nominees. Approximately the same numbers were reported during the presidential campaign of 2015, when the opposition parties nominated 515 out of 3,877 applicants from all parties. According to the Central Election Commission, the Belarusian Party of the Left *Fair World* nominated 169 people, the Belarusian Social Democratic Party *Hramada* — 42, UCP — 223, and the BPF Party — 80 candidates.

All the entities who nominated their representatives to the PECs were generally provided with the opportunity to submit the necessary documents to the authorities responsible for the formation of commissions. However, observers reported a case when an employee of the executive committee prevented the documents from being submitted for consideration. Uladzimir Siakerka, head of the Homiel regional branch of the Party of the Left *Fair World*, said that several of the party members were not included in the local PECs due to the fact that their nomination documents were allegedly received late: a registered letter only arrived seven days after sending, when the formation of the election commissions had been over. This happened because an employee of the executive committee failed to pick up the letters from the post-office in due time. Therefore, none of the 24 candidates nominated by *Fair World* was included in the local PECs. The party filed an appeal with the court requesting to cancel the decision of the executive committee. However, the court rejected the appeal, saying that the executive committee could not be blamed for receiving the documents late.

3.2 Meetings of bodies in charge of forming the commissions

The meetings of the district and city executive committees, and in cities with district division — local administrations — were held on July 25-27 to form the precinct election commissions.

Observers and representatives of entities that nominated their candidates to the PECs did not encounter major obstacles to attending the meetings.

The meetings lasted for an average of 2 hours. However, in some cases, executive committees formed commissions in 55 minutes (the Smarhoń executive committee, the administration of the Kastychnicki district of Mahilioŭ), and in some cases the meetings lasted for 6-8 hours (the

Sluck district executive committee, the administration of the Lieninski district of Mahilioŭ, the administration of the Saviecki district of Minsk).

Most of the nominated representatives were selected as PEC members by the bodies that formed the commissions. At the majority of meetings, those present voted for a list of candidates, without discussing the nominations.

All the 426 candidates were included in the commissions at a meeting of the Smarhoń district executive committee. The following information was announced: number of the commission, name of each candidate nominated to the commission. No remarks were made. Then those present voted for the approval of the commission members. However, at the beginning the officials discussed the CEC's requirement to discuss each candidate separately. The speaker noted that such consideration would take a long time, so an earlier vote approved the above-described way of selecting election commissioners. After the vote, observer Aliaksandr Dzerhachou asked why many commissions included only representatives of the same organization headed by its manager, which deprived the commission of any independence. In response, an official said that it was not contrary to the law, while the independence of election commissions should be guaranteed by the integrity of the commissioners.

At a meeting that formed the precinct election commissions in Kryčaŭ district, the district executive committee chairman Vasil Sysoyeu told the audience that the Central Election Commission recommended to discuss each candidate to the precinct commission. However, citing the absence of alternative candidates and the harvest underway in the district, he proposed to vote on the composition of election commissions without any discussion. The proposal was supported by the officials. As a result, only the names of the PEC members were read out and the commissioners were approved by a single vote.

68 election commissions were formed at a meeting of the Kastryčnicki district administration of Mahilioŭ. In six of them, where the seats were contested by more than one candidate, a separate vote was held. The speaker read out the names, place of work, party membership (if applicable), type of nomination and previous experience of work on the commission. There was no discussion, and only those who used to work as election officials in previous elections were selected. Two representatives of the *Fair World* party were unanimously rejected without any explanation. The remaining commissions were approved without discussing or even announcing the names of the candidates.

About a quarter of the meetings included the discussion of a part of the nominees, including their business and political qualities, which was requested by the CEC's Decree No. 18 of 8 June 2016.

However, observers noted that the notion of 'business and political quality' was interpreted differently by various executive bodies that formed the PECs. In particular, the administration of the Frunzienski district of Minsk rejected all candidates who were unemployed. The Partyzanski district administration of Minsk said that the main criteria for inclusion in the commission were social and political activities, organizational skills, ability to work with people and to hear them. When reviewing the documents received in the administration of the Maskoŭski district of Minsk, head of the department for organizational and personnel work, Ms. Yurhelevich noted that commission members should work quickly rather than create debate clubs. The PECs in the Salihorsk-based election district No. 68 included only loyal persons, the vast majority of whom were members of the precinct election commissions in earlier elections.

Among valid criteria for PEC membership, representatives of executive committees also named corporate activity and support of the government's policy. These criteria have traditionally been the main cause of bans on admitting applicants nominated by the opposition parties. It should be noted that the term of 'political quality' mentioned in Decree No. 18, in most cases, was understood as support for the government's policy.

In Hrodna, a meeting of the Lieninski district administration, which lasted half an hour, formed 65 precinct commissions. None of the 21 nominated representatives of pro-democratic parties (16 representatives of the United Civil Party, 4 — the Belarusian Popular Front, and one member of the Belarusian Social Democratic Party) was selected to the commissions. 73 precinct election commissions were formed in the territory of the city's Kastryčnicki district. None of the representatives of democratic parties was included in the commissions. Meanwhile, the democratic forces had nominated 10 people: 7 — from the United Civil Party, 2 — from *Fair World*, and 1 — from the Belarusian Social Democratic Party. It was stated that the nomination documents from these parties were not properly submitted. Both meetings only announced the names of persons recommended by the district administration, after which there was a vote for the composition of certain commissions. The key selection criteria were as follows: experience of work on the commissions

during previous election campaigns, communication skills, membership in major organizations and active participation in public life.

The personal info of each candidate was announced at a meeting of the Maladziečna district executive committee. If the number of candidates matched the approved composition of the commission, there was a vote for a list of candidates. And where there was a contest, each nominee was considered and put on a vote. Key characteristics included 'ideologically literate', 'with active citizenship' etc. Young persons were generally rejected. An exception was a local representative of the Belarusian Christian Democracy Mikhail Martsinkevich, whose nomination received opposing remarks. As a result, however, Martsinkevich was not included in the precinct commission.

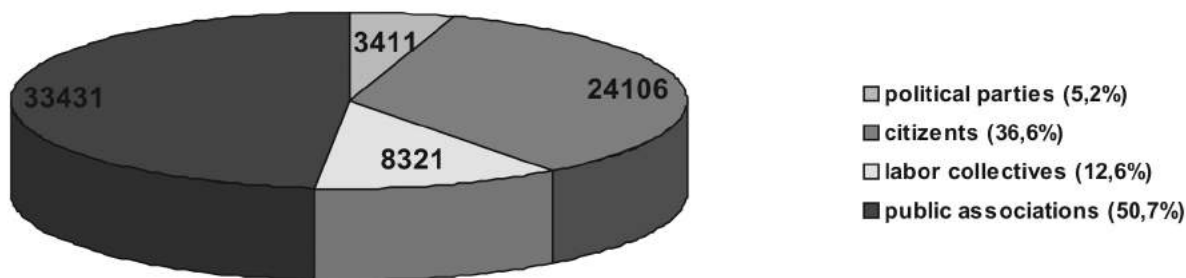
In some cases, applicants were summoned for an interview to the bodies in charge of forming the commissions. In particular, the administration of the Centralny district of Minsk interviewed a member of the United Civil Party, former deputy of the Soviet Union's Supreme Soviet and the Supreme Soviet of the Republic of Belarus Aliaksandr Dabravolski. During the interview, administration officials tested the politician's knowledge of the rules of the Electoral Code. It is unknown, however, if similar tests were conducted for the candidates nominated from the pro-governmental public organizations, political parties, or representatives of labor collectives.

Prior to the formation of the PECs, the CEC head Lidziya Yarmoshyna stressed that no formal approaches should be applied to the formation of the PECs. According to her, if there is no competition for the commission seats, each candidate should receive a brief description, then the list of candidates should be put on a vote. In case a seat is contested by more than one candidate, both brief description and a separate vote for each candidate should be provided. However, as evidenced by the campaign's observers, the formation of the PECs was not always based on the approach voiced by the CEC chairperson.

3.3 Composition of formed commissions

A total of 5,971 PECs were formed, which included 65,856 commissioners. Thus, 89.8% of the total number of applicants (73,293)⁸ were selected as commission members.

REPRESENTATIVES IN THE PECs BY TYPE OF NOMINATION



The highest representation rate (89% of the total number) was demonstrated by the candidates from the seven pro-government parties. Out of 3,773 persons nominated by the pro-government parties, 3,358 persons were included in the PECs.

A traditionally high representation in the PECs was claimed by representatives of the five largest pro-government associations. The representation of *Belaya Rus*, the Belarusian Republican Youth Union, the Federation of Trade Unions, the Belarusian Union of Women and the Belarusian Public Association of Veterans was significantly above average: out of 27,080 representatives nominated by them, 25,546 people (94 %) were included in the PECs.

The formation of the PECs was accompanied by an obvious discriminatory approach of executive committees towards representatives of the opposition parties: only 53 people (10.3% of the total number of opposition nominees) were included in the PECs out of 514 proposed candidates. As a result, the opposition parties were represented in the PECs by as few as 53 people or 0.08% of

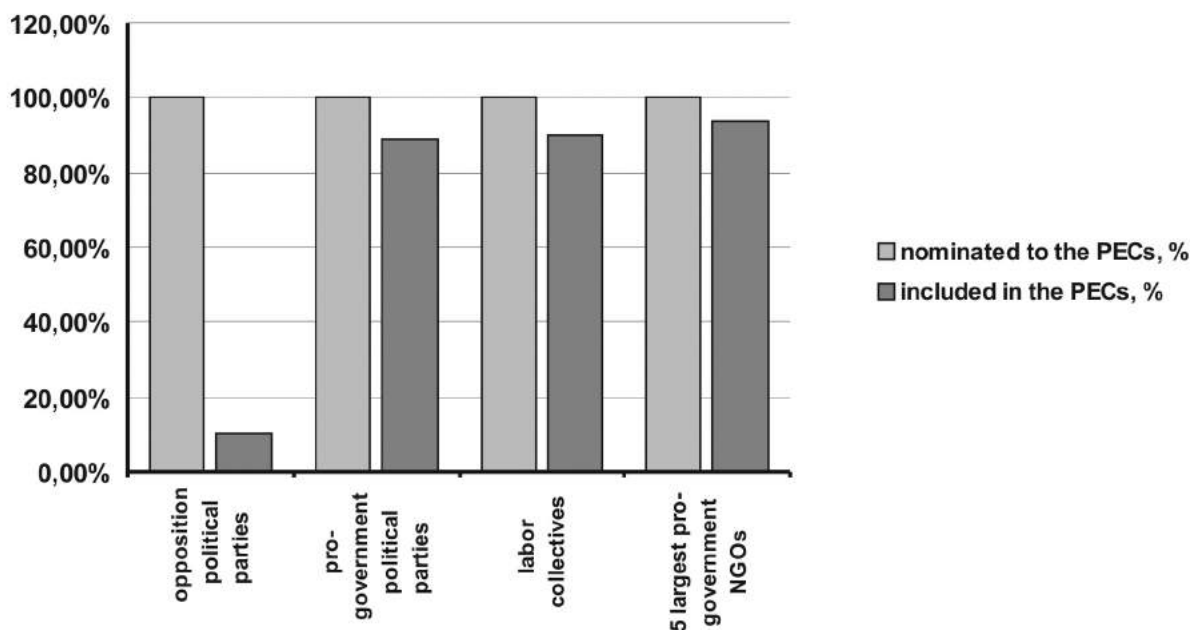
⁸ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect11.pdf>

the total composition, which is less than in the parliamentary elections of 2012 (61 people or 0.1% of the total composition of the PECs) and approximately equal to the number of members of the opposition on the PECs in the 2008 parliamentary elections (48 or 0.07%).

Thus, as in previous election campaigns, the main organizers of the elections in the country were representatives of the five largest pro-government organizations: *Belaya Rus*, the Belarusian Republican Youth Union, the Federation of Trade Unions, the Belarusian Union of Women and the Belarusian Public Association of Veterans. These organizations had 25,546 of their members on the PECs, which was 38.7% of the total number of PEC members.

24,106 persons were included in the PECs through submitting applications by the citizens, which was 36.6% of the total number of PEC members. For comparison, the percentage of representatives of all political parties in the composition of the PECs was only 5.2%.

BALANCE BETWEEN NOMINATED AND INCLUDED CANDIDATES FROM VARIOUS ENTITIES



The results of the formation of the PECs showed that the absence of legislatively fixed criteria for candidates to election commissions still entailed a highly partial approach to the personal composition of these commissions; the CEC's Decree No. 18 failed to contribute to greater political pluralism: as in the earlier elections, the formation of the PECs was based on a bias in favor of representatives of the pro-government political parties and public associations.

An analysis of the personal composition of the PECs, where it was possible, found the same trend, which was reported during the formation of the TECs and DEC: in order to fulfill the requirements of the Electoral Code on the limitation by one third of the number of civil servants on the commissions, and in order to simulate the 'broad public representation', a significant part of civil servants were nominated to the precinct commissions by public associations and through the collection of signatures. This explains the reluctance to report the workplace of PEC members: only the names of the commissioners and information on the process of nomination were published in the local press and on the websites of city and district executive committees. This information was not published also because each commission in the vast majority of cases included employees of the same organization.

Another strong trend was that the vast majority of individuals who were included in the PECs used to work as election officials in earlier elections.

In order to confirm these findings, we cite data on the composition of the six precinct election commissions in Baranavičy: three PECs in electoral district No. 5 and three PECs in electoral district No. 6. A comparative analysis was made by observer Siarhei Housha (inaccuracies in possible positions are within 1%).

**Comparative composition of PECs:
Parliamentary elections (2016) — Presidential election (2015) —
Presidential election (2010)**

***Baranavičy electoral district No. 5, polling station No. 19 (No. 47 — in 2015).
Secondary school No. 16***

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Viachaslau Dziauho	Employees of secondary school No. 16	School No. 16	Principal (PEC chairperson)	Yes	No
2.	Sviatlana Abramchyk	Belaya Rus	School No. 16	Psychologist (PEC Secretary)	Yes	Yes
3.	Alena Askaldovich	Peace Foundation	School No. 16	teacher	Yes	Yes
4.	Iryna Valasevich	Collection of signatures	School No. 16	Headteacher (PEC deputy chairperson)	Yes	No
5.	Siarhei Varabei	Collection of signatures	School No. 16	teacher	Yes	Yes
6.	Natallia Karabanava	BRSM	School No. 16	teacher	Yes	No
7.	Natallia Shved	Collection of signatures	School No. 16	teacher	Yes	Yes
8.	Sviatlana Kazhamiakina	Collection of signatures	School No. 16	teacher	Yes	Yes
9.	Sviatlana Kiryk	Collection of signatures	School No. 16	teacher	Yes	No
10.	Sviatlana Lahvinenka	Red Cross	School No. 16	teacher	No	Yes
11.	Tamara Nikanovich	Trade union of secondary school No. 16	School No. 16	teacher	No	Yes
12.	Iryna Alesik	Collection of signatures	School No. 16	teacher	Yes	No

Baranavičy electoral district No. 5, polling station No. 6. Lyceum No. 1

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Aliaksei Bychkouski	Employees of Lyceum No. 1	Lyceum No. 1	Principal (PEC chairperson)	Yes	Yes
2.	Volha Kozich	Collection of signatures	Lyceum No. 1	Headteacher (PEC deputy chairperson)	Yes	Yes
3.	Sviatlana Hrytsevich	Belaya Rus	Lyceum No. 1	teacher (PEC Secretary)	Yes	Yes
4.	Raisa Danzhurava	Collection of signatures	Lyceum No. 1	teacher	Yes	No
5.	Ala Dolmat	Collection of signatures	Lyceum No. 1	teacher	Yes	No
6.	Henadz Kahitsin	Red Cross	Lyceum No. 1	teacher	Yes	Yes
7.	Tatsiana Kadzevich	Red Cross	Lyceum No. 1	teacher	Yes	Yes
8.	Siarhei Kardash	Collection of signatures	Lyceum No. 1	teacher	Yes	No
9.	Maryna Lisina	Women's Union	Lyceum No. 1	teacher	Yes	Yes
10.	Aliona Mishkevich	Collection of signatures	Lyceum No. 1	laboratory assistant	Yes	Yes
11.	Sviatlana Razantsava	Trade union of employees in the sphere of science and education	Lyceum No. 1	teacher	Yes	Yes
12.	Volha Stromskaya	Collection of signatures	Lyceum No. 1	teacher	Yes	No
13.	Aliaksandr Shastak	BRSM	Lyceum No. 1	teacher	No	No

**Baranavičy electoral district No. 5, polling station No. 20 (No. 48 — in 2015).
Baranavičy Automobile Units Plant**

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Vital Yurkevich	Trade union of Automobile Units Plant (AUP)	AUP	Plant manager (PEC chairperson)	Yes	Yes
2.	Aliaksandr Parfiankou	AUP employees	AUP	Trade union leader (PEC deputy chairperson)	Yes	Yes
3.	Inha Krytskaya	Women's Union	AUP	technician	Yes	Yes
4.	Vital Vinnichak	Belaya Rus	AUP	Plant manager assistant	Yes	Yes
5.	Aliaksandr Zhykh	AUP employees	AUP	Head of external cooperation department	Yes	No
6.	Volha Kustsinskaya	AUP employees	AUP	engineer	Yes	No
7.	Sviatlana Misiun	AUP employees	AUP	accountant	Yes	No
8.	Sviatlana Petrushkevich	AUP employees	AUP	accountant	Yes	No
9.	Liliya Salikhava	AUP employees	AUP	accountant	Yes	Yes
10.	Aliaksandr Sevast'yanchyk	AUP employees	AUP	security officer	Yes	No
11.	Valiantsina Ushakova	Veterans' Union	AUP	technician	Yes	Yes
12.	Aliaksandr Shalamitski	AUP employees	AUP	engineer	No	No

**Baranavičy electoral district No. 6, polling station No. 14 (No. 26 — in 2015).
Secondary school No. 20**

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Mikhail Mishyn	Employees of secondary school No. 20	school No. 20	Principal (PEC chairperson)	Yes	Yes
2.	Aliona Kudruk	Belaya Rus	school No. 20	Deputy principal (PEC deputy chairperson)	Yes	Yes
3.	Zoya Hulko	Veterans' Union	school No. 20	teacher	Yes	Yes
4.	Sviatlana Danilovich	Collection of signatures	school No. 20	teacher	Yes	Yes
5.	Ala Daryina	Women's Union	school No. 20	teacher	Yes	Yes
6.	Iryna Dzekhtsiar	Collection of signatures	school No. 20	teacher	Yes	No
7.	Ala Korshun	Collection of signatures	school No. 20	teacher	Yes	Yes
8.	Ihar Kudruk	Collection of signatures	school No. 20	teacher	Yes	Yes
9.	Aliona Mazol	Red Cross	school No. 20	teacher	Yes	Yes
10.	Sviatlana Urbanovich	Collection of signatures	school No. 20	teacher	Yes	Yes
11.	Natallia Tsaryk	Trade union of school No. 20	school No. 20	teacher	Yes	No
12.	Tatsiana Bukrei	Collection of signatures	school No. 20	teacher	Yes	ne
13.	Vasil Shpak	Collection of signatures	school No. 20	technician	Yes	Yes

**Baranavičy electoral district No. 6, polling station No. 28 (No. 40 — in 2015).
Zonal Center for Hygiene and Epidemiology**

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Siarhei Pleskatsevich	Employees of Hygiene and Epidemiology Center (HEC)	HEC	manager (PEC chairperson)	Yes	Yes
2.	Mikalai Syrytsa	HEC employees	HEC	Deputy manager (PEC deputy chairperson)	Yes	No
3.	Natallia Zhyhadla	HEC employees	HEC	technician	Yes	Yes
4.	Tatsiana Kaliukha	HEC employees	HEC	laboratory assisstant	Yes	No
5.	Zhanna Maslava	Red Cross	HEC	Secretary to head physician	Yes	Yes
6.	Anatol Rubets	Belaya Rus	HEC	Department head	Yes	No
7.	Sviatlana Sauchyuk	Collection of signatures	HEC	Statistician	Yes	Yes
8.	Maryna Shpakava	HEC employees	HEC	Assistant to physician	Yes	Yes
9.	Natallia Bokach	Collection of signatures	HEC	technician	No	No
10.	Darya Dzerman	BRSM	HEC	technician	No	No
11.	Siarhei Petrashevich	HEC trade union	HEC	technician	No	No
12.	Natallia Usiukevich	HEC employees	HEC	technician	No	No

Baranavičy electoral district No. 6, polling station No. 12 (No. 24 — in 2015).

Secondary school No. 17

No.	Name	Nominated by	Place of employment	Position	Was on the election commission in 2015?	Was on the election commission in 2010?
1.	Aliona Marozava	Employees of secondary school No. 17	school No. 17	Principal (PEC chairperson)	Yes	Yes
2.	Siarhei Shoda	Collection of signatures	school No. 17	Deputy principal	Yes	Yes
3.	Halina Karpava	Trade union of employees in the sphere of science and education	school No. 17	Laboratory assistant	Yes	Yes
4.	Anton Valynets	Collection of signatures	school No. 17	teacher	Yes	No
5.	Siarhei Dziamyianau	Collection of signatures	school No. 17	teacher	Yes	Yes
6.	Volha Barbarych	Belaya Rus	school No. 17	Deputy principal	Yes	No
7.	Sviatlana Liukhta	Women's Union	school No. 17	teacher	Yes	No
8.	Vital Lukashevich	Collection of signatures	school No. 17	teacher	Yes	Yes
9.	Natallia Morkhat	Peace Foundation	school No. 17	teacher	Yes	Yes
10.	Tatsiana Novik	Collection of signatures	school No. 17	teacher	Yes	Yes
11.	Zhanna Rohatsen	Collection of signatures	school No. 17	teacher	Yes	No
12.	Viktar Sabaleuski	Collection of signatures	school No. 17	teacher	Yes	Yes
13.	Sviatlana Shkurko	Red Cross	school No. 17	teacher	Yes	Yes

As a result of the formation of the PECs, it can be concluded that, despite some changes in the process of their formation, the outcome was not affected. Both from the point of view of national law and formally, the PECs were formed without major violations, yet they cannot be viewed as impartial and independent election management bodies.

NOMINATION AND REGISTRATION OF CANDIDATES

In accordance with the Electoral Code and the Election Schedule, the nomination of candidates for deputies of the House of Representatives starts 70 days before and ends 40 days before Election Day (from July 3 to August 1 inclusive); the registration of candidates begins 40 days before and ends 30 days before Election Day (from 2 to 11 August).

1. Legal regulation

In order to be registered as a candidate, the applicant shall submit to the corresponding DEC a set of documents specified in Art. 66 of the Electoral Code, including a statement of consent to run in the elections, biographical data, copies of documents confirming the information on education and place of employment, income and property statement.

In accordance with the amendments to the Electoral Code, as amended in 2013, the applicant should also submit information on previous convictions. When nominating a candidate through the collection of signatures, signature sheets should also be submitted to the DEC. According to the 2013 amendments, the registration documents can be submitted both by the potential candidate and his or her representative on the basis of power of attorney.

Following a verification of submitted documents and authenticity of signatures, the DEC shall decide on the registration of candidates and issue corresponding certificates within two days after the registration of candidates.

In 2013, the Electoral Code was supplemented by Art. 68-1, which provided for the cases when the DEC is obliged and when they have the right to refuse to register a candidate.

The DEC shall refuse to register a candidate in the event of: non-conformity of the person nominated as the candidate to the requirements of this Code; failure to notify of or the presence of an unexpunged conviction of the person nominated as a candidate; non-compliance with the requirements of the Code for the nomination of a candidate; failure to submit one or more documents necessary for the registration of the candidate; insufficient number of authentic voters' signatures collected in support of the nomination as a candidate; use in the interests of election of monetary means or other material assistance of foreign countries and organizations, foreign citizens and stateless persons, international organizations, organizations the founders (participants, owners of property) of which are foreign states, foreign organizations, international organizations, foreign citizens and stateless persons; presence of more than 15 percent of inauthentic signatures of the total number of verified signatures of voters in the signature lists on nomination of the candidate for deputy; in other cases of non-compliance of the order of nomination with the requirements of this Code.

The DEC may refuse to register a candidate in the event of: submission of the data having essential nature, which do not correspond to reality, in the declaration on incomes and property of the person nominated as a candidate; using advantages of an official position in the interests of election; participation of the administration of an organization in gathering signatures, coercion in the course of gathering signatures and rewarding voters for putting their signatures; repeated violation by the person nominated as the candidate or an initiative group of the requirements of the Code or other acts of legislation of the Republic of Belarus on elections, if they had been previously issued a warning.

The amendments of 2013 also affected the procedure for appealing against decisions to refuse registration of a candidate. The DEC's decisions to refuse registration shall be appealed to the superior election commission, and its decision — to the Regional (Minsk city) Court (earlier, the decision of the DEC was appealed to the Central Election Commission, and its decision — to the Supreme Court).

2. Registration of nomination groups

According to Article 65 of the Electoral Code, one of the possible ways of nominating a candidate for Parliament is the collection of signatures, which is carried out by the nomination group of at least 10 people.

2.1 Legal framework

For the registration of the nomination group, the nominated person shall submit not later than 65 days before Election Day to the corresponding district election commission a written application for registration of the nomination group, copies of passport pages proving Belarusian citizenship and registration on the territory of the Republic of Belarus, as well as the list of members of the nomination group.

The district election commission shall consider the application within five days from the date of its receipt, register the nomination group and issue its members certificates and signature sheets for the collection of signatures in support of the person proposed for nomination as a candidate for Parliament. Registration can be denied in case of violation of the requirements of the Electoral Code.

The district election commission's decision to refuse registration of the nomination group may be appealed by the nominated person to the territorial election commission within three days from the date of its adoption. The territorial election commission's decision may be appealed to the Regional (Minsk City) Court within three days after its adoption. The court shall consider the complaint within three days, its decision is final.

2.2 Procedures for the registration of nomination groups

The process of registration of nomination groups (initiative groups) of candidates for the House of Representatives was more democratic than that during the previous election campaign. However, there were separate cases of malfunctioning by election officials when receiving registration documents and certain hindrance to activities by the members of opposition candidates' nomination groups.

In the first days of work by the election commissions, observers of the campaign *Human Rights Defenders For Free Elections* documented individual cases of absence of the commissioners at their workplace during working hours, which prevented several candidates from submitting their applications. On June 29, Tatsiana Malashchanka, a contender in Baranavičy, was not initially able to submit her application to district election commission No. 5.

A similar situation occurred on June 30 in the Škloŭ-based district election commission No. 90. Piotr Shymbaliou, an activist of *Tell the Truth* from Bialyničy, managed to apply only after a long search for the commission members in the offices of the local executive committee. The commission chairman Aliaksandr Hurynau said that the problem was due to certain difficulties typical of the first days of work, despite the fact that the first meeting of the DEC was held the day before.

Henadz Nazaranka, a member of the Slonim-based district election commission No. 58, refused to accept documents for the registration of the nomination group of Ivan Sheha. The official argued that part of the members of the candidate's nomination group resided outside the Slonim district, which allegedly did not meet the requirements of the law. Ivan Sheha asked Henadz Nazaranka to clarify the controversial question with the commission chairperson Alena Machalina. Ms. Machalina said that Sheha was right and ordered Nazaranka to receive the registration documents. However, Nazaranka said that the passports of every member of the nomination group should be produced when receiving the documents. Ivan Sheha again said that the official was incompetent. It was only after this that the registration documents were received.

Ales Mekh, a Kobryn-based member of the organizing committee of the Independence Movement, was only able to submit his registration documents after the second attempt. The candidate could not initially get through to the district commission. Hanna Brynchuk, an employee of the district executive committee's organizational department, told him that the meeting that was expected to consider the registration of his nomination group was scheduled for July 5. The following day it became known that the documents had been verified with the passport office. It was only on July 5 that the election commission received an answer saying that all the members of the nomination group were citizens of Belarus.

Similarly, the documents were submitted in the Sluck DEC No. 67 by Alina Nahornaya: the commission members arrived to receive the documents only after the contender's phone call to the CEC.

There is evidence of pressure exerted on members of some nomination groups. Maryna Khomich, a contender of the BCD party in the Minsk-based constituency No. 104 (chaired by Zinaida Zhaholkina), said that an unnamed representative of the commission phoned each of the 39 members of her nomination group and questioned the seriousness of their intent to participate in the collection of signatures.

Supporters of contender Leanid Dubanosau faced intimidation in the town of Luniniec, Brest region: two young people were urgently summoned to the military enlistment office, a woman was threatened with deprivation of parental rights, eventually forcing her to leave the nomination group.

Yury Liashenka, an opposition activist in Svietlahorsk, said that after the registration of his nomination group he received a claim for eviction from the house for temporary accommodation. He regards it as pressure in connection with his involvement in the elections.

District election commission No. 105 (chaired by Mikalai Bury) refused to register the nomination group of a UCP member Mikalai Kazlou after certain errors were found in the list of the nomination group. Mikalai Kazlou appealed the decision to the Minsk city election commission. As a result, the commission ruled to cancel the initial ruling of the DEC and authorized the registration of his nomination group, excluding from the group several members with ‘incorrect data.’

The same DEC refused to register the nomination group of former presidential candidate Mikalai Statkevich. The formal reason for the denial was the contender’s unexpunged conviction. The commission’s decision refers to Part 7, Art. 60 of the Electoral Code, which prohibits this type of persons to run in the elections. At the same time, the EU demanded the rehabilitation of former political prisoners after their release, including the restoration of their right to run in the elections.

Uladzimir Ushakou, a Kryčaŭ-based member of the Communist Party of Belarus, was not allowed to register his nomination group. Ushakou argues that the district commission first allowed him to submit a handwritten list of members and later, shortly before the end of the registration period, the commission deputy chairman and simultaneously head of the district executive committee’s organizational and personnel department Mikhail Miashkura asked him to provide a printed list. The official also reportedly phoned members of the nomination group and threatened them, saying that they were elderly people and would not be able to collect signatures. Uladzimir Ushakou says that the official put pressure on some members of his nomination group in order to force them to leave the group. According to Ushakou, the refusal to register his nomination group was due to the fact that the district commission was instructed to reduce the number of candidates running in district No. 83, which was aimed at minimizing competition to Chairperson of the District Council of Deputies Tatsiana Marachkava, who was running in the district.

2.3 Results of registration of nomination groups

According to the CEC, a total of 479 applications were submitted to the district election commissions, 3 applications were withdrawn⁹.

446 nomination groups were registered, 30 groups were denied registration, which was 6.2 % of the total number. The largest number of denials was reported in Minsk: 25 groups out of 139 applications, or 18%.

Year	Number of nominations	Number of denials	Number of registered groups	Percentage of denials
2008	455	23	423	5%
2012	440	85	354	19.3 %
2016	479	30	446	6.2%

The number of denials of registration corresponded to the figures documented during earlier elections. The high percentage of denials of registration during the 2012 parliamentary elections was due to the fact that the nomination groups of Mikalai Statkevich and Ales Mikhalevich applied for registration to several DEC’s at a time, which is prohibited by the law.

Of the total number of persons whose nomination groups were registered, there were 160 (33%) party members. The largest number of registered nomination groups belonged to representatives of the United Civil Party: 39 (24% of the total number of party members nominated by collecting signatures), with the Belarusian Left Party *Fair World* having 23 registered groups (14%), the BPF Party 29 (18%) — registered nomination groups and of the Belarusian Social Democratic party *Hramada* — 16 (10%).

⁹ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect5.pdf>

3. Collection of signatures

According to the Electoral Code and the Election Schedule, the collection of signatures for the nomination of candidates was carried out from the moment of registration of the nomination groups till 1 August 2016 inclusive.

3.1 Legal framework

According to Article 65 of the Electoral Code, a person to be nominated as a candidate is to get support of at least 1,000 voters residing in the district.

Article 61 of the Code says that the signature sheet shall indicate the voter's name, date of birth, place of residence, series and number of the passport of the citizen of the Republic of Belarus or details of a document to be determined by the Central Election Commission. The data about the voter is to be handwritten on the signature sheet. The voter puts, by his or her own hand, the date of signing and his or her signature. The signatures shall be enumerated.

Participation of administration of an organization in gathering signatures as well as coercion during the gathering of signatures and rewarding of voters for putting their signatures is not allowed. Violation of these requirements may be the basis for rejection to register or revocation of the decision about registration of the candidate.

Gathering of signatures may be carried out in the form of picketing. Acquisition of permission for picketing for the mentioned purposes is not required if it is held in places not prohibited by local executive and administrative bodies.

The signature sheet shall be verified by a member of the nomination group who has gathered the signatures. When verifying the signature sheet, the member of the nomination group shall put his or her signature and the date, as well as indicate his or her name and initials.

3.2 Designation of unauthorized locations for the collection of signatures

As part of the preparation for the collection of signatures, local authorities decided on the places where it was prohibited to hold signature-collecting pickets. In accordance with the Election Schedule, the procedure was completed by June 27.

The general trend shows that in many cities the number of banned locations was reduced in comparison with previous elections. In numerous territories, campaigners were allowed to collect signatures on the territory of educational institutions, medical facilities, cultural and sports facilities, social services, and religious institutions.

For example, unlike the parliamentary elections of 2012, the Hrodna officials allowed signature-collecting in the territory of organizations that ensure the country's defense capability, state security and livelihoods of the population (public transport, enterprises of water, heat and electricity supply, etc.). They also removed an extremely imprecise wording of the "places posing danger to life and health of citizens, impeding the work of enterprises, institutions, organizations and traffic."

A similar situation was reported in Mahilioŭ: the city executive committee lifted a ban on picketing on the territory of sports facilities, social services, at a distance of less than 50 meters from the enterprises employing more than 300 people, at a distance less than 200 meters away from buildings and agencies housing editorial offices of television and radio stations.

In Salihorsk, the officials first introduced, but later reduced the list of banned locations: in particular, they lifted a ban on the collection of signatures near the monuments of architecture, history and culture. The new rules did not mention the absurd ban on the collection of signatures at pedestrian crossings, introducing instead a more precise definition of railway and road transport facilities. The decision took into account criticism of local activists, who pointed to the lack of a clear list of particular organizations, which previously created the risk of conflict in the collection of signatures by the candidates' nomination groups.

In Maladziečna, the list of prohibited areas no longer featured facilities of public transportation, enterprises of water, heat and electricity supply, as well as health care and education institutions.

The Sluck authorities allowed to collect signatures near the buildings of rural executive committees, preserving the ban on collecting signatures near the central district hospital.

In Vaŭkavysk district, pickets could be carried everywhere, even next to the buildings of the executive and administrative authorities, on the territory of educational and medical institutions, as well as at train stations, which was not allowed in other district centers of the Hrodna region. In Vaŭkavysk pickets could not be staged only on the pedestrian bridge over the railway, and at several

overpasses, as these locations were considered dangerous to human life and health.

In the Viciebsk region, conditions for collecting signatures were unequal in different districts. For example, the websites of the Dokšycy, Biešankovičy, Čašniki and Polack district executive committees said that the only restriction on the pickets was a distance of 20 meters from the buildings of executive committee, courts, prosecutor's offices and police departments. In Pastavy, Haradok and Liepieĺ districts, signature collectors could not also approach military offices, district departments of emergency situations, security departments, educational institutions and kindergartens, enterprises of water, heat and power supply, healthcare organizations (in Liepieĺ district), hospitals and the territory of a military unit (Haradok district). In Šarkauščyna district, collectors of signatures were not able to arrange pickets closer than 20 meters from the above administrative buildings. In addition, the collection of signatures was forbidden in the territory of the central park adjacent to the Lenin Square. In Talačyn and Orša districts, local executive committees decided that the buildings of executive and administrative bodies, courts, prosecutor's offices, military offices, emergency departments could not be approached at a distance of more than 50 meters. In Talačyn district, the list of objects that can be approached at the distance was supplemented by the 'facilities of railway and road transport', 'train and bus stations', as well as 'the territories of organizations and enterprises'. The most favorable conditions for the collection of signatures were provided in Miory. According to a decision by the district executive committee, pickets for the collection of signatures could not be carried out only on the territory of educational institutions and health care organizations.

In Minsk, as compared to the last parliamentary elections (2012), the restrictive list was supplemented with several new objects. In particular, pickets could not be staged in underground pedestrian crossings, on the territory of Yakub Kolas Square, and State Flag Square. However, this time the list of banned sites did not include the territory of organizations providing the livelihoods of population (public transport, enterprises of water, heat and power supply, pre-school and secondary education institutions, health care organizations). There were no restrictions on the pickets and the distance from the territories of nuclear facilities, facilities for the production or storage of radioactive substances and materials, nuclear waste, as well as buildings and structures housing editorial boards of television and radio stations.

However, in a large number of cities the conditions did not change for the better. The authorities of numerous cities and towns prohibited signature-collecting in the central squares (Babrujsk, Salihorsk, Sluck, Maladziečna, Minsk, and others).

In some districts, e.g. in Bialyničy, the list of prohibited locations was based on earlier decisions taken during the presidential election of 2015.

In Babrujsk, the officials expanded the list of places for picketing. For example, back in 2012, the ban covered areas adjacent to media outlets, businesses of water supply, nursery schools, general secondary education institutions, health care organizations. At the same time, the list included the only underground pedestrian crossing (outside the city's largest industrial enterprise, JSC *Belshina*). The picketers were also prohibited to approach (at a distance of less than 50 meters) the objects of railway and road transport (railway stations, bus stations, platforms), buildings of representative, executive and administrative bodies, courts, prosecutor's offices, military units.

According to the decisions of Hlusk, Drybin, Kličaŭ, Kasciukovičy and Čerykaŭ district executive committees, it was prohibited to collect signatures on the territory of educational, culture, health care, physical culture and sports facilities; in the territories of railway and bus stations; at a distance of less than 50 meters from the buildings of local representative, executive and administrative bodies and their departments, prosecutor's offices, courts, territories of organizations securing the country's defense, state security and livelihoods of the population. The Drybin executive committee additionally prohibited collecting signatures inside facilities of trade and consumer services. The Kličaŭ executive committee banned pickets in the central part of the town and in the premises of shops and catering enterprises of all forms of ownership.

It should be noted that in many parts of the country decisions of local executive bodies on prohibited locations were eventually amended to expand the number of allowed places. This happened, for example, in Mahilioŭ, Drybin, Bialyničy, Sluck, Salihorsk districts etc.

3.3 Conditions for the collection of signatures

Nominations groups collected signatures at street pickets and through door-to-door campaigning. Pro-democratic nominees chose to picket in the streets, as this was the only opportunity to express themselves in the absence of access to the state-owned media.

The collecting of signatures was marred by cases of unequal conditions for the candidates' nomination groups depending on their loyalty to the authorities.

3.3.1 Abuse of administrative resources

There were cases of abusing administrative resources when campaigning for the nomination of separate candidates. However, there were no large-scale violations, as compared to earlier elections.

In Svietlahorsk, the managers of local government-owned enterprises advised their employees to put their signatures in support of Halina Filipovich, current member of the House of Representatives for constituency No. 46, head of the regional branch of the Belarusian Union of Women, and to ignore the other contenders. Signatures for Mrs. Filipovich were collected at JSC *Svietlahorsk Pulp and Paper Factory*, JSC *Svietlahorskchimvalakno*, and JSC *Svietlahorsk Plant of Reinforced Concrete Structures*.

In Sluck, employees of the housing maintenance and utilities board documented cases of forced collection of signatures for the nomination of Valiantsina Razhanets, editor of the *Slucki Kraj* newspaper.

In Maladziečna, administrative resources were used by the nomination group of Liudmila Kananovich, deputy chair for social issues and ideology of the district executive committee: signatures were collected during working hours at the public sector enterprises.

In Orša, teachers were recalled from annual leaves and sent to collect signatures in support of the current member of the House of Representatives for electoral district No. 26 Liudmila Dabrynina.

The same situation was documented in Hrodna: teachers collected signatures in support of Liliya Kirak, headteacher of secondary school No. 13, running in electoral district No. 51.

A visitor to a clinic in Polack was offered to sign for the nomination of Natallia Huivik, incumbent member of the House of Representatives for electoral district No. 28. During the incident at the doctor's office, a nurse assisted in illegal canvassing by filling in the signature sheets. After the patient complained to the CEC, a response said that no violations of the electoral legislation was registered: a member of the nomination group went to work in her spare time, while the buildings of medical institutions are not on the list of places where collecting signatures was forbidden.

On July 6, an employee of the Navapolack Thermal Power Station collected signatures in support of Vadzim Dzeviatouski during working hours. Part of the signature sheets specified her as the signature collector, while some of the papers said it was her immediate supervisor, head of the personnel department. Each of the members of the pro-regime candidates' nomination group at the plant received instructions on the number of signatures to be collected for his nomination.

In Vierchniadzvin'sk, the nomination group of a pro-governmental candidate included people working at major enterprises. 120 persons were collecting signatures for the nomination of Andrei Yunitsyn, head of a local telecom center. As a result, each member was tasked to collect only 10 signatures at their workplace.

Administrative resources were abused when collecting signatures in support of Tatsiana Marachkova, chair of the Kryčaŭ District Council of Deputies and member of the pro-government Communist Party of Belarus, who was running in electoral district No. 83. The managers of JSC *Kryčaŭcementašyfier* were involved in the process during their working hours.

Signatures were collected in support of Mikalai Rasokha, member the House of Representatives, in the pre-school institutions and enterprises of Mazyr. The employees of the Rečyca-based district consumers' society and JSC *Rečyca Textile* were forced to sign for a pro-regime candidate, Deputy Chairman of the Homieĺ regional executive committee Baliaslau Pirshtuk.

3.3.2 Obstacles during the collection of signatures

There were no significant obstacles in the collection of signatures on the part of the authorities, except in the cases of campaigning on the premises of dormitories, where signature collectors reported acts of aggression by the voters.

On July 6, employees of the Belarusian Medical University's dormitory in Dziarzhynski Avenue in Minsk prohibited contender Pavel Stefanovich and a member of his nomination group Dzmitry Kavalhin to collect signatures on the premises. Police officers offered Stefanovich and Kavalhin to come to the police station to clarify the circumstances. After an interview that lasted for about three hours, they were released.

During an incident in Homieĺ, supervisor of a dormitory owned by the *Centralnaje* enterprise did not allow the nomination group of Yury Hlushkou (electoral district No. 33) to collect signatures on

the premises. After a phone call to the DEC, the company's deputy director arrived at the dormitory to settle the conflict.

The election commissions of Minsk received complaints about the excessive activity of separate nomination groups who were collecting signatures in the dormitories owned by local state-run enterprises. In this regard, chairman of the Minsk City Election Commission, Siarhei Khilman, said at a meeting of the commission that members of nomination groups had to abide by the rules of visiting dormitories. An order was issued, which allowed collecting signatures only in the halls of the first floors, as well as near the buildings of local dormitories.

Uladzimir Katsora, a candidate in the Homiel'-based electoral district No. 32, said that members of his nomination group were under psychological pressure: on a number of occasions, unknown persons photographed the activists from a vehicle; he also said that at one of the pickets the police forced the campaigners to remove a white-red-white flag.

In a series of incidents in Viciebsk and Baranavičy, the security staff of enterprises and outlets called the police in order to prevent the collection of signatures. However, the police did not interfere with the collection of signatures, since the locations were authorized by the local authorities.

In particular, on July 13 in Baranavičy members of the nomination group of Tatsiana Malashchanka staged a picket near the Karona store. However, the store's security chief requested that the picketers leave the territory. After the picketers said that they did not need a permit, as they were entitled to collect signatures at the location, the security chief called the police, who, however, allowed the nomination group to resume the picket. A similar situation occurred in Babrujsk during the collection of signatures by members of the nomination group of Aleh Zhalnou.

3.3.3 Warnings and other penalties

The Minsk-based district electoral district commission No. 107 issued a warning to a UCP representative, Volha Mayorava, on the grounds of allegedly being engaged in prohibited election campaigning at the stage of collecting signatures. The district election commission said that a voter had found a party leaflet in his mailbox. However, the leaflet did not mention the election campaign, telling, instead, about the results of a party conference, which elected new leaders of the party's district and city offices, including Volha Mayorava.

Opposition activists Yury Kazakevich (Baranavičy electoral district No. 5) and Mikalai Charnavus (Baranavičy electoral district No. 6) received warnings for 'illegal campaigning', namely using slogans while collecting signatures (including on clothing). This put them at a disadvantage with the pro-government contenders, who faced no penalties for using slogans in their canvassing activities. Both warnings were eventually cancelled on July 19 after the decisions were appealed to the election authorities.

Volha Kavalkova, a representative of the Belarusian Christian Democracy Party, was warned by the deputy chair of electoral district No. 103 against "discrediting the elections in the Republic of Belarus" and disregarding the rules of staging campaigning pickets. The warning was issued in response to a complaint about the use of a white-red-white flag with a blue star (allegedly unregistered symbols) at the candidate's picket. The election officials also referred to a video that showed the BCD's executive secretary Dzianis Sadouski saying at the picket that the MPs had already been selected and complaining about electoral fraud in the country.

Another representative of the BCD, Pavel Prapakovich, who was nominated for electoral district No. 73 in Maladziečna, received a warning from the district election commission on the grounds that the collection of signatures for the candidate's nomination was combined with anti-alcohol propaganda.

Parliament contenders in Viciebsk, Tatsiana Seviarynets, Alena Shabunia and Heorhi Stankevich, were fined by a court for alleged involvement in an unauthorized gathering. The charges stemmed from a joint picket staged to collect signatures on July 27. The district police department said that the picketers could only campaign at one side of Lenin Street, while the other side fell under the prohibition for the collection of signatures.

On July 29, DEC No. 101 in Minsk issued a written warning to the nomination group of Ales Lahvinets, deputy chairman of the Movement *For Freedom*, for violation of para. 10, Art. 61 of the Code and failure to comply with restrictions on the collection of signatures established by the CEC's Decree No. 13. This was manifested, according to the DEC, by the distribution of printed materials to voters during the collection of signatures, as well as offering financial reward to the voters who put their signatures in support of his nomination. Ales Lahvinets appealed against the warning to the Minsk city territorial commission. On August 5, the appeal was considered and dismissed. It should

be noted that the DEC's warning incorrectly specified the provisions of Art. 61 of the Electoral Code (paragraph 10, which deals with the rules of filling in a signature sheet). In addition, the warning did not specify which printed materials and when were handed out by the nomination group, as well as what was meant by 'bribing of voters'. According to Ales Lahvinets, representatives of the DEC explained that two complaints had been received against the potential candidate. One of them argued that the *Narodnaja Volia* newspaper and the applicant's business cards were handed out at his picket. When considering the appeal, the Minsk city election commission supported the arguments of the DEC representatives, who argued that free distribution of newspapers is rewarding voters, which is prohibited by Art. 61 of the Code. Ales Lahvinets did not deny the fact of distributing cards and newspapers, saying that it can be viewed as the distribution of printed materials, not as a reward to voters. It should be noted that, according to the electoral legislation, rewarding the voters is the transfer of money, gifts and other material values, holding sales or providing services on favorable terms. This qualification of irregularities during the collection of signatures by Lahvinets' nomination group is essential, because, according to Art. 68.1 of the Code, awarding the voters during the collection of signatures may be grounds for denial of registration without a repeated warning.

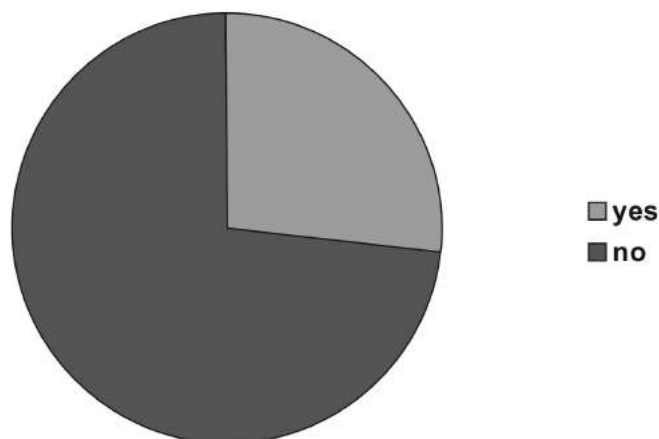
Another warning to Lahvinets' nomination group was issued for arranging a picket to collect signatures on July 27 in the Minsk district of Sucharava, with the participation of a well-known rock musician Liavon Volski, whose performance was attended by about 1,500 people. The CEC chair Lidziya Yarmoshyna condemned the rally, saying that performing at a signature-collecting picket is election campaigning and constitutes a serious violation. Later, she added that other nominees, the Communists, were insulted during the rally. It should be noted that Ales Lahvinets did not receive any reasoned written warning from the DEC, which would indicate the alleged irregularities committed by his nomination group. According to the electoral law, the warning should be based on a collective decision of the election commission and registered in the protocol of the meeting and a written reasoned decision.

3.4 Procedure of signature verification

As before, meetings of the DEC's that verified the collected signatures mainly took place behind closed doors and could not be attended by the observers.

Most observers did not have the opportunity to be present during the verification of signatures by the district election commissions. The possibility to be present during the verification of signatures was reported by only 27% of the observers of the campaign *Human Rights Defenders for Free Elections*. At the same time, in 67% of the Minsk DEC's observers were given the opportunity to be present during the procedure, in the Mahilioŭ region — in 57% of cases (in four out of seven DEC's), in the Viciebsk region — 11% (in one out of nine DEC's). In the Minsk, Hrodna and Brest regions, observers were almost never allowed to be present during the signature verification.

TRANSPARENT AND PUBLIC VERIFICATION OF INFORMATION ABOUT THE CANDIDATES IN THE PRESENCE OF OBSERVERS



Almost every observer of the campaign *Human Rights Defenders for Free Elections* wrote to the DEC with a request to allow to observe the process of verification of signatures submitted for the nomination of candidates. Almost all of the requests were denied: the DEC referred to Art. 13 of the Electoral Code, which says that attending the verification of signatures and documents is not in the powers of the observer. Denial of opportunities to observe the verification of signatures and documents submitted in support of nominations and registration of candidates is a violation of Article 13 of the Code, which states that the elections should be open and transparent. Similar responses were received by observers in Navapolack, Hrodna, Baranavičy, Žodzina, Mahilioŭ, Salihorsk, Smarhoń, Mazyr, Maladziečna, Barysaŭ, Biaroza, Viciebsk, Vierchniadzvinsk and other cities. Many observers appealed against the bans to the CEC and the territorial election commissions. However, their appeals were dismissed.

In particular, Aliaksandr Kaputski, an observer in the Maladziečna election district No.73 applied for permission to observe the verification of signatures and documents, referring to the principles of openness and transparency, which are guaranteed by Article 13 of the Electoral Code. In response, the commission chairman Yurchyk said that the verification of signatures and associated information submitted for registration of candidates was within the ‘competence of the members of the district election commission, not an observer.’ “Likewise, the presence of an observer during the verification is not stipulated in the Electoral Code of the Republic of Belarus. Based on the above, your request does not conform to the Electoral Code of the Republic of Belarus and cannot be met,” said the election official.

A similar request sent to district election commission No. 64 in Žodzina by observer Aliaksei Lapitski was considered at a meeting. The commission chairman Siarhei Afanaska said that they ‘do not need any assistants’ and proposed to reject the observer’s bid. The commissioners then supported the proposal. A written response later received by Lapitski read as follows: “Article 13 of the Electoral Code of the Republic of Belarus provides a list of the rights of an observer, which does not include the right to be present at the verification of signature sheets with voters’ signatures submitted to the district election commission by the nomination groups of persons nominated as candidates for the House of Representatives of the National Assembly of Belarus. Moreover, we recall that the observer does not have the right to create obstacles to the regular work of the commission, as well as to interfere in its work.”

Observer Siarhei Housha was not allowed to attend the meeting of the Baranavičy-based DEC No. 5. The refusal was motivated by Article 67 of the Electoral Code, which does not provide the involvement of observers in the process of signature verification.

Natallia Zhdanovich, chairperson of DEC No. 22, invited an observer from the Belarusian Helsinki Committee to attend the verification of signature sheets. On August 3, the election official read out the protocol of ‘preliminary verification’, selected those responsible for the verification and ordered to verify them before August 5. In response to the observer’s request to have access to the protocol and other documentation, Ms. Zhdanovich said that those were internal documents.

On August 3, a meeting of DEC No. 52 was held in Hrodna, which determined the order of selection and methods of verification of signature sheets. Commission chairman Aleh Bialinski announced legal matters, then asked the observers to leave and handed out signature sheets to be verified by members of the commission.

However, an analysis of the observers’ reports shows a lack of common approaches across the country. For example, DEC No. 42 in Mazyr gave the following response to a request by the campaign’s activist: “The observer accredited with the district election commission has the right to be present only at the meetings of the corresponding election commission, while the right to have access to the documents, according to Part 5, Art. 13, is not provided.” At the same time, the commission allowed the observer to view signatures submitted for the nomination of contender Raman Skuratouski (he was not registered because of the obvious invalidity of 80.7% of signatures).

At the same time, DEC No. 110 in Minsk allowed the campaign’s observer to attend the verification of signatures and nomination documents. However, the process was of a formal character: in reality, members of the commission verified the signatures in silence, some referred to pressing engagements and promised to do the checking the following day. The observer was not notified of the time and place of signature verification.

Observers registered in the Babrujsk-based constituencies Nos. 78 and 80 were allowed to attend the DEC’s meetings and see the signature sheets. In the Polack-based DEC No. 27, the observer

was present at the meeting, but could not see the contents of the signature sheets. Observer in the Rečyca-based DEC No. 44 received an oral permission to monitor the verification of signatures, but was actually placed in extremely unfavorable conditions, after each election commissioner took a certain amount of signature sheets for verification. In the Homiel-based DEC No. 33, the observer was invited only to the final verification procedure. Prior to that, the commission members had reviewed the signatures, and only made phone calls to verify details in his presence. In response to the observer's request, he was allowed to see the signature sheets of two candidates for a short time.

According to the experts of the campaign *Human Rights Defenders for Free Elections*, the opacity of the signature verification procedures creates opportunities for manipulation and politically motivated approach in decision-making on either refusing or granting registration to a particular candidate.

4. Results of the registration of candidates

According to the Central Election Commission¹⁰, 630 persons were nominated using a number of nomination means, of which 93 were refused registration, i.e. 14.8% of the total number of nominated applicants (which is significantly lower as compared to the 24.7% of the parliamentary elections in 2012). Another 16 persons (2.5%) withdrew their candidacies. There were no uncontested electoral districts in last year's elections (there were four such districts in 2012).

Representatives of political parties nominated 387 candidates, representing 50.6% of the total number of nominated applicants. The results of registration of party candidates are as follows:

Name of political party	Number of nominated applicants	Number of registered candidates	Number of persons that were denied registration (%)
Belarusian Party of the Greens	5	5	0 (0%)
Belarusian Party of the Left <i>Fair World</i>	46	38	8 (17%)
Belarusian Patriotic Party	18	16	2 (11%)
Belarusian Social Democratic Party <i>Hramada</i>	29	27	2 (7%)
Communist Party of Belarus	52	44	8 (15%)
Liberal Democratic Party (LDP)	90	77	13 (14%)
United Civil Party (UCP)	67	57	10 (15%)
BPF Party	60	49	11 (18%)
Republican Party of Labor and Justice (RPLJ)	20	18	2 (10%)

99% of those who were denied registration as a candidate were nominated by one entity. Most of them were nominated by political parties (51%).

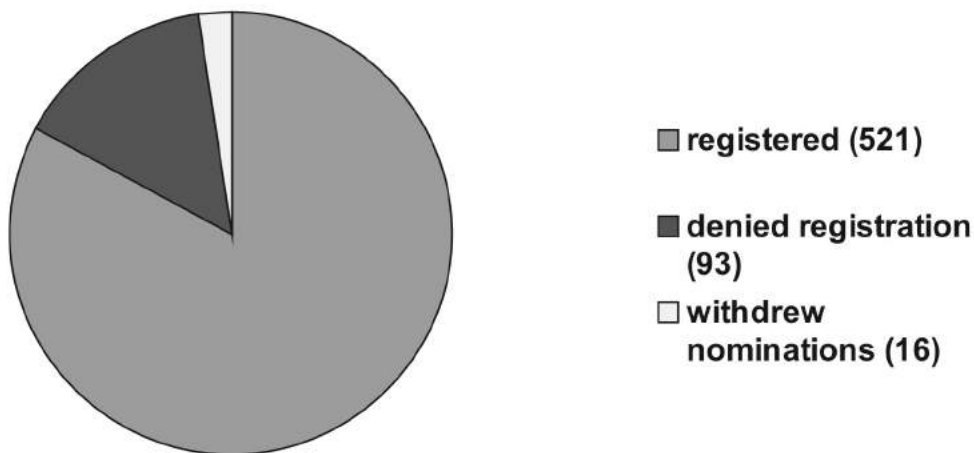
The greatest amount of refusals affected the persons nominated by citizens through signature collection (37%). Among the candidates who were nominated only by political parties, the ratio is 16% (298 registered out of 354 nominated). Of these, 45% are members of the opposition parties (UCP, *Hramada*, BPF, and *Fair World*). All the candidates who were nominated by political parties and at the same time by other entities (citizens or citizens and labor collectives) were registered as candidates (33 people). The election authorities also registered 99% (89 of 90) of the candidates who were nominated by citizens through signature collection and labor groups at

¹⁰ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect13.pdf>

the same time. It is worth noting that this type of nomination was mostly used by the government-backed candidates.

Among the nominees, there were 28 current members of the House of Representatives and 43 members of local councils of deputies. All of them were registered. The proportion of women among the registered candidates was 25%.

RESULTS OF CANDIDATE REGISTRATION



The most common reason (in 37% of cases, but not the only one) for refusals of registration was the submission of invalid signatures.

Ales Lahvinets was not registered due to two warnings imposed on him during the collecting of signatures (for “non-observance of restrictions on the collection of signatures, which was expressed in the distribution of printed materials to voters during the collection of signatures, as well as rewarding voters for putting signatures in signature sheets”; and for arranging a concert of Liavon Volski, which took place on July 27 in Minsk).

Aleh Harbenka was not allowed to run for the Homiel-based electoral district No. 33, because he provided false data on his income. The applicant said that he had no income and lived at the expense of his wife. The tax inspection argued that the contender had repeatedly won money at the casino, including 11 million rubles (USD 550). Therefore, the district commission refused to register him.

Similarly, certain inaccuracies in the income and property declaration resulted in a refusal to register Katsiaryna Shust, a nominee of the Belarusian Popular Front Party in the Sluck-based electoral district No. 67.

Valery Matushevich, who was nominated by the Belarusian Left Party *Fair World* in the Žodzina-based electoral district No. 64, was not registered for failing to declare 150 shares of the *Aütamahistral* enterprise. The same meeting of the district commission did not register businessman Aleh Navitski, who was accused of awarding several voters for signing in his support. A number of persons were invited to the meeting to confirm that they had received the money.

Uladzimir Ushakou, member of the Communist Party of Belarus, asked to cancel the registration of the nomination group of Tatsiana Marachkava, and then to invalidate her registration certificate in electoral district No. 83 in Kryčaŭ. He argued that Ms. Marachkava, who was nominated both by collecting signatures of voters and from the CPB, was illegally elected party member at an extraordinary meeting, of which he, as well as a number of other members of the CPB’s regional branch, was not notified in advance. According to him, the meeting did not have the necessary quorum to make a decision on Marachkava’s membership. At the time of registration of her nomination group, Tatsiana Marachkava was not member of the CPB, although she indicated her membership in the documents. According to Ushakou, this fact was sufficient to prevent her from running in the parliamentary elections. This position was not supported by either the DEC or the CEC. In her response to Uladzimir Ushakou, the Central Election Commission’s Chairperson Lidziya Yarmoshyna said that incorrect biographical data was not grounds for the annulment of registration.

Comparison of the results of registration of candidates in the 2016 elections with the results of earlier elections

Year	<i>Number of nominations</i>	<i>Number of withdrawn nominations</i>	<i>Number of denials of registration</i>	<i>Number of registered candidates</i>	<i>Percentage of denials</i>
2008	365	5	84	276	23%
2012	494	9	122	363	24.7%
2016	630	16	93	521	14.8%

The elections were marked by a greater number of nominations as compared to previous campaigns and a lower amount of refusals to register candidates.

This stage of the campaign, according to *Human Rights Defenders for Free Elections*, was not marred by explicitly discriminatory attitudes against opposition candidates.

However, the authorities were not able to completely desist from their repressive measures against the opposition representatives who announced their participation in elections as candidates. In particular, after Volha Damaskina, an activist of the movement *For Freedom* and a member of the BPF Party, publicly announced her intention to run for the House of Representatives, she was told that her employment contract as head of the Museum of Traditional Manual Weaving in Polack would not be extended. When dismissing Ms. Damaskina, the museum had not even found a replacement, which indicates that the dismissal had not been planned, but was the result of political reasons related to the elections.

5. Proposals to improve electoral legislation

The campaign's observers from across Belarus reported that during the collection of signatures for the nomination of potential candidates their election teams were actively using banners with the nominees' portraits, the manufacture of which, obviously, required certain material costs. Hence a question of violation of equality between the contenders.

Valiantsin Stefanovich, expert of the campaign Human Rights Defenders for Free Elections, was debating with Lidziya Yarmoshyna, head of the Central Election Commission, on the financial opportunities of potential candidates. The question related to the need for changes in legislation.

The issue of costs for the election is governed by Article 48 of the Electoral Code. Part 10 of the Article prohibits future candidates to use money or other material assistance only in the cases listed in Part 9 of the same Article, i.e. foreign funds and other aid. There are no other restrictions on the use of financial and other assistance from political parties, public associations, citizens or personal funds at the stage of collecting signatures. However, both NGOs and Belarusian citizens can only donate their money to extra-budget funds, since, unlike in the presidential elections, a person applying for a deputy's mandate has the right to establish a special election fund only after their registration as a candidate, that is they cannot cover costs associated with the collection of signatures for their nomination.

Since the Electoral Code is not explicit about the funds used by nominees, Valiantsin Stefanovich asked the CEC to clarify provisions of the Electoral Code on the use of material resources for the production of information materials at the stage of collecting signatures, as well as the possibility of further use of these products during the campaigning phase.

Lidziya Yarmoshyna admitted in response that the above issues were not fully resolved by legal regulations, and noted that the Central Election Commission had no authority to regulate any issues unless they were settled at the legislative level.

"In turn, the expansion of legal regulation in this area requires an analysis of the actual costs of the production of information materials, stands, banners, as well as the degree of influence of this equipment on the will of the voters. Given that such equipment is, as a rule, provided to the nomination groups by public associations and free of charge, the Central Election Commission does not have any information that would allow it to make a well-reasoned opinion," the CEC head said.

Ms. Yarmoshyna stressed that the Central Election Commission “holds the position in favor of simplifying the procedure of collecting signatures” and “eliminating artificial barriers to the nomination of candidates.”

While welcoming the CEC’s desire to simplify the procedures for the collection of signatures, increasing the number of places for picketing and other similar measures, Valiantsin Stefanovich said that he was surprised at Lidziya Yarmoshyna’s statement that equipment was provided to election activists by public organizations on a pro bono basis.

“Public associations differ a lot. Some of them are financed from the state budget, while others from membership fees. This results in varying conditions for those who nominate their representatives,” Valiantsin Stefanovich said. “And we are pleased that the CEC is now liberal in its approach, that it does not insist on regulating procedures for signature-collecting pickets, but we remember when these approaches resulted in the CEC’s issuing a warning to a nominee only for laminating a poster in order to protect it from rain. And it should be emphasized that in this part the law has not changed.”

Taking into account all the facts mentioned, the human rights activist insisted on the need to resolve the raised issues by the legislator:

“For the sake of equality of all persons who are nominated as candidates, the legislator should extend to parliamentary campaigns the rules introduced ahead of last year’s presidential election. It is necessary that both the nominees were given the right to establish a special election fund from the moment of registration of their nomination groups and that information on these funds was transparent, i.e. who and how much money has transferred to these funds.”

CAMPAIGNING

The campaign was held within the time limits set by the Election Schedule (from the date of the registration of candidates till September 10, inclusive).

525 candidates were registered, of which 40 withdrew; the election authorities cancelled the decision to register one of the candidates.

1. Legal framework

The procedure of campaigning is regulated by the Electoral Code and decisions of the CEC.

According to Art. 45 of the Electoral Code, citizens of the Republic of Belarus, political parties and other public associations, labor collectives, authorized representatives of candidates and nomination groups campaigning for the election of candidates have the right to be engaged in free and full discussion of the candidates election programs, their political, business and personal qualities, campaigning for or against a candidate at meetings, in the media, as well as during meetings with voters.

Campaigning should not contain propaganda of war or calls for a violent change of the constitutional system etc. It is also prohibited to campaign for the disruption or cancellation, or postponement of the elections appointed in accordance with the legislative acts of the Republic of Belarus.

Local executive committees select facilities for meetings of candidates with voters, as well as for campaigning meetings organized by the voters. The same procedure is used to determine locations for printed campaign materials.

Applications for premises should be submitted by candidates, their election agents and voters to the corresponding election commissions not later than two days before the scheduled date of the event. Premises for meetings with voters, election meetings are free of charge and are provided in the order of receipt of applications. Candidates have the right at the expense of their election funds to rent buildings and premises for meetings with voters, which are available on an equal footing.

For the organization of mass events, candidates and their agents shall give notice in the local executive and administrative body not later than two days before the scheduled date of the event.

According to Art. 46 of the Electoral Code, candidates from the time of their registration should on an equal footing enjoy access to the state-owned media, which, in turn, are obliged to provide equal opportunities to air the candidates' campaign speeches, to publish their election platforms and campaigning materials.

Decision No. 32 by the Central Election Commission of 28 June 2016 approved the Regulations on the use of the media by candidates for the House of Representatives of the sixth convocation. According to the regulation, the candidates have the right to publish their election platforms in one of the nation-wide newspapers (Zviazda, Narodnaja Hazieta, and Respublika), or in the regional newspapers, or in the state-owned district (city) newspapers. The volume of this publication may not exceed two typewritten pages (no more than 4,000 characters including spaces).

The candidate is also entitled to one televised address and one radio speech of no more than five minutes each. If desired, at least two candidates can hold a televised debate in which each candidate is entitled to five minutes of airtime. Appearances on television and debates are aired on tape delayю

Candidates have the right to use their election funds for campaigning in the media on the basis of an agreement with the editorial board or the owner of an Internet resource. At the same time, the latter have the right to determine the terms of airtime and space for publication, as well as the prices of the services provided, which should be uniform for all candidates.

The current election campaign was administered by the Electoral Code as amended on 25 November 2013, which established that the cost of production of printed campaigning materials should be paid only from the candidates' election funds. The state budget was only used to manufacture and distribute general information materials about all the candidates.

The procedure for establishment and use of the candidate's election fund is determined by a regulation approved by CEC's decision No. 30 of 8 June 2016. The maximum amount of expenditure from the election fund cannot exceed 1,000 basic amounts. The fund may consist of personal donations of the candidate, as well as individuals (up to 5 basic amounts each) and legal entities (up to 10 basic amounts).

The regulation does not provide for observers and journalists' right to check the sources of donations and expenditures. The legality of the formation and expenditure of election funds can only be evaluated by the financial authorities and the CEC.

2. Conditions for campaigning

As few as 322 candidates created their election funds, representing 67% of the registered applicants (484).

The last five days of the campaign (September 6-10) and the early voting overlapped, which is an obvious drawback of the current electoral law.

Candidates who were registered after appealing against denials of registration, as compared with the other candidates, had less time to conduct the campaign.

2.1 Outdoor campaigning

By August 1, local executive and administrative bodies in consultation with the corresponding DEC were expected to decide on the venues for holding campaigning events (following a notification-based procedure), including out-of-door meetings and pickets, organized by the candidates for the House of Representatives and their election agents.

The candidates had access to a wider choice of campaigning facilities as compared to earlier elections. Instead of selecting individual venues, the district executive committees allowed campaigning virtually everywhere. Exceptions were the railway stations, bus stations, some squares, places located within a certain distance (20-100 m) of the executive committees, courts, other authorities etc. The executive officials in Sluck and Salihorsk prohibited campaigning in the central squares. Many suitable locations fell under such rules (e.g. plazas in front of the executive committees), but the candidates, including the opposition ones, freely staged their pickets there.

For example, in 2012 Babrujsk officials allowed campaigning in only a few outdoor locations on the outskirts of the city, while in 2016 campaigners were free to choose a more crowded place, except for the locations where campaigning was prohibited during the collection of signatures.

A decision of the Homiel city executive committee substantially increased the number of outdoor places for meetings with voters. During the election campaigns of 2012 and 2015, there were only two similar locations. During the 2016 campaign, meetings with voters could be held at any place with a few exceptions.

However, some local governments, such as in the cities of Hlybokaje, Smarhoń, Orša, Chocimsk, Čerykaŭ etc. still applied the negative practices typical of earlier elections.

Cities with administrative division were sometimes marked by different approaches to determining the places for campaigning. For example, the administration of the Lieninski district of Mahilioŭ, in contrast to the decision of the Kastryčnicki district administration, did not allow holding campaigning events on the territory of education institutions and healthcare facilities. But these differences were later levelled, after the Kastryčnicki district administration supplemented its decision by a paragraph prohibiting such activities in the territory of education institutions and healthcare facilities.

According to the CEC, as of September 8, over the period of the election campaign the candidates and their agents filed 988 notifications for 180,830 mass campaign events under the simplified procedure. Of these, 488 notifications were filed in Minsk (50%) on 173,717 mass events (96%).¹¹

The elections were characterized by the active use of outdoor events by the pro-government candidates, which was not observed during the previous elections.

Most of the campaigning events were not obstructed by the authorities, however several active opposition candidates reported obstacles on the part of representatives of local executive authorities.

In particular, Ivan Sheha, a candidate in the Slonim-based electoral district No. 58, faced obstacles during a rally in the village of Mižeryčy, Zeĺva district, as well as when placing printed campaign materials in approved places of Slonim. Mikalai Charnavus, a UCP candidate in the Baranavičy-based electoral district No. 5, was not allowed to hold a number of pickets. The ban referred to earlier agreements with the opposition candidate's rival, current member of the House of Representatives Volha Palityka.

¹¹ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect16.pdf>

Iryna Yaskevich, a UCP candidate in the Viciebsk-based electoral district No. 20, was not allowed to hold a picket, after the department of ideology of the Kastryčnicki district administration said that all locations would be occupied by his rivals, current MP Aliaksandr Tsatsokha, a member of the Communist Party Uladzimir Yakauleu and a representative of the LDP Dzmitry Ezafatau. However, none of the pickets was held in reality. On September 9, Iryna Yaskevich faced obstacles when staging a picket, since the location was occupied by an event organized by a local school. However, the children's event was held under electoral slogans and involved campaigners for pro-government candidate Aliaksandr Tsatsokha. Ms. Yaskevich chose not to disrupt the event, but displayed UCP flag and posters.

Observers reported facts of abusing administrative resources and authority during the organization of campaigning events of pro-government candidates. In particular, Andrei Rybak, a proxy for candidate Tatsiana Yarota, CEO at the *Kupalinka* sewing enterprise, in the Salihorsk-based electoral district No. 68, ordered factory workers to organize pickets near the city market during working hours and using public property.

Siarhei Zanko, head of a department at the local Medical University and a candidate in the Viciebsk-based electoral district No. 18, used the University's van for organizing pickets, which took place during working hours.

Piotr Salauyou, a candidate in the Mahilioŭ-based electoral district No. 87 and Deputy CEO at JSC *Mahilioŭchimvalakno*, abused his official position. In particular, representatives of his campaign headquarters and campaigning equipment were transported to the pickets in a company minibus driven by a full-time driver.

The campaign's observers reported violations by pro-government candidates, who held their campaign activities at the expense of resources that were not part of their electoral funds. On August 11, candidate Mikalai Rasokha running in the Mazyr-based electoral district No. 42, appointed his agent in charge of financial matters. On August 15, the Mazyr district office of the Trade Unions Federation held a rally to distribute printing campaign materials in support of Mikalai Rasokha, which was covered by the local TV channel. On August 19, the website of the Mazyr district executive committee published information on the collection and allocation of funds from the candidate's fund, from which it followed that Mikalai Rasokha had not spent any money. Distributing campaigning products that were manufactured at the expense of illegal funds is a direct violation of the Electoral Code.

2.2 Campaigning meetings

Cultural centers, assembly halls of educational institutions, healthcare facilities and enterprises (in coordination with the administrations) were selected by the authorities as venues for meetings with voters. Observers generally described these places as suitable.

In particular, the district administrations of Babrujsk selected several (unlike previous election campaigns) rooms for meetings with voters, which were located in different parts of the districts: four premises in the Pieršamajski district and four in the Lieninski district.

According to a decision of the Slonim district executive committee, candidates were free to hold meetings in the city's Cultural Center, in the Puslouski Palace, as well as in several public institutions (art school, folk art center, rural culture centers, clubs and other places suitable for the candidates). Earlier, such meetings could only be held in the auditorium of the Mir cinema hall.

In most regions, the list of indoor events was expanded. However, there were some exceptions. For example, in the Smarhoń-based electoral district No. 59, two out of five venues were extremely inconvenient for voters.

According to the CEC12, 1,295 applications were submitted for premises to accommodate 4,014 meetings of candidates and their agents with voters. In contrast to street events, there were less meetings with voters in Minsk (91 applications to hold 299 meetings — 7% of the total number of applications and meetings). Most applications for meetings with voters were submitted in the Minsk and Viciebsk regions — 433 (33%) and 362 (28%), respectively. The greatest number of scheduled meetings was reported in the Viciebsk region — 1,141 events, or 28% of the total number of meetings, as well as in the Minsk region — 1,013 (25%).

43% of the observers reported that the local authorities provided to the candidates and their agents premises other than those specified for meetings with voters; 55% of the observers noted

¹² <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect17.pdf>

that all the candidates in their district enjoyed equal opportunities to meet with voters; in 13% of the electoral districts, local administrations did not allow individual candidates to meet with voters indoors.

Indoor events were mostly used by the pro-government candidates. Administrative resources were often used in their favor, which created opportunities that were not available to other candidates.

Extremely favorable conditions were enjoyed by candidate Dzmitry Zablotski, deputy CEO at BelAZ and a candidate in the Žodzina-based electoral district No. 64. His agent, chairperson of the Žodzina City Council Natallia Sushko said at a meeting with voters that the candidate was supported by the city government. On August 26, Žodzina hosted an event used for campaigning for the same candidate. The meeting was advertised by the website of the Žodzina executive committee. Dzmitry Zablotski met with voters on the premises of the BelAZ and Svitanak enterprises.

Valiantsina Razhanets, editor-in-chief of the Slucki Kraj newspaper and a candidate in electoral district No. 67, was allowed to meet with the employees of the PMK-226 enterprise and the Sluck Sugar Refinery.

Ivan Markevich, chief of administration at the Minsk regional executive committee and a candidate in the Maladziečna-based electoral district No. 73, met with voters on the premises of village councils of Maladziečna district.

Vasil Chekan, head of the department for material reserves of the Ministry of Emergency Situations, who was running in the Viciebsk-based electoral district No. 19, failed to comply with the official schedule of meetings with voters and the boundaries of his electoral district. The candidate announced a meeting with voters to be held on August 24 at a local college. The meeting never took place. However, it later turned out that the meeting was held the following day and there was no official information about it. Together with another pro-government candidate, he spoke to voters in working hours in the Viciebsk Regional Philharmonic Society, which geographically belonged to another district (No. 20). Employees were invited to the meeting.

There were cases when persons were forced to attend the campaigning events of pro-government candidates. The school administrations in Smarhoń forced teachers to come to a meeting with pro-government candidate Adam Kavalkou.

On September 5, the Vipra Culture Center in Homieĺ hosted a meeting with candidate Ivan Korzh, rector of the National Security Institute, who previously headed the Hrodna and Homieĺ KGB offices. The meeting was attended by the employees of Homieĺkabiĺ, including those who were registered in other electoral districts.

Pro-government candidates actively used their participation in socially significant events for campaigning purposes. According to local media reports, within just a few days Chairman of the House of Representatives of the National Assembly, a candidate for Dokšycy electoral district No. 22 Uladzimir Andreichanka spoke at the opening of a kindergarten in the town of Ušačy, Viciebsk region, at a teachers' conference in Hlybokaje, and on the Day of Knowledge he donated computer equipment to School No. 1 in Dokšycy.

Halina Filipovich, a candidate for Svietlahorsk electoral district No. 46, had the opportunity to speak to voters at festivals held on August 19 in the villages of Prudok and Maisiejeŭka. The events were advertised by the local government-run newspaper, while it failed to mention the candidate's involvement. Administrative resources were used for the organization of meetings with the candidate. Her meeting with voters on September 1 was attended by CEOs of the city's major enterprises and BRSM members were involved in arranging the event.

A number of state-owned enterprises of Rečyca hosted meetings with Deputy Chairman of the Homieĺ regional executive committee, a candidate for electoral district No. 44 Baliaslau Pirshtuk, his proxies and other persons.

Local governments tended to conceal information on the time and location of meetings with pro-government candidates. In particular, such violations were observed in electoral districts Nos. 1 and 2 of Brest.

The websites of the district administrations of Minsk published incorrect or false information about candidates' meetings with voters. These publications only advertised the campaign events of pro-government candidates, with no information on the activities of other candidates running in the same districts. For example, the website of the Maskoŭski district administration published the schedule of meetings for only three candidates in three electoral districts: Ihar Kamarouski in

electoral district No. 98, Liudmila Makaryna-Kibak in electoral district No. 99 and Aksana Haiduk in electoral district No. 100. There was no information on the meetings of the other 12 candidates running in these districts. A similar situation was observed on the websites of Zavodski and Saviecki districts.

The Babrujsk-based Trybuna Pracy newspaper published a schedule of meetings of only one of the five candidates for local electoral district No. 80, Babushkina Krynka Diary CEO Ihar Kananchuk. An analysis of the schedule of meetings shows that most of them took place during working hours.

Simultaneously, there were obstacles from the authorities that targeted individual candidates. Aliaksandr Kabanau, UCP's candidate in the Biaroza-based electoral district No. 9, was not allowed to meet with voters at the JSC Biarozabudmateryjaly, JSC Biaroza Engine Plant, JSC Ciepłaprybor, and in the office of a local road construction service.

Candidate Aleh Aksionau, running for the Mahilioŭ-based electoral district No. 85, was not able to meet with voters in the premises of school No. 21, despite an advance agreement.

Opposition candidates were not allowed to meet with labor groups on the territory of the Homieł-based electoral district No. 36.

Leanid Dubanosau, a candidate in the Luniniec-based electoral district No. 13, was not allowed to meet with voters. In the village of Kaŭan-Haradok, an employee of a local executive committee Halina Malafeichyk denied the candidate's request, citing the fact that the voters had previously met with Dubanosau's rival, pro-government candidate Ihar Nevar.

Viktar Malochka, an election proxy and father of candidate Aliaksandr Malochka, was not allowed to attend the candidate's meeting with voters held in the auditorium of *Belaruskali*. Head of the company's HR department, Aliaksandr Tsesavets, warned factory workers against meeting with the candidate. Those who still wanted to come to the meeting were asked to take an unpaid leave.

2.3 Campaigning through the distribution of printed materials

Most observers reported that facilities for campaign materials were suitable and, as compared to previous elections, the situation has not changed. Basically, such facilities were advertising and information pillars in public places, at public transport stops, near the railway stations; information stands, bulletin boards owned by housing maintenance services, shop windows etc.

Two district executive committees in the Viciebsk region, Braslaŭ and Talačyn, did not publish a list of sites for placement of posters, leaflets and other campaigning materials, offering general recommendations instead: printed campaign materials could be placed in shop windows, entrances to banks, institutions, trade and consumer services, as well as on advertising pillars and bulletin boards. Absence of specific restrictions can be regarded both as a positive and a negative step: the candidates' nomination groups often complained that their campaign materials were removed at unofficial orders by the heads of some institutions or organizations. Moreover, in the case when a particular object is indicated as a place for distribution of visual information materials, it is easier to search for those responsible for the safety of posters or flyers.

The Mahilioŭ authorities allowed to ignore a requirement to agree on posting campaign materials with the administrations of these institutions and organizations, while in other regions covered by the observation such requirement remained unchanged. A decision of the Homieł city executive committee set the authorization-based procedure forbidding election advertising in unauthorized places. The list included only 19 locations for the entire constituency, while the district had over 100 public transport stops.

There were cases when the DEC's failed to check the status of places and selected some facilities that no longer existed in reality.

There were cases of censorship of candidates' speeches and election platforms (unauthorized editing etc.), although the current legislation does not provide for approving electoral texts by printing companies and does not impose such duties on the candidates themselves.

Similar problems were reported, in particular, by UCP candidates Uladzimir Shantsau (Mahilioŭ electoral district No. 88) and Siarhei Smaliakou (Mahilioŭ electoral district No. 87). Employees of a local printing company refused to print their leaflets without an advance approval of their content.

There were cases where candidates faced refusals by the district election commissions to publish biographical information in the form it was submitted. DEC No. 46 in Svietlahorsk refused to publish the biography of Yury Liashenka, a candidate from the Green Party, as it reportedly featured illegal content, namely the candidate's engagement in social activities, creating jobs and helping people

with disabilities. Yury Liashenka sent a complaint to the Central Election Commission, who replied that the district commission was ordered to publish the full text: “The CEC recommends the election commissions in the preparation of the text of the poster to take into account, first and foremost, the interests of the voters, that is, to provide information that will allow them to gain an objective understanding of the candidates.” Subsequently, the DEC assured that Liashenka’s biography would be printed without cuts and editions.

A. Melnik, a candidate for electoral district No. 9, submitted his CV to the district commission, saying that he was “an Orthodox believer.” The commission deleted the information. The applicant filed a complaint with the Brest regional election commission. On August 23, the TEC announced that the candidate’s complaint had been met.

In the preparation of a general information poster, district election commission No. 85 in Mahilioŭ used a picture of a BPF candidate Dzmitry Salauyou that was not approved by the candidate. Salauyou submitted to the district election commission a photo showing him against the backdrop of the BNF Party banner with the Pahonia coat-of-arms. However, the poster was eventually published with a picture in which the candidate was wearing different clothes against a white background.

Some candidates had difficulty placing their campaign posters in authorized places. During an incident at the central post office in Slonim, candidate Ivan Sheha was not allowed to put up his posters without a consent from the chief of the district postal communication center. Meanwhile, a decision of the Slonim district executive committee of July 22 allowed placing printed campaign materials in shops, post offices, pharmacies etc. A similar ban was reported by head of Sheha’s electoral headquarters Viktor Marchyk. A shop assistant in the village of Surynka refused to put up the candidate’s poster, saying that she might be “fired if she did.”

Volha Damaskina, a candidate from the BPF party in Polack electoral district No. 27, was not allowed to hang out her campaign products in a local shop, despite the fact that an advert about a pro-government candidate running in the same district was already on the bulletin board.

Yury Liashenka, a candidate from the Green Party in Svietlahorsk electoral district No. 46, also had to overcome administrative obstacles to place his campaign posters and other products.

Leanid Dubanosau, a candidate in Luniniec electoral district No. 13, reported that his campaign materials were damaged by unknown persons. A similar problem was voiced by a candidate in Salihorsk, Aliaksandr Malochka.

In different regions of the country observers recorded facts of dissemination of campaign materials advertising pro-government candidates, which were manufactured in violation of the law.

In particular, in the town of Chocimsk, campaigners distributed campaign leaflets in support of Tatsiana Marachkava, a candidate for electoral district No. 83 in Kryčaŭ and chairperson of the District Council of Deputies. The leaflets lacked the necessary details: address of the organization that produced the printed materials and the customer’s name. Ms. Marachkava’s leaflets were also distributed in the territory of the Klimavičy district.

Similar violations were found in the printed campaign materials of Tamara Krasouskaya, a candidate in the Barysaŭ-based electoral district No. 63.

Both candidates for Žodzina electoral district No. 64 violated the rules of production and distribution of printed campaign materials. The leaflets, posters and calendars of Dzmitry Zablotski, as well as the leaflets of Aliaksandr Hurynenka lacked the necessary information: address of the organization that produced the printed materials; number and date of issue of the certificate of state registration of print media products; name of the customer. For these violations, the district election commission issued at its meeting on September 8 warnings to both candidates.

For violation of the law, district election commission No. 89 in Asipovičy issued a warning to Mikalai Kaltunou, deputy of the House of Representatives running for Parliament. The penalty stemmed from a complaint by a BHC observer at polling station No. 2 in Hlusk Ihar Kiryn, who noticed that Kaltunou was distributing campaign products made in violation of the Electoral Code. The candidate’s campaign posters were hung inside the polling station, as well as in several shop windows. His posters also lacked some information.

2.4 Campaigning in the media

All the candidates had the opportunity to appear on TV and had their election platforms printed in the state-owned media, but some refused to do so. 416 candidates presented their televised speeches (80% of the total number of registered candidates and 85% of the number of candidates

who continued to run for Parliament); 380 candidates spoke on the radio (72% of the total number of registered candidates and 77% of those who continued to run for Parliament)¹³; 227 candidates appeared in televised debates (43% of the total number of registered candidates and 46% of those who continued to run for Parliament)¹⁴. 385 candidates submitted their election programs for publication in newspapers. This represented 74% of the total number of registered candidates, or 79% of the number of candidates who continued to run for Parliament.¹⁵

Some candidates reported censorship of their campaign speeches and texts in the press. There were separate cases of prohibition to air the televised and radio addresses of candidates.

Representatives of the *Viačerni Brest* newspaper urged Ihar Maslouski, a candidate from the Belarusian Social Democratic Party (*Hramada*) for the Brest-based electoral district No. 4, to edit his election platform. Acting editor-in-chief Natallia Vasiuk said that the platform could not be published because it contained expressions that could be perceived as “an insult to the people of different professions.” In particular, the candidate wrote the following: “Do not vote for doctors, soldiers and other good people — all of them are pro-government candidates. All of them are good people as long as they are in their place, but they are all dependent on the authorities and will turn into bad MPs. These good people will vote for what they are told to vote. It was their silent agreement that helped raise the retirement age, reduce the record of service of those who served in the army, those on maternity leave, in university etc. They supported a tax on the unemployed and did nothing to create new jobs.” After the intervention of the election commission, the newspaper withdrew its claims. However, it was not the only complaint by the candidate. In his complaint sent to the DEC and the *Viačerni Brest* newspaper, he pointed out that his election platform was published in issue No. 67 of the newspaper, which had a circulation of 4,300 copies. However, the election platform of Uladzimir Bazanau, a current member of the House of Representatives running in the same district, was published in the same newspaper, but in an issue with a circulation of 10,000 copies. “Accordingly, the election program of Uladzimir Bazanau was received by 5,700 more families than mine,” said he. “With an average of 3 voters living in the apartment, the figure can reach about 17,100 voters.” At the same time, state-owned media and outlets that are partly financed from the state or local budgets, as well as the media, one of the founders of which is a government body or organization, are obliged to provide equal opportunities to the candidates’ campaigning activities.

The Smarhoń-based government-run newspaper *Svietly Šliach* (issue No. 35 of August 26) published the election platforms of candidates Iryna Veshtard and Adam Kavaliok. Veshtard’s program was printed in small type and therefore occupied approximately 20-25% less space. The candidate said that she had edited the program, but the newspaper published the initial text.

The election platform of Yury Khashchavatski, a candidate for the Svyslač-based electoral district No. 93, was rejected by the *Viačerni Minsk* newspaper. The newspaper’s editor-in-chief referred to the requirements of Art. 47 and 75 of the Electoral Code. The articles prohibit propaganda of war, appeals for forcible change of the constitutional system, violation of the territorial integrity of the Republic of Belarus, propaganda of social, racial, national, religious or linguistic supremacy, appeals to encourage or urging to disrupt or cancel or postpone the election period appointed in accordance with the legislative acts of the Republic of Belarus, insults or slander in relation to official persons of the Republic of Belarus and other candidates. The candidate suggested that the editors could view as an insult his characteristic of the President as a “poorly educated person”, or a statement that he “usurped by deceit the right to be elected for life.”

The Smarhoń-based TV channel cancelled the broadcast of a televised address by a UCP candidate Mikalai Ulasevich, which was scheduled for August 25. According to the *BelaPAN* news agency, Ulasevich spoke about the recent incident at the construction site of the Astraviec nuclear power plant and possible threats related to this. Earlier, the official newspaper of the Astraviec district executive committee refused to publish Ulasevich’s election program. The ban argued that the candidate’s platform failed to meet the requirements of Part 1, Art. 47 and Part 1, Art. 75 of the Electoral Code, which deal with the prohibition of inciting the disruption of the country’s constitutional order, inciting ethnic or social hatred and insulting and defaming officials. The editorial board offered to edit the text, instead. The candidate did not manage to challenge the ban in the Astraviec District Court.

¹³ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect18.pdf>

¹⁴ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect19.pdf>

¹⁵ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-sved4.pdf>

Not all of the recorded speeches were eventually aired. TV officials rejected the address of Pavel Stefanovich, a candidate from the United Civil Party, who ran for the Minsk-based electoral district No. 98. The bulk of the candidate's speech dealt with the legalization of marijuana. According to the chairperson of the Central Election Commission Lidziya Yarmoshyna, the address was not aired because it violated the rules of law related to fighting drug trafficking.

On August 16, the Belarus 3 TV Channel aired the address of a UCP candidate Uladzimir Niapomniashchykh (Homiel' electoral district No. 31). Part of the inscription "For Belarus without Lukashenka" on his clothes was covered by the channel's editors.

On September 1, the Belarus 3 Channel aired a TV debate of candidates running in the Biorozha-based electoral district No. 9, a member of the United Civil Party Aliaksandr Kabanau and a member of the *Fair World* Party Aliaksandr Melnik. Some of the statements by Aliaksandr Kabanau were later removed from the debate.

Tatsiana Shambalava, a candidate for the Kryčau-based electoral district No. 83, together with her proxy Vital Rymasheuski, filed complaints with district election commission No. 83, the Mahilioŭ regional election commission and the Central Election Commission against a violation of electoral legislation during a televised debate. On August 23, during the recording of the debate, the presenter, editor-in-chief of the Mahilioŭ TV and Radio Company A. Skarabahatau interfered with Rymasheuski's speech. At the same time, the journalist was neutral towards the other participant in the debate, chairperson of the District Council of Deputies and Shambalava's rival in the elections Tatsiana Marachkava.

The National TV and Radio Company prohibited the publication in the social media of campaigning videos earlier aired on the Belarus 3 Channel, citing a copyright restriction. Chairman of the Mass Media Supervisory Board, Deputy Minister of Information Ihar Lutski explained the rules for the use of social networks in the election campaign: "The candidate for deputy is not prohibited to use social networks for campaigning purposes, provided that no funds are invested in such activities."¹⁶ Experts of the campaign *Human Rights Defenders for Free Elections* said that the statement raised many questions in the absence of detailed procedures for the application of such rules.

The activities of opposition candidates were almost completely ignored by the state-run media, while the campaigns of pro-government candidates received extensive media coverage.

In addition to the publication of electoral platforms, local media wrote about the pro-government candidates in the context of socially significant events. The press advertised incumbent MP Vadzim Dzeviatouski, who was running in the Navapolack-based electoral district No. 24, current MP and a candidate for Dokšycy electoral district No. 22 Uladzimir Andreichanka, incumbent MP and a candidate for Svietlahorsk electoral district No. 46 Halina Filipovich, MP and a candidate for the Hrodna-based electoral district No. 50 Viktor Rusak, MP and a candidate for Lida electoral district No. 55 Andrei Naumovich etc.

The content and size of publications devoted to pro-government candidates in some regional publications were evidence of unequal approaches to participants in the electoral process.

The Svietlahorskija Naviny newspaper (issue No. 62 of August 16) published a detailed article about one of the five candidates for electoral district No. 46, the then MP Halina Filipovich.

The *Polacki Viesnik* newspaper (issue No. 64 of August 16) published on the first page a message about the opening of a bank account, as well as the schedule of meetings with the proxies and the voters of candidate Natallia Huivik (electoral district No. 27), also an incumbent member of the House of Representatives. Information about the other three candidates was later published in one less detailed publication.

The Žodzinskija Naviny newspaper (August 16) published an article focusing on candidate Dzmitry Zablotski, CEO at JSC *BelAZ*, who ran for electoral district No. 64. The title resembled the slogan of the candidate's electoral platform.

It is worth noting that even before the registration of candidates government-owned outlets actively published materials about the pro-government candidates. On August 3, the Hrodna regional TEC examined a complaint by observer Raman Yurhel against a series of articles about the pro-government candidates published in the Hrodzienskaja Praŭda newspaper owned by the Hrodna regional executive committee. The observer argued that the following articles featured elements of hidden campaigning:

¹⁶ <http://www.belta.by/politics/view/vybory-2016-mininform-belarusi-pojasnil-kak-pravilno-vesti-predvybornuju-agitatsiju-v-sotssetjah-202887-2016>

- article “So That the Heart Could Go On” about Tamara Dalhashei, member of the Council of the Republic of the National Assembly, Chief Physician of the Hrodna Regional Cardiology Clinic, who was running for electoral district No. 52 (issue No. 55 of July 13);
- article “Trade Unions Are Always There” about Valery Sauko, who was running for electoral district No. 60 in Ščučyn (issue No. 57 of July 20);
- article “We Care About Their Fate” about Liliya Kiryiak, head teacher of School No. 13 in Hrodna, who was running for electoral district No. 51 (issue No. 58 of July 23);
- article “From Idea to Implementation” about Ala Sopikava, the then member of the House of Representatives, who was running for electoral district No. 58 in Slonim (issue No. 58 of July 23);
- article “Best Practices for Workers” about Siarhei Litvin, rector of the Skidziel State Agricultural Vocational School, who was running for electoral district No. 53 in Hrodna (issue No. 58 of July 23).

At the same time, the newspaper did not publish a single article about other hopefuls who were nominated for registration as candidates.

However, the TEC said that the publications contained no hidden campaigning for the pro-government candidates and no administrative resource was abused in their favor. The election officials argued that neither the journalists nor other employees were members of the candidates’ nomination groups. They also said that the articles were a random coincidence, as the newspaper regularly published information about the reputable people of the region. According to one of the members of the commission, “the newspaper just cannot write about the unemployed who have not achieved anything in their lives.” Chief editor of Hrodzienskaja Praŭda also denied any connection with the regional executive committee and claimed that he received no orders to print such articles and did not use the administrative resource; he also argued that the newspaper did not receive any funding from the state budget.

The same trend of covering exclusively the pro-government nominees continued after the registration of candidates. Raman Yurhel filed a complaint to the Central Election Commission against the use of administrative resources by government-owned newspapers in campaigning for the loyal candidates. A response from the CEC said that the question was considered at a meeting of the Mass Media Supervisory Board. The newspaper was recommended to refrain from such publications in the future. At the same time, the Supervisory Board requested that the Hrodna regional election commission strengthened the monitoring of compliance with the rules of campaigning in the media.

3. Mass Media Supervisory Board

Andrei Bastunets, chairman of the Belarusian Association of Journalists, was elected member of the Mass Media Supervisory Board, after his candidacy was approved by the CEC’s Decree No. 43 of August 3.

Chairperson of the Central Election Commission Lidziya Yarmoshyna said that the CEC had received an application from BAJ head Bastunets, who requested that he and a member of BAJ’s Executive Board Aleh Aheyeu were elected members of the Supervisory Board. However, Yarmoshyna only agreed to include Bastunets. After reading his biography, Yermoshina said that he was an experienced professional in the field of journalism, especially from a legal perspective. “I think that his opinion will be different from the views of the other members of the Board and will help take high-quality decisions in disputes during the election campaign,” said the CEC head. CEC Secretary Mikalai Lazavik said that a similar application had been received during the 2015 presidential election, but was rejected after representatives of government-owned media “flatly refused to work with representatives of the opposition journalists’ organization.”

Human Rights Defenders for Free Elections welcomed the decision as a positive step. However, on August 29 the Central Election Commission refused to invite a representative of the Belarusian Helsinki Committee to a meeting of the Supervisory Board. As noted in the CEC response, the electoral law only provides for the rights of national observers accredited by the election commissions to attend the meetings of these commissions. According to current practice, meetings of the Supervisory Board can only be attended by special media analysts of long-term international observation missions. In a telephone conversation with a representative of the Belarusian Helsinki

Committee, Alena Dzmukhaila, head of the CEC's organizational and personnel department, said that international observers enjoyed greater rights than national ones. The work of the Mass Media Supervisory Board was still closed from the public, as the CEC did not inform about the nature of disputes and the results of their consideration.

It was only Andrei Bastunets's comments that helped reveal certain details about the complaints heard by the Board.

The first meeting of the Board¹⁷, to which the BAJ representative was invited, considered a complaint by Siarhei Trafimchyk, a BPF candidate for Ščučyn electoral district No. 60. Trafimchyk asked to give a legal assessment of several publications in the state-owned newspapers *Zara Nad Niomanam*, *Hrodzienskaja Praŭda* and *Dziannica*. The articles were published after the registration of the nomination groups and concerned the activities of another contender in the district, chairman of the regional branch of the Belarusian Trade Union of Government Employees Valery Sauko. They told about the pickets that collected signatures for the contender and the events he was involved in. In addition, two outlets printed an interview with Sauko. Trafimchyk requested that the editorial boards of the above media should be recommended to prevent violations of equal conditions for candidates and to abstain from creating benefits for one candidate over the other in the interest of their nomination or election. According to Bastunets, most members of the Board did not agree that the publications contained violations since the election legislation does not regulate the activities of the media before the registration of candidates and the launch of the campaign, while any interference in the editorial policy of the media is prohibited. In addition, most of these publications did not mention the elections, nor did they announce Sauko's intention to run for the House of Representatives. As for the publications about the pickets, the Board members argued that there were no pickets by the other potential candidates. Bastunets's opinion was different from the conclusions of the majority of the Board members, as he drew attention to the chronology of the appearance of publications — immediately after the registration of Sauko's nomination group — and a far-fetched pretext for an interview with him (the 60th anniversary of the regional trade union organization, which was celebrated in the spring). He suggested that this publication used administrative resources in support of a particular candidate and contained hidden advertising for one of the contenders, although the elections were not mentioned. Quite unexpectedly, Bastunets's position was partially supported by the CEC Chairperson Lidziya Yarmoshyna. She agreed that the editors were aware of the registration of Sauko's nomination group and should have been more attentive when publishing an interview with him. According to her, if such materials were printed after the start of the campaign period, it could even be basis for bringing the editors of state newspapers to administrative responsibility. But since the publications came at an earlier stage, no rules of law were violated, and we can only talk about the inappropriateness of their behavior. The Supervisory Board's decision in the case fixed the following position:

- there was no violation of the electoral law in the case, as the Electoral Code only regulates situations in respect of already registered candidates (which Sauko wasn't at the time of the publication);
- nevertheless, a number of publications were inappropriate.
- the decision will be sent to the newspapers with recommendations for correct operation during the election period.

The next meeting of the Supervisory Board¹⁸ considered the complaints of candidates Yury Khashchavatski, Maksim Krupeichanka, as well as an observer of the Belarusian Helsinki Committee Raman Yurhel.

A member of the United Civil Party, Khashchavatski asked the Supervisory Board to invalidate the refusal of the newspaper *Viačerni Minsk* to print his election program. Andrei Bastunets was the one who advocated that the complaint should be met. The remaining members of the Board — representatives of the Ministry of Information and the state-run media — said that the journalists acted within their authority when they refused to publish the program. The BAJ representative insisted that state media had no right to censor candidates' platforms and that the disputed issues should be resolved by the court, not the editors.

¹⁷ <https://baj.by/en/content/andrei-bastunets-takes-part-media-supervisory-council>

¹⁸ <https://baj.by/be/content/hashchavacki-salidarnasc-i-grodzenskaya-prauda-na-razglyadze-saveta-pry-cvk>

The consideration of Raman Yurhel's complaint actually repeated what was considered at the previous meeting of the Board on the situation with the publications in a number of government-owned newspapers in the Hrodna region. Since some publications had already been the subject of consideration, the Board decided to reiterate the recommendations on proper coverage of the campaign. The head of the Board, First Deputy Information Minister Ihar Lutski said that those recommendations should be also sent to private media outlets. Bastunets reminded that the Electoral Code does not regulate the operation of private media, so they can print any materials for or against this or that candidate, provided the law is not broken, as opposed to the state media, which are obliged to provide equal opportunities for all candidates.

The third complaint concerned a publication in a private media. Maksim Krupeichanka, a candidate for the Minsk-based electoral district No. 94, asked the Board to consider a publication in the online newspaper Solidarity, which was entitled "5 Facts about the Richest Candidate for Parliament". The candidate did not like that the journalist suggested that the Parliament seat in his district would be won by another person. Bastunets had to again say that the Electoral Code does not regulate the work of private media. As a result, the Board did not find any violations of the law.

Andrei Bastunets offered his comments on the work of the Supervisory Board in an interview with Deutsche Welle¹⁹. Bastunets said: "The Supervisory Board is a purely formal authority, rather an imitation of democratic activity to camouflage the situation around the election coverage. I do not know how as a result the conclusions and decisions of the Board were formulated, as they were prepared by representatives of the CEC Secretariat. I believe that there is no need for such a Board. There should be no advisory ersatz authorities that are not responsible for their findings. Disputes should be considered in court. In addition to court hearings, there is the ethical self-regulation of the media."

The BAJ chairman explained his participation in the Board's work by several reasons: "Firstly, because we try to use every opportunity to communicate, but at the same time we say what we think. Secondly, we know now what and how was discussed there. Thirdly, I provided detailed information to the observers about the Board's work. I would stress that the national observers were not allowed to attend the Board's meetings on the grounds of a lack of vacant seats. At the same time, OSCE observers were able to hear the arguments and counter-arguments."

¹⁹ <https://baj.by/be/analytics/glava-bazh-sovet-po-smi-na-vyborah-v-belarusi-eto-imitaciya-raboty>

EARLY VOTING

Early voting started on September 6 and ended on September 10, 2016.

364 short-term observers of the campaign *Human Rights Defenders for Free Elections* observed the phase of early voting throughout the five days at 182 polling stations across the country, which constituted a representative sample and allowed the observers to estimate the basic tendencies of early voting.

1. Legal framework

According to Art. 53 of the Electoral Code, a voter who has no opportunity to be present on the day of elections at the place of their living shall be entitled not earlier than five days before the election to come to the polling station and vote. The Code requires no official confirmation of the reasons for the impossibility of the voter to come to the polling station on Election Day.

Early voting is not conducted in sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions, for the citizens, serving sentences in the form of arrest, as well as citizens held in activity and therapy centers (LTPs).

Early voting is carried out from 10 till 14 hours on working days and from 16 till 19 on days-off in the presence of not less than two members of the precinct commission. A separate ballot box should be used bearing a seal made on the first day of early voting according to the rules established by Part 3, Art. 51 of the Electoral Code. The sealing procedure may be attended by an observer.

Every day after the time of holding voting ends the chairperson or deputy chairperson of the precinct commission shall seal the slot for dropping ballot papers in the ballot box with a sheet of paper. The chairperson or deputy chairperson and a member of the precinct commission shall put their signatures on this sheet. Opening of the slot shall be done daily before the beginning of early voting by the chairperson or deputy chairperson of the precinct commission. The opening procedure may be attended by an observer. In the period of early voting daily the chairperson and deputy chairperson of the precinct commission shall compose a protocol where the number of ballots received by the precinct commission, the number of citizens who received the ballots for voting (on the last day of early voting – the total number of citizens who have received ballots for voting), the number of spoiled ballots and the number of the ballots not used shall be indicated. The protocol shall be signed by the chairperson or deputy chairperson and a member of the commission. A copy of the protocol shall be put up for general familiarization in the premises of the precinct commission.

The storage of the ballot box shall be provided by the chairperson of the commission. After the closure of the polling station, the guarding of the polling station should be secured by the Ministry of Internal Affairs. The premises should be equipped with a burglar alarm controlled by the Ministry of Internal Affairs. Neither the Electoral Code nor the CEC regulations govern the storage of ballots and voter lists during the non-working hours of the election commission. The only document that regulates these matters is a collection of guidelines for the PECs, which was approved by the Central Election Commission, according to which voter lists and ballot papers in the period from 19.00 till 10.00 and from 14.00 till 16:00 hours should be stored in safes or metal cabinets. The safe (metal cabinet) should on a daily basis at the end of voting at 19.00 be sealed by the chairperson of the commission or their deputy.

2. Coercion to early vote

As a result of monitoring the phase of early voting, experts of the campaign *Human Rights Defenders for Free Elections* noted absence of any progress in comparison with previous elections. As before, early voting was marked by administrative coercion organized by state-owned enterprises, institutions, universities and local executive authorities. In some cases, voters were forced to participate in early voting through elements of control over their participation in voting and threats of various disciplinary sanctions. This is a gross violation of the constitutional rights of citizens and the principle of free participation in the elections. It also runs counter to the international principles of free and democratic elections. It is also worth noting that neither the managers of businesses nor the university administrations are, according to the current electoral law, among the entities in charge of conducting the elections.

Coercion to vote and the organized nature of early voting continued to be one of the key violations reported by the campaign's observers in at least 18% of the PECs.

On September 6, Mahilioŭ State University hosted a meeting of Rector with the students, which, in fact, was used to order the students to vote early. During his speech, Rector Kanstantsin Bandarenka openly threatened the students who did not wish to vote with blacklisting them as 'losers'. Head of University's department for discipline Liudmila Nabokava warned that such students would be certainly found (an audio recording of the meeting was posted on the website of Viasna's Mahilioŭ branch).

"And one more thing. Many of you are going home... and will vote later. Well, you may think you can come back on Sunday and vote. But, what if the bus does not come. Or you're sick. Or something else can happen. Well, unforeseen circumstances. And you do not manage to come on Sunday to make it by the end of voting time. And then you find yourselves in the so-called 'list of losers'. To avoid this, do not put it off. Take your passport. We have these polling stations working... Vote and quietly go home... Early voting has already begun. Today I was at a meeting with the governor, and there was a half-hour discussion, and each rector had to report to the governor on what they had done to ensure that the elections took place and we organized them properly. We do not look worse than the others on the general background. But I want to sincerely say to you. Say, by Saturday we need to know the approximate number of people who voted early. I will say it again: for whom — it does not matter, no one will ask you about that," Rector said. Liudmila Nabokava, head of the University's department for discipline, warned that the students who did not vote would be surely identified. "Our employees, I know, have voted at the polling station located in the University, fulfilled their civic duty. Boys and girls. It is very easy to check if you have voted or not. There are many controllers, including curators and deputy deans, who also, by the way, are present at this meeting. But the chief controller, who must determine your behavior, it's your conscience," said the official.

On September 5, students living in BSU's dormitory No. 11 in Minsk were told that they should go to vote the following day. On September 6, those who had not voted were threatened that they would be evicted from the dormitory or sent to "share rooms with students from Turkmenistan". They were also warned that those who did not vote in the first days of early voting would have problems with the administration. The students were advised to vote instead of going to classes, and their absences would be covered by the deputy dean. They were also instructed to tell the journalists that their choice to vote early was due to a chance "to go home for the weekend".

Pressure on students through group presidents, BRSM activists or trade union members was observed in the Baranavičy State University, Belarusian State Pedagogical University, BSU's State College of Law. In the Viciebsk State Academy of Veterinary Medicine, Belarusian National Technology University, Belarusian State University of Informatics and Radio Electronics, the Belarusian State Academy of Arts, the Belarusian State Academy of Communications, the Belarusian State Agricultural Academy students were threatened with academic failures and expulsion. Some universities promised to give official days-off on 9 and 12 September, reportedly to ensure that the students were well rested at home.

The students of the Belarusian State Agricultural Academy were recommended for whom to vote — the candidate who was nominated by the Academy's employees, Vice-Rector for Academic Affairs Alena Kalesneva.

Fifty students of the Institute of the Ministry of Internal Affairs voted in 25 minutes at polling station No. 17 in the Mahilioŭ-based electoral district No. 84.

91 people voted on the first day of early voting at polling station No. 26 in Babrujsk, which was located in the building of the local Medical College. All of them were college students who were dressed in medical gowns. There were small queues outside the polling station on the second day of early voting.

The students of a local medical college ensured 20% of voter turnout on the first two days of early voting at polling station No. 21 in Sluck electoral district No. 67. The precinct election commission, which mainly consisted of college employees and was chaired by the Deputy Director Alena Kazlouskaya, chose the largest box for early voting, leaving the smaller one for Election Day. During the first four days of early voting, voter turnout was about 40% of the voters registered at the polling station. Information on the compulsory nature of voting was confirmed by evidence: one of the students admitted that the persistent requests to vote early were coming from the group curators.

The government used another reliable way to ensure high early voter turnout, namely parents' meetings (a large number of polling stations were located in schools).

In particular, on the first day of early voting, School No. 21 in Baranavičy hosted a school-wide meeting with parents who were asked to bring their passports. Volha Palityka, a member of the House of Representatives and a candidate for Parliament seat, spoke at the meeting. After a short speech, the school head teacher said: "Here is our candidate, let's support her." On the second day of early voting, there was a meeting with the parents of children in Grades 1-3. A meeting for the parents of 4-6 Graders had been scheduled for September 8 and so on. And on Election Day, the parents were invited to a school concert. Parent meetings were held during the early voting phase at School No. 16 in Baranavičy, which accommodated polling station No. 19. On September 7, parent meetings were held in almost every school of the city; in School No. 4, a parent meeting was held on September 9. Volha Palityka again spoke at the meetings in secondary school No. 15 and a local gymnasium.

The same situation was documented in Babrujsk schools. For example, on September 7 the administration of gymnasium No. 2 (the school housed polling station No. 4) gathered the parents of pupils in elementary grades, on September 8 a meeting for the parents of high school students was scheduled. A parent meeting in gymnasium No. 3 was visited by the BRSM's first secretary and a proxy of candidate Iryna Ryneiskaya (head of the city executive committee's department of education, sports and tourism). School No. 9 also held parent meetings; on 8 and 9 September similar meetings were held in other Babrujsk schools.

Four polling stations were located in Salihorsk school No. 1. The school, whose staff were actively involved in the elections as members of precinct election commissions, with the school head teacher being chairperson of one of them, arranged parent meetings on almost every day of early voting.

Voters registered at polling station No. 19 of Salihorsk electoral district No. 68 admitted that they were forced to vote early because of pressure by the employers. In particular, such information was provided by the employees of *Belaruskali*.

Anatol Bolaz, an independent observer at polling station No. 13 in Sluck electoral district No. 67, reported instances of coercion to vote early. In particular, he referred to reports from the employees of the city utility service, who were forced by the administration to go to the polls early.

Voters in the village of Broža, Babrujsk district, told the observers that local authorities were very concerned about low voter turnout: only 12 people voted here in the first two days of early voting. On September 7, the village was visited by the chairman of the district executive committee Aliaksandr Osipau, and then polling station No. 4 began showing a better turnout: on the third day of early voting, there were 39 early voters. Local residents told the observers that the employees of the Village Council openly forced them to go to the polls and to cast their votes for Ihar Kananchuk, CEO at *Babushkina Krynka* dairy.

3. Fraud reports on early voter turnout

One of the most common types of electoral violations was a mismatch between the observers' reports and the official data on the number of early voters. In at least 55% of the PECs, the observers witnessed such discrepancies in voter turnout.

The total percentage of discrepancies in the data during the five days of early voting was a 14% overstatement. During the 2012 parliamentary elections, the total percentage of overstated turnout was 10.4%.

Differences between the PECs' data and the observers' estimates of voter turnout were reported throughout the five days of early voting. Separate polling stations were marked by an unprecedented difference between the official data and the observers' reports, with some PECs claiming a ten-fold voter turnout as compared to the campaign's estimates.

During the first day of early voting, the abnormally large discrepancy between the numbers in the official protocols and the data reported by the observer was documented in the following polling stations: PEC No. 46, DEC No. 3 in Svietlahorsk (PEC data — 49, observers' reports — 18), PEC No. 11, DEC No. 84 in Mahilioŭ (217 and 85, respectively), PEC No. 17, DEC No. 52 in Hrodna (77 and 29, respectively), PEC No. 122, DEC No. 94 of Minsk (105 and 9, respectively), PEC No. 401, DEC No. 103 in Minsk (80 and 66, respectively), PEC No. 420, DEC No. 103 (56 and 19, respectively), PEC No. 8, DEC No. 6 in Baranavičy (57 and 30, respectively), PEC No. 12, DEC No. 59 in Smarhoń (57 and 19, respectively).

During the second day of early voting, discrepancy between the numbers in the official protocols and the data reported by the observers was documented in the following polling stations: PEC No. 1, DEC No. 46 in Svietlahorsk (PEC data — 59, observers' reports — 33), PEC No. 21, DEC No. 68 in Salihorsk (103 and 83, respectively), PEC No. 30, DEC No. 73 in Maladziečna (175 and 103, respectively), PEC No. 28, DEC No. 46 (94 and 43, respectively), PEC No. 10, DEC No. 72 in Maladziečna (106 and 45, respectively), PEC No. 29, DEC No. 2 in Brest (81 and 31, respectively), PEC No. 11, DEC No. 84 in Mahilioŭ (198 and 73, respectively), PEC No. 6, DEC No. 44 in Rečyca (120 and 60, respectively), PEC No. 31, DEC No. 42 in Mazyr (48 and 23, respectively), PEC No. 420, DEC No. 103 in Minsk (91 and 73, respectively).

It should be noted that some of the polling stations that were not marked by the abnormal difference in voter turnout in the first day of early voting showed such discrepancies on the second day of voting. At the same time, the PECs where the campaign's observers reported the highest difference in data on the first day reduced their activity during the second day of early voting.

During the third day of early voting, large discrepancy between the numbers in the official protocols and the data reported by the observers was documented in the following polling stations: PEC No. 38, DEC No. 85 in Mahilioŭ (PEC data — 263, observers' reports — 46), PEC No. 11, DEC No. 84 in Mahilioŭ (184 and 81, respectively). During the first three days of early voting, overstated voter turnout has been reported in electoral district No. 46 in Svietlahorsk: according to PEC No. 17, on September 8, 187 people voted at the polling station, while the campaign's observers said there were 55 votes; in PEC No. 23 — 115 and 50, respectively; in PEC No. 28 — 107 and 62, respectively; in PEC No. 22 — 131 and 68, respectively.

In PEC No. 2 of DEC No. 29 located in Brest, 157 people voted according to the commission, and the observers said there were 45 people. In PEC No. 8 of DEC No. 6 in Baranavičy — 210 and 67, respectively. The situation is similar in the Homieĺ region: PEC No. 6, DEC No. 44 in Rečyca (181 and 61, respectively), PEC No. 9, DEC No. 32 in Homieĺ (350 and 135, respectively). Observers in Minsk and Minsk region also report a high difference between their estimations and the official voter turnout: PEC No. 420, DEC No. 103 in Minsk (117 people voted according to the commission, and 68 according to observers); PEC No. 91, DEC No. 93 in Minsk (165 and 26, respectively), PEC No. 402, DEC No. 103 in Minsk (127 and 93, respectively), PEC No. 21, DEC No. 68 in Salihorsk (145 and 74, respectively).

During the fourth day of early voting, an unprecedented difference between the PEC data and the observers' estimates was documented at polling station No. 9, electoral district No. 32 in Homieĺ, where, according to the PEC, 584 people voted early, while, according to the observers, only 106 voters came to the polls. In PEC No. 1, DEC No. 35 Homieĺ, 125 people voted according to the PEC, with only 56 voters according to the observers.

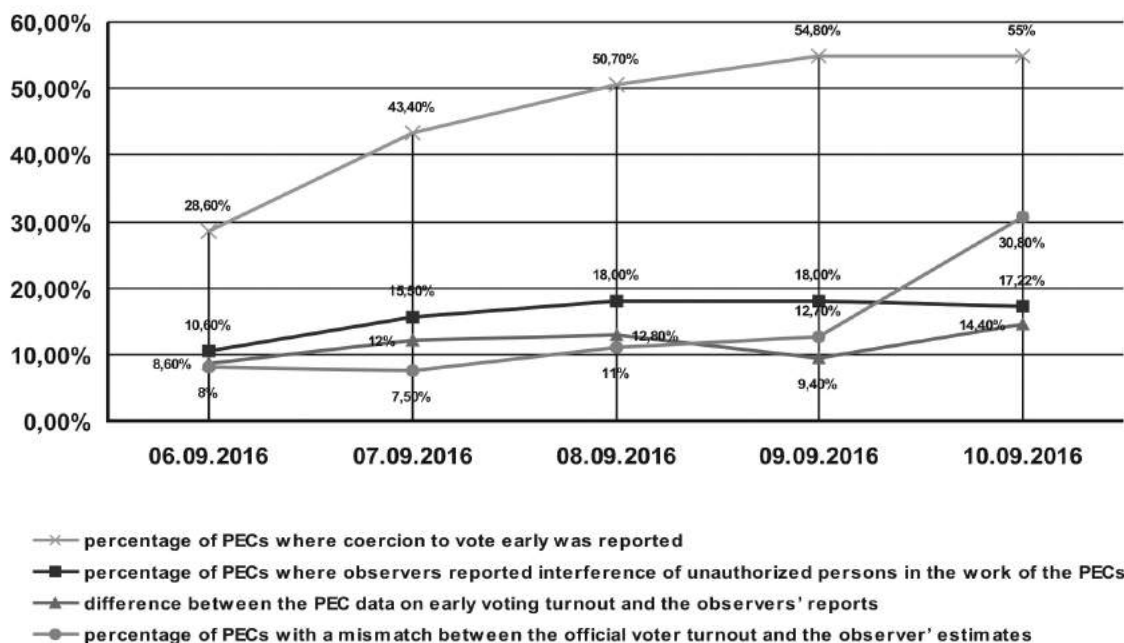
Large discrepancies between the numbers in the official protocols and the data reported by the observers were documented in the following polling stations: PEC No. 91, DEC No. 93 in Minsk (PEC data — 115, observers' reports — 25); PEC No. 420, DEC No. 103 in Minsk (128 and 33, respectively); PEC No. 10, DEC No. 72 in Maladziečna (183 and 114, respectively); PEC No. 22, DEC No. 84 in Mahilioŭ (236 and 77, respectively); PEC No. 11, DEC. No. 84 in Mahilioŭ (183 and 114, respectively); PEC No. 29, DEC No. 2 in Brest (249 and 68, respectively); PEC No. 21, DEC No. 5 in Baranavičy (224 and 154, respectively); PEC No. 10, DEC No. 5 in Baranavičy (131 and 46, respectively); PEC No. 8, DEC No. 6 in Baranavičy (219 and 72, respectively); PEC No. 28, DEC NO. 6 in Baranavičy (141 and 41, respectively); PEC No. 17, DEC No. 42 in Mazyr (255 and 155, respectively).

It was noted that the polling stations that were not covered by observation showed a considerably higher turnout than those where observers were following the voting procedures. For example, voter turnout at polling station No. 32 in the Homieĺ-based electoral district No. 34 was 24-25 people in the first and second day of early voting when there were observers at the station. On the third day, when no observers were present, but some only came in the evening, the protocol said there were 131 votes. 200 people voted early during the third day at a neighboring polling station, which was located in the premises of the same school; this happened when there were no observers at the station.

About 150 people cast their ballots during the four days of early voting at polling station No. 24 in the Salihorsk-based electoral district No. 68, which was covered by observation. At a neighboring station No. 23, which by its size and the socio-demographic composition was extremely similar to station No. 68, the official figure of those who took part in the vote for the same period was twice as much. The former polling station was not covered by independent observation.

The observers also reported facts of interference in the work of elections commissions by unauthorized persons in at least 14.44% of the PECs (the trend was evolving incrementally: 8.6% — on the first day, 12% — on the second day, 12.8% — on the third day, and 9.4% — on the fourth day of early voting). There were documented cases when final protocols with early voting turnout were not published by the commissions. There were also instances of the election commissions' failure to observe official working schedule.

EARLY VOTING STATISTICS OVER TIME



Representatives of the campaign *Human Rights Defenders for Free Elections* concluded that the practice of early voting remained one of the systemic problems of the country's electoral process, as it creates a broader stage for various manipulation and falsification. In this regard, the OSCE ODIHR recommendations regarding changes to early voting procedures remain valid after the elections to the House of Representatives of the National Assembly of the Republic of Belarus of the 6th convocation.

4. Conditions for observation

During the early voting phase, 5% of the campaign's observers encountered obstacles in the implementation of monitoring and refusals of election officials to provide information under the current electoral law.

Members of the precinct election commissions said that the observers could only be seated in specifically designated parts of the polling station, which sometimes voided the very meaning of the observation or created significant obstacles. Observers at polling station No. 12, which was located in School No. 1 in Smarhoń, were placed in such a way that they could not see the process of issuing the ballots to the voters or the process of casting the votes into the ballot box. The observers only faced the entrances to the voting booths.

The head teacher's office at School No. 20 in Babrujsk accommodated two polling stations — Nos. 35 and 36. The observers were first allowed to sit on the couch in the waiting room, but later they were sent outside. Halina Smirnova, a proxy for candidate Aleh Zhalnou, was threatened with a removal from the polling station after she approached the polling station closer than three meters. At polling station No. 2, which was located in the Babrujsk Leisure and Arts Center, the commission members also selected an extremely inconvenient place for the independent observers: behind a column. If the observer sat on one side of the table, he only saw members of the commission, if he

chose the other side of the table — only the ballot box. The observer was only allowed to move to a more convenient place after an appeal to the district commission.

Observers in some cases faced aggressive opposition for trying to point to the commissions' shortcomings. Mikhail Sashko, a proxy for candidate Ales Masiuk in Slonim electoral district No. 58, who observed voting procedures at polling station No. 9, remarked that the commission members failed to seal the safe and the room that stored the box and ballot papers. However, he was replied that it was "not none of his business".

In many polling stations, the observers faced unjustified bans on taking photos and video recording. On the first day of early voting, independent observers in Hrodna noticed that at polling station No. 14 in electoral district No. 51 (located in secondary school No. 2) the lid did not fit tightly to the ballot box. The slot in the box was sealed with an ordinary adhesive tape, which could be removed at any time. Representatives of the district commission did not allow the observer to take a photo of the box. Precinct election commission No. 33 in Kryčaŭ first allowed, but the following day barred observer Siarhei Niarouny from photographing at the polling station. On September 6, he wrote to the local election commission for permission to take photographs of the voting process, and on September 8 received a positive response. But the following day, the PEC reviewed its decision and informed the observer that no photos were allowed at the polling station.

The government, as in previous election campaigns, initiated the nomination of numerous pro-governmental observers. A separate guideline was issued for them (discovered by independent observers in Homieĺ), which defined as follows the purpose of their activity: "The purpose of your presence is to assist the commission in the observance of the electoral legislation, so if someone wrongly accuses the commission of any violations, your explanations may help resolve the misunderstanding. In this connection, it is recommended to reflect the results of observation in corresponding reports." An appendix contained a sample statement and a sample irregularity report. The statement was expected to indicate that "the voting process was organized and conducted in accordance with the requirements of the Electoral Code of Belarus." The observers were asked to pass the statement and a copy of the report to international observers. The irregularity report was recommended to document violations by independent observers, who "frequently approach the table where ballots are issued, voice their claims to the polling station commission and offer their recommendations." Such an act was to be sent to the Prosecutor's Office and the territorial election commission. Preparation of a statement and a report was among the 10 basic requirements for domestic observers under paragraph 9, while paragraph 4 mentioned "openness to dialogue and credibility with international observers."

Thus, the pro-government observers were not instructed to monitor the integrity of the electoral process, but to report to international observers that the elections were held in accordance with the law, as well as to serve as tools of stripping accreditation from independent monitors and observers from the opposition parties.

Uladzimir Shyla, an independent observer at Salihorsk polling station No. 24, electoral district No. 68, said that there were no other observers at the polling stations without any independent observation. Similar polling stations, which were attended by representatives of the campaign *Human Rights Defenders for Free Elections*, were monitored by pro-government observers. According to Shyla, the observers admitted that they were forced to come by their employers. There were cases where such observers knew nothing about the elections taking place and which candidates were running in their districts. At the above polling station, in addition to the chairman and members of the commission being a manager and employees of *Belaruskali*, the pro-government observers were employees of the same enterprise, too. Mr. Harbachou, chairman of the commission, openly gave orders to the observers when to come to the polling station and when to go back to work.

The observers of the campaign *Human Rights Defenders for Free Elections* faced open opposition from the commissions in exercising their powers.

In particular, on the last day of early voting, Katsiaryna Pilnik, an observer at polling station No. 126 in the Minsk-based electoral district No. 94, was forced to leave the room by members of the commission at 6:50, i.e. 10 minutes before the end of voting, while the election officials stayed inside, locking the door with a key. The woman, together with Ina Mudrachenka, an observer from the neighboring polling station No. 125, waited for the commissioners to leave the room and asked to announce the results of the last day of early voting. They also asked for permission to make a copy of the protocol. However, the chairperson of the commission refused to open the room, saying that the working hours were over and that the key had allegedly been taken by a police officer. The

observers concluded that since the chairperson of the commission did not want to open the door and to show the final protocol, it could have never been published. The observers also noted that during the previous days of early voting members of the commission did not inflate voter turnout, while the ban on access to the final protocol was due to the fact that on the last day the commission decided to add votes to the protocol. As a result, the observers were told that they had to come the following day if they wanted to see the protocol. The commission also refused to receive a complaint, since it was not submitted during the working hours.

Observer Yury Belski was arbitrarily deprived of accreditation at polling station No. 28, DEC No. 27 in Polack. The observer complained to the commission that a woman was given a ballot, although she was not a citizen of Belarus and had no right to vote. Belski noticed that she produced a Russian passport. The precinct election commissions had to admit that the complaint was valid, but then there was a complaint against the observer, who was reportedly interfering with the work of the commission. On this basis, he was removed from the polling station.

ELECTION DAY

In accordance with the President's Decree No. 190, the elections to the House of Representatives of the National Assembly of the sixth convocation were appointed for and held on 11 September 2016.

On this day, voters could vote both at the polling stations and at the place of their residence.

According to Art. 50 of the Electoral Code, voting was held from 8:00 to 20:00 hours.

Findings on voting and vote count on Election Day are based on reports from 326 polling stations covered by the observation of the campaign *Human Rights Defenders for Free Elections*, which had been processed by 6 am, 12 September 2016.

1. Voting at the polling stations

Before the voting starts, the ballot boxes should be checked and sealed. The ballot is issued to the citizen by a member of the PEC on the basis of the voter list upon presentation of a passport or other document specified by the CEC.

Voting at the polling stations was traditionally held at a high technical level. Voting procedures generally met the provisions of the Electoral Code. A positive step is expanded opportunities for participation in the vote of people with disabilities.

However, only 42% of the polling stations were accessible to people with reduced mobility. Where such conditions were not provided, in 65% of cases the commissions were able to assist a person with disabilities to enter the polling station. At 7% of the polling stations where there were voters with visual impairment, the PECs failed to provide opportunities to vote by means of a magnifying glass or a stencil.

The impossibility to see the tables for the issuance of ballots, voting booths and ballot boxes was reported by the observers from 7% of the polling stations covered by the observation: PECs Nos. 320, 321, 322, DEC No. 100; PEC No. 28, DEC No. 33; PEC No. 85, DEC No. 93; PECs Nos. 4 and 13, DEC No. 25; PEC No. 24, DEC No. 6; PEC No. 50, DEC No. 63; PEC No. 11, DEC No. 64; PEC No. 1, DEC No. 84; PEC No. 62, DEC No. 85 and others.

The main reason for that was the fact that the observers were placed in inconvenient places, or at a considerable distance from the table for the issuance of ballots.

Question	YES, %	NO, %
Were the observers provided with information about the number of voters at the polling station?	96.6%	3.4%
Were the observers able to learn the number of ballots received by the voters?	97.4%	2.6%
Were the observers provided with information about the number of voters who applied for mobile voting?	85%	15%
Were the observers able to see the tables for the issuance of ballots, voting booths and ballot boxes?	92.3%	7.7%
Were there any facts of issuing several ballots to one person?	2.6%	97.4%
Were there any cases of campaigning at the polling station?	2.2%	97.8%
Were there any complaints about the work of the commission?	16.7%	83.3%
Were the voters with visual impairment provided with the opportunity to vote by a magnifying glass or a stencil?	88.9%	11.1%
Was the polling station accessible to people with reduced mobility?	41.6%	58.4%

Some restricted polling stations showed 100% of voter turnout, which casts doubt on the voluntariness of voters' participation in the elections. In particular, at closed polling station No. 60 in

electoral district No. 92, which was located in Minsk's 10th City Hospital, voter turnout was 100%, with all the 605 registered voters casting their ballots. There was doubt whether patients in intensive care could actually vote independently or vote at all.

Patients in the Biaroza hospital were allowed to vote without an ID by Viachaslau Sakovich, deputy chairman of precinct election commission No. 62 and deputy chief physician at the hospital. Observer Tamara Shchapiotkina was not allowed to follow the commission members to the wards with "critical patients." The observer was not allowed to monitor the vote even from the hall, which, according to Sakovich, could "disturb the patients."

2. Mobile voting

The PEC is obliged to provide the opportunity to participate in the voting to voters who for health or for other valid reasons cannot come to the polling station on Election Day. On the basis of oral and written requests from such citizens, the PEC organizes mobile voting procedures. No official confirmation of the reasons for the person's inability to come to the polling station is required.

As in previous elections, there were facts of organizing mobile voting without voters' proper applications. In particular, in the villages of Smaliavičy district, people voted by mobile ballot boxes both without proper requests and without a voter list.

In 68% of cases, the observers were allowed to follow the commission members to observe mobile voting procedures. The remaining 32% of the observers were not allowed to do so. At several polling stations in the Hrodna-based electoral district No. 52, observers were denied the right to observe the process of home voting by the voters who had requested the option by a written application. Such bans were reported by observers Andrei Kotsia (PEC No. 25, chairperson Halina Koshur) and Aliaksandr Navumau (PEC No. 27, chairperson Zhanna Kazlovich). The chairpersons told the observers that they were not obliged to take them for mobile voting.

Mobile voter lists contained persons who had not requested to vote at home in 14% of the polling stations covered by the observation, including PEC No. 8 in Navapolack DEC No. 24, PEC No. 61 in Biaroza DEC No. 9, PEC No. 39 in Mahilioŭ DEC No. 85, PEC No. 92 in Minsk DEC No. 93, PEC No. 6 in Polack DEC No. 28, PEC No. 10 in Brest DEC No. 2, PEC Nos. 1 and 10 in Mahilioŭ DEC No. 84.

Some polling stations were marked by an abnormally high number of mobile voters. For example, in PEC No. 28 of Barysaŭ DEC No. 62, the observers documented only 86 requests from voters, while the opening of a mobile ballot box revealed 321 ballots.

Ihar Kiryn, an observer at polling station No. 2 of electoral district No. 89 in the town of Hlusk, reported incredible turnout during mobile voting: "Members of the commission Andrei Mazaleuski and Sviatlana Basiakova several times took the portable ballot box out. The total time spent was 323 minutes. When summing up the results of voting, the commission chairman Berazouski said that there were 472 mobile voters, which made up more than 32% of the number of voters who took part in the vote (1,437). It turns out that the visiting group spent an average of less than 1 minute per voter," said the observer. Meanwhile, according to the commission chairman, there were only 12 requests for mobile voting as of the morning of September 11.

Vanda Arkhipenka, an independent observer at polling station No. 42 in Babrujsk, filed a complaint after it was announced that there were 175 voters on the list of mobile voters, while the commission members received 200 ballots before leaving the polling station. The commission members prepared additional lists, which were not signed by the chairman. As a result, 200 people were said to have voted at the place of residence and 117 votes were cast at the polling station. Observers at the polling stations in the Lieninski district of Babrujsk also reported inflated voter turnout. 259 voters came to the polls at polling station No. 26, while 120 more people voted at home. At polling station No. 24, 150 voted at home and 301 people came to vote. At polling station No. 20, 268 votes were cast at the station, and 217 people voted at home. At polling station No. 37, there were 206 applications for voting at the place of residence as of lunchtime, but, according to observers, this list was considerably expanded afterwards.

The PECs usually included in mobile voter lists elderly people without their request, as well as persons with reduced mobility. However, there were instances when the lists featured voters without special needs.

During mobile voting at polling station No. 14 in Hrodna DEC No. 51 four citizens said they had not requested to vote at home, two of them refused to vote, and two more voted.

Ryhor Kastusiou, a candidate in the Škloŭ-based electoral district No. 90, filed a complaint with the DEC after he learned that during the mobile voting many members of precinct election commissions were caught stuffing the ballots, thus skipping many voters. As an example, Kastusiou mentioned an incident at polling station No. 17 in Bialyničy district. Two residents of the village of Bachani, Aleh Listapadau and Mikhail Tsaranok, came to the polling station located in the school of village Ciachcin. However, it turned out that the documents already had signatures opposite their names.

In 16% of the polling stations covered by the observation, the observers were not provided with information on the number of those who wished to vote at home.

In 26% of the polling stations, the number of mobile voters did not coincide with the number of ballots used by the PECs.

During mobile voting in the temporary detention facility of the department of internal affairs of the Viciebsk regional executive committee, voters were issued ballots without proper check of their identity. Some voters faced problems with filling the ballots, after the police officers took their wire-rim glasses, and the PEC members did not have a magnifying glass or a voting stencil.

Question	YES, %	NO, %
<i>Was there a separate list for mobile voters?</i>	91%	9%
<i>Were there any facts of entering persons who had not applied for mobile voting into the voter lists?</i>	13.6%	86.4%
<i>Were the observers provided with information on the number of persons who requested to vote at home?</i>	84%	16%
<i>Did the PEC members in charge of the organization of mobile voting receive the number of ballots corresponding to the number of voters on the list?</i>	75%	25%
<i>Were the observers allowed to follow the PEC members to observe the mobile vote procedures?</i>	68%	32%
<i>Were there any cases when voters said that they had not applied for mobile voting after they were visited by the PEC members?</i>	11.7%	88.3%
<i>Were there any cases of direct or hidden campaigning by the PEC members during the organization of mobile voting?</i>	4.2%	95.8%
<i>Were the mobile voter lists updated after 18:00 hours?</i>	0%	100%
<i>Were the mobile ballot boxes stored in a place visible for the observers?</i>	91%	9%
<i>Did the number of mobile voters coincide with the number of ballots used by the PEC members?</i>	74%	26%

3. Vote count

The basic principle of the ballot counting is separate counting: first, the ballots from early voting ballot boxes are counted, then — ballots from the mobile ballot boxes, and finally — votes from the boxes for voting on Election Day. The results of this counting are announced, and then the results of separate counting shall tabulated at a meeting of the commission and recorded in the protocol on voting results. A copy of the protocol on the voting results shall be posted for public review. The observer has the right to make a copy of the protocol on voting results. This copy is not signed or sealed by the commission members.

It is essential that the law does not provide a description of the vote-counting procedure. This circumstance is one of the main problems of the Belarusian electoral legislation. The recommendations and proposals of the OSCE ODIHR and the campaign *Human Rights Defenders for Free Elections*, which were aimed at improving the counting procedures, were not taken into account by the authorities.

On 12 February 2016, the Central Election Commission established an interdepartmental expert working group to review the OSCE ODIHR recommendations on the improvement of the electoral process in Belarus. Representatives of the campaign *Human Rights Defenders For Free Elections* wrote to the CEC head Lidziya Yarmoshyna, offering their assistance in the work of the group. The experts underlined that in their work they focused on the OSCE/ODIHR recommendations that would not require introducing respective amendments into the Electoral Code and other legislative acts, i.e. they could be implemented before the electoral campaign of the next parliamentary elections kicked off by means of regulations of the Central Election Commission.

On March 15, Lidziya Yarmoshyna said that the working group had developed a series of proposals on measures to improve the electoral process. According to her, “each agency has developed its proposals taking into account their views on the legislation and taking into account the proposals that were put forward not only by the OSCE ODIHR, but also by the campaign *Human Rights Defenders for Free Elections*.”

However, a later response from the Central Election Commission was contrary to previous media statements made by Lidziya Yarmoshyna. “Please inform the proponents that their opinion on the possibility of implementing many of the recommendations made by the OSCE ODIHR with the help of explanations by the Central Commission for Elections and National Referendums are not based on law. The powers of the Central Commission as an enforcement authority, which are provided for by the Electoral Code of the Republic of Belarus, do not allow it to set or amend the rules of the electoral law, which is required by a majority of the OSCE ODIHR recommendations. For example, the recommendation to demonstrate each ballot to the observers, to provide them with certified copies of the final protocols and others,” said the response.

The ODIHR recommendation was not about the “demonstration of each ballot to the observers”, but about the exact regulation of vote counting procedures: the counting should be carried out by one member of the commission and each ballot should be shown to all present, including the observers. This was one of the main recommendations dealing with vote counting procedures. Considering that the Electoral Code does not contain any description of any procedure, this recommendation does not run counter to the Electoral Code. Moreover, according to the responses that *Human Rights Defenders for Free Elections* received from the CEC, including during the previous presidential elections, the procedure of vote counting is set independently by each election commission.

On April 27, Lidziya Yarmoshyna met with President Lukashenka to agree on amending the electoral process in accordance with the OSCE recommendations. Four major innovations were announced: local executive committees were expected to select members of the precinct election commissions only after discussing the candidates; results of hearing all electoral disputes will be published online; international observers were allowed to monitor the receipt of ballots by the district election commissions. With regard to the counting of votes, members of the precinct election commissions were instructed not to obstruct with their backs the observation of the vote counting process, but to line up on one side of the table, instead. According to Ms. Yarmoshyna, “it was agreed that the entire process of the counting of ballots would be held on the same side of the table. Observers will have full opportunity to see the counting process. In addition, the observers will have access to information that is not provided for in Art. 13 of the Electoral Code, for example, information about the number of registered voters and voter turnout.”

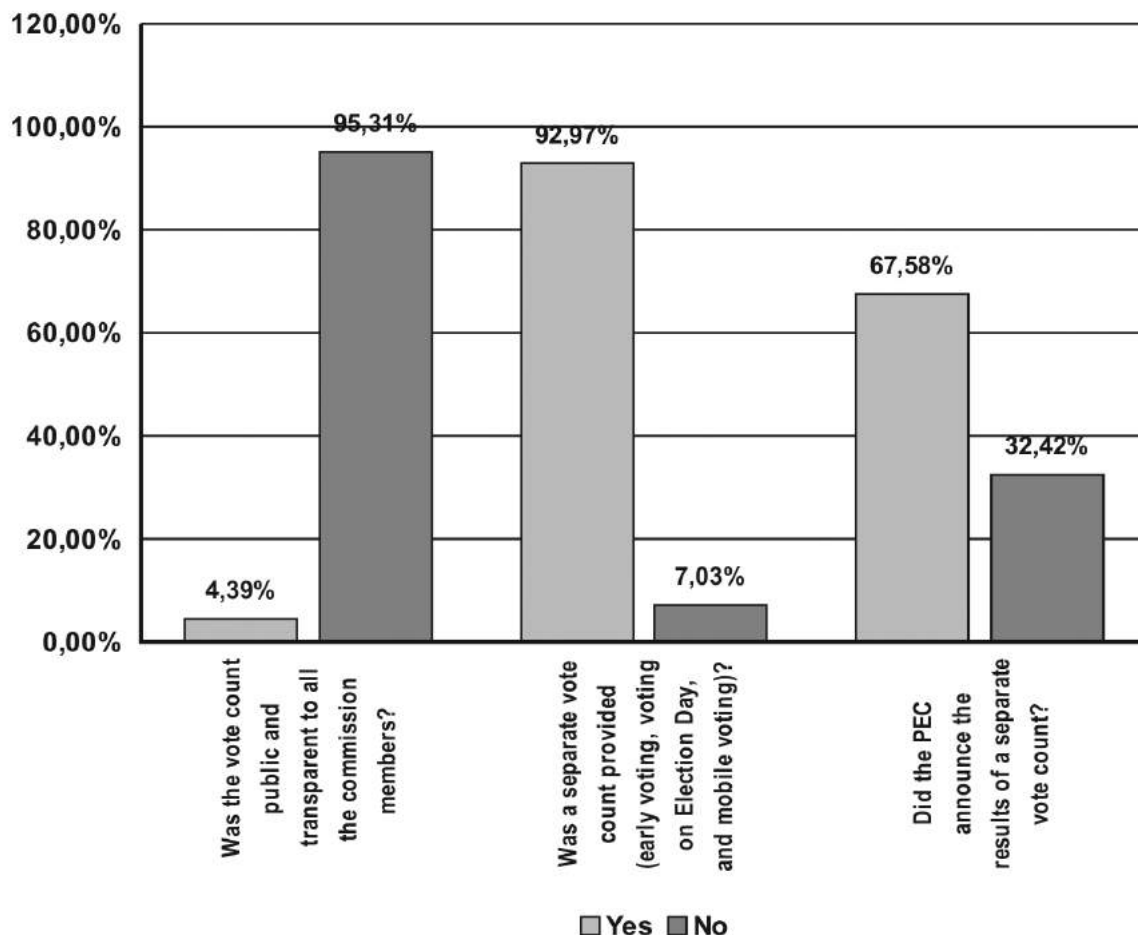
Representatives of *Human Rights Defenders for Free Elections* were quite reserved in their attitude to the innovations, saying that it was not enough to have members of the election commission on one side of the table, and observers — on the other one. The experts expressed regret that their proposals to arrange the count by one member of the commission and to display the choice on the ballot were not accepted by the CEC.

The campaign’s fears that the CEC innovations were not likely to increase the transparency of counting the ballots were eventually confirmed: 95.31% of observers noted that the vote-counting procedures were extremely non-transparent. During the observation of the parliamentary elections in 2012, this figure was 92.3%.

It is worth adding that a number of observers wrote to the precinct commissions asking to establish a clear vote-counting procedure with the possibility to see the mark on each ballot, but these requests were not met. In particular, all the precinct election commissions of Salihorsk and Sluck promised to count the votes in accordance with Article 55 of the Electoral Code. Precinct election commission No. 9 in Salihorsk electoral district No. 68 even gave an official explanation of the compliance: “The

procedure for the counting of votes, as established by the Electoral Code, does not provide for the demonstration and announcement of the mark on the ballot.” A response to observer Aliaksandr Vaitshchyk from chairman of precinct election commission No. 21 in Baranavičy electoral district No. 5 said: “The electoral law does not provide for displaying the ballot in the process of vote counting.”

VOTE COUNT



Thus, the vote count at the majority of polling stations was not carried out in a transparent manner, with all the commission members counting the ballots simultaneously, without announcing the choice in each ballot. The observers (60.94%) reported that they were seated at such a distance from the table where the vote count was conducted that they were unable to see the content of ballots.

The joint and simultaneous counting of ballots by all the PEC members made it impossible to monitor the vote-counting procedure. 85.94% of the observers noted that they could not see the content of ballots. 89.64% said that the commissions did not consider the complaints received at the meetings of the PECs.

At polling station No. 2 (Kalinkavičy district), members of the PEC sent observer Dzianis Rabianok to sit 10 meters away from the table with the ballots. Obviously, in such circumstances, he could not really see the vote count.

During the counting of the ballots at the Hlusk-based polling station No. 2 in electoral district No. 89, according to observer Ihar Kiryn, the table was about 10 meters away, surrounded by members of the commission. The commission chairman ignored the observer’s request to provide proper conditions for observation in accordance with the recommendations of the Central Election Commission. As a result, Kiryn could not follow the vote-counting process. The observer also said that the commission only published one side of the final protocol. Moreover, the commission did not meet to approve voting results. The final protocol featured incredible figures: 460 voters took part in early voting, 566 persons voted at home, with only 421 voters coming to the polls on Election Day.

At polling station No. 45 in Homiel, observers were allowed to monitor the counting of votes from a distance of 5-6 meters. According to the observers, 371 people voted at the polling station on Election Day, but the official protocol said there were 587 votes.

Ales Bialiatski, chairman of the Human Rights Center “Viasna”, observed the vote count at polling station No. 595 in the Minsk-based electoral district No. 107. He noted that ballots for early voting were counted first — simultaneously by all the commission members. Then the secretary summed up the figures that were either told her in a whisper or written on a sheet of paper. Then the mobile voting ballots were counted. After that the remaining ballots were poured on the table and counted by 10 members of the commission. 7 observers sat 4 meters away from the table. Each commissioner was in charge of one candidate. When asked to announce the calculations, the chairman said that “only the chairman or the secretary has the right to announce the numbers.” The secretary then came up to each commissioner and quietly put down the calculation results. He then sat down at the table and summed the numbers with a calculator. At 8.55 pm the results were announced. The calculation took 55 minutes.

The inability to control the vote count was reported by independent observers in Salihorsk electoral district No. 68 and Sluck electoral district No. 67. Despite the fact that the observers were allowed to observe the counting of the votes from the distance of three meters, the entire procedure remained intact: each member of the commission counted part of the ballots, which were then passed on to the secretary. The secretary passed the ballots to the chairman, and the two calculated the final figures. This calculation took more time than the counting of votes and was accompanied by work with the calculator, pencil notes and whispering, which could not be heard by the observers. As a result, the observers were outraged by a huge overestimation of voter turnout in the final protocols of the precinct election commissions. According to the protocol, 926 people participated in the vote on Election Day, while the actual number was less than 470 people. Observation and parallel vote count was conducted absolutely without interruption, said an observer at Salihorsk polling station No. 24 Uladzimir Shyla. The figure was simply added to the protocol without any ballot stuffing, because it was clear that there were not so many ballots. Gross falsification was reported by an observer at Salihorsk polling station No. 9 Aleh Stakhayevich. According to the final protocol, the number of voters who came to the polls on Election Day was 694 people. In fact, there were 548 people. Mobile voting results were also inflated: two boxes reportedly contained 181 ballots, despite the fact that there were only 46 requests from the voters.

The observers, who worked at polling station No. 17 in Babrujsk, witnessed small stacks of ballots turn into large numbers. On Election Day, voter turnout was extremely low and it was clear that the commission members were nervous about the fact. The station was visited by OSCE observers, one of whom asked the chairperson of the commission about the number of voters. The chairperson said that she did not know and ran off to make a phone call. She returned and announced that there were 500 votes. The observers were surprised, because their estimates were about 200. They told the OSCE representatives about the fraud. During the counting of votes, the observers saw a rather large stack of early voting ballots, and the commission members announced the figure of 481 votes. After counting a small stack of Election Day ballots, the commissioners said there were 625 votes. According to the calculations of the observers, there were 218 ballots, and it was obvious even visually. The observers asked the commission members to display each ballot, but their request was rejected. Thus, the members of the commission simply announced the numbers, and the amount of ballots on the table was not essential for them.

Aliaksandr Hekht observed at polling station No. 17 in the Homiel-based electoral district No. 33. On Election Day, he never left the room and said that there were 218 voters. After the counting of votes, the chairman of the commission said that voter turnout was 345 people. The observers were not allowed to stand close to the table during the vote count.

Voting results differed at the polling stations where the observers did not document any violations during early voting or on Election Day. In particular, Siarhei Kolyshkin observed at polling station No. 9 in the Homiel-based electoral district No. 33, where the elections were not recognized as valid, since turnout was just over 30%. The observers could actually see the vote count, and the tables were set up so that the process was visible to all present.

The opacity of the vote-counting procedure does not allow to draw conclusions about the actual will of the voters, and repeats the negative practices of previous election campaigns.

ELECTION OBSERVATION

The elections were observed by a number of international missions, including the CIS Interparliamentary Assembly, OSCE ODIHR EOM, Council of Europe's PA mission, and representatives of the diplomatic corps in the Republic of Belarus. In addition, small missions were deployed by the OSCE's Parliamentary Assembly and the Commonwealth of the Shanghai Cooperation Organization.

Besides the campaign *Human Rights Defenders for Free Elections*, domestic monitoring was also carried out by the campaign *Prava Vybaru* ("Right to Elect"), which brought together eight political groups (Belarusian Social Democratic Party *Hramada*, Belarusian Christian Democracy, United Civil Party, Movement *For Freedom*, the Party of the Belarusian Popular Front, the Belarusian Party of the Greens, Independent Trade Union of Radioelectronic Industry, and the organizing committee of the Party of Freedom and Progress) and may be viewed as an observation initiative by the opposition political parties and movements.

Some pro-government public associations and political parties (*Belaya Rus*, Belarusian Republican Youth Union, Belarusian Union of Women, Federation of Trade Unions etc.) traditionally sent large amounts of observers. However, their activities were primarily focused on exercising control over other observers, supporting the activities of the election commissions, preparing complaints against observers in order to justify their removal from the polling stations. It should be noted that the results of observation carried out by the pro-governmental public associations and political parties have never been announced or published.

A total of 37,834 domestic observers were accredited with the election commissions of all levels.²⁰

In the process of election observation, observers of the campaign *Human Rights Defenders for Free Elections* faced pressure from the authorities, refusals to provide information from the election commissions, and removals from the polling stations. Separately, the campaign stresses an unjustified ban on using photo and video equipment at the polling stations, opposition to the observers during the counting of voter turnout, as well as observation of the counting of votes at the polling stations.

The campaign *Human Rights Defenders for Free Elections* reported 5 cases of illegal deprivation of accreditation of the campaign's observers.

Legal analysis of Decree No. 20 of 8 June 2016 "On approval of the procedure of delegating observers in the preparation and conduct of the elections of deputies of the House of Representatives of the National Assembly of the Republic of Belarus of the sixth convocation"²¹

The Decree regulates the procedure of delegating and receiving accreditation for observers during the parliamentary elections.

The basic principle of sending observers, as set forth in paragraph 2 of the Decree, is that political parties, public associations, labor collectives and their structural units, and groups of voters have the right to send only one representative (or more than one with the consent of the election commission) to a meeting of the election commission or the polling station.

It should be noted that the Decree provides for the possibility of sending observers by national public associations and political parties to the election commissions of all levels, including at the polling stations, located in the territory of the Republic of Belarus, irrespective of the availability of local branches in the corresponding territory.

This order reflects a positive approach to observers, primarily representing opposition parties, because in most cases they do not have officially registered local offices, as well as public associations that lack local branches in accordance with their Charters. Earlier, the CEC often banned sending observers by unities other than local branches of political parties and public associations. Under the rule, a public association, which had no local offices, could only send observers to the meetings of the CEC.

Paragraph 17 of the Decree provides for a new procedure for the termination of the powers of observers at the polling station. In particular, in accordance with this paragraph, the term of powers of an observer at the precinct election commission and at the polling station starts from the moment

²⁰ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect7.pdf>

²¹ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-post20.pdf>

of his or her accreditation by the commission and expires after the tabulation of results at the polling station and at the district, regional and Minsk city election commissions, i.e. on the day of the announcement of voting results in the district, region, and the city of Minsk, respectively. At the same time, in accordance with Part 6, Article 13 of the Electoral Code (the version of 2013), the powers of the observer start from the moment of his or her accreditation and expire on the day of the announcement of voting results by the corresponding commission.

In practice, this wording may be treated in such a way that an observer at the polling station will be denied the opportunity to appeal vote count results and the final protocols of election commissions in connection with the expiration of his or her powers.

Special attention should be paid to paragraph 15 of the Decree, which specified the rights of observers, finding that during early voting and on Election Day observers have the right to receive information about the number of voters included in the voter lists and the number of voters who took part in the vote.

In addition, it specifies the rights of observers registered in the district election commissions to observe the reception of protocols from precinct election commissions.

It is worth noting that earlier representatives of the campaign *Human Rights Defenders for Free Elections* criticized bans on allowing observers registered in the territorial commissions to observe the transfer of protocols from precinct election commissions. These bans referred to claims by commission members saying that observers, in accordance with Art. 13 of the Electoral Code, have the right to attend only the meetings of election commissions, while receiving protocol with voting results, according to the CEC, is not a meeting of the election commission. Thus, the observers were deprived of the opportunity to observe the process of establishing election results on the territory or each district. They were only invited to the meetings of territorial or district commissions that approved election results, which took place a few days later.

Position of the campaign's experts is that Art. 13 of the Code only contains a suggested list of the rights of observers, while the exhaustive list of prohibited activities does not contain prohibitions on receiving information regarding the number of registered voters and the number of votes, as well as a ban on observing the work of regional election commissions during the transfer of protocols from precinct election commissions.

We welcome a more detailed interpretation of the rules of Art. 13 of the Code provided in the Decree, but we do not believe that in this way the CEC moved beyond the Electoral Code.

At the same time, the CEC secretary Mikalai Lazavik noted that the CEC "had a lot of comments from international observers, who wanted to see the protocols being received by the district commissions. We have taken into account their wishes, although it expands the scope of the law."

It is surprising that the CEC used a selective approach to the possibility of "expanding the scope of the law", as in the case with the proposals of the campaign *Human Rights Defenders for Free Elections* on the regulation of the vote counting procedures the CEC's position was that these procedures could not be settled by the CEC regulations, since they were contrary to the provisions of the Electoral Code. At the same time, the Code does not contain a description of vote counting by the polling station election commissions. In addition, in accordance with para. 3 of Part 1, Art. 33 of the Code, the Central Election Commission can only clarify electoral legislation for its uniform application.

We also believe that the OSCE ODIHR recommendation regarding observers' rights was not taken into account to the full extent, since observers are still prohibited to receive a copy of the protocol with voting results and to have access to voter lists.

The day before Election Day, the Central Election Commission amended its regulations on the procedure for sending observers to election commissions, minimizing the number of candidates' proxies. Noting the rapid and secret nature of these changes, experts of the campaign *Human Rights Defenders for Free Elections* regards this as a political move aimed at reducing the transparency of the vote count.

The changes affected paragraphs 3 and 15 of the Regulation "On the procedure for sending observers" of 8 June 2016, which was approved by CEC's Decree No. 57. The amended text was published on the CEC website on 10 September 2016.

Paragraph 3 read as follows:

"The proxies of the candidate for the House of Representatives shall have the right to observe at meetings of the district and precinct election commissions, at the polling stations of the electoral district in which the candidate is running.

The meetings of the district and precinct election commissions held at the polling station may be attended by no more than one observer from the number of proxies of the candidate for the House of Representatives (with the prior consent of the commission — more than one).”

Part 2 of paragraph 15 read as follows:

“Observers accredited with the district election commissions have the right to be present in these commissions during the receipt of protocols with voting results from the precinct election commissions. Only one observer from the number of proxies of the candidate for the House of Representatives has the right to present in the corresponding district election commission (with the prior consent of the commission — more than one).”

Human Rights Defenders for Free Elections separately stressed the fact that the Decree was approved secretly. The Central Election Commission, in violation of their own guidelines, according to which the Commission was obliged to invite observers to each session, held a secret meeting. None of the independent observers and observers from the opposition political parties, which were accredited by the Central Election Commission, was not invited to the meeting. Observer Dzmitry Charnykh says that he did not receive an invitation to this meeting, either by phone or by a text message. The meeting focused on limiting the number of authorized representatives of candidates at polling stations. Earlier, there were no such restrictions on the number of observers.

The secret and hasty nature of the adoption of this decision (in fact it was adopted within one day before the main Election Day, after five days of early voting) indicated to the fact that it was only aimed at making the vote count as opaque as possible. As a result, sending proxies to the polls could not secure a comprehensive observation of the entire vote-counting procedure.

In addition, the campaign’s experts once again emphasized the inconsistency of the CEC’s approaches, as the country’s key election management body had repeatedly argued that it was impossible to amend electoral laws (as requested by the Venice Commission and the OSCE ODIHR) within less than six months before the start of the elections.

APPEALS AND COMPLAINTS

According to official information of the CEC, as of September 16, 1,716 complaints and appeals were submitted to deal with the preparation and conduct of the elections, of which 82 (4.7%) related to the issues not associated with the preparation and conduct of the elections, 87 (5%) — to the issues related to the interpretation of the electoral legislation, and 229 (13%) — to other issues related to the preparation and conduct of the elections²². During early voting, according to the data, there were 938 complaints.

A significant part of appeals and complaints dealt with voting procedures and the counting of votes, 589 (34%). At the stage of election campaigning, 139 appeals were filed (8%); at the stage of nomination and registration of candidates, 114 complaints were submitted (6.6%). 115 complaints (6.7%) were filed to challenge the recognizing of the elections as invalid and to request a recount of the votes; the activities of election commissions were appealed in 250 complaints (15%).

According to the CEC, the majority of complaints were received by the DEC's (524 or 30%). It should be pointed out that 486 applications (28%) were received by the PEC's, most of them dealt with the voting and the counting of votes (63%).

Noteworthy is the negative practice not to provide information on the number of disputes considered by the election commissions and the courts. The Central Election Commission published statistics on all appeals in general, instead. At the same time, the data did not specify the number of complaints that were submitted in the cases related to the Electoral Code: appeals against decisions of local executive committees on the formation of election commissions, decisions of election commissions on the refusal of registration to nomination groups and candidates, imposition of warnings to nomination groups and candidates etc.

According to experts of the campaign *Human Rights Defenders for Free Elections*, lack of statistical information on electoral disputes is not conducive to the implementation of the principle of openness and transparency of the elections, enshrined in Art. 13 of the Electoral Code.

According to the CEC's decision No. 22 of 8 June 2016 "On informing the citizens about the work for the preparation and holding of the elections to the House of Representatives of the National Assembly of the sixth convocation", the regional (Minsk city) executive committees on their official websites in special sections "Vybary-2016" should publish decisions of the TEC's and DEC's on electoral disputes. However, in practice most of these decisions were not made public.

In some cases, executive committees only published summaries of the decisions taken. This practice may be due to the fact that the electoral law does not define the notion of 'electoral dispute'. The CEC's Guidelines for the DEC's and TEC's approved by decision No. 9 of 17 May 2016 provided no explanation as to which appeals can be considered as electoral disputes.

According to the official websites of regional courts and the Minsk City Court, eight appeals were submitted against joint decisions of the presidiums of the Regional (Minsk City) Councils of Deputies and the regional (Minsk City) executive committees on the formation of regional and district election commissions. None of the complaints was met.

Thirteen appeals were filed against decisions of local executive committees on the formation of the PEC's, according to the campaign's lawyers, of which none was met. No general statistics is available on appeals against decisions on the formation of the PEC's, as the courts did not publish their decisions.

Twenty-one appeals were filed in the TEC's to challenge decisions to refuse registration of candidates, one of them was met. The courts received 16 appeals against decisions of the TEC's to dismiss the complaints of potential candidates, three of them were met.

According to the CEC, 139 complaints were filed at the stage of campaigning. As already noted, the CEC failed to specify what percentage of this figure were appeals, nor did it report what questions were dealt with in these communications. It is still a matter of concern that the websites of local executive committees published only a few decisions taken by the CEC, making it impossible to collect general statistics on campaigning-related complaints.

For example, according to the lawyers of the campaign *Human Rights Defenders for Free Elections*, 22 complaints were filed, while less than 10% of the decisions on these complaints were published. These complaints generally concerned the following violations of the electoral legislation: violation

²² <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-Elect12.pdf>

of the requirements on imprint in campaigning materials; refusals by printing firms to manufacture campaign materials; obstacles in campaigning during pickets; changes in the candidates' curricula vitae; failure to publish election programs; refusal to air TV appearances of candidates; use of administrative resources by the pro-government candidates.

As before, the 2016 parliamentary elections were marked by arbitrary interpretation of the Electoral Code rules of appealing. Thus, according to the electoral law, complaints are usually submitted within three days after the adoption of a corresponding decision. Since the running of the time limits is not set by the Electoral Code, lawyers of the campaign *Human Rights Defenders for Free Elections* insist that the general rules defined in the Civil Procedure Code should be applied in these cases (the period for filing a complaint should be measured from the following day). But in practice, the courts and election commissions interpret the rule in a restrictive way counting the day of the adoption within three days scheduled for appealing. If the decision is adopted in the evening, and the decision itself is usually handed out the following day, many complaints miss the deadlines and, accordingly, are not considered.

These cases are examples of restricting the right to appeal against illegal decisions. We believe that this problem must be resolved through appropriate additions and changes to the Electoral Code.

After Election Day, the Central Election Commission considered two complaints of former candidates, who asked to invalidate voting results in their electoral districts. The complaints were filed by Viktor Mikhalchuk, who ran in the Hrodna-based electoral district No. 5, and Siarhei Kaliakin, a candidate in the Orša-based electoral district No. 25. The candidates argued that the election commissions in the districts were formed with gross violations. In addition, there were unreasonable restrictions on election campaigning, obstacles to observers working at the polling stations, rigged voter turnout, and other abuses. Having considered the complaints, the CEC said that it "did not establish violations of electoral law committed during the elections or during the vote count, which influenced the results of the elections or did not allow to reliably determine the results of the voters' will."²³

It should be noted that the Electoral Code does not provide for the possibility to appeal against the CEC decisions, which were taken on the complaints of candidates asking to recognize the elections as invalid. According to the Electoral Code, the candidate may only appeal to the Supreme Court against the CEC decision to invalidate the election. In general, the right to judicial review of actions and decisions taken by election commissions is only limited by cases expressly provided for in the Electoral Code, which contradicts the constitutional right of access to court.

²³ <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-post69.pdf>, <http://rec.gov.by/sites/default/files/pdf/Elections-PPNS6-post70.pdf>

RECOMMENDATIONS

Recent amendments to the Electoral Code did not take into account the majority of recommendations made by the OSCE ODIHR and the Venice Commission following the observation of previous elections, as well as proposals of the campaign *Human Rights Defenders for Free Elections*. Most of these recommendations have not lost their relevance after the presidential election of 2015. The election showed that with no detailed regulation of the procedure for the formation of election commissions, voting and vote count it is impossible to ensure the holding of elections that would meet international standards for free and fair elections, in particular the OSCE 1990 Copenhagen Document.

The campaign also stressed the need to ensure true equality of candidates in the field of access to the media and the expansion of observers' rights. The below proposals on reforming the electoral law would bring Belarusian elections in line with international standards and increase confidence in the results of the elections both on the part of the citizens of Belarus and the international community.

Election commissions

The Electoral Code should be amended with a provision that would secure the guarantees of membership in the election commissions for representatives of political parties and contribute to a pluralistic composition of the commissions. It is necessary to ensure that the political parties participating in the elections, including parliamentary elections, enjoyed the right to delegate one representative to each of the territorial, district and precinct election commissions. Local administrative and executive bodies cannot have the right to claim the vacant seats in the election commissions except in case a political party has not used this right. Similarly, the priority right to nominate their representatives to the election commissions should be enjoyed by the candidates. In addition, the criteria for selecting candidates to the election commission (delegating by a political party, education, other professional knowledge) should be legislatively defined, which would reduce the possibility of their arbitrary selection and could be taken into account by the court when considering corresponding complaints.

Registration of candidates

It is necessary to exclude the possibility of using administrative resources in collecting signatures, in particular, to prohibit the collection of signatures by unauthorized persons. In addition, it is necessary to provide for the right of observers to be present during the verification of signatures submitted for the nomination of candidates.

Voter lists

For the sake of increasing the transparency and accountability of the voter registration process, it is necessary to create a national voter list. Citizens and observers (including election agents, media representatives and international observers) should enjoy full access to the list. Every citizen shall have the right to have access to voter list before voting. In addition, observers should be able to have access to these lists during voting. The number of voters registered at the polling station should be announced by the election commissions before voting and after its completion. It is necessary to create a single register of all voters of the Republic of Belarus.

Election financing

The Electoral Code allows the CEC to independently administer the state budget funds for the production of information leaflets with the general information about the candidates, instead of financing costs associated with the candidates' printed campaign materials. This resulted in a low activity of most of the candidates in the production of campaign materials. Therefore, it is necessary to re-enforce at the legislative level the state funding of candidates' costs of printed campaign materials. This should include the possibility of opening special funds from the moment of registration of nomination groups for the payment of expenses associated with collecting signatures for the nomination of the candidates, by analogy with the presidential election.

Campaigning

The legislation provides a period of no more than 1 month for the duration of the election campaign. This rule limits both the candidates' opportunity to campaign and the citizens' right to obtain full information about the candidates and their election platforms. It is proposed to extend campaigning period for up to at least two months. In addition, it is necessary to discharge the entities in charge of political advertising of any liability for the content of advertising provided by the candidates or political parties.

Judicial appeals against decisions relating to elections

The Electoral Code provides for a limited list of grounds for submitting appeals to the courts. It is necessary to provide for the possibility of judicial review of any decisions by election commissions and other state bodies in matters relating to elections. First of all, it is necessary to allow the judicial review of decisions of the DEC, which approve the election results.

Early voting

The procedure for early voting in its current form allows the authorities to carry out various manipulations during the vote count. In this connection, it is proposed to consider the complete abolition of early voting.

If early voting is not canceled, it is proposed to introduce criteria, compliance with which gives the voter the right to vote early. Such criteria should be grounds, which clearly prove the impossibility for the voter to vote on Election Day, e.g. a departure abroad or other documented evidence.

The legislation should also specify in detail the procedure for the storage of ballot boxes during early voting and the sealing of the premises where the ballot box is stored. It is necessary to prohibit the presence of unauthorized persons, including police officers, in the voting premises and rooms, in which the ballot boxes, ballots and other election materials are stored. It is also necessary to provide for the right of observers to be present on the premises for voting outside the working hours of election commissions (lunch break, period after the end of voting) in cases when members of the election commissions choose to stay.

Every PEC should be provided with single-part transparent ballot boxes with plastic tapes for sealing (with individual polling station numbers). Online surveillance throughout the days of early voting should be organized. Every PEC should also be provided with individual seals bearing an individual number. The security of ballots should be provided with corresponding signs.

Mobile voting

It is necessary to determine that the right to mobile voting should be enjoyed by persons with significant health problems (documented by certificates issued by a healthcare institution), which prevent them from arriving at the polling station. The Electoral Code should specify that the citizen's right to vote under mobile voting procedures only occurs after the transfer to the PEC on Election Day of a written request about the impossibility of voting at the polling station.

Vote count

The current counting procedure is not transparent. One of the main reasons for this is the absence of a detailed description of the vote counting process in the Electoral Code. In this connection, it is necessary to legislate the following principles of the procedure of vote counting: counting of the votes shall be carried out publicly in the presence of observers who can monitor the accuracy of the voters' choice on each ballot (i.e. to see the content of each ballot); counting of the votes shall be conducted by one of the commission members, who shall announce the voter's choice and display each ballot to all the commission members and observers; counting of the votes shall be separate for each ballot box, and the results of separate counting of the votes shall be reflected separately for each ballot box in the final protocol. A copy of the final protocol shall be certified by the chairperson and secretary of the election commission, secured by the commission's seal and issued to the observers at their request.

It is also proposed to legislate the right of observers and candidates' agents registered with the TECs to attend and observe the procedures for the transfer of ballots and protocols with voting results from the polling stations to the TECs. It is necessary to provide for the possibility of publishing on the website of the CEC of voting results in all electoral districts with separate voting results for each polling station.

Election observation

In order to strengthen confidence in the elections in Belarus, it is necessary to expand the rights of observers through amending electoral legislation. The observers should enjoy the right to access the materials of the commissions relating to its composition, the types of nomination of its members, voter lists, storage of ballots and ballot boxes during early voting, as well as to use video and photo equipment during the implementation of election observation.



People with an election banner in the background. Žodzina, 20 August 2016



Information on the elections on the building of the Kamaroŭski market. Minsk, 25 August 2016



Informational stand reading "11 September 2016. Elections". Minsk, 19 August 2016



*Election advertisement.
Babrujsk,
August 2016*

*Information banners
on the parliamentary elections
in Belarusian and Russian.
Viciebsk, July 2016*



*Election preparations
in Mahilioŭ. August 2016*



A meeting of the Presidium of the Mahilioŭ regional executive committee and the Mahilioŭ Regional Council of Deputies to form regional and district election commissions. Mahilioŭ, 27 June 2016



A meeting of the Presidium of the Minsk City Council of Deputies and the Minsk city executive committee to form the Minsk city and district election commissions. Minsk, 27 June 2016

Entrance to the Viciebsk regional election commission. Viciebsk, July 2016



**Витебская областная
избирательная комиссия
по выборам депутатов
Палаты представителей
Национального собрания
Республики Беларусь
шестого созыва**

**режим работы комиссии
понедельник - пятница:
10.00 - 19.00
перерыв:
14.00 - 15.00
суббота:
10.00 - 14.00
выходной - воскресенье**



A meeting of the Biaroza district executive committee to form precinct election commissions. Biaroza, 28 July 2016



A meeting of the Maladziečna district executive committee to form precinct election commissions. Maladziečna, 27 July



At a meeting of the Smarhoń district executive committee on the formation of precinct election commissions. Smarhoń, 26 July 2016



Potential candidate Mikalai Ulasevich and members of his nomination group during the collection of signatures. Smarhoń, 28 July 2016



A picket to collect signatures in support of Alina Nahornaya, who was nominated for the Sluck-based electoral district No. 67. Sluck, July 2016



Collection of signatures for the nomination of a representative of the Fair World Party Uladzimir Siakerka. Dobruś, July 2016



Collection of signatures for the nomination of Volha Damaskina. Polack, July 2016



A picket staged near the Dormition Cathedral in Žyrovічы to collect signatures in support of a BCD nominee Ales Masiuk. Slonim district, 10 July 2016

The first picket to collect signatures in support of the nomination of a UCP activist Uladzimir Niapomniashchykh. Homiel, 4 July 2016



A picket to collect signatures for the nomination of representatives of the Belarusian Social Democratic Party Hanna Kanius and Ihar Maslouski. Brest, 11 July 2016



The center-right coalition staging a joint picket to collect signatures near the building of the National State TV and Radio Company. Politicians holding portraits of journalist Pavel Sheremet, who was assassinated in Kyiv. Minsk, 20 July 2016



A photo of Pavel Sheremet with a mourning ribbon at a picket staged by potential candidate Taisiya Kabanchuk. Babrujsk, 21 July 2016

A trailer carrying national flags and stands with information about potential candidate Ales Lahvinets. Minsk, July 2016



A representative of the BPF Party Dzmitry Salauyou during the collection of signatures. Mahilioŭ, July 2016



A joint picket for the nomination of candidates Tatsiana Seviarynets, Alena Shabunia and Heorhi Stankevich. Viciebsk, 27 July 2016



Collecting signatures for potential candidate Ivan Sheha. Village of Jelka, Zelva district. 14 July 2016



One of the leaders of the Tell the Truth campaign Tatsiana Karatkevich helps activist Aliaksandr Snarau collect signatures. Viciebsk, July 2016



Unknown man with a camera pushing one of the leaders of the Belarusian Christian Democracy Vital Rymasheuski during a picket to collect signatures for the nomination of a party member Pavel Prakupovich. Maladziečna, 29 July 2016



An elderly man attacking a picket staged by representatives of the UCP and the organizing committee of the BCD. Mahilioŭ, 28 July 2016

Security guards of the Karona mall attempting to send off picketers. The picket was staged by members of the nomination group of Tatsiana Malashchanka. Police interceded. Baranavičy, 13 July 2016.



BRSM activists collecting signatures for the nomination of head of the Department of Material Reserve of the Emergency Situations Ministry Vasil Chekan. Viciebsk, July 2016



BRSM activists collecting signatures for the nomination of Vasil Barannika, CEO of the Gradostroitel' enterprise. Barysau, July 2016



Activists of Belaya Rus collecting signatures for Aliaksei Sokal. Electoral district No. 107. Minsk, July 2016



Belaya Rus activists collecting signatures for the nomination of the CEO of the Pinsk bus fleet Ivan Rabkavets. Pinsk, July 2016



A meeting on the registration of candidates by district election commission No. 110. Minsk, 8 August 2016



BPF's potential candidate Ryhor Kastusiu submitting registration documents to district election commission No. 90. Škloŭ, 27 July 2016.



A meeting on the registration of candidates by district election commission No. 5. Baranavičy, 11 August 2016



A UCP member Aliksandr Kabanau receiving a certificate of registration as a candidate in electoral district No. 9. Biaroza, 11 August 2016

A meeting on the registration of candidates by district election commission No. 64. Maryna and Siarhei Shyryns giving testimony on the receipt of money for the signatures in support of Aleh Navitski. Žodzina, 10 August 2016



A meeting of the Viciebsk Regional Court to hear appeals by Mikalai Manokhin and Siarhei Vasiliyeu against refusals to register them as candidates. 15 August 2016



A meeting of the Minsk regional election commission to hear an appeal against a warning issued to candidate Alina Nahornaya. 5 September 2016



Election poster and campaigning products of candidate Iryna Ryneiskaya. Babrujsk, August 2016



Campaigning products of candidate Halina Filipovich. Svetlahorsk, August 2016



Information about the candidates for the Asipovičy electoral district. Hlusk, August 2016



A joint opposition campaigning rally in Mahilioŭ. 2 September 2016



A center-right coalition campaigning picket dedicated to the 25th anniversary of the proclamation of independence of Belarus. Minsk, 25 August 2016



A picket in support of a United Civil Party member Aliaksandr Malochka. Salihorsk, August 2016



A picket entitled "From Candidate with Love" in support of a UCP candidate Dziyana Kastsjukovich. Brest, 15 August 2016



Tatsiana Umarava, Chairperson of the Tulava executive committee, Zelva district putting down personal data of the members of the electoral headquarters of candidate Ivan Sheha. Village of Mižeryčy, 26 August 2016



An eco picket in support of Yury Hubarevich. Minsk, 22 August 2016 (photo from social networks)



A joint center-right coalition campaigning picket near the TSUM department store. Minsk, 1 September 2016



A campaigning concert in support of candidate Yury Stukalau. Mahilioŭ, 30 August 2016



*Candidate Uladzimir Katsora meeting with voters, after which he withdrew his candidacy.
Homiel, 23 August 2016*



*A woman brings 8 kilograms of letters to a meeting with candidate Aliaksandr Staravoitau, but the candidate did not turn up.
Mahilioŭ, 5 September 2016*



A general parent meeting at school No. 21 in Baranavičy provides audience for pro-government candidate Volha Palityka and secures early voting turnout at polling station No. 15 in electoral district No. 5. 6 September 2016



A poster by the Belarusian Union of Women with a call to take part in the elections without an imprint. Baranavičy, 8 September 2016

Election poster with a call to participate in the elections without an imprint. Baranavičy, September 2016



BRSM activists call on the residents of Hlusk to come to the polls at a picket near the Orion cinema. 18 August 2016



"I will come", a campaign by BRSM to call on the residents of Mahilioŭ to come to the polls, in particular, during the early voting days. Mahilioŭ, 6 September 2016



The students of the Baranavičy State University line up to vote early at polling station No. 19 in electoral district No. 6. 7 September 2016



Medical college students line up to vote early at polling station No. 26. Babrujsk, 7 September 2016



The students of the Sluck Medical College going to vote early. Electoral district No. 67, polling station No. 21. 7 September 2016



Soldiers brought to vote early at polling station No. 21 in electoral district No. 5. School No. 21 in Baranavičy, 10 September 2016

*Vote count at polling station No. 17.
Babrujsk, 11 September 2016*



*The process of the vote counting through the eyes
of an observer at polling station No. 27.
Sluck, 11 September 2016*



*Counting of votes at polling station No. 9 in electoral district No. 64. Ballots counted
on a separate table located at the distance of 5 meters from the commission members
and 10-12 meters from the observers. Žodzina, 11 September 2016*



Receiving protocols from the precinct election commissions at district election commission No. 86. Mahilioŭ, 11 September 2016



Representatives of the campaign Human Rights Defenders for Free Elections Valiantsin Stefanovich and Aleh Hulak announce the launch of election observation. Minsk, 7 June 2016



A meeting of experts of the campaign Human Rights Defenders for Free Elections Valiantsin Stefanovich and Pavel Sapelka with representatives of the OSCE ODIHR observation mission. Minsk, 8 August 2016



Coordinators of the campaign Human Rights Defenders for Free Elections Uladzimir Labkovich and Aleh Hulak during the campaign's final press conference. Minsk, 12 September 2016



Belarusian Association of Journalists

The Coverage of the 2016 Parliamentary Election in the Belarusian Media

(4 July – 21 September, 2016)

Final Report

1. Introduction

2. Summary

3. Key Findings

3.1 State-owned Media

3.2 Direct Access

3.3 Independent Media

3.4 Assessments of the Election

4. Conclusions

APPENDIX 1. Charts

APPENDIX 2. Methodology

1. Introduction

The report summarises the findings of the monitoring of the 2016 parliamentary election coverage in the Belarusian media.¹

The main objective of the monitoring was to promote unbiased coverage of the parliamentary campaign that would meet high professional standards in journalism.

The monitoring was conducted by the Belarusian Association of Journalists (BAJ), which endeavoured to draw the attention of the journalist community to the importance of giving the electorate undistorted, unbiased and comprehensive information about the election, the candidates' agendas and their supporters' and opponents' opinions.

The methodology of the monitoring enabled us to reveal both the overall model of the election coverage and instances of poor professional standards. We offer both quantitative and qualitative analysis of media items.² The decisive criteria for their assessment were based on internationally accepted standards of reporting on elections and ethics in journalism.³

The report encompasses the data accumulated throughout the monitored time span.

¹ The monitoring covered Panarama (Panorama) news programme on Belarus 1 TV station; Nashi Novosti (Our News) news programme on ONT TV station; Glavny Efir (Most Important Air) weekly programme on Belarus 1 TV station, Radyjofakt (Radiofact) on the 1st Channel of the National Radio; news on Radyjo Stalica radio station, Naviny. Homiel of the Homiel Regional TV and Radio Company, Naviny-rehijon (Regional News) of the Mahiloŭ Regional TV and Radio Company; Viciebski Viešnik. 7 dzion (Viciebsk Herald. 7 days) weekly programme of the Viciebsk Regional TV and Radio Company; www.tut.by and www.belta.by online media; and such printed media as the Belarus Segodnya (Belarus Today), the Narodnaja Vola (People's Will), the Komsomolskaya Pravda v Belorussii (YCL Truth in Belarus), the Zarya (Dawn) (Brest) and the Mogilevskaya Pravda (Mahiloŭ Truth); the Hazieta Slonimskaja (Slonim Paper), the Intexpress and Slonimski Viešnik (Slonim Herald).

² See Monitoring Methodology (Appendix 2).

³ The report encompasses the data accumulated throughout the monitored time span.

2. Summary

The state-owned media covered the 2016 parliamentary campaign in their conventional manner, as described below:

- It was the CEC and other election commissions that remained the dominant figures of the election field as presented in the state-run media. Their representatives (most commonly their chairpersons) had the highest share of airtime among all the personified monitored actors. At the same time the state-owned media presented the election commissions as the most competent source of information about the election.
- The news programmes adhered to predominantly depersonalised coverage of the candidates. However, once in a while the state-owned media offered a group portrait of the candidates, dividing them into different categories.
- The state-run media still did not turn the spotlight on the political parties standing for parliament, presenting them under the generic heading 'political parties' and giving them a marginal proportion of election-related airtime and space.
- Any debates between voters were non-existent. The electorate was typically presented in a depersonalised manner.
- The state-run media gave about the same amount of their attention to the CIS observers and the OSCE/ODIHR Mission, assessing their work in a predominantly neutral light.
- The share of election coverage in the news programmes was either commensurate with that of sport and weather or even smaller. When the Summer Olympic Games came to an end, it entailed neither a fall in the airtime given to sports nor a significant increase in election-related issues.
- Although the candidates were able to address the electorate on TV and on the radio, the state-owned printed and electronic media did not draw the voters' attention to their media appearances. TV guides presented them under the heading *Election'2016* or *Speeches of candidates standing for the Chamber of Representatives of the National Assembly of Belarus of the sixth convocation*. No names or exact time of each candidate's TV and radio appearances were given.
- The websites of the leading state-run media did not offer any precise information on the date and time of the candidates' broadcasts, either.
- The independent media focussed more on the candidates and political parties standing for parliament. However, neither www.tut.by nor the independent printed media were able to become real competitors of the state-run TV and radio stations.
- After the voting day, the state-owned and independent media differed in their assessments of the voting procedure, ballot count and election as a whole.

3. Key Findings⁴

3.1 State-owned Media

When the candidates were campaigning, the state-run media began to give them more attention, presenting them nevertheless in a predominantly depersonalised manner. At the same time, the CEC and regional election commissions remained in the lead in terms of their share of coverage⁵. According to the aggregated findings for the period between 11 July and 11 September, 2016, they had nearly 44% of the airtime given to all the monitored election actors in *Glavny Efir* weekly programme on *Belarus 1*, 17% in *Nashi Novosti* on ONT and about 34% in *Radyjofakt* on the 1st Channel of the National Radio. The regional TV programmes, such as *Naviny. Homiel* of the Homiel Regional TV and Radio Company and *Naviny-rehijon* of the Mahiloŭ Regional TV and Radio Company were dominated by the regional election commissions and polling station boards, which received up to 40% of the airtime given to all the monitored election actors.

The charts show that the state-run media, as well as the observers of the CIS Mission and the Shanghai Cooperation Organisation (SCO) were unanimous in their positive assessment of these bodies. For example, the spokesman for the CIS Mission Tashinbaev said, '*We would like to point out that the chairpersons of the constituency commissions are well prepared and the heads of the polling station boards show high professional skills.*' (Radyjofakt, 02/08/16.) Meanwhile, CIS observer Viktor Meleshko said, '*During my time*

⁴ The documents that provide the framework for qualitative analysis are as follows: The Code of Ethics in Journalism (adopted at the Convention of the BAJ in 2006); The Declaration of the Guidelines of Journalists' Professional Ethics; Media Coverage of Elections (Belarus). 2016 and International Standards of Election Coverage in the Media.

⁵ Thus, according to Panorama on *Belarus 1* on 16 September, 2016, 'In the three months following the launch of the election, CEC members were interviewed over five hundred times.'

in *Stonim* district, I have visited a number of polling stations, both urban and rural, and observed the work of the constituency election commission. The election process in *Stonim* district meets high organisational standards.' (*Stonimski Viešnik*, 14/09/16.) The members of election commissions spoke positively of their work, too.

In contrast to the election commissions and state officials, the nominees and registered candidates were presented in the monitored programmes mostly in a depersonalised manner, i.e. without their names or political affiliation. Here is a typical report given by a journalist of Naviny-rehijon on the Mahiloŭ Regional TV and Radio Company, *'Besides the intelligentsia, people employed in industry, transport and construction, are going to stand for parliament; they account for 8% of all the candidates. Representatives of state institutions also make up 8%. A quarter of all the candidates are women. 8% are young people under thirty. It was said at the news conference that eighty five prospective candidates submitted to the constituency commissions of the region one hundred and eight applications for registration. The distribution of the types of nomination was as follows: forty two were nominated by voters' signed endorsements, and eighteen were nominated by the staff of organisations and companies.'*

On 21 August, 2016 the Chairperson of the Belarusian TV and Radio Davydzka divided the candidates in *Glavny Efir* into three groups after watching their media appearances, *'The first group are, you know, successful and experienced people, such as school headmasters and CEOs of production companies. They are self-confident. As a rule, they are well prepared to make an address; they know what they are doing and why they are going to parliament. And the camera loves them.*

'The second group are those to whom their party said, "you must do it," and they answered "yes," to put it plainly. They may not really believe in their victory, but they are trying to make their brands, their parties and themselves recognisable, well, to the best of their abilities.

'Finally, the third group is the most interesting sample, in my opinion, of new people that have made their way in our electoral history in general. These are "happy-go-lucky" candidates. They do not rely on any experience, they don't know why they are standing for parliament, actually, they cannot present themselves and they often talk nonsense.' His evaluation of each of the three groups explicitly prompted the voters for whom they should cast their ballots.

Another participant in the discussion, the Editor-in-Chief of the *Zviazda* state-run paper Karlukievič, offered an addition to this classification, *'I think there is also a category of very well-known individuals in the information field... Their agendas are shaped by their pre-conceptions that people know that the authors of these agendas are only going to criticise and put forward certain slogans, that these slogans without any grounds are enough.'*

Mr Jakubovič, the Editor-in-Chief of the *Belarus Segonya*, aired an opinion that responsible candidates *'must give up all rhetoric and say things like, "I'll help the authorities with the parking lots, for example, if I am elected, I'll help the authorities to put the following things right in the district..."'* The proposal evidently limited the prospective parliamentarians' status as lawmakers; moreover, it undermined the principle of the division of powers in Belarus.

By describing the candidates in this fashion, the monitored programmes allotted to them a considerable share of their election-related airtime (between 7% and 14%, depending on the programme). This created an impression of the candidates' presence in the media field, but did not give the voters any information about the candidates' and their parties' political agendas.

As for the political parties' media presence, it was not just less pronounced but marginal, if any at all. For instance, *Nashi Novosti* on ONT, *Panorama* on *Belarus 1* and *Glavny Efir* on *Belarus 1* avoided referring to definite political parties whatsoever. When they were mentioned, their shares of airtime and space were less than 0.5% (see, for example, the Charts for www.belta.by or *Radyjofakt*).

Instead of definite opposition parties, the state-owned media presented the 'opposition' as a depersonalised actor. All the same, it received a meagre amount of media attention, as compared to the earlier elections.

It was the Belarusian National Youth Union (BNYU) that became a real personified actor of this parliamentary campaign. It had not played such a prominent role in the previous year's presidential race. This pro-governmental organisation was presented in a positive light exclusively and its representatives were given an opportunity to appear on air in *Nashi Novosti* on ONT on 3 August, 2016, to give just one example, by contrast with all the opposition political forces and NGOs.

The increased media attention to the BNYU can probably be attributed to the organisation's versatile activities during the election. According to its First Secretary Andrej Bielakoŭ, *'the Youth Union has always taken quite an active part in all political campaigns, including the current one... Six BNYU members have been included in the regional and Minsk City election commissions, ninety BNYU people are members of constituency commissions and about thirty-five hundred are on polling station boards. As of 1 August, one hundred and eight observers have received their accreditation and we are planning to have accredited at least fifty-five hundred BNYU members by 20 August... we are going to join in the campaigning.'* (*Radyjofakt*, 08/08/2016.) In other words, the BNYU was not only engaged in mobilising young voters, counting ballots and observing the count, but also campaigned for its candidates. As it eventually turned out, the BNYU leader has been appointed member of the upper chamber of the Belarusian parliament.

Voters were for the most part presented anonymously. Their voices were heard mainly in the context of mobilising the electorate to go to the polls.

As we have mentioned above, the CIS observers and the OSCE/ODIHR Mission received a commensurate amount of coverage. Every now and then the state-run media briefly interviewed their representatives, featuring them in a predominantly neutral manner. At the same time, it is necessary to point out that the representatives of the CIS Observer Mission aired their opinions in the electronic media more often than their OSCE/ODIHR counterparts. To give just one example, *Panorama* granted the CIS observers direct access to air, rather than let reporters interpret their words, according to the data for the period between 25 July and 10 September, 2016. Moreover, the CIS observers featured on air twice as much as their western counterparts and the opinions of the latter were sometimes assessed negatively.

The state-owned electronic media also presented the opinions of observers of the Shanghai Cooperation Organisation, albeit much less prominently.

Even though the monitored media offered quite a lot of information about the election, or, to be more precise, its organisational technicalities, election-related issues were far from their priority list. As we have pointed out in our interim reports, the four-year cycle of parliamentary elections in Belarus is in sync with that of the summer Olympics. However, in 2004, 2008 and 2012 candidates were registered when the Olympics had finished, but this time the key stage of campaigning coincided with Olympic broadcasts. As a result, the share of time allotted to the parliamentary election was either lower than that of sports news, as in *Nashi Novosti* on ONT or *Naviny* on *Radyjo Stalica* or commensurate with the latter, as in *Radyjofakt* on the 1st Channel of the National Radio or *Naviny-rehijon* of the Mahiloŭ Regional TV and Radio Company (see the Charts). Furthermore, election-related items did not open the news broadcasts but were sandwiched between other reports. In some instances, the shares of election-related issues were commensurate with those of weather forecasts.

3.2 Direct Access

The candidates were able to appear in the electronic state-run media, such as *Belarus 3* and CTV TV stations and the local radio as well as had their programmes printed free of charge in the state-owned papers appointed by the CEC. The candidates' appearances were televised from 7 p.m. to 8 p.m. and broadcast on the radio from 7 a.m. to 8 a.m. on weekdays.⁶

They were presented in the TV guide for *Belarus 3* as **Election'2016**. It deserves mentioning that not only the candidates' speeches but also debates were televised under this generic heading. The TV guide did not give any information as to what was to be expected on air or who the guests were.

Admittedly, the TV guide for CTV did highlight the candidates' appearances on air – **Speeches of candidates standing for the Chamber of Representatives of the National Assembly of Belarus of the sixth convocation**. However, it did not give the candidates' names or the exact time of their addresses. The TV guide also had a heading **Election'2016** followed by inconspicuous 'Debates'. Neither this specific type of infographics nor the heading itself, which encompassed the candidates' appearances on *Belarus 3*, drew attention to these broadcasts.

While the TV guides were not precise enough about the candidates and debates, they did not only highlight the titles of feature films and series in bold capitals but also provided their brief strips with the virtual names of the protagonists. For example, this is how the TV guide for Belarus 2 presented **DECEIVE ME-2** series: 'CRIME. Murder Squad of the Municipal Criminal Police. The most high-profile cases are to be looked into... by Captains Filippov, Lerner and Ilyinsky and Senior Lieutenant Strelnikova.' (Belarus 2, 29/08/16.)

Last but not least, it should be pointed out that neither the TV stations themselves, nor the information portal Election'2016 (<http://vybory2016.by/>), which had got a lot of hype in the state-run media, nor the BelTA special project called Parliamentary Election'2016 (<http://parlament2016.belta.by/>), nor the official website of the Belarusian Television and Radio Company gave comprehensive information about the candidates' media appearances or debates, including the date, time and names. Moreover, none of the candidates' media appearances were uploaded on the website of the Belarusian Television and Radio, which deprived the voters who could not watch or listen to these broadcasts of the opportunity to get an idea of the candidates' agendas.⁷

⁶ For purposes of comparison: during the 2012 parliamentary election, the candidates' speeches were televised at the same time, while the radio addresses were broadcast from 6 p.m. to 7 p.m.

⁷ A tell-tale fact: when some of the candidates uploaded their media appearances on the Internet, this was how the Belarusian TV and Radio Company reacted, 'Certain participants in the campaign even went so far as to decide to promote themselves at the expense of our media holding by uploading their TV appearances, professionally recorded by the Belarusian TV employees, on the Internet, without asking permission from the proprietor of the video materials, namely the Belarusian National TV and Radio Company, and then went on to blame it for blocking the illegally uploaded content.' (<http://naviny.by/new/20160819/1471612696-bt-vozmushcheno-razmeshcheniem-v-seti-vystupleniy-kandidatov-v-deputaty>).

To sum it up, the absence of any meaningful informational support of the candidates' media appearances and debates or comprehensive information about who exactly was going to speak and when fitted perfectly into the general trend towards depersonalised coverage of the key election actors in the state-run media. Furthermore, Belarus 3 also showed Soviet Russian documentaries under the heading **Election'2016**, for example, a forty-minute-long film featuring the construction of an old Soviet car ZIL on 29 August, 2016. Such a vague heading as **Election'2016** was misleading for the electorate, as it hindered the voters from forming an informed opinion of the candidates and their agendas.

3.3 Independent Media

The independent media obviously focussed less on organisational details and technicalities of the election procedure. Moreover, they tried to avoid the depersonalised manner of presentation. This was particularly true of www.tut.by and the *Narodnaja Vola* paper. These media outlets tried to minimise references to generalised notions and depersonalised actors, such as 'political parties', a 'candidate' or the 'electorate'.

Following the official registration of candidates, www.tut.by began giving a lot of candidates' names and information about them. The same can be said of the political parties, which were more or less presented under their official names. The portal had a special video programme Goscy.tut.by, which showed interviews of the leaders of the parties participating in the election. Each programme lasted between 35 and 55 minutes, the guests being one to three leaders of both oppositional and pro-governmental parties. The host normally took a critical stance on the parties' agendas and candidates.

The online information portal featured the candidates predominantly in a neutral tone, with balanced positive and negative assessments.

Unlike www.tut.by, the *Narodnaja Vola* nationwide paper offered more polarised assessments of the CEC, the government, the present parliament, the president, the polling stations, etc., for the most part showing them in a negative light. At the same time, the paper gave individual candidates mainly neutral coverage.

The 'thick' edition of the *Komsomolskaya Pravda v Belorussii* for a certain monitored time span did not publish any election-related contributions. When it eventually began writing about some candidates, they received only a negligible amount of space and the political parties were only mentioned in passing.

At the initial stage of the parliamentary campaign the regional independent press, such as the *Intexpress* and the *Hazieta Słonimskaja*, did not bring the election in the spotlight, either. Later on, however, they quite often featured their local parliamentary candidates, writing about them neutrally.

3.4 Assessments of the Election

According to the tradition that has run for decades, journalists working for the state-owned media and their interviewees assessed the election positively.

'It has been the most liberal election in the past twenty years,' said the CEC Chairperson Lidzija Jarmošyna in Glavny Efir on Belarus 1 on 11 September, 2016. The Head of the CIS Observer Mission Lebedev described the election as democratic: *'It was democratic and transparent. Most importantly, it guaranteed the citizens of Belarus the right to free vote.'* (<http://www.belta.by/politics/view/lebedev-proshedshie-vybory-stali-svidetelstvom-dvizhenija-belarusi-po-puti-demokratizatsii-209855-2016/>).

The SCO Observer Mission described the election as a model to be used by others: *'What we have seen certainly qualifies as a model parliamentary election.'* (<http://www.belta.by/politics/view/missija-nabljudatelej-ot-shos-nazvala-vybory-v-belarusi-obraztsovymi-209817-2016/>).

The state-run media were ambiguous in their interpretations of the position taken by the OSCE/ODIHR Mission.

For example, Belarusian officials claimed, *'We have implemented all the OSCE/ODIHR recommendations. There were 75% of transparent ballot boxes and observers were able to see the vote count. They were standing right at the tables where the ballots were being counted and were allowed to see the procedure at every polling station.'* (Nashi Novosti, 12/09/16.) However, a few days later the state-run online information resource www.belta.by wrote, *'Lidzija Jarmošyna stated that she had received a photo from Staravilenskaja constituency in Minsk, which was ranked among the most liberal ones, showing the backs of the polling station board counting the ballots.'* (<http://www.belta.by/society/view/ermoshina-nedovolna-chlenami-komissij-kotorye-spinami-zakryli-ot-nabljudatelej-protseduru-podscheta-210558-2016/>).

'Belarus has a long way to go to meet the OSCE standards,' said OSCE PA Ad Hoc Working Group on Belarus Chair Kent Härstedt. *'The Belarusian authorities have partially fulfilled their promises. There was progress in some areas, while in others the same old practices were still at work... We are disappointed at the slow progress. A lot could have been done this year, but it was not.'* (<http://news.tut.by/politics/511771.html>).

The *Narodnaja Vola* independent paper gave voice to independent Belarusian observers. For example, according to Mr Kalakin, one of the coordinators of the campaign 'For Fair Elections', *'The officially announced parliamentary election returns do not correspond to the actual choice made by voters.'*

Mr Uchnaloŭ, another coordinator of the campaign 'For Fair Elections', said, *'There was no transparency or objectiveness, the candidates nominated by the oppositional parties faced tough discrimination.'* According to him, the observers recorded *'numerous instances when polling station boards skewed upwards the numbers of voters who had gone to the polls'* during the early voting.

'Blatant violations were recorded in all the constituencies,' confirmed Dzianis Sadoŭski, the coordinator of the campaign 'The Right to Choose'. (*Narodnaja Vola*, 13/09/16.)

Last but not least, the independent online information resource www.tut.by quoted one more opinion, **'US Doubts Fairness of Belarus' Parliamentary Election'**: *'The United States welcomes the peaceful conduct of the September 11 parliamentary elections in Belarus. We recognize some improvements in the electoral process, and we note that alternative voices will be represented in parliament for the first time in 12 years. Still, the elections fell short of Belarus' international obligations and commitments to free and fair elections,'* noted John Kirby, Assistant Secretary and Department Spokesperson for the Bureau of Public Affairs. (<http://news.tut.by/politics/511849.html>).

4. Conclusions

The mode of election coverage invariably practiced by the state-run media for decades leaves no room for any serious engagement of the voters in electoral campaigns. This premise is supported both by the depersonalised coverage given to candidates and the absence of any sufficient information about their media appearances during campaigns.

When technical and organizational details are accentuated and the key election actors are depersonalised, it results in voters' detachment from elections and has a negative impact on their political engagement.

Another tangible element of 'low-key' elections is the marginalisation of the political parties, particularly those opposing the current regime, who have no voice in the mainstream media. As parliamentary elections overlap with the Olympics, the former are in fact overshadowed by sports news.

As neither the electorate nor the expert community discuss the political parties' platforms or the candidates' agendas, elections are depoliticised and deprived of any meaningful political competition.

By contrast with the state-run media, the independent ones have a more productive strategy of election coverage. They have been more oriented towards featuring the candidates and their political forces. However, the influence of the independent media is not strong enough to have any sufficient impact on parliamentary campaigns and their outcomes. The atmosphere of predetermined election results does not only have its impact on the candidates' activities but also frames the mode of election coverage in the media.

The state-owned and independent media practise very different modes of election coverage, which becomes particularly evident in their assessments of elections after the voting day.



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Agenda item 68 (c)

**Promotion and protection of human rights: human rights
situations and reports of special rapporteurs
and representatives**

Situation of human rights in Belarus*


Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, submitted in accordance with Human Rights Council resolution 29/17.

* The present report was submitted after the deadline to take into account the parliamentary elections held in Belarus on 11 September 2016.

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Report of the Special Rapporteur on the situation of human rights in Belarus

Summary

The present report is submitted by the Special Rapporteur on the situation of human rights in Belarus in accordance with Human Rights Council resolution 29/17.

The Special Rapporteur focuses on human rights in electoral processes in Belarus, especially in the context of the parliamentary elections held on 11 September 2016. He explores the patterns of purposeful and systemic human rights violations that had led to Belarus being the only country in Europe in the past decade that had no opposition members elected to its parliament. He analyses why the elections held in September have not brought improvements in the underlying oppressive governance of human rights and the Government's full control over the election outcomes, despite the admittance to the parliament of two government-independent candidates.

The Special Rapporteur concludes that the environment in which elections are held in Belarus remains non-compliant with the international human rights standards recognized by Belarus. His findings underline the deprivation of a real space for citizens to express concerns in a system that has locked out from the public debate any divergent views. Respect for the freedoms of expression, association and assembly continues to be deliberately ignored, making it inappropriate to assess the election as being fair or transparent.

The absence of a set of norms and procedures surrounding elections that is compatible with human rights, the lack of restraining elements in the exercise of power by the executive branch and a both de jure and de facto ineffective parliament in Belarus show that, while regularly held, elections have become mere symbolic reinstating ceremonies of the incumbent authority with no chance for the will of voters to transpire.

The Special Rapporteur therefore makes recommendations to improve the human rights situation in Belarus in line with the country's international obligations.

I. Introduction

A. Background

1. The mandate of the Special Rapporteur on the situation of human rights in Belarus was established by the Human Rights Council in its resolution 20/13 in response to the wave of mass arrests and the crackdown by law enforcement officials in the aftermath of the presidential elections of 2010. The Special Rapporteur assumed his functions on 1 November 2012. On 1 July 2016, in its resolution 32/26, the Council extended the mandate for one year.

2. In his most recent report to the Human Rights Council (A/HRC/32/48), the Special Rapporteur described the dismal situation of human rights in Belarus, highlighting the absence of substantive change in the enshrined system of oppression of human rights.

3. The Special Rapporteur welcomed the release of six political prisoners (*ibid.*, para. 4). However, those released have yet to have their civil and political rights reinstated. Consequently, most released political detainees, among them several former presidential and parliamentary candidates, were unable to run for office in the presidential election of 2015 and the legislative election of 2016.

4. In his previous report to the General Assembly (A/68/276), the Special Rapporteur gave an overview of the various elections and referendums held since 1991, when Belarus became an independent State. Since the issuance of that report, parliamentary elections have been held in September 2012, local elections in 2014 and a presidential election in October 2015. While the mandate of the Special Rapporteur does not entail the observation, *per se*, of elections in Belarus, it is the prerogative of the Special Rapporteur to assess whether the electoral process and its environment in Belarus are compatible with international human rights standards recognized by Belarus.

5. The Special Rapporteur notes that the presidential election of October 2015 was assessed by the Organization for Security and Cooperation in Europe (OSCE) as being not more open or fair than the election held in 2010. However, no violence was attested during the most recent presidential election, held in October 2015. The same holds true for the parliamentary elections held in September 2016.

6. The welcome, violence-free character of the elections held in 2015 and 2016, however, leaves the Special Rapporteur concerned that the absence of aggression by law enforcement bodies may testify to a more elaborated system of fear of manifestations of collective disappointment over the fully controlled character of the elections. The international observation mission reports of the OSCE Office for Democratic Institutions and Human Rights reveal the both legally and practically deficient character of these elections, showing no substantial variance compared with the quality of the election held in 2010, except that it was infamously marred by violence by law enforcement bodies against election-related protests.

7. The Special Rapporteur credits two basic reasons for the difference in the level of protests and the ensuing violence by law enforcement bodies between the elections held in the past two years, on the one hand, and the vote in 2010, on the other.

8. First, the entrenched, decades-long non-existence of collective vectors of expression of legitimate concerns within society, including in the economic and social areas, explains the apathy of the citizens in the face of the lack of advancement of human rights. Most citizens remain employed by the State apparatus or State-owned companies that are under the single-handed ultimate command of the sitting President of the past decades.

9. The other reason lies in the horrifying effect of the rise in the level of violent civil and international clashes in neighbouring Ukraine since 2014. An unending endangerment of lives, goods and territorial integrity in that fellow post-Soviet country are interpreted by the government media, which is the dominant source of information for the citizens of Belarus, as a direct result of the protests that preceded the changes in Ukraine. Thus, the fear of similarly developing international consequences also had a restraining effect on the free manifestation of citizens' views regarding Belarusian public issues.

10. Another improvement compared with several previous legislative elections in Belarus was the admittance to the parliament of two candidates with programmes that were critical of the incumbent administration: Hanna Kanopatskaya, of the United Civil Party, and the Deputy Chair of the Belarusian Language Society, Alena Anisim. The concession is the first in two decades, during which Belarus lacked any modicum of political variety in the parliament.

11. Analysts both worldwide and in the country explain the concessions as brought about by the need for the Government of Belarus to demonstrate change vis-à-vis some of its foreign policy partners that had long voiced their expectations of an opening in pluralism.

12. Nevertheless, even the welcome entry to the parliament of one opposition party member and one independent cultural activist demonstrated the unchanged, fully guided character of the electoral process. In the Special Rapporteur's view, while it was a gesture towards foreign policy partners, the manner of admittance of the two token opposition members served to prove to the national scene that the central command over election results had not been modified. The move was also aimed at sowing discord among opposition parties.

13. In his most recent report to the Human Rights Council (*A/HRC/32/48*), the Special Rapporteur noted that the elections of the 110 members of the House of Representatives, then scheduled to be held on 11 September 2016, should be seen as a benchmark for any progress with regard to civil and political rights in Belarus.

14. Indeed, the penchant of the population for stability, and the resulting protest-free and peaceful conduct of the elections in 2016, did provide the opportunity for the authorities to demonstrate their political engagement and support for a more open society at large, and for an advancement of human rights within the State. However, a lack of political will by the Administration to make progressive use of its absolute authority proved to block any reform or transition towards improved governance with regard to the rule of law.

15. No progress was made towards any of the benchmark components of free and fair elections: equal access to the media at the service of the contestants, a verifiable turnout, an honest vote count and a pluralistic parliament representing the will of the voters, as opposed to merely promoting the designs of the incumbent State apparatus.

B. Methodology

16. In the conduct of his work, the Special Rapporteur endeavours to collect as much information as possible from various sources, which include the authorities of Belarus, civil society actors inside and outside Belarus, international and regional human rights mechanisms, the diplomatic community and any other partner who can contribute to a better understanding of the situation on the ground.

17. The Special Rapporteur regrets that the Government does not cooperate with the mandate holder. His letters of requests to visit the country have remained unanswered. He again reiterates his readiness to engage, even gradually, with the Government, beginning with issues that both acknowledge as human rights concerns.

18. Given that the present report is focused on the situation of human rights in the context of the parliamentary elections of September 2016, the Special Rapporteur relied on the objective information available, chiefly from the official data, the reports of the OSCE Office for Democratic Institutions and Human Rights and the United Nations human rights mechanisms, including the Working Group on the Universal Periodic Review.

19. Before going into the details of the situation of human rights in the context of elections however, the Special Rapporteur highlights the role of the parliament in a democracy, given that elections count as the most important constitutive acts towards that basic institution of people's representative self-government. There is therefore a need to briefly recall the added value of a pluralistic parliament from a human rights perspective, as well as its founding grounds.

II. Role of the parliament in a democracy

20. According to article 25 of the International Covenant on Civil and Political Rights, "every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) to take part in the conduct of public affairs, directly or through freely chosen representatives". The involvement of every citizen in the conduct of public affairs is broader than simply participating in elections. The State therefore has a positive obligation to ensure that citizens are provided with opportunities to express their views when they are not pleased with the conduct of public affairs. The obligation cannot be read solely as to the provision of means to support only the conduct of public affairs by the executive branch. Applied to the functioning of the parliament, the obligation takes the form of the necessary representation of diverging views within the chamber and the obligation to ensure respect for their expression.

21. A parliament is the cornerstone of any democratic system. It is where the various constituencies of society gather to exchange, confront and adjust views on the common good and ultimately shape the rules for a common destiny on the basis of a variety of inputs. Even in a changing world where citizens' expressions of interest may take different forms, chiefly through social media, parliaments are the weavers of the basic social fabric: law.

22. Traditionally, it is accepted that parliaments have the following functions: to produce law, to vote on budgets, to exercise oversight over the executive branch and

to represent the nation. Parliaments also have other roles deriving from these functions, such as advancing good governance, ensuring the rule of law and protecting and promoting human rights by adopting laws that conform to international human rights standards.

23. To fulfil these tasks, parliaments need to be inclusive, accountable and effective. A parliament needs to reflect the variety of opinions, and, to the extent possible, no one should feel that their ideas are not taken into account in debates. It therefore requires the presence of a plurality of views and opinions, expressed through freely formed and registered political parties. Accountability for a parliament means that the citizens may be able to change the political composition of their legislative body by dismissing members at regular terms — through elections — if they did not fulfil their mission as promised. A parliament should be able to discharge its functions in a way that it may be able to contribute to the legal framework, possible divergent views from the executive branch notwithstanding.

24. Experience shows that the double goal of accountability and governability of a democracy is best served with a representative process of law-making as opposed to direct democracy alone. A parliament therefore must be composed of members who bring to it the various aspirations of the people who elect them. Given that those aspirations are necessarily not only varied, but also changing, the system of representation should allow such a variety of opinions to be represented, through a pluralistic system of political parties, so as to avoid a disconnect between the aspirations and the legal corpus adopted, with the consequence of frustration being fuelled within certain parts of society.

25. The electoral system leading to the composition of a parliament is one of the many elements that can ensure the reality of its democratic nature. The overall environment in which the parliament operates (the balance between the various branches as described in a constitution) and the legal framework governing the rights and freedoms of the citizens have an influence on the way in which the parliament discharges its functions.

26. An equally constitutive part of a parliamentary, representative, elective democracy is what could be called “the parliament of opinion”, that is, multi-centred, demonopolized, competitively pluralistic media outside of the reach of the political parliament. The media should be enabled to freely reflect — and freely shape, in a demonopolized way — the ever-changing views of the public. It is sometimes difficult to make it accepted by lawmakers that the democratic function of the media entails the power to scrutinize the activities of the legislature, and that relationship must not be mechanically mutual. In a working democracy, to guarantee the open-ended character of the political process, the legal parliament should never be allowed to define the “parliament of opinion”, not even to coerce the media to replicate the political proportions of the acting legal parliament.

27. Parliaments have a critical role to play in promoting democracy, good governance and human rights and not only by ratifying international treaties. Human rights may be under threat from the executive branch or may need to be translated into new norms. Parliaments should, for example, revise laws that contain discriminatory provisions or any provision that does not comply with international human rights standards. Parliaments are therefore encouraged to participate in the universal periodic review process, notably through joint efforts by the Office of the

United Nations High Commissioner for Human Rights and the Inter-Parliamentary Union (see A/70/917, para. 40).

28. The Special Rapporteur underlines that the parliament of Belarus has in the past decades consisted solely of pro-government members. Even in the wake of the elections of 2016, it remained 97 per cent composed of admittedly pro-government members. In addition, the parliament has adopted only a handful of laws in years, and those were conceived and formulated by the presidential Administration. The bulk of the national legal system consists of presidential decrees. The parliament of Belarus therefore may be described as non-pluralistic and non-effective.

III. Elections and human rights

29. In the present report, the Special Rapporteur focuses on human rights in the context of electoral processes in Belarus, with the parliamentary elections of 11 September 2016 in mind.

30. In all countries, participation in parliamentary elections is key to linking people's will to the conduct of affairs in all spheres by the Government. The Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government" (art. 21 (3)). Article 25 (b) of the International Covenant on Civil and Political Rights reiterates the overarching importance of genuine periodic elections "guaranteeing the free expression of the will of the electors".

31. The conduct of free and fair elections, through processes that respect all human rights for all, is a fundamental component of political systems that respect human rights. It is within this nourishing environment that societies can live and develop without the fear of the arbitrary wielding of executive or economic power.

32. The respect for human rights when passing and applying laws is what can actually be called the "rule of law", as opposed to "rule by law". Many factors contribute to the reality of elections being respectful of human rights and actually promoting them *ipso facto*.

33. All citizens of voting age should be able to participate in elections and run for election, regardless of their status, social origin, gender or physical condition. Authorities should ensure that citizens have, and the media are able to offer, pluralistic access to information about candidates and political profiles. Freedom of peaceful assembly and association is needed to ensure that citizens are free to attempt, publicly and collectively, to convince others to change their opinion. Non-discriminative campaign regulations, election administration and polling equipped by independent and impartial commissions and the free movement of national and international observers are necessary to safeguard the right of any citizen to stand for election or vote without being subordinated to any "unreasonable restrictions" (art. 25 of the International Covenant on Civil and Political Rights) and without fearing retaliation for doing so. A fearless election atmosphere also depends on the availability of an effective and independent system of appeals and remedy, capable of democratically solving disputes that arise in the context of elections.

34. All the rights and freedoms mentioned above may encounter restrictions as long as those restrictions do not affect the essence of the right. The Human Rights

Committee has stated that “the relation between right and restriction and between norm and exception must not be reversed”.¹

35. The Special Rapporteur recalls that five presidential elections (1994, 2001, 2006, 2010 and 2015), five parliamentary elections (1995, 2000, 2004, 2008 and 2012) and six local elections (1995, 1999, 2003, 2007, 2010 and 2014) have been held in Belarus since 1991. Of those observed by the OSCE Office for Democratic Institutions and Human Rights, none was considered free and fair.²

36. That until the parliamentary elections of 2016, none of the 110 seats had gone to any opposition candidates, while in the elections of 2016 only two of them did, is a quite direct consequence of the overall human rights context surrounding elections in Belarus. The Special Rapporteur recalls that Belarus today practically still remains the only State in Europe with a parliament without an opposition force. This has invariably been the case since 2004, whether the opposition did or did not boycott the elections.

37. Overall, despite the number of parties registered (15), the party system is weak.³ That no new party has been registered since 2000, the repeated requests for registration by several parties notwithstanding, shows the artificially frozen pattern of political life in Belarus.

38. While the Special Rapporteur welcomed the release of six political prisoners before the presidential election of October 2015, the move did not mark any substantial progress for political rights in Belarus, given that those opponents cannot run for election, their civil and political rights not having been restored.

39. The magnitude of the repression of peaceful demonstrations that followed the presidential election of 2010 characterized an overall system of oppression of the human rights of the entire Belarusian society, the toolkit for which has been gradually developed over the past six years, as described by the Special Rapporteur in all his reports. It is the view of the Special Rapporteur that the main aim of the Government with regard to civil and political rights after 2010 has been to avoid any credible contest able to shape the results of any future election. The analysis of both the legal framework and the practices of the State shows the extent to which the executive power has locked out both individual and collective attempts to channel the opinions of citizens into a direction different to that of the President.

40. In his previous report to the General Assembly (A/68/276), the Special Rapporteur had suggested that his report should be read in conjunction with the report to the Assembly of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/68/299), which addressed those freedoms in the context of elections. The two reports, being submitted at the same time to the Assembly, underscored that it was important for States to uphold their obligations to promote and protect those freedoms in general and in particular during electoral processes. The Special Rapporteur regrets that the shortcomings highlighted by his fellow Special Rapporteur remain major obstacles to the electoral process in Belarus being assessed as respectful of human rights.

¹ See Human Rights Committee, general comment No. 34 (2011) on freedoms of opinion and expression (article 19 of the International Covenant on Civil and Political Rights), para. 21.

² OSCE did not monitor local elections in Belarus.

³ OSCE Office for Democratic Institutions and Human Rights needs assessment mission report, presidential election of 11 October 2015.

IV. Legal framework

41. The Electoral Code was adopted on 11 February 2000 and subsequently amended in 2000, 2003, 2006, 2010, 2011, 2013 and 2014. OSCE noted that the most recent amendments of 2013 and 2014 did not address the key recommendations that the Office for Democratic Institutions and Human Rights had made,⁴ leading the latter to make additional recommendations for future amendments, in general terms on a “comprehensive legal reform”, and on specific aspects such as the inclusion of “procedural safeguards that ensure integrity and transparency of all stages of the electoral process”.

42. As described by the OSCE Office for Democratic Institutions and Human Rights and the Special Rapporteur, in his previous report to the General Assembly (A/68/276), the Electoral Code and other relevant legislation contain limitations to the rights and practices essential for a conduct of elections that would be respectful of human rights. The level of detailed and elaborated restrictions of the right to be elected, to vote freely, to the freedoms of expression, opinion, peaceful assembly and association and to an effective remedy, fair trial and due process, and the lack of substantive changes in the legal framework despite numerous recommendations by various mechanisms shows the executive branch as persistently ignoring the rights without which no legal environment can be conducive to the freedom and fairness of elections.

43. The Special Rapporteur recalls that the current legislation could easily be amended to allow for free and fair elections. He is aware of the establishment, on 12 February 2016, of an interdepartmental expert group on the recommendations made by the OSCE Office for Democratic Institutions and Human Rights on measures to improve the electoral process. According to the Office, the expert group made recommendations to the Central Election Commission, which adopted two of them (albeit none with legal force). One was allowing, but not requiring, the publication on the Internet of information about the sessions of election commissions and decisions on electoral disputes, as well as the rights of observers.⁵ It is the understanding of the Special Rapporteur, however, that the Commission will look at possible changes to the Electoral Code only after the parliamentary elections of September 2016 have been held. Complying with the OSCE recommendations and other human rights-related recommendations therefore remained a missed opportunity to demonstrate political engagement for significant change before the elections of 2016. The Special Rapporteur is equally concerned that civil society was represented in the working group in a token way only. Nevertheless, the process demonstrated that it is technically viable to embark on reform, if the political will exists to go down the path.

44. The still-unaddressed recommendations made after the parliamentary elections of 2012 both by international observers such as the OSCE Office for Democratic Institutions and Human Rights and in reports by the Special Rapporteur, contain two

⁴ OSCE Office for Democratic Institutions and Human Rights election observation mission, final report on the presidential election of 11 October 2015 in Belarus, available from www.osce.org/odihr/elections/belarus/218981.

⁵ OSCE Office for Democratic Institutions and Human Rights election observation mission, parliamentary elections in Belarus, interim report, 2-26 August 2016, available from <http://www.osce.org/odihr/elections/belarus/261741>.

items of paramount importance. One is to guarantee the independence of election commissions, including through pluralistic composition; the other is to accomplish a transparent vote count, including a detailed procedure for full and open observation by election commission members and other stakeholders.

45. The Special Rapporteur is concerned that the assured goodwill of the authorities to address human rights issues highlighted by international human rights bodies and mechanisms is not accompanied by genuine, even if gradual, changes in the reality of political life in Belarus. In fact, a number of legislative acts or presidential decrees that do not directly address the electoral process do relate to it. In particular, the Special Rapporteur notes that the denials of registration of political parties have continued since the adoption of amendments to the Law on Public Associations on 20 February 2014. Political parties, as any other association, must be registered through the “permission-based” regime (see sect. V.B below on freedom of association), which in fact can be used to deny legality to any entity that could express opinions critical of the Administration. Another example is the adoption of presidential decree No. 5 of 31 August 2015, which prohibits the use of foreign funds by public associations for a number of purposes, including elections. Similarly, the Law on Mass Events, adopted in 2014, imposed unreasonable limits on the right of assembly.

46. The combination of an electoral code that is not respectful of human rights with an overall legal framework that is not conducive to free expression and free association makes it virtually impossible for any dissenting views to be expressed and therefore reflected in the parliament. The arbitrary picking of token oppositionists to enter the parliament, as in the elections of 2016, will not rein in the vast extent of the discretionary powers of the executive branch, allowing it not to register political parties or to deregister them. The way forward will be to fortify the basic requirements of the rule of law in Belarus.

V. Human rights and the rule of law in electoral processes

A. Freedom of opinion and expression and freedom of the media

47. The full enjoyment of the right to freedom of opinion and expression should underpin any electoral process, before, during and after the conduct of elections. The Human Rights Committee underlined that “voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind”.⁶ Articles 33 and 34 of the Constitution provide such guarantees, with article 33 stating that “no monopolization of the mass media ... and no censorship shall be permitted”.

48. The Special Rapporteur recalls that Belarus is the only European country without privately owned broadcast media with full-country coverage. Printed private media must go through the permission-based registration process, and thereafter the State-run system of distribution.

⁶ Human Rights Committee, general comment No. 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service (article 25 of the International Covenant on Civil and Political Rights), para. 19.

49. The fully government-dependent status of all media outlets has persisted for decades, and the authorities did not license or register any new nationwide public journalism outlet before or during the elections of 2016. In addition, amendments made to the Law on Mass Media in July 2015 imposed a registration procedure with the Ministry of Information for any individual or entity distributing print media. As a result, it is estimated that only 30 mass media outlets in Belarus cover sociopolitical issues, and about a dozen of them have been eliminated from the State-run networks of distribution.⁷

50. Article 5 of the Constitution stipulates that political parties and other public associations are to have the right to use the State mass media under the procedure determined by the law. In the major broadcast media during the presidential elections in 2015, however, the incumbent received 48 per cent of the media coverage, while competitors received only fractions of such coverage, the maximum being 8 per cent for Ms. Korotkevich.⁸ The OSCE Office for Democratic Institutions and Human Rights reported in detail on the unbalanced use of State media in favour of the President. In parallel, the privately owned news agency BelaPAN was not accessible from 3 to 5 October 2015, allegedly owing to cyberattacks. The rhetoric of the President-candidate was recycled through the State media during the campaign, thus distorting what otherwise should have been neutral language. The OSCE Representative on Freedom of the Media also expressed concern at harassment of journalists, noting a “destructive trend”.⁹

51. Media access further deteriorated during the campaign of 2016. All independent monitors, as well as the intergovernmental standard-bearer OSCE Office for Democratic Institutions and Human Rights, found that news programmes on State-owned media were focused largely on the activities of the President and other State officials, as well as political statements by the Chair of the Central Election Commission. Coverage of candidates’ campaign activities, meanwhile, was virtually absent and largely limited to short pre-recorded speeches.¹⁰ It was stated in the report of the OSCE Office that such media coverage of the campaign had “narrowed the opportunity for voters to effectively receive candidate information”.

52. The Special Rapporteur is very concerned at the climate of fear and intimidation that has prevailed since the crackdown of 2010 within the journalist community.

53. In particular, the legal provisions on the protection of the “reputation of the Republic” restrict free debate. Article 369-I of the Criminal Code makes it a criminal offence to discredit Belarus by giving international organizations “false information” on the situation in the country or the legal status of its citizens.

54. Several restrictions on communications at election time are designed to protect officials. In its resolution 22/6, the Human Rights Council unanimously called upon

⁷ According to the Chair of the Belarusian Association of Journalists, Andrei Bastunets. See <http://spring96.org/en/news/83714>.

⁸ See footnote 4 above.

⁹ Press release dated 3 April 2015, available from www.osce.org/fom/150011.

¹⁰ State television channels dedicated 83 per cent of their news coverage to the President and government officials, 16 per cent to the Central Election Commission and 1 per cent to all the candidates together. Statement of preliminary findings and conclusions on the parliamentary elections in Belarus, 11 September 2016, available from www.osce.org/odihr/elections/belarus/257436.

States to ensure that legal provisions did not prevent public officials from being held accountable. In Belarus, article 47 of the Electoral Code prohibits campaign materials from containing “insults or slander in relation to official persons of the Republic of Belarus and other candidates”. A competing candidate found in violation of this provision can have his or her registration cancelled. The European Commission for Democracy through Law noted that in Belarus the protection of the reputation or rights of others was used to “limit, diminish, or suppress a person’s right to free political expression and speech”.¹¹

55. The rules on accreditation demand that foreign journalists be accredited in a permission-based regime by the Government, which is also entitled to deny the accreditation of Belarusian journalists working for foreign outlets or for Belarusian media based abroad. Such legal requirements are described by the OSCE Office for Democratic Institutions and Human Rights as constituting “disproportionate and unreasonable restrictions on the freedom of expression and the right to disseminate information”.

56. The amendments made to the Law on Mass Media in 2014 have also brought restrictions to the use of the Internet by the media. If an online media outlet (the owners of which are responsible for the content of but also comments on articles published) is suspected of diffusing information (including reports) relating to criminal offences or considered harmful to the interests of the country, the Ministry of Information is entitled to restrict the access to the website at issue. That the “interests of Belarus” are not defined makes it possible to block any content that does not go along with the interests of the executive branch. Furthermore, the absence of a requirement to have a court decision is another sign of the lack of rule of law in Belarus, leaving to the Government the arbitrary decision to disconnect any website of its choice. Self-censorship by online media writers or bloggers can therefore be considered as a way of surviving in such an environment.

57. In a recent report, Amnesty International describes in detail the system of surveillance in place in Belarus. According to the findings of the non-governmental organization, “the use of surveillance of mobile phone and Internet data to track the identities of protestors and to prosecute opposition political leaders and others was a significant feature of the (2010) crackdown”.¹² The Special Rapporteur received similar accounts that show that the fear of communicating inhibits communication itself, including through the Internet or mobile phones, especially in the case of those who wish to express or exchange dissenting views. The level of sophistication, including technological, with which the State apparatus intrudes in the private sphere of people makes it impossible for freedom of expression to be real in Belarus.

58. Numerous cases of restriction of public discussion of issues raised in the candidates’ short, pre-recorded television appeals have been brought to the attention of the Special Rapporteur. For example, the State television channels did not broadcast some of the appeals. Regional newspapers rejected the anti-nuclear

¹¹ OSCE Office for Democratic Institutions and Human Rights and European Commission for Democracy through Law, joint opinion on the electoral legislation of the Republic of Belarus, 2006. Available from www.osce.org/odihr/elections/belarus/25360, para. 67.

¹² See www.amnesty.org/en/latest/campaigns/2016/07/how-fear-of-surveillance-is-forcing-activists-to-hide-from-public-life-in-belarus/.

programme of the United Civil Party candidate, Nikolay Ulasevich,¹³ and his appeal was not broadcast either.¹⁴ The programme of the United Civil Party member, Yuriy Haschevatskiy, which mentioned “20 years of authoritarian rule,” was rejected by the *Vecherniy Minsk* newspaper.¹⁵

59. Non-standard or citizen-initiated election information is regularly suppressed. This was the gist of the case of the activist, Grigoriy Grik, who was banned from displaying information on the right of citizens to participate in elections on a voluntary basis, while coerced voting — a regular occurrence during the four-day so-called “early voting” — is illegal and against the Constitution.¹⁶

60. Opposition candidates continue to be banned from publicly considering a boycott of an election. The Human Rights Committee considered that advocating non-cooperation with an electoral exercise must be allowed for any person (see CCPR/C/81/D/927/2000).

61. The Special Rapporteur noted the call issued by the leaders of seven opposition groups not to participate in the parliamentary elections of September 2016.¹⁷ The Special Rapporteur deplores that the overall climate of intimidation, denounced by the opposition leaders, leads to the blockade of the electoral process and impedes any progress or transition towards more respect for fundamental rights and freedoms in Belarus.

62. The Special Rapporteur is concerned that the legal provisions in force in Belarus not only do not correspond to basic standards of free circulation of ideas in the context of elections, but also are designed precisely to control the content of what citizens may hear or say. The impact on the freedom of thought on freedom and fairness of elections in Belarus should not be underestimated.

B. Freedom of association

63. A true and vivid democracy cannot be nourished without the full respect of the right to freedom of association. According to the Human Rights Committee,¹⁸ article 25 of the International Covenant on Civil and Political Rights entails that “citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves”. Such capacity cannot be effective without the full exercise of the freedoms of expression, assembly and association.¹⁹ Citizens should therefore be able to found and participate in political parties freely, to contribute to the progress of their society. In an effective democracy, political parties, consequently, should be free to present candidates at elections.

64. In Belarus, as noted by the Special Rapporteur in all his reports, the limits of freedom of association are grounded in numerous provisions of the criminal and

¹³ See <http://naviny.by/new/20160820/1471701680-nikolayu-ulasevichu-otkazali-v-publikacii-predvybornoy-programmy>.

¹⁴ See <https://belapan.com/archive/2016/08/25/861712/>.

¹⁵ See <http://nn.by/?c=ar&i=175860>.

¹⁶ See <http://spring96.org/en/news/83768>.

¹⁷ See <https://charter97.org/en/news/2016/7/14/213478>.

¹⁸ Human Rights Committee, general comment No. 25, para. 8.

¹⁹ *Ibid.*, para. 12.

administrative codes. In addition to restrictive laws, the application of the latter by the State has made it practically impossible since 2000 to register a political party and, consequently, to operate it freely.

65. Article 193-1 of the Criminal Code, which criminalizes any activity not authorized by the State, and article 15 of the Law on Associations, which states that registration can be refused in cases of violation of the registration formalities, are not compatible with international standards and have repeatedly been assessed as such by the Special Rapporteur and by numerous human rights mechanisms. In practical terms, citizens who wish to establish political parties or associations must go through an administrative ordeal that has been designed to discourage them.

66. The Special Rapporteur once again urges the authorities to support and encourage national non-governmental organizations that carry out electoral monitoring and voter education, which are essential for free and fair elections.

C. Political parties

67. Political parties and membership in parties play a significant role in the conduct of public affairs and the election process.²⁰

68. The Special Rapporteur refers to his previous report to the General Assembly (A/68/276), which contains a detailed section (paras. 56-61) on political parties in Belarus, and especially on the regulations that restrict the creation of political parties. These curtailments exist despite articles 4 and 5 of the Constitution, which imply the right of people to create political parties and be united in these parties without any compulsory membership, and articles 2 and 4 of the Law on Political Parties, which reaffirm the right to form political parties on the basis of freedom of association, democracy, rule of law, transparency, self-governance and the equality of all political parties and unions.

69. In particular, rules regulating financial aid to parties are overly restrictive and abuse the correct principle of transparency. Article 23.24 of the Code on Administrative Offences prohibits receiving, as well as storing and transferring, “gratuitous” foreign aid. The Code also bans foreign funding for a number of activities that are relevant for political parties, such as the preparation and conduct of elections, organization or conduct of meetings, street processions, demonstrations, picketing, strikes, production or distribution of agitation materials, conduct of seminars or any other type of political and mass agitation work with the population.

70. With such provisions, a political party can be practically deprived of any funding from abroad for any activity that is natural to its life, thus jeopardizing its mere existence as a political force.

71. There are still 15 registered political parties in Belarus, but the fact that no new political party was created during the past 16 years raises concerns regarding the adequacy of the political system for the current social and political needs of the citizens. To be able to still exist and advance their ideas, political associations

²⁰ Ibid., para. 26.

register as non-governmental associations, rather than parties, with the consequence that they cannot present candidates.²¹

72. The Special Rapporteur underlines the particularly difficult legal and practical environment for new concepts to emerge and be shaped in an adequate form to contribute to the political debate. As new generations are growing up without any experience in a pluralistic political culture, the sustained high level of State control over peaceful political aspirations may have gradually undermined the natural need to be confronted with different ideas.

D. Candidacy

73. The condition that the district electoral commissions in the elections of 2016 continued to have only a handful of opposition-delegated members nationwide and retained wide discretionary powers in registering candidates gave rise to the inconsistent application of the law and unequal treatment of candidates.²² Signature verification could not be challenged by the candidates, and citizen observers were not allowed to observe it. The selective and arbitrary decisions and the insufficient transparency are directly related to the level of the rule of law in Belarus and pose barriers to candidacy, thus contravening paragraphs 7.5 and 24 of the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, as well as paragraph 15 of general comment No. 25 of the Human Rights Committee, in which it is stated that “any restrictions on the right to stand for election ... must be justifiable on objective and reasonable criteria”.

E. Freedom of peaceful assembly

74. The freedom of peaceful assembly should be looked at in conjunction with the freedom of association in the context of elections. Political parties and associations should be able to conduct free campaigns and meetings, advocating their ideas and asking to take part in the public debate, in a peaceful manner. They should be able to reach out to others, just as citizens should feel free and secure to participate in such public gatherings. According to international human rights standards, the exercise of the right to freedom of assembly should not be subject to previous authorization; at most it should be subject to a prior notification procedure only for large assemblies or for assemblies where some degree of disruption is anticipated (see A/HRC/23/39, para. 52).

75. In a positive development during the elections of 2016, the instruction by the Central Election Commission for a more permissive allocation of public venues was followed by many local authorities.²³ In addition, more places for candidates to meet voters were authorized for the parliamentary elections of September 2016 compared

²¹ Amnesty International, “What is not permitted is prohibited: silencing civil society in Belarus” (London, 2013), p. 6. Available from www.amnesty.nl/sites/default/files/public/belarus_eur490022013.pdf.

²² See statement of preliminary findings and conclusions on the parliamentary elections in Belarus, 11 September 2016, available from www.osce.org/odihr/elections/belarus/257436.

²³ *Ibid.*

with the previous round. This is an improvement compared also with the presidential elections of October 2015.

76. Nevertheless, the authorized political parties could still not conduct gatherings freely, given that they first had to obtain permission from the local authorities, which designated locations for campaign events and for the display of campaign materials. Similarly to the association registration procedure, the authorization for public gatherings is cumbersome and discouraging and amounts to systemic harassment.

77. Article 193.1 of the Criminal Code continues to be applied to unauthorized gatherings, in a denial of the standard that the freedom of peaceful assembly should entail the right to participate freely in a peaceful assembly. In his most recent report to the Human Rights Council (A/HRC/32/48), the Special Rapporteur reported on the apparent change in the State's practice in implementing the still-valid punitive rules on participation in unauthorized public gatherings, which apply in Belarus regardless of whether the gathering was peaceful. Reports appear to indicate that such participation now leads to heavy fines rather than instant detention and incarceration. The Special Rapporteur also reported on recent cases from January 2016.

78. This practice was followed, for example, during the rally called by the opposition leader, Mikalai Statkevich, in Minsk on 12 September 2016, on the day following the elections. Law enforcement officers made participants produce their identity documents and registered their identities for later administrative procedures, as a rule leading to fines.

79. The Special Rapporteur reiterates the ongoing validity of several provisions that inhibit the right to freedom of peaceful assembly, notwithstanding an instructed lack of on-the-spot confrontation by the authorities.

80. Articles 5 and 6 of the Law on Mass Events establish excessive requirements on organizers in the process of authorization of assemblies. They must indicate in their application measures for securing public order and safety, the provision of medical services and the cleaning of the space, again in violation of international human rights norms and standards (see A/HRC/20/27, para. 31, and A/HRC/23/39, para. 57). The law does not include provisions as to what specific measures would satisfy such requirements.

81. Article 15 of the same law provides for the immediate liquidation of any organization that fails to abide by the vague notions contained in the legislation on assembly, including the violation of "the legal interests of citizens, organizations, or State or public interest".

82. Article 293 of the Criminal Code criminalizes organizers of and participants in mass disorder that results in "arson, violence against persons, pogroms, destruction of property, and armed resistance to authorities". In the aftermath of the presidential elections in December 2010, a number of people were prosecuted on the basis of this article and article 342 of the Criminal Code, which imposes sanctions for "serious breach of public order".

83. Not only restrictive by nature, the Law on Mass Events also contradicts the Electoral Code. The Human Rights Committee noted that limiting pickets to certain predetermined locations, regardless of the kind of manifestation or the number of

participants, raised doubts as to the necessity of such regulation under the obligation of Belarus to ensure the right to freedom of expression for all (see, e.g., CCPR/C/105/D/1867/2009). Furthermore, imposing penalties for “participation in an unauthorized meeting” restricts the freedom of peaceful assembly and the right to impart information (see, e.g., CCPR/C/85/D/1022/2001, para. 7.2, and CCPR/C/101/D/1604/2007, para. 10.4).

84. The Special Rapporteur is concerned that these restrictions severely curtail the right to freedom of peaceful assembly ahead of or during future elections. In any country, on election night spontaneous assemblies can happen; such restrictive measures make it impossible for the authorities to maintain public order without using excessive force and arresting people. The Special Rapporteur urges the authorities to take measures to facilitate and protect such assemblies.

F. Arbitrary arrest and detention and enforced disappearances

85. In a welcome development, the mass arrests that had taken place after the presidential election of 2010 and that prompted the international community to react by creating the mandate of the Special Rapporteur did not occur before, during or after the elections of 2015 and 2016. The Special Rapporteur notes, however, the persistence of a system of short-term arrests and detentions, on highly disputable grounds, of political opponents and activists as a method of harassment and intimidation, as also underlined by the OSCE Office for Democratic Institutions and Human Rights.²⁴

86. A number of recent cases have taken place in 2016, as reported by the Special Rapporteur (see A/HRC/32/48, paras. 93, 94 and 96). Some of them have produced incarcerations that can correctly be classified as imprisonment on political grounds.

87. In particular, the Special Rapporteur is concerned at the arrest, on 14 July 2016, of Uladzimir Kondrus, who was charged with participating in the events that took place at the Government House on 19 December 2010. The Special Rapporteur shares the opinion expressed by Belarusian human rights organizations that declared Mr. Kondrus a political prisoner.²⁵

88. Recently, on 29 July 2016, the Deputy Chair of the “For Freedom” movement, Ales Logvinets, received an official warning from the district election commission. The warning was issued for having organized a signature collection picket that was reportedly attended by more than 1,500 people. The week before, the Chair of the Central Election Commission, Lidiya Yermoshina, had stated that that picket might be considered to be “untimely agitation”. Mr. Logvinets was notified during the first week of August that, as a consequence of the warnings, he was not registered to run as a candidate. This testifies to the actions of the authorities to curtail the rights of political leaders to stand as candidates.

89. Arbitrary administrative and criminal detention are used not only against clearly identified political activists or members of political parties but also against ordinary participating individuals, which creates an atmosphere of fear among those

²⁴ See footnote 5 above.

²⁵ Human Rights Centre Viasna, “Human rights situation in Belarus, August 2016”, available from <http://spring96.org/en/news/84740>.

who would like to support political parties, whether registered or not, or take part in events, regardless of whether these have received authorization.

90. The Special Rapporteur recalls that the outstanding cases of the enforced disappearance of political opponents of the President remain unsolved, since 1999 and 2000 (see AHRC/32/48, para. 92). The effect of these unresolved tragedies and human rights atrocities lingers on the minds of politically active citizens of Belarus in an unmeasurable but clearly weighty manner. The Special Rapporteur calls upon the Government of Belarus to conduct serious investigations into these cases and to bring the perpetrators to justice. In this regard, the Special Rapporteur deplores the recent judgment by the Appeal Court regarding the appeal made by the mother of the former Minister of the Interior, Yuri Zakharanka, who was disappeared in 1999, to have his death officially recognized.

G. Administration of the electoral process

91. Denials of the right to vote to certain categories of citizens challenge the principles of equality before the law, as well as the proportionality of otherwise legitimate restrictions. Those citizens who are in pretrial detention or serving a prison sentence cannot vote, regardless of the gravity of the offence. Similarly, people who have been declared mentally incompetent by a court cannot take part in elections.

92. The electoral process regarding the House of Representatives is governed by article 28 of the Electoral Code. The process is nationally supervised by the Central Election Commission, a permanent body, and at the local level by district election commissions and precinct election commissions, which are temporary bodies. These bodies are responsible for the overall organization of the election, the registration of candidates, the voting, the counting of votes and the announcement of the results at each polling station.

93. The OSCE Office for Democratic Institutions and Human Rights election observation mission stated that “the composition of election commissions was not pluralistic, which undermined confidence in their independence”.²⁶

94. Belarus has thus far declined to reform the way in which the 12 members of the Central Election Commission are selected. Half of them, including the Chair, are designated by the President, and the other half by State bodies that ultimately are also made up according to the will of the President. The Special Rapporteur notes that the current Chair has held her position for 20 years. Representative pluralism and rotation, an essential prerequisite of an impartial conduct of the elections, is entirely missing at the level of this permanent body.

95. With regard to district and precinct election commissions, they are consistently dominated by nominees of the local executive committees, very often by senior officials of local administrations, thus circumventing the legal provision prohibiting heads of local executive and administrative bodies being members of election commissions. This makes the district and precinct election commissions composed of predominantly pro-government members.

²⁶ Press release dated 12 September 2016, available from www.osce.org/odihr/elections/belarus/263651.

96. Despite a somewhat changed order in which the members of the election commissions are voted in, the OSCE Office for Democratic Institutions and Human Rights noted the unchanged discretionary power of local authorities to nominate the commissioners, resulting in reality in a very limited participation of opposition groups in such commissions. The Office states that such a system of appointment leaves no room for independence and impartiality at the Central Election Commission.

97. Decree No. 18 of the Central Election Commission introduced on 8 June the concept of “political qualities” as part of the selection criteria. This has resulted in a further denial of participation of people other than pro-governmental personalities in the precinct election commissions. Responding to a query for clarifications by Human Rights Defenders for Free Elections, a coalition of independent observers, the Chair of the Commission responded that “political qualities” should be interpreted as the “political views, level of representation of public associations and political parties in the region, their recognisability and credibility among the population”.²⁷ Most local administrations interpreted it as “support for government policies”. This principle has further deprived the conduct of the electoral process of a representative character, its key element.

98. All in all, in the elections of 2016, of 65,856 individuals elected as commissioners, only 53 people belonged to opposition parties (0.08 per cent).²⁸ The Special Rapporteur notes that this figure is even less than in parliamentary elections of 2012, when 0.1 per cent of members of precinct election commissions belonged to opposition parties.

99. Notwithstanding the requirement (para. 3.9 of the guidelines for election commissions, issued by the Central Election Commission) that decisions on disputes should be posted on the websites of the relevant local executive committee and administrative body, no information was available in most cases. Similarly, only negligible data on appeals against such decisions were available through the Commission.

VI. Election observation

100. Article 13 of the Electoral Code provides for national and international observation of the election process. Accreditation of observers from public associations and political parties at the national level is delivered by the Central Election Commission, while accreditation of other observers at the local level is delivered by the district and precinct election commissions.

101. Representatives of public associations, political parties, citizens’ groups, labour collectives and media outlets have the right to be accredited as domestic observers, to attend sessions of commissions with which they are registered, and to observe election day proceedings.

102. Fortunately, Decree No. 18 adopted by the Central Election Commission provided — for the first time — for the possibility for observers, both national and

²⁷ Human Rights Defenders for Free Elections, report on the formation of precinct election commissions, 31 July 2016, available from https://spring96.org/files/misc/report_pecs_en.pdf.

²⁸ Ibid.

international, attending the meetings of the executive committees and district administrations at the time of forming the precinct election commissions. However, that process is largely preordained, and the vote on the composition of the committees is a formality. In addition, the process of verification of signatures in favour of candidates is still closed to any external observer, leading to possible manipulation.

103. Another reported improvement consisted of issued decision by the Central Election Commission to allow observers to approach the vote-counting table, albeit not closer than 3 m, and only at the fourth side of the table.²⁹ The Special Rapporteur notes, however, that the observers are practically still not allowed to be present, or to be sufficiently close during key moments, such as the verification of signatures for candidate registration, or to review the list of voters, or to witness the vote count or to observe the transfer of results established by the precinct election commissions to the district election commissions. The lack of transparency leaves room for manipulations of results and other data and infringes paragraph 7.4 of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe.

104. As it did for the presidential election of 2010, the parliamentary elections of 2012 and the presidential election of 2015, Belarus invited the OSCE Office for Democratic Institutions and Human Rights and several other international observers to the vote in 2016. After the presidential election in 2010, the OSCE Office stated that Belarus had “a considerable way to go in meeting its OSCE commitments for democratic elections”.³⁰ In the parliamentary elections in 2012, the mission found that many OSCE commitments, including citizens’ rights to associate, to stand as candidates and to express themselves freely, had not been respected, some improvements to the electoral law notwithstanding.³¹ In its report on the presidential election in 2015, the OSCE Office observed some improvements regarding election observation. As many as two thirds of the observers were representatives of State-funded public associations, however.

105. The Special Rapporteur was pleased to note that an unregistered non-governmental organization, Human Rights Centre Viasna, in alliance with other organizations, was able to observe the conduct of the electoral process. The role of independent civil election observation again proved crucial in determining the reliability of the official data, for example regarding voter turnout, vote counting and mandate allocation.

106. Key results of the parallel, independent observation by both the international and the civil observers shed light on the artificially inflated, in many cases fictitious, turnout count. This was regularly observable, especially during the so-called “early voting”, a four-day process based on the intra-institution coercion of army conscripts, students, and State clerks to go to the polls. The OSCE Office for Democratic Institutions and Human rights stated that “early voting, counting and tabulation procedures were still marred by a significant number of procedural

²⁹ Photograph by Reuters, showing the fourth side of the vote-counting table: http://ichef.bbci.co.uk/news/624/cpsprodpb/75AE/production/_91162103_mediaitem91162102.jpg.

³⁰ OSCE Office for Democratic Institutions and Human rights presidential election observation mission, final report, 2011, p. 1.

³¹ OSCE Office for Democratic Institutions and Human rights parliamentary election observation mission, final report, 2012, p. 1.

irregularities and a lack of transparency”.³² The independent civil observation alliance published its well-documented estimates of organized turnout inflation in statistical form.³³

107. Other well-documented reports³⁴ alleged post-factum adjustments of the crucial results at precinct No. 205 in Minsk. The manipulation is assumed to be responsible for the finally published results of two opposition politicians. The United Civil Party candidate, Hanna Kanopatskaya, was declared the winner and could enter the parliament as the first opposition party member in two decades. One of her competitors was the Tell the Truth candidate, Tatyana Korotkevich, who had made her fame by running against the incumbent in the presidential election in 2015 and was considered by all analysts to be the most nationally visible opposition candidate of the campaign. The allegations of a swap were based on photographs of the changes in the committee’s protocols. According to these documents, the surprising results were made possible by the leeway provided by a threefold magnification of the early voting turnout, from 169 to 501. In addition, the move resulted in discord among the opposition parties.

VII. Conclusions and recommendations

108. **The Special Rapporteur concludes that, notwithstanding some marginal progress regarding the rights of candidates to hold meetings, more openness for external observation and the recent admission of a couple of members of the opposition to the lower chamber of the parliament, the exercise of the rights to vote and to be elected remain incompatible with international human rights standards.**

109. **The systemic shortcomings, such as the absence of a free system of registration for any movement, including political parties, the lack of equal access to the media by all political streams, the absence of transparency in turn out and vote counting and registration of voters and the ongoing harassment and discrimination of unwelcome candidates, render the entire electoral process not compatible with the concept of elections that are respectful of human rights and therefore pose the question of the purpose of such a process. As already pointed out by the Special Rapporteur, elections in Belarus remain fully guided and have been transformed into ceremonial tools used to perpetuate power.**

110. **The Special Rapporteur regrets that Belarus did not take into account the numerous recommendations made by the OSCE Office for Democratic Institutions and Human Rights, the United Nations human rights mechanisms and by himself on several occasions to tackle the systemic deficiencies that underpin the electoral process in Belarus and hinder the exercise by citizens of their basic freedoms. The absence of real changes in the practices of the State apparatus and in the legal framework, notwithstanding a ready-to-implement list of recommendations, demonstrates a lack of political will to adhere to rights that are universally recognized.**

³² See footnote 22 above.

³³ See https://spring96.org/files/images/sources/early_voting_final_report_statistics_en.png.

³⁴ See <http://nn.by/?c=ar&i=177103>.

111. The Special Rapporteur is grateful to all those who provided detailed first-hand information. He regrets that the Government did not avail itself of this opportunity. He reiterates his readiness to work with the Government and continues to offer his support to civil society. He will continue to request an official visit to the country during 2017. In addition, the Special Rapporteur recommends that the Government:

(a) Conduct a holistic review of the legal framework surrounding electoral processes to make it compliant with human rights standards;

(b) Base such a review on the set of recommendations made by the OSCE Office for Democratic Institutions and Human Rights and the United Nations human rights mechanisms, including the Special Rapporteur;

(c) Ensure a transparent turnout and vote count, including for their full and open observation by election commission members and other stakeholders;

(d) Guarantee non-interference by the Government in the media, including the online-based outlets, and establish a pluralistic and demonopolized system of broadcasting;

(e) Eliminate the permission-based registration procedure for assembly, association and the press and complete the denied registration of parties and civic and human rights organizations;

(f) Free Uladzimir Kondrus;

(g) Conduct prompt, impartial and thorough investigations, as well as prosecute and punish any acts of intimidation and violence against political leaders, human rights defenders and journalists;

(h) Repeal article 193.1 of the Criminal Code, which criminalizes public activities without official permission;

(i) Ensure full rehabilitation for individuals who have been politically prosecuted and convicted, including the expunging of any criminal record and limitations on their participation in political life and elections;

(j) Recognize and extend full cooperation to the mandate holder by engaging in dialogue and facilitating a country visit.



Office for Democratic Institutions and Human Rights

REPUBLIC OF BELARUS

Parliamentary Elections
11 September 2016

OSCE/ODIHR Election Observation Mission
Final Report



Warsaw
8 December 2016

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**REPUBLIC OF BELARUS
PARLIAMENTARY ELECTIONS
11 SEPTEMBER 2016**

OSCE/ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an official invitation by the authorities of the Republic of Belarus, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Observation Mission (EOM) to observe the 11 September 2016 parliamentary elections. The OSCE/ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. For election day, the OSCE/ODIHR EOM joined efforts with delegations from the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) to form an International Election Observation Mission (IEOM). Each of the institutions involved in this IEOM has endorsed the 2005 Declaration of Principles for International Election Observation.

The 11 September parliamentary elections were efficiently organized, but, despite some first steps by the authorities, a number of long-standing systemic shortcomings remain. The legal framework restricts political rights and fundamental freedoms and was interpreted in an overly restrictive manner. There was an overall increase in the number of candidates, including from the opposition, but the campaign lacked visibility. Media coverage of the campaign did not enable voters to make an informed choice. Following a timely invitation, the authorities exhibited a welcoming approach towards international observers. The composition of election commissions was not pluralistic, which undermined confidence in their independence. Voting, counting and tabulation lack procedural safeguards and were marred by a significant number of irregularities and a lack of transparency.

The constitutional and legal framework does not adequately guarantee the conduct of elections in line with OSCE commitments and other international obligations and standards. In February 2016, an Inter-agency Working Group was established to consider prior OSCE/ODIHR recommendations, signalling a willingness to engage in electoral reform. Based on the Group's proposals, the Central Election Commission (CEC) adopted six resolutions addressing a few technical aspects of the process, including publishing information about election commission sessions, decisions on electoral disputes, and election results at district level, as well as enhancing observer rights. Nonetheless, a number of key long-standing OSCE/ODIHR and Council of Europe Venice Commission recommendations remain unaddressed, underscoring the need for comprehensive electoral reform as part of the broader democratization process, in cooperation with international partners.

The four-tiered election administration, led by the CEC, made technical preparations and passed decisions within legal deadlines. However, only a negligible number of election commission members were appointed from opposition nominees. In addition, the local executive authorities

¹ The English version of this report is the only official document. Unofficial translations are available in Belarusian and Russian.

had a dominant presence in leadership positions within the election administration. These factors limited confidence in the impartiality and independence of the election administration.

All citizens over 18 years of age have the right to vote, except those declared incompetent by a court, those in police custody or pre-trial detention, and those serving prison sentences regardless of the gravity of the crime or length of sentence. These blanket provisions pose disproportionate restrictions on the right to vote that are at odds with international obligations, OSCE commitments and good practice.

The CEC announced a total of 6,990,696 registered voters. Voter lists are updated by Precinct Election Commissions (PECs) based on data provided by local authorities, but are not available for public scrutiny. There is no centralized voter register, which does not enable cross-checking against multiple registrations. In addition, there is an overly permissive system for registering voters prior to and on election day, which does not protect against potential multiple-voting.

Out of 630 nominated candidates, 484 eventually stood for election and no candidate stood unopposed. This represented an increase in the number of candidates, including from the opposition. However, legal provisions for candidate registration allowed for selective implementation and were applied in an overly restrictive manner. Ninety-three prospective candidates were not registered mostly due to inaccuracies in asset and income declarations, failure to submit supporting documentation, and an insufficient number of valid support signatures. Overall, the legal provisions for candidate registration posed disproportionate and unreasonable barriers to candidacy, contrary to OSCE commitments and other international standards and good practice.

Restrictions on fundamental freedoms of association, expression and assembly narrowed the public space and negatively affected the campaign environment. Although most candidates were generally able to campaign freely within the narrow confines of the law, a high number of candidates chose not to actively campaign, contributing to broad voter apathy. On a positive note, the CEC instruction for a more permissive allocation of public venues was followed by many local authorities. However, unequal access to state and public resources for campaigning skewed the playing field for candidates. Several candidates stated that the abolishment of direct public campaign funding in 2013 reduced their outreach capacities. Collectively, these conditions limited the choice available to voters and reduced their ability to make an informed decision.

Media regulations are strict. Criminal offences of defamation, libel, insult and a ban on calls for an election boycott, including for online media, are contrary to international standards and challenge the freedom of expression. During the campaign, news programmes on state-owned media focused largely on the activities of the President and other state officials as well as political statements of the CEC Chairperson. Meanwhile, the coverage of candidates' campaign activities was virtually absent and largely limited to short pre-recorded speeches. Overall, media coverage of the campaign narrowed the opportunity for voters to effectively receive candidate information.

Some 1,600 complaints and appeals were filed with the election commissions, local authorities and courts; most on the work of the election administration, early voting, voting on election day and counting. Most complaints were not reviewed in public sessions and, contrary to the law,

very few decisions were published. Overall, the electoral dispute resolution process, as currently implemented, lacks transparency and does not ensure effective legal redress, contrary to OSCE commitments and other international standards.

Women were well-represented in the election administration. Out of the 114 women candidates standing in these elections, 38 were elected. This is more than twice the amount in the outgoing parliament and represents some 35 per cent of all members of parliament.

In total, 827 international and 32,105 citizen observers were accredited. Most citizen observers represented state-subsidized public associations, which often engaged in active campaigning of pro-government candidates. There are undue legal limitations and a tendency towards a restrictive interpretation of observers' rights by the election administration. Notably, observers were not allowed to observe all activities of election commissions, to inspect voter lists, or to receive certified copies of precinct and district result protocols. Recent CEC resolutions granted observers the right to obtain voter list information, to be placed closer to the counting table and to observe the handover of PEC result protocols. However, compliance of lower-level election commissions with these resolutions was limited.

Overall, early voting, voting, counting and tabulation lack sufficient procedural safeguards, which does not ensure that votes are cast, counted and reported genuinely, at odds with paragraph 7.4 of the 1990 OSCE Copenhagen Document. The law provides for five days of early voting whereby voters can vote without any justification. Early voting is administered by only two PEC members and there is insufficient security of ballot boxes, ballots, and voter lists during breaks and overnight. OSCE/ODIHR EOM observers noted that in a significant number of cases, PECs recorded the aggregated voter turnout on daily protocols, contrary to the law, thus potentially inflating the turnout figure.

Election day generally proceeded in an orderly manner and voting was largely assessed positively. However, serious procedural deficiencies, inconsistencies and irregularities were observed. A large number of observers were not allowed to check voter lists, but when they could, a significant number of seemingly identical signatures were observed. There were also indications of ballot box stuffing. The count was assessed negatively in a considerable number of cases and observers were not allowed meaningful observation. The tabulation process was interrupted overnight in more than half of all District Election Commissions and was assessed negatively, primarily due to a lack of transparency and procedural irregularities.

II. INTRODUCTION AND ACKNOWLEDGEMENTS

Following an official invitation by the authorities of the Republic of Belarus, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 2 August for the 11 September 2016 parliamentary elections. The EOM was headed by Tana de Zulueta and consisted of 11 experts based in Minsk and 38 long-term observers deployed throughout the country. Mission members were drawn from 21 OSCE participating States.

For election day, the OSCE/ODIHR EOM joined efforts with observer delegations from the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of

Europe (PACE) to form an International Election Observation Mission (IEOM). Kent Härstedt was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. Ivana Dobešová headed the OSCE PA delegation and Gisela Wurm headed the PACE delegation. In total, there were 389 observers from 38 countries, including 340 long-term and short-term observers deployed by the OSCE/ODIHR, as well as a 32-member delegation from the OSCE PA and a 17-member delegation from the PACE. Opening was observed in 169 polling stations and voting was observed in 1,539 of the 5,971 polling stations across the country. Counting was observed in 166 polling stations, and the tabulation in all 110 District Election Commissions (DECs).

The OSCE/ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference in Minsk on 12 September 2016.²

The OSCE/ODIHR EOM wishes to thank the authorities of Belarus for their invitation to observe the elections, and the Central Election Commission (CEC), Ministry of Foreign Affairs and other authorities for their assistance. It also expresses its appreciation to representatives of political parties, media, civil society and other interlocutors for sharing their views. The OSCE/ODIHR EOM also wishes to express its gratitude to the diplomatic representations of OSCE participating States for their co-operation and support.

III. POLITICAL BACKGROUND

On 6 June, the President called elections for the 110-seat House of Representatives, the lower chamber of parliament, for 11 September. Over the same period, 56 of the 64 members of the Council of the Republic, the upper chamber, were elected by the legislative councils at regional and Minsk city levels between 25 August and 13 September.³

The political system concentrates most decision-making power in the office of the president, who shares legislative power with the parliament, limiting the effective separation of powers.⁴ The outgoing legislature included no members of the opposition, and only five members represented political parties.⁵ All other members of parliament (MPs) were nominated by labour collectives and initiative groups of voters with 67 of them being members of the *Belaya Rus* public association. Twenty-eight MPs stood for re-election. The outgoing parliament had some 15 per cent of women MPs and 2 of 26 cabinet posts were held by women.

The elections were held in the context of a deteriorating economic situation and a challenging regional security environment. Some domestic and international interlocutors described them as a test for the country's improving relations with its international partners.

² See all previous OSCE/ODIHR reports on Belarus.

³ The president appoints the remaining eight members.

⁴ The president may adopt binding decrees and initiate laws, veto draft laws or provisions thereof and revoke laws adopted by parliament. The outgoing parliament initiated only 3 of the 417 adopted laws. In 2016 alone, 26 laws were initiated by the government, 6 by the president and none by the parliament.

⁵ Three represented the Communist Party of Belarus (CPB), one the Republican Party of Labour and Justice (RPLJ) and one the Agrarian Party.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

A. ELECTORAL SYSTEM

The House of Representatives is elected for a four-year term through a one-round majoritarian system in 110 single-mandate districts. Candidates who obtain the highest number of all votes cast are elected. Candidates standing unopposed need more than 50 per cent of the votes cast to win the election. There is a 50 per cent turnout requirement at the district level for an election to be considered valid. If necessary, repeat elections are called by the CEC at least three months in advance, and the same turnout requirement is applicable.

Consideration could be given to removing the turnout requirement for elections, or at least removing it in the case of repeat elections. This would avoid the possibility of indefinitely repeating elections because of an insufficient turnout.

B. LEGAL FRAMEWORK

The primary legislation regulating parliamentary elections consists of the 1994 Constitution and the 2000 Election Code.⁶ Following legal amendments in 2013, the absolute majority electoral system was replaced by relative majority, the requirement for a second round was abolished, and candidates could be nominated in only one district. In February 2016, an Inter-Agency Working Group was established to consider prior OSCE/ODIHR recommendations on improving the electoral process.⁷ It submitted to the CEC seven proposals on a few technical aspects. The CEC adopted six resolutions, addressing some of these proposals, including publishing on the Internet information about sessions of election commissions, decisions on electoral disputes, and election results, as well as enhancing observer rights.⁸ The regulation of some issues by CEC resolutions lacked legally binding status for the executive local authorities and courts.⁹ All of these legal amendments were adopted without public consultation, contrary to paragraph 5.8 of the 1990 OSCE Copenhagen Document.¹⁰

To ensure legal certainty, fundamental aspects of the electoral process should be regulated by law and not by CEC resolution. Legal reform should be undertaken early enough in advance of elections through a transparent and inclusive legislative process with all relevant stakeholders.

⁶ Other applicable legislation includes the Laws on Mass Media, on Mass Events, on Political Parties, on the Applications of Citizens, the Criminal Code, the Code of Administrative Offences and the Civil Procedure Code, as well as CEC resolutions.

⁷ The Inter-agency Working Group was established by a CEC resolution and comprised one member from each of the CEC, both chambers of parliament, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Information and National Centre for Legislation and Legal Research, as well as the secretariats of both chambers of parliament.

⁸ CEC resolutions Nos. 9 and 10 of 17 May 2016 and 18, 20, 21 and 22 of 8 June 2016.

⁹ For instance, CEC resolution No. 18 on the criteria for selection of election commission members was not taken into account by courts and CEC resolution No. 9 on allocation of campaign venues was not binding on local authorities. As an international good practice, see Section II.2.a of the 2002 Council of Europe Venice Commission's Code of Good Practice in Electoral Matters (Code of Good Practice) which reads that "apart from rules on technical matters and detail – which may be included in regulations of the executive – rules of electoral law must have at least the rank of a statute".

¹⁰ Paragraph 5.8 of the 1990 OSCE Copenhagen Document states that the legislation will be adopted at the end of a public procedure.

The legal framework does not adequately guarantee the conduct of elections in line with OSCE commitments and international standards.¹¹ A number of key longstanding OSCE/ODIHR and Council of Europe Venice Commission recommendations remain unaddressed, underscoring the need for comprehensive electoral reform as part of the broader democratization process. Key shortcomings include unbalanced election commissions with strong influence of the executive and insufficient transparency; undue restrictions on candidacy rights; lack of procedural safeguards for early voting, voting, counting and tabulation; undue limitations on observer rights; and inadequate electoral dispute resolution. Moreover, there is a tendency for an overly formalistic interpretation of the law, whereby everything that is not explicitly allowed is forbidden.

The legal framework should be comprehensively reviewed to address previous OSCE/ODIHR and Venice Commission recommendations, including on the composition of election commissions, candidacy rights, observers' rights, voting, counting and tabulation. The law should be interpreted and implemented to ensure an equal playing field for contestants, genuine competition, the free expression of the will of the voters, and the integrity of the electoral process.

Moreover, the legal framework contains undue restrictions on the fundamental freedoms of association, expression and assembly, as well as other civil and political rights. Restrictions include wide discretionary powers to deny registration or deregister political parties and public associations; criminalization of unregistered activities of human rights organisations; criminal and administrative offences for defamation, libel and insult, as well as calls or acts to disrupt, cancel or postpone elections; a burdensome procedure for holding public assemblies and disproportionate sanctions for unauthorised assemblies.¹²

All relevant laws and decrees should be reviewed and amended to ensure that any restrictions on fundamental freedoms have the character of exception, are imposed only when necessary in a democratic society, are proportionate with a legitimate aim, and are not applied in an arbitrary and overly restrictive manner.

The limitations on freedom of association have resulted in denials of registration of new political parties since 2000, despite numerous applications, thus challenging paragraph 7.6 of the 1990 OSCE Copenhagen Document.¹³ Overall, the role of political parties remains weak. There are 15 registered parties, as well as several political party organizing committees and other groupings that function without formal registration.

¹¹ See [previous OSCE/ODIHR election-related reports on Belarus](#) and the [2010 Joint Opinion of the OSCE/ODIHR and the Venice Commission on the amendments to the Electoral Code of the Republic of Belarus](#).

¹² See the [Report of the Special Rapporteur on the situation of human rights in Belarus, 21 April 2016](#); Reports [2015 A/HRC/30/3](#) and [2010 A/HRC/15/16](#) of the UN Human Rights Council Working Group on the Universal Periodic Review of Belarus and the [2012 Joint Opinion of the OSCE/ODIHR and the Venice Commission on Law on Mass Events](#).

¹³ Paragraph 7.6 of the 1990 OSCE Copenhagen Document commits participating States to “respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities”. See also paragraph 27 of the 1996 United Nations Human Rights Committee (CCPR) General Comment No. 25 to the 1966 International Covenant on Civil and Political Rights (ICCPR).

Authorities should ensure the right of individuals and groups to establish, without undue restrictions, their own political parties or political organizations, and provide them with the necessary legal guarantees to compete with each other on an equal basis.

V. ELECTION ADMINISTRATION

The elections were administered by a four-tiered structure consisting of the CEC, 6 Oblast and the Minsk City Election Commissions (OECs), 110 DEC and 5,971 Precinct Election Commissions (PECs), including 47 PECs at diplomatic missions abroad for out-of-country voting. The results of the out-of-country voting were allocated to DEC No. 95 in Minsk. For the first time, OECs were introduced to supervise the activities of DEC and PEC and review complaints against DEC decisions. Technical arrangements for the elections were administered efficiently and in compliance with legal deadlines. DEC and PEC trainings were conducted as well as various voter education activities. Women were well-represented in the election administration, constituting 71 per cent of PECs, 57 per cent of DEC, and 39 per cent of OECs.¹⁴ Four of the 12 CEC members are women, including the chairperson.

The CEC is a permanent body with a five-year mandate. Six CEC members are appointed by the president and six by the Council of the Republic. This challenges the autonomy of the election administration, since in practice it establishes the domination of the election administration by pro-government forces, which have a decisive majority in all commissions.¹⁵ As a result of this, opposition and civil society representatives expressed a lack of confidence in the impartiality of the election administration.

The mechanism of CEC formation should be reconsidered to provide sufficient safeguards for its independence and impartiality and to enhance public confidence in the election administration.

Since the call of elections, the CEC adopted 18 resolutions, which were published on its website. It held six public sessions open to observers and media representatives. Decisions were generally adopted unanimously and without substantive discussion. The workload was mostly undertaken by the CEC staff and two CEC members, whereas the remaining members were not engaged full-time. The CEC Chairperson made a number of biased public statements that undermined the perception of impartiality of the election administration.¹⁶

Lower-level commissions are temporary bodies appointed for a particular election. OEC, DEC and PEC members are nominated by political parties, public associations, labour collectives and

¹⁴ In 65 per cent of polling stations observed by the IEOM, the PEC chairperson was a woman.

¹⁵ See paragraph 20 of the 1996 CCPR General Comment No. 25 to the ICCPR. See also the [2006 Joint Opinion of the OSCE/ODIHR and the Venice Commission on the electoral legislation of the Republic of Belarus](#).

¹⁶ For instance, the CEC Chairperson in her interview to *Stalichoye Televidenie* (CTV channel) on 18 August stated: "...because our political parties strive for power, especially the opposition. And they admit anyone. They do not care much if a person is reputable. The main thing is bayonets (people). So, among those bayonets, there are really weird people, not ordinary. Not always adequate". The CEC Chairperson was also quoted by *Interfax Agency* on 15 August, saying that "The opposition is preparing for defeat; this is why it needs to discredit the electoral system".

initiative groups of at least ten voters. According to the law, not more than one third of election commission members can be civil servants, at least one third should be political party and public association nominees, and each nominating body may have only one member in an election commission. Although the formula for the composition of election commissions *de jure* offers the opportunity to political parties and others to nominate members, it does not guarantee their appointment and, hence, a pluralistic composition of commissions.¹⁷

Moreover, the CEC introduced the “professional and political qualifications” of a nominee as criteria of membership to a lower-level election commission. This concept was subject to diverse interpretation by local authorities, which claimed to prioritize selection based on merit rather than achieving broad political representation. Only a negligible number of the appointed commission members were from opposition nominating bodies.¹⁸ Most PEC members were employees from the same workplace, often with their work supervisor serving as the PEC chairperson. Although this is not contrary to the law, such pre-existing hierarchical relationships may compromise the independence of PEC members. Political parties may nominate DEC members with the right of an advisory vote; however, most parties informed the OSCE/ODIHR EOM that they did not see any value in nominating such members.¹⁹

To enhance the pluralistic representation on election commissions and to promote confidence in the election administration, consideration should be given to ensuring the inclusion of commission members nominated by all contestants. To enhance the independence of election commission members, commissions should not replicate existing hierarchical relationships in public institutions.

DECs held few public sessions and part of their work was largely undertaken by the local executive authorities.²⁰ The separation between executive and electoral authorities was blurred, and there was often a public perception of no separation. Local executive officials or employees were often DEC members, including in leading positions.²¹ Almost all DECs were located in the premises of local authorities. On several occasions, DEC and PEC trainings were conducted by senior local executive officials, who were also DEC members.²² These practices raise further concerns about the independence of the election administration from the executive.

In view of ensuring the impartiality of the election administration and increasing public trust, local executive officials should not be allowed to simultaneously serve on election commissions or intervene in their activities.

¹⁷ The 2010 Joint Opinion identified this as a “major flaw in legislation”.

¹⁸ Opposition nominees amounted to less than 0.1 per cent of the total 65,856 PEC members. PEC members included only 53 (10.4 per cent) out of the 514 nominees of 4 opposition parties: Belarusian Popular Front (BPF), Party of the Left “Just World”, Belarusian Social-Democratic Party (BSDP) “Hramada” and United Civic Party (UCP). In contrast, 3,356 (96.9 per cent) out of 3,463 nominees of the remaining 5 political parties and 24,082 (94.2 per cent) out of 25,546 nominees by 5 state-subsidized public associations were appointed.

¹⁹ DEC members with the right of advisory vote do not have the right to vote, but may attend DEC sessions, make proposals, ask questions and inspect DEC documents.

²⁰ By law, the local executive authorities are appointed by, and subordinate to the president.

²¹ In 92 DECs, at least one of the top three positions (chairperson, deputy chairperson, secretary) was held by a local authority official.

²² For example, in Homiel and Minsk. The PEC training for DECs 91, 92 and 93 was conducted by a senior official of Zavodskoi *rayon* administration of Minsk city, who was not a DEC member.

VI. VOTER REGISTRATION

Citizens who are 18 years old by election day have the right to vote at the precinct where they reside. Individuals declared incompetent by a court decision are not eligible to vote, at odds with the object and purpose of the UN Convention on the Rights of Persons with Disabilities.²³ Citizens serving prison terms are barred from voting, regardless of the gravity of the crime or the length of the sentence, challenging the principle of proportionality.²⁴ This was partially addressed by a CEC resolution granting voting rights to citizens under arrest for up to three months. In addition, individuals in police custody or in pre-trial detention are not eligible to vote, contravening the principle of the presumption of innocence.²⁵

The blanket disenfranchisement of citizens serving prison terms regardless of the severity of the crime committed should be reconsidered to ensure proportionality between the limitation imposed and the gravity of the offense. Restrictions on the suffrage rights of those in police custody or pre-trial detention should be removed. Restrictions on the suffrage rights of persons declared mentally incompetent should be removed or decided on a case-by-case basis. The authorities should consider ratifying the UN Convention on the Rights of Persons with Disabilities.

Voter registration is passive and is administered locally. There is no centralized voter register, effectively excluding the possibility for cross-checking against multiple registrations. Voter lists are compiled for each precinct by the respective local authority and updated by the PEC. Voter lists are not made available for general public scrutiny on personal data protection grounds. From 26 August, voter lists were available at polling stations for voters to verify their individual records and request changes. Voters can be added to voter lists prior to and on election day, upon presenting a valid passport with proof of residence, without a court decision, which does not safeguard against multiple registration and multiple-voting.²⁶ The total number of registered voters announced by the CEC was 6,990,696, including 4,403 out-of-country voters.

Consideration should be given to developing a centralized, computerized, and publicly available voter register in line with data protection regulations. A legal deadline for voter registration prior to election day could be introduced, with additional entries permitted only in accordance with clearly defined legal requirements subject to judicial control.

²³ Article 29 of the 2006 UN Convention on the Rights of Persons with Disabilities (CPRD) requires states to “guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others”. Belarus signed the CPRD on 28 September 2015, but has not ratified it yet. Paragraph 13.2 of the 1989 OSCE Vienna Document commits participating States to “consider acceding to... relevant international instruments”.

²⁴ Paragraph 7.3 of the 1990 OSCE Copenhagen Document calls on participating States to “guarantee universal and equal suffrage to adult citizens”, while paragraph 24 provides that restrictions on rights and freedoms must be “strictly proportionate to the aim of the law”. See also Paragraph 14 of CCPR General Comment No. 25 to the ICCPR and Section I.1.1.d.iii of the [2002 Council of Europe Venice Commission’s Code of Good Practice in Electoral Matters \(Code of Good Practice\)](#).

²⁵ Paragraph 5.19 of the 1990 OSCE Copenhagen Document states: “everyone will be presumed innocent until proved guilty according to law”.

²⁶ Section I.1.1.2.iv. of the Code of Good Practice recommends that “there should be an administrative procedure – subject to judicial control – or a judicial procedure enabling electors not on the register to have their names included... In any event polling stations should not be permitted to register voters on election day itself”.

VII. CANDIDATE REGISTRATION

Eligible voters who are 21 years old by election day and have permanent residence in Belarus may stand for election. Individuals with an unexpunged criminal record are ineligible, which constitutes a disproportionate restriction on suffrage rights.²⁷ A candidate may be nominated by a political party, labour collective, an initiative group of at least ten voters with at least 1,000 supporting signatures, or any combination of these means.

To ensure suffrage rights, restrictions on the right to stand of individuals with an unexpunged criminal record should be reviewed. Such restrictions should apply for only the most serious of offences.

Out of 630 nominated candidates, 525 were registered and 484 eventually stood for election with no candidate standing unopposed.²⁸ This represented an increase in the number of registered candidates, including from the opposition. Out of all candidates standing in these elections, 308 were nominated by 9 political parties.²⁹ Most of the candidates nominated by labour collectives and initiative groups were members of the *Belaya Rus* public association.³⁰ Out of 129 registered women candidates, 114 eventually stood for election. There are no special measures in place to increase women's participation, and nominating bodies are under no obligation to nominate women candidates.

The legal provisions for candidate registration, particularly concerning financial statements and collection of support signatures, allowed for selective implementation and arbitrary decisions, contravening paragraphs 7.5 and 24 of the 1990 OSCE Copenhagen Document and other international standards and good practice.³¹

In total, 93 nominees were denied registration: 38 because of inaccuracies in their financial declarations; 34 because of invalid or an insufficient number of valid signatures; 17 because of a failure to submit all required documentation; 2 because of an unexpunged criminal record; 1 for having received warnings; and 1 for failing to meet the residency requirement. The OECs and the courts overturned 4 of the 34 challenged denied registrations. Later, one candidate was deregistered for not taking leave from work during the campaign and 40 candidates withdrew.³²

²⁷ Section 1.1.d of the Code of Good Practice recommends that the “deprivation of the right to stand for election must be based on a criminal conviction for a serious offence”. See also Paragraph 15 of CCPR General Comment No. 25 to the ICCPR and Paragraph 24 the 1990 OSCE Copenhagen Document.

²⁸ Of the 525 registered candidates, 308 were nominated by political parties, 31 by labour collectives, 80 by initiative groups. Eighty-nine were jointly nominated by initiative groups and labour collectives, 21 jointly by initiative groups and political parties, and 12 by all three means. Before registration, 16 candidates withdrew.

²⁹ In addition, candidates affiliated with the public association For Freedom Movement (FFM), the non-registered Tell the Truth! (TT) campaign and the Belarusian Christian-Democracy (BCD) were nominated by initiative groups, political parties or both.

³⁰ Eighty-four candidates were members of *Belaya Rus*, which stated its support of an additional fifteen candidates. A number of candidates were members of the Belarusian Republican Youth Union (BRSM) and other state-subsidized public associations.

³¹ Paragraph 7.5 calls on participating States to “respect the right of citizens to seek political or public office individually or as representatives of political parties or organizations, without discrimination.” Section 1.1.1.d.iii. of the Code of Good Practice recommends that the proportionality principle must be observed when depriving an individual of the right to be elected.

³² An LDP candidate in DEC 86 was deregistered for not taking a leave of absence.

DECs are responsible for registering candidates and have wide discretionary powers in this process, which raises concerns about an inconsistent application of the law and unequal treatment of candidates.³³ DECs often applied an overly restrictive interpretation of the law and a formalistic approach to deny registration.³⁴ In addition, DECs did not enable nominees to correct errors in their applications, including on their asset declarations, as prescribed by law.³⁵

To enhance inclusiveness and transparency, the Election Code should provide clear and reasonable criteria and mechanisms for candidate registration. Minor inaccuracies in candidates' financial declarations should not lead to automatic disqualification and candidates should be provided an opportunity to correct minor or technical mistakes in their applications.

A prospective candidate is required to submit at least 1,000 supporting signatures, which exceeds one per cent of the total number of registered voters in a district, at odds with international good practice.³⁶ The rules for signature verification are unclear and allow for arbitrary decisions by DECs, which cannot be challenged.³⁷ DECs were required to check only a sample of the submitted supporting signatures.³⁸ Citizen observers informed the OSCE/ODIHR EOM that they were not allowed to observe most aspects of candidate registration, including the verification of signatures and financial declarations, thus reducing stakeholder confidence in key aspects of the process. Some potential candidates were issued warnings for distributing materials and other activities during signature collection, which in one case, led to the denial of registration.³⁹ Several interlocutors informed the OSCE/ODIHR EOM that state-subsidized public associations participated in signature collection for some nominees and that signatures were also collected at state enterprises and public institutions.⁴⁰

³³ According to Article 68.1 of the Election Code, grounds for the mandatory denial of registration include: unexpunged criminal record, missing documentation, use of foreign funds and insufficient number of valid signatures. Grounds for optional denial include: inaccurate income and asset declaration, abuse of office for election purposes, misuse of administrative resources, rewarding or coercing voters during signature collection and repeated warnings received by a candidate or an initiative group.

³⁴ DECs 15, 19, 55 and 96 denied registration to four candidates for not submitting all their supporting documents simultaneously. In two cases, the documents were submitted in two separate deliveries. Other candidates were denied for submitting non-certified documents, although there is no legal requirement for certification, for grammatical mistakes in their applications, or for failing to submit a copy of the nominating party's charter.

³⁵ Article 66 of the Election Code allows candidates to make corrections to income and asset declarations, but DECs are not obliged to notify candidates about inaccuracies and did not do so.

³⁶ See Section I.1.3.ii. of the Code of Good Practice.

³⁷ DECs verify 20 per cent of the required minimum number of signatures (200 of 1,000). If more than 30 signatures (15 per cent) are invalid, DECs examine an additional 150 (15 per cent of the 1,000). If the total number of invalid signatures exceeds 53 (15 per cent of the 350 verified), registration is denied, even if the candidate still has over 1,000 valid signatures. Three candidates were denied for submitting 999 signatures, often signatures were considered invalid because the date was in different handwriting, the district names or first names were not written in full or not in all entries.

³⁸ Section I.1.3.iv. of the Code of Good Practice recommends that the checking of signatures should be governed by clear rules, it must cover all signatures and once it has been established that the requisite number of signatures has been verified, the remaining signatures need not be checked. See also the [European Court of Human Rights judgment *Tahirov v. Azerbaijan*, Final judgment 11/09/2015.](#)

³⁹ For instance, one candidate in district No. 101 was issued two warnings, one for holding a concert and the other for distributing business cards and newspapers during the collection of signatures.

⁴⁰ Reported in Babrujsk, Brest, Dzyarzhynsk, Haradok, Homiel, Krychaw, Mahilioŭ, Mazyr, Minsk, Polack, Sienica, Škłoŭ, Slutsk, Viciebsk.

Consideration should be given to reducing the requisite number of supporting signatures for registration, introducing clear and reasonable criteria for verification, and ensuring equal conditions for signature collection. Consideration could also be given to introducing an alternative requirement, such as a reasonable financial deposit that is refunded if the candidate obtains a certain amount of votes.

VIII. ELECTION CAMPAIGN

The campaign started after the registration of candidates, which was completed on 11 August, and ended at midnight on 10 September. It took place in a highly regulated environment, with restrictions on fundamental freedoms of association, expression and assembly narrowing the public space and having an adverse effect on the campaign environment. While candidates and their proxies were able to hold public assemblies after submitting notification to the appropriate local authorities, other electoral actors required permission to organize events.⁴¹ Local authorities designated locations for campaign events, as well as space for the display of candidates' printed materials.⁴² On a positive note, the CEC's non-binding instruction for a more permissive allocation of public venues was followed by many local authorities. However, some candidates claimed that their competitors pre-booked campaign venues for extended periods of time, while several others deemed the designated locations unsuitable for campaigning.⁴³

In order to ensure the right to freedom of peaceful assembly, the notification procedure for staging events should be applied equally to all stakeholders and be widened to include pre- and post- election activities.

DECs compile data and publish candidate information posters, which are distributed to voters and displayed inside polling stations and in designated locations. Several candidates criticized the standardization of biographic data without the candidates' ability to edit content.⁴⁴ For the first time, candidates' criminal records were included on joint information posters: a practice with a potential to stigmatize candidates. A number of printing houses refused to print candidates' campaign materials or deferred printing to authorisation from the DEC.⁴⁵

To ensure effective exercise of the freedom of expression and to enable voters to make an informed choice, all candidates should be free to craft their campaign messages to the electorate within the limits of the law. Information about candidates or their programmes should not be subject to review by election commissions or any other body.

⁴¹ Paragraph 9.2 of the 1990 OSCE Copenhagen Document provides that "everyone will have the right of peaceful assembly and demonstration... any restrictions will be prescribed by law and consistent with international standards". Article 21 of the ICCPR guarantees the right of peaceful assembly without undue restrictions.

⁴² In addition, candidates may use their own campaign funds to rent premises for meetings, but in practice few did.

⁴³ The former was reported in Minsk and Orša, the latter in Viciebsk and Orša.

⁴⁴ A candidate in Orša, leader of the Belarusian Party of the Left 'Fair World', filed a complaint with the DEC on the deletion of parts of his biography on the DEC information poster. Similar cases were reported in Homiel, Hrodna, Mahilioŭ, Mazyr, Minsk and Pinsk and Viciebsk.

⁴⁵ Observed in Mahilioŭ and Minsk.

Prevalent instances of the misuse of administrative resources, noted by the OSCE/ODIHR EOM, resulted in unequal opportunities for candidates. Some candidates enjoyed privileged access to state enterprises and institutions for campaign events, with some cases of employees being pressured to attend.⁴⁶ Representatives and members of state-subsidized public associations actively campaigned for some candidates.⁴⁷ Many DEC and PEC members acted as moderators for campaign events, and some displayed bias towards select candidates during such meetings.⁴⁸ Several outgoing MPs who sought re-election used the parliament's website for campaign purposes. These practices contravene Article 73 of the Election Code and paragraphs 5.4 and 7.6 of the 1990 OSCE Copenhagen Document.⁴⁹

Authorities should ensure a clear separation of the State and candidates, as well as guarantee equal treatment of contestants before the law. Campaigning should take place without abuse of official position, pressured involvement of employees, or support from state-owned enterprises or state-subsidized associations.

Some candidates' campaigns faced impediments that raised concerns about voters' ability to cast their vote "free of fear of retribution" as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.⁵⁰ Some OSCE/ODIHR EOM interlocutors indicated that the recent arrest of an alleged participant in election-related protests in December 2010, as well as the filming by the authorities of signature collection and campaign events, as observed by the OSCE/ODIHR EOM, served to intimidate candidates and voters.⁵¹ A number of candidates and supporters were subject to administrative fines and warnings for participating in unauthorized campaign events and failing to include required data on campaign materials.⁵² On 12 September, several activists were detained on their way to a post-election protest rally in Minsk.

Authorities should ensure that candidates and voters are able to exercise their right to assemble and express or receive information without fear of retribution, administrative action or intimidation.

⁴⁶ Observed in Babrujsk, Baranavičy, Brest, Homiel, Mazyr, Mahilioŭ, Minsk, Orša, Pinsk and Sluck.

⁴⁷ Observed in Baranavičy, Brest, Homiel, Hrodna, Mazyr, Minsk and Viciebsk.

⁴⁸ Observed in Babrujsk, Baranavičy Mahilioŭ, Minsk, Mozyr and Viciebsk.

⁴⁹ Paragraph 5.4 requires "a clear separation between the State and political parties; in particular, political parties will not be merged with the State". Paragraph 7.6 commits participating States to "respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities". See also the [2016 OSCE/ODIHR and Venice Commission Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#).

⁵⁰ Paragraph 7.7 commits participating States to "ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution".

⁵¹ Reported in Homiel, Minsk, Pinsk and Viciebsk. In June, another alleged participant in the December 2010 protests was arrested and charged with rioting.

⁵² For instance, a UCP candidate in Minsk received three fines during signature collection. In addition, three other candidates were charged with participation in an unsanctioned event during signature collection. Charges were later dropped, but the investigation was again reopened a week before the elections.

The low-level of campaign visibility and an apparent public disinterest in the elections raised concerns about voters' ability to make an informed choice. Turnout was notably low at many of the 39 observed campaign events, although higher attendance was recorded at most events for candidates who were members of the *Belaya Rus* public association. Many candidates did not campaign, which led some OSCE/ODIHR EOM interlocutors to question their genuineness.⁵³ Where observed, campaign methods included holding small meetings with voters, displaying posters in shop windows, and door-to-door distribution of campaign flyers. A small number of billboards appeared in the last two weeks before election day. Publishing opinion polls is prohibited in the last five days before election day.⁵⁴

Although the law allows for free and full discussion of campaign programmes, the CEC Chairperson warned candidates against campaigning on political party platforms rather than constituency topics.⁵⁵ Some contestants expressed a lack of confidence in the integrity of the electoral process and stated that their participation was intended only to make use of outreach opportunities that are otherwise unavailable outside of the campaign period. The opposition 'Centre Right Coalition' representing the UCP, FFM and the non-registered BCD issued a statement signed by over 80 candidates denouncing the conduct of the elections, the limited role of the parliament, and the ongoing suppression of freedoms of assembly, association and expression.⁵⁶ Several candidates who withdrew cited similar concerns as reasons for their withdrawals.

IX. CAMPAIGN FINANCE

These were the first parliamentary elections with no direct public campaign funding available to candidates and several OSCE/ODIHR EOM interlocutors cited the lack of adequate funding as a serious impediment to their ability to campaign.⁵⁷ However, the law provides for indirect public financing to candidates on an equal basis in the form of free access to premises for campaign events, campaign materials and access to media.

Candidates were permitted to fund campaigns from their own resources as well as through private donations of up to BYN 105 by an individual and BYN 210 by a legal entity.⁵⁸ The total expenditure ceiling for a candidate was BYN 21,000. All financial transactions had to be conducted through dedicated campaign accounts. Prospective candidates were not allowed to open campaign funds early in order to finance signature collection and fundraise for the campaign, which impeded their outreach capacities. Direct or indirect funding of the campaign by foreign, anonymous, state sources and foreign-funded organizations is prohibited. DEC's may deregister a candidate for exceeding the spending limit by more than 20 per cent, for using funds outside the campaign account, or for using foreign funds or material assistance. Whereas

⁵³ Reported in Brest, Homiel, Mahilioŭ, Minsk, Pinsk and Viciebsk.

⁵⁴ The independent polling firm ISEPS, operating in Lithuania since its deregistration in Belarus in 2005, ceased all activities in early August 2016, after *BTV1* claimed the organization manufactured poll results.

⁵⁵ See the statement by the CEC Chairperson on tut.by on 19 August 2016.

⁵⁶ See [the statement by the opposition 'Centre Right Coalition.'](#)

⁵⁷ See paragraph 176 of the [Joint 2011 OSCE/ODIHR Venice Commission Guidelines on Political Party Regulation](#) related to public campaign funding, which notes the potential of public funding to strengthen political pluralism.

⁵⁸ EUR 1 equals approximately 2.18 Belarusian Rubles (BYN).

charities, religious and state-funded organizations are not allowed to donate, several state-subsidized public associations campaigned for some candidates.⁵⁹

Consideration could be given to re-introducing direct public campaign financing as a means to level the playing field among candidates. Prospective candidates should be allowed to open campaign funds before registration to be able to finance activities related to signature collection and fundraise for their campaigns.

OECs, DECAs and financial authorities were responsible to oversee compliance with campaign finance regulations. Banks were obliged to report to DECAs on a weekly basis on campaign fund transactions, but this information was not always published, as required by law. Most candidates submitted their first financial reports to the DECAs ten days prior to the elections and their second reports five days after the elections, as required by law. However, the law does not require these reports to be made public or to be audited, which limits the overall transparency and accountability of campaign finances and falls short of international obligations and good practice.⁶⁰

To enhance transparency, campaign finance reports, including all income and expenditure, should be published in a timely manner. An independent, impartial and professional body should audit campaign finance reports on the basis of fair and objective criteria.

X. MEDIA

A. OVERVIEW

Some 723 newspapers, 174 radio, 100 television stations, 9 news agencies and a number of online news portals are available in Belarus.⁶¹ Television is the primary source of information and the state-owned *Beltele Radio Company* (BTRC) is the largest media company, which dominates the broadcast media landscape. Newspapers are distributed mainly through state networks that favour state-owned publications and have gradually excluded independent print media from the market. Private media outlets have a limited impact and are frequently subject to pressure from the authorities.⁶² In the absence of independent broadcast media, online media increasingly serve as an alternative source of political and election-related information.

Journalists require accreditation by the Ministry of Foreign Affairs to work for foreign media and Belarusian media based abroad, while those working for national media cannot simultaneously work for foreign media.⁶³ Freelancers are not considered journalists and cannot

⁵⁹ Reported in Homiel, Mahilioŭ, Minsk, Pinsk, Polack and Sluck.

⁶⁰ Article 7.3 of the 2003 UN Convention against Corruption obliges states to “consider taking appropriate legislative and administrative measures... to enhance transparency in the funding of candidatures for elected public office”. See also paragraph 201 of the OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation.

⁶¹ Registered as of August 2016.

⁶² Administrative methods include selective tax inspections, overly cumbersome licensing and registration requirements, refusal of accreditations, fines, limited access to online media and warnings. See also [Report of the Special Rapporteur on the situation of human rights in Belarus, 21 April 2016](#).

⁶³ Article 35 of the Mass Media Law and Article 5 of the Regulation for accreditation of foreign journalists.

obtain accreditation. If they report from within the country, they face fines and pressure and may be charged with illegal production and distribution of mass media products.⁶⁴ The OSCE Representative on Freedom of the Media (RFoM) has called on the authorities to facilitate the work of journalists, to not obstruct their activities and intimidate them, and to cease imposing restrictive measures on freelance journalists.⁶⁵

The accreditation of journalists should be reconsidered in view of improving their working conditions rather than functioning as a work permit. Freelance and online journalists should enjoy the same status of other journalists without discrimination.

B. LEGAL FRAMEWORK

The media environment is characterized by a restrictive legal framework challenging the freedoms of expression and the press. The Constitution guarantees freedom of expression, prohibits censorship and establishes the right to receive, store and disseminate information. However, contrary to international standards and previous OSCE/ODIHR recommendations, the Criminal Code still contains broad provisions on defamation, libel, insult and a ban on calls for an election boycott.⁶⁶ Mass media and Internet outlets may be sanctioned for publishing or broadcasting calls for an election boycott, including candidates' campaign programmes and speeches with such content. Since 2014, online media outlets have the same obligations and are subject to the same restrictions as traditional media, except for the requirement of registration. Moreover, the Ministry of Information has wide discretionary powers to limit access to websites without a court decision. The OSCE RFoM criticized the new regulations for undermining free speech on the Internet.⁶⁷

The legal framework for media should be reformed to ensure full protection of the principle of freedom of speech and the press, both for offline and online media. Defamation should be decriminalized.

State media are obliged to provide equal opportunity to all candidates from the time of their registration. Candidates were entitled to a single free five-minute speech on state radio and state television between 15 August till 2 September and they could participate in television debates with other candidates from the same district.⁶⁸ They also had the right to have their campaign programmes published free-of-charge by nationwide and regional state-owned newspapers and to purchase time and space in traditional and online media outlets.

The Media Supervisory Board (MSB) was established to oversee the media coverage of the campaign and to review media-related disputes.⁶⁹ It was chaired by the Deputy Minister of

⁶⁴ Article 1 of the Mass Media Law defines a journalist as an individual regularly contracted by a registered media outlet.

⁶⁵ See OSCE RFoM statements from [22 December 2014](#), [3 January 2015](#) and [27 January 2016](#).

⁶⁶ Paragraph 47 of the 2011 CCPR General Comment No. 34 to Article 19 of the ICCPR states that "defamation laws must be crafted with care to ensure that they do not serve, in practice, to stifle freedom of expression... States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty".

⁶⁷ See OSCE RFoM statement from [17 June 2014](#).

⁶⁸ CEC resolution No. 32 as of 28 June 2016.

⁶⁹ CEC resolution No. 33 as of 28 June 2016.

Information and comprised seven additional members, including six state-owned media representatives and, for the first time, one from the Belarusian Association of Journalists. The MSB does not conduct systematic media monitoring and it may issue non-binding recommendations to the CEC and media outlets. It held three sessions conducted by the CEC Chairperson, who is not a member of the Board. It reviewed four media-related complaints concerning candidates' campaign programmes. Of them, two were dismissed and two were addressed by recommendations.⁷⁰ The composition of the MSB does not ensure impartiality and the lack of systematic media monitoring does not ensure its effectiveness.

Consideration should be given to ensuring a more balanced MSB membership by including private media professionals and additional civil society representatives. The MSB should be mandated and sufficiently resourced to conduct comprehensive media monitoring during the election campaign so as to more effectively fulfil its role.

C. MEDIA MONITORING RESULTS

From 11 August to 11 September, the OSCE/ODIHR EOM conducted a quantitative and qualitative media monitoring of 11 media outlets and 10 online news portals.⁷¹ Overall, the monitored state media provided very limited coverage of the election campaign and failed to enable voters to make an informed choice, at odds with international standards.⁷² Except for free airtime slots, broadcast coverage of candidates' campaign activities was virtually absent from news and political programmes. Monitored state TV channels dedicated 82 per cent of their coverage to the President and government officials and 17 per cent to the CEC Chairperson, whereas candidates altogether received 1 per cent of the primetime political coverage and were only mentioned collectively with no reference to individuals. A similar tendency was noted on the state-owned *Radio 1* channel. In contrast, the monitored private media, including main online media, provided comprehensive and diverse information on campaign activities and election contestants.⁷³ Although permitted in both private and state media outlets, only a few candidates purchased paid political advertising.

State-owned media should provide impartial and balanced coverage in their news and political programmes to all contestants and should provide voters with sufficient information to make an informed choice. To achieve this, the competent authorities could develop policy guidance and training for electoral periods.

⁷⁰ Both recommendations were addressed to the editor of *Hrodzenskaya Prawd*a newspaper for publishing campaign material before the candidates' registration.

⁷¹ TV channels: *Belarus 1*, *Belarus 3*, *ONT*, *CTV*; Radio channels: *Radio 1*, *Euroradio* and Newspapers: *Zvyazda*, *Narodnaya Volya*, *Sovetskaya Belorussia (SB. Belarus Segodnya)*, *Komsomolskaya Pravda*, and *Biel Hazieta*. Online media outlets: *news.tut.by*, *belta.by*, *charter97.org*, *Interfax.by*, *mn.by*, *euroradio.fm*, *sputnik.by*, *belaruspartisan.org*, *svaboda.org*, *naviny.by*.

⁷² Paragraph 7.8 of the 1990 OSCE Copenhagen Document calls on participating States to "provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process." See also Paragraphs 16 and 20 of the 2011 CCPR General Comment No. 34 to Article 19 of the ICCPR. See also [Council of Europe, Committee of Ministers, Recommendation No \(99\)15 on Measures concerning Media coverage of elections campaign](#) and [UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression reports \(1999-2009\)](#).

⁷³ Notably, *Euroradio*, *Narodnaya Volya*, *Komsomolskaya Pravda*, *tut.by*, *naviny.by*, *Interfax.by*.

A total of 109 candidates did not make use of their free airtime and 257 did not participate in debates, whereas some were denied broadcasting.⁷⁴ The schedules of candidates' airtime addresses and debates were made available by the majority of state broadcasters. Candidate access to online media is not regulated by law. For this reason, candidates' free airtime addresses were not streamed or uploaded on state broadcasters' websites.⁷⁵ On 9 September, the Minister of Information announced that measures would be taken against some online media that "exhibited destructive behaviours" during the campaign. On election day, three websites were unavailable for a few hours.⁷⁶ Moreover, two journalists were expelled from polling stations during counting.⁷⁷

XI. COMPLAINTS AND APPEALS

The Election Code does not provide for a clear complaints and appeals procedure with a single hierarchical structure. Subsequently, there was often confusion among stakeholders about the adjudicating body and several complaints were filed with non-competent bodies.⁷⁸ Actions and decisions of election commissions may be challenged at higher commissions and some types of decisions may be appealed to the courts.⁷⁹ The Supreme Court has jurisdiction over CEC decisions, whereas Oblast courts have jurisdiction over decisions of corresponding OECs. Irregularities in voter lists and PEC composition fall under the purview of regional (*rayon*) and town (*gorodskoy*) courts. Not all decisions and actions of election commissions may be challenged, including on aspects of candidate registration and election results, which impairs the effectiveness of legal redress.

Consideration should be given to revising the Election Code to provide a dedicated section on to complaints and appeals that ensures a systematic and simple framework of all mechanisms for legal redress in one hierarchical and clear structure. Amendments should ensure that all acts, omissions and decisions of election commissions are subject to judicial appeal.

Complaints are filed and reviewed within three days. Complaints requiring additional verification are reviewed within ten days whereas complaints received on election day should be reviewed immediately. The three-day deadline for filing complaints was effectively reduced due to a restrictive interpretation.⁸⁰ By law candidates, proxies, voters, public associations, political parties and observers have the right to lodge complaints and appeals. However, in practice, the right to file complaints is limited to those whose personal electoral rights are directly impacted.

⁷⁴ Belarus 3 denied broadcasting to two UCP candidates. In addition, some 15 print media outlets refused to publish or edit the electoral programmes of a number of candidates.

⁷⁵ In addition, on 18 August, the political message of a candidate was blocked on *YouTube.com*, following a BTRC copyright infringement complaint.

⁷⁶ Namely, *udf.by*, *Belaruspartisan.org* and *Charter97.org*. The last two are not registered in Belarus.

⁷⁷ Namely, two *Nasha Niva* and *EuroRadio* journalists. The latter was readmitted after contacting the CEC.

⁷⁸ For instance, whereas a request for a recount is filed to the OEC, a request for results invalidation is filed to the DEC. On voter lists, there is overlapping jurisdiction between the courts and election commissions.

⁷⁹ For the first time, warnings issued to candidates could be challenged in court.

⁸⁰ At least six complaints were dismissed on the grounds that the three-day deadline starts on the day of the decision. Upon an appeal filed by a candidate, the Supreme Court ruled that the three-day deadline for lodging an appeal starts immediately when the decision is issued. This is contrary to Article 150 of the Civil Proceedings Code, which prescribes that the deadline starts on the first working day after the decision.

For instance, only candidates may request recounts and invalidation of the election results in their district.⁸¹ This leaves other election stakeholders without the opportunity to challenge the validity of the results and is not in line with OSCE commitments and international good practice.⁸²

Every voter, candidate, and political party should have the right to lodge a complaint on every aspect of the electoral process. The deadlines for filing complaints should be suited to the pace and context of an electoral process so as to ensure ensure the right to effective remedy.

Prior to early voting and election day, 545 election-related applications, complaints and appeals were filed with election commissions, local authorities and courts. Of these, 38 complaints and 21 appeals were filed against denials of candidate registration, and 4 denials were overturned by the court. An additional 24 complaints were filed against the refusal of nominees to election commissions and all were rejected without substantial review.⁸³ A further 191 complaints were filed on the activities of election commissions, 108 on campaign irregularities and 32 on the accreditation and activities of observers; most were dismissed or rejected.

Complaints and appeals filed to the CEC were not discussed in public sessions and were dealt with by the CEC staff, which did not provide transparency and undermined the mandate of the CEC. OECs and DECAs did not always review complaints in public sessions, whereas court hearings took place with formal observance of due process. However, in many cases, the review of complaints was marked by a formalistic application of law.⁸⁴ The CEC used wide discretionary powers to interpret the law at times in an inconsistent manner.⁸⁵ The CEC published statistics on complaints, but not on decisions, contrary to its resolution on the matter.⁸⁶ A few OEC and DEC decisions on complaints were published. Overall, the dispute resolution mechanisms, as currently implemented, lack transparency and do not ensure effective legal redress, at odds with paragraph 5.10 of the 1990 OSCE Copenhagen Document and Article 2.1 of the ICCPR.⁸⁷

⁸¹ The CEC decision invalidating results can be appealed at the Supreme Court, while the decision validating election results cannot be challenged.

⁸² Paragraph 18.2 of the 1991 OSCE Moscow Document states that “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”. Paragraph II.3.3.f of the Code of Good Practice recommends that “all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections”.

⁸³ The courts only assessed whether the local executive authorities followed the procedural rules for appointing PEC members. They did not assess whether the criteria for appointment were met.

⁸⁴ For instance, the Court dismissed as inadmissible a complaint filed by the deputy chair of a political party instead of the chair.

⁸⁵ In one case (Ushakov), the CEC stated that the inaccurate biographical information for the joint information posters is not a violation whereas in another case (Kuzmin), the CEC stated the opposite.

⁸⁶ CEC resolution No. 22 as of 8 June 2016. Article 14.1 of the ICCPR stipulates that “any judgement rendered in a suit at law shall be made public”.

⁸⁷ Paragraph 5.10 commits participating States to provide everyone with “effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”. Article 2.1 of the ICCPR reads that “to ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy”. See also Section II.3.3 of the Code of Good Practice.

In view of enhancing the transparency of dispute resolution, complaints and appeals should be reviewed by election commissions and courts in the presence of the concerned parties and decisions should be published in a timely manner. All judicial proceedings should be public.

XII. CITIZEN AND INTERNATIONAL OBSERVATION

Citizen observers may be nominated by political parties, public associations, labour collectives and initiative groups of at least ten voters. Candidates may not nominate observers, but their proxies may be present.⁸⁸ International observer organizations may not be accredited without a prior invitation by the authorities.

The rights of observers prescribed by the Election Code are often subject to an overly restrictive interpretation by the election administration at odds with paragraph 8 of the 1990 OSCE Copenhagen Document and international good practice.⁸⁹ Unlike international observers, citizen observers are entitled to observe only at the election commission to which they are accredited. Observers are not allowed to observe all activities of commissions, to inspect the voter lists, or to receive certified copies of PEC and DEC protocols.⁹⁰ Recent CEC resolutions granted observers the right to obtain voter list information, to be placed closer to the counting table and to observe the handover of PEC result protocols. However, PECs often did not comply with these resolutions (See *Early Voting and Election Day*).

Measures should be taken to ensure unrestricted access of observers to all aspects of the electoral process. Observers should be able to observe the entire working process of election commissions, including verification of signatures and other documents for candidate registration, inspect voter lists, and receive certified copies of election commission protocols.

A total of 827 international and 32,105 citizen observers were accredited.⁹¹ Of them, 24,000 represented state-subsidized public associations, which often were also engaged in campaigning for pro-government candidates. During early voting and election day, the OSCE/ODIHR EOM received numerous statements from observers nominated by public associations asserting that the elections were conducted in line with the Election Code.

The Right to Choose and the Human Rights Defenders for Fair Elections (HRDFE) were the most active non-governmental organizations with about 3,000 observers in total. These groups carried out long-term observation and published periodic reports on their findings. During early

⁸⁸ A candidate may have up to 15 proxies; an inadequate number to observe all PECs in his/her district. For example, the largest district (DEC 39) includes 121 polling stations and the smallest (DEC 102) has 26.

⁸⁹ Paragraph 8 of the 1990 OSCE Copenhagen Document states provides that “the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place”. See also the Declaration of Principles for International Election Observation.

⁹⁰ On several occasions, citizen observers were not able to attend the entire process of candidate registration, including verification of signatures and financial declarations, and MSB sessions.

⁹¹ Namely, the Belarusian Republican Youth Union (BRSM) registered 6,170 observers, the Belarusian Federation of Professional Unions of Belarus – 5,040, Belaya Rus – 4,261, Belarusian Women’s Union – 2,473, Belarusian Association of Veterans – 3,070, Belarusian Helsinki Committee – 53. The remaining observers were nominated by political parties, public associations, labour collectives and initiative groups.

voting and election day, 35 citizen observers were expelled from polling stations or had their accreditation revoked, and one observer was detained by police.⁹²

XIII. EARLY VOTING AND ELECTION DAY

A. EARLY VOTING

The law provides for five days of early voting prior to election day, whereby all voters can vote without any justification.⁹³ Some regulations to promote the integrity of early voting are in place, including the completion and posting of daily protocols, sealing of ballot boxes, and overnight storage of ballot boxes in a safe or metal box.⁹⁴ However, these are not comprehensive. For example, early voting is administered only by two PEC members (as opposed to two-thirds of PEC members on election day) and the sealing of ballot boxes during breaks and overnight is inadequate. Moreover, campaign materials and activities are not prohibited in polling stations during early voting.

The IEOM observed the last day of early voting in a systematic manner. On average, two observers from public associations were present in PECs observed, whereas observers from non-governmental organizations were present in 10 per cent of PECs.

Key regulations for early voting were not always followed. In almost half of the PECs, observers reported that the ballot box was not secured in a safe or metal box during breaks, as required by law. In addition, shortcomings were noted with the completion of the daily protocols. Contrary to the law, 16 per cent of the observed PECs recorded the aggregated rather than the daily turnout figure in the daily protocols, potentially resulting in an inflated voter turnout. In cases where observers were allowed to inspect the voter lists, the number of signatures was significantly lower than the turnout reported by the PECs. Contrary to the law, in 17 per cent of cases, the daily protocols were not publicly displayed and in some 7 per cent of PECs, observers were not allowed to take photos of the protocols. The law does not require that the daily protocols remain in public display until closing, which does not guarantee the accountability of the process. At the close of early voting, the CEC announced voter turnout at 31 per cent. Turnout was significantly higher in PECs assigned to voters in state enterprises and public institutions, including student dormitories, where there were credible allegations and observations of voters being coerced to vote.

Early voting should be conducted with the same safeguards as election day, including a PEC quorum and without breaks. Daily protocols should include the number of voters registered on the voter list, those added and those who voted. They should remain publicly posted until after the end of counting and until the deadline for filing complaints.

⁹² This includes 31 observers from the Right to Choose and 4 from the HRDFE. A Right to Choose observer was detained for three days for video recording at PEC 626 in Minsk.

⁹³ Early voting takes place from the Tuesday to Saturday before election day, from 10.00-14.00 and 16.00-19.00.

⁹⁴ The law requires that only the number of received ballots and the number of voters who have received a ballot are recorded on the daily PEC protocol for early voting.

B. OPENING AND VOTING

Election day generally proceeded in an efficient manner. Almost all observed PECs opened on time. Overall, the opening and voting processes were generally assessed positively in 94 per cent of observations. However, the integrity of the process was not always guaranteed. PEC members were mostly employees of the same public institution, with the PEC Chair usually their supervisor, compromising their independence. Whereas numerous observers from state-subsidized public associations were present in all polling stations observed, observers from non-governmental organizations were present only in 10 per cent. In some six per cent of cases, IEOM observers did not have a clear view of the voting process and PECs did not co-operate fully. The presence of local officials in polling stations is not prohibited by law, but it has a potential to intimidate PEC members and voters. In addition, the presence of unauthorized officials was noted in five per cent of observations. More than half of polling stations observed were not accessible for voters with disabilities, despite the CEC resolution on creating sufficient conditions for voters with disabilities

Serious procedural errors, inconsistencies and irregularities were noted by IEOM observers. In 18 per cent of polling stations observed, unused ballots were not placed in clear view of PEC members and observers. Other observed irregularities included campaign materials or activity in polling stations (10 per cent), group voting (3 per cent), and indications of voters coerced to vote at multiple polling stations. There is no standardized ballot box and no secure sealing, which does not guarantee that ballot boxes remain sealed or that they are not replaced. In some cases, the ballot boxes from early voting were not properly sealed and the final early voting protocols were not displayed. In 22 per cent of PECs, observers were not allowed to inspect the voter lists. When they were able to do so, the number of signatures was significantly lower than the turnout figures provided by PECs. Some PECs added voters to the main voter list, contrary to the law which provides that they be added to a supplementary list.

To enhance the integrity of the voting process, authorities should consider more robust security measures such as numbered ballot box seals, uniform translucent ballot boxes, ballots with safety features and unique PEC stamps. In view of preventing undue influence on voters and PEC members, the presence of local officials in polling stations should be prohibited.

C. COUNTING

Counting was assessed negatively in 24 per cent of polling stations observed, which indicates serious problems. Despite a CEC resolution, in 27 per cent of the PECs observed, observers were not allowed close to the counting table and they were not allowed meaningful observation. PECs often failed to follow the reconciliation procedures that would ensure the accountability of counting and had problems reconciling the results. For example, in 21 per cent of cases, the number of registered voters was not established and announced, and in most cases, the signatures on the voter lists were not counted before the opening of ballot boxes, which does not ensure the accuracy of the reported turnout.

Observers often reported that the count was hasty and lacked transparency. In a quarter of cases, observers could not follow the procedures and see the voters' marks on the ballots, ballots were counted by each PEC member separately rather than collectively, and votes per candidate were not announced. In around a one fifth of counts, the validity of ballots was not determined in a

consistent and reasonable manner and the spoiled ballots were not packed and sealed. A significant number of indications of ballot box stuffing were observed in ballot boxes (13 per cent), mobile boxes (8 per cent) and early voting ballot boxes (8 per cent). Legal provisions for the count, as well as their implementation, meant that an honest count could not be guaranteed, as provided for in paragraph 7.4 of the 1990 OSCE Copenhagen Document.

In regards to PEC protocols, observers reported that PEC protocols were pre-signed (10 per cent), the three official copies were not signed by all PEC members (10 per cent), the announced figures were not recorded accurately (10 per cent), evidence of deliberate falsification of voter lists entries and results (7 per cent) and other significant procedural errors or omissions (16 per cent). Contrary to the law, in eight per cent of cases, observers were not allowed to take photographs of PEC protocols.

The vote count should be held in a transparent manner, whereby all PEC members, observers and candidate proxies would be able to verify the outcome of the process. As a means to build public confidence, consideration should be given to announcing and showing the selection on each ballot to those present, as well as announcing all the figures entered into PEC protocols.

D. TABULATION AND ANNOUNCEMENT OF RESULTS

The IEOM observed the handover and results tabulation process in all 110 DEC and tabulation was assessed negatively in about a quarter of the observations, which is significant. In 12 per cent of the PECs observed, there was a delay in transporting PEC protocols to the DEC, which does not ensure the integrity of protocols and safety of materials. Often, PEC members were transported by buses collectively to the DEC.

In some two thirds of cases, not all DEC members were present during the handover of PEC protocols and tabulation. More than half of the DEC interrupted the tabulation and postponed the summarization of results until the following afternoon, which detracts from the integrity and accountability of the process.⁹⁵ The tabulation process lacked transparency overall. In a quarter of DEC, IEOM observers had no clear view of handover procedures and, in more than half of the DEC, they were not allowed close enough to see the data entry of summarized tables. In some cases, the procedures were conducted in separate rooms. A number of significant procedural errors were noted by observers. In 16 per cent of DEC, the data from PEC protocols were not entered in electronic summarized tables and in the majority of DEC, entries into the summarized tables were not made in pen. Contrary to a CEC resolution, in 22 observations, DEC did not apply the control equations of data on PEC protocols, and in 15 observations, PEC protocol data were not entered into the summary table.

To enhance the transparency of tabulation and instil public confidence in the accuracy of the results, DEC should conduct uninterrupted tabulation from the handover of PEC protocols until the completion of DEC result protocols in the presence of PEC members and observers.

On 11 September, the CEC reported voter turnout at 74.7 per cent. On 12 September, the CEC announced the preliminary results and published the names of the elected MPs before all DEC had completed the tabulation. Moreover, it did not publish results disaggregated by polling

⁹⁵ DEC in Brest, Hrodno, Minsk City, Minsk Oblast, and Viciebsk.

station, which does not ensure the accountability of the tabulation process. On 16 September, the CEC announced the final election results. A total of 38 women MPs were elected to the new parliament, which represents an increase from 15 per cent to 35 per cent.

To enhance transparency and accountability, results should be published disaggregated by polling station and separately for each candidate and include votes cast against all candidates and the number of valid, invalid and spoiled ballots.

E. ELECTION DAY COMPLAINTS AND APPEALS

A total of 1,066 applications and complaints were filed on early voting and election day irregularities. Of these, 222 were on early voting, 367 on voting and counting, 157 on the work of election commissions, 37 on observers' rights, 33 on requests for recount, 82 on requests for invalidation of PEC results, and 131 on other issues. Most complaints alleged a lack of transparency and falsification during counting, falsification of the early voting protocols, election day protocols and turnout figures, irregularities during mobile voting, manipulations in the voters lists, inadequate ballot box security, as well as false tabulation of results. In addition, some 60 complaints alleging criminal offences were filed with regional prosecutors, who did not review them, but referred them to election commissions or local executive authorities.

Election commissions dismissed or rejected almost all complaints and appeals. Not all complaints were reviewed in public sessions with the presence of the complainants and the decisions often lacked substantive reasoning. Notably, all requests by observers for a recount and invalidation of results were dismissed as unauthorized.⁹⁶ Similar requests by candidates were also rejected on the grounds that the alleged procedural irregularities had no effect on the election results in the district.⁹⁷ A complaint on multiple-voting was rejected by the CEC on the grounds that voter registration is conducted according to the law and therefore multiple-voting is impossible.⁹⁸ A number of similar cases were treated in an inconsistent manner.⁹⁹ PECs, DECs and OECs ceased functioning immediately after completing tabulation, but before the three-day deadline for filing complaints. The CEC announced the final elections results before the expiry of deadlines for complaints. On 29 September, the CEC held a session to review two complaints requesting the invalidation of election results in two DECs, which were rejected.¹⁰⁰ Overall, the handling of election day complaints fell short of providing effective remedy and left possible infringements without sanctions.

⁹⁶ The OSCE/ODIHR EOM is aware of at least 15 DEC decisions stating that the visual count of turnout and ballots by observers are not prescribed by law and therefore bear no legal significance.

⁹⁷ For instance, complaints on the untimely display of early voting protocol (complainant Kuzmin), false data on the early voting protocol (Gousha) and failure to allow meaningful observation (Shestak and Guzovsky) were considered procedural irregularities with no impact on the district results.

⁹⁸ CEC decision No. 01-11/R-354 of 11 September.

⁹⁹ The CEC reviewed two complaints on turnout discrepancies during early voting, whereas it referred all other such cases to DEC.

¹⁰⁰ Two candidates of the Belarusian Party of the Left 'Fair World' requested invalidation of results in DEC 25 and 49, after the rejection of their requests by the corresponding DEC and OEC. Alleged irregularities pertained PEC formation, joint information posters, undue restrictions in campaigning; failure to guarantee the safety of ballot boxes during early voting; hampering the work of observers, inflating turnout.

XIV. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Belarus and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past recommendations contained in the 2010, 2012 and 2015 OSCE/ODIHR EOM final reports, as well as the 2010 OSCE/ODIHR and Venice Commission Joint Opinion. The OSCE/ODIHR stands ready to assist the authorities of Belarus to further improve the electoral process.¹⁰¹

A. PRIORITY RECOMMENDATIONS

1. The legal framework should be comprehensively reviewed to address previous OSCE/ODIHR and Venice Commission recommendations, including on the composition of election commissions, candidacy rights, observers' rights, voting, counting and tabulation. The law should be interpreted and implemented to ensure an equal playing field for contestants, genuine competition, the free expression of the will of the voters and the integrity of the electoral process.
2. All relevant laws and decrees should be reviewed and amended to ensure that any restrictions on fundamental freedoms have the character of exception, are imposed only when necessary in a democratic society, are proportionate with a legitimate aim, and are not applied in an arbitrary and overly restrictive manner.
3. Authorities should ensure the right of individuals and groups to establish, without undue restrictions, their own political parties or political organizations, and provide them with the necessary legal guarantees to compete with each other on an equal basis.
4. To ensure legal certainty, fundamental aspects of the electoral process should be regulated by law and not by CEC resolutions. Legal reform should be undertaken early enough in advance of elections through a transparent and inclusive legislative process with all relevant stakeholders.
5. Authorities should ensure that candidates and voters are able to exercise their right to assemble and express or receive information without fear of retribution, administrative action or intimidation.
6. To enhance transparency and accountability, results should be published disaggregated by polling station and separately for each candidate and include votes cast against all candidates and the number of valid, invalid and spoiled ballots.
7. Measures should be taken to ensure unrestricted access of observers to all aspects of the electoral process. Observers should be able to observe the entire working process of election commissions, including verification of signatures and other documents for

¹⁰¹ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

- candidate registration, and inspect voter lists and receive certified copies of election commission protocols.
8. Early voting should be conducted with the same safeguards as election day, including a PEC quorum and without breaks. Daily protocols should include the number of voters registered on the voter list, those added and those who voted. They should remain publicly posted until after the end of counting and until the deadline for filing complaints.
 9. The vote count should be held in a transparent manner, whereby all PEC members, observers and candidate proxies would be able to verify the outcome of the process. As a means to build public confidence, consideration should be given to announcing and showing the selection on each ballot to those present as well as announcing all the figures entered into PEC protocols.
 10. To enhance the transparency of tabulation and instil public confidence in the accuracy of the results, DEC should conduct uninterrupted tabulation from the handover of PEC protocols until the completion of DEC result protocols in the presence of PEC members and observers.

B. OTHER RECOMMENDATIONS

Legal Framework

11. Consideration could be given to removing the turnout requirement for elections, or at least removing it in the case of repeat elections. This would avoid the possibility of indefinitely repeating elections because of an insufficient turnout.

Voter Registration

12. The blanket disenfranchisement of citizens serving prison terms regardless of the severity of the crime committed should be reconsidered to ensure proportionality between the limitation imposed and the severity of the offense. Restrictions on the suffrage rights of those in police custody or pre-trial detention should be removed. Restrictions on the suffrage rights of persons declared mentally incompetent should be decided on a case-by-case basis. The authorities should consider ratifying the UN Convention on the Rights of Persons with Disabilities.
13. Consideration should be given to developing a centralized, computerized, and publicly available voter register in line with data protection regulations. A legal deadline for voter registration prior to election day could be introduced, with additional entries permitted only in accordance with clearly defined legal requirements subject to judicial control.

Election Administration

14. The mechanism of CEC formation should be reconsidered to provide sufficient safeguards for its independence and impartiality and to enhance public confidence in the election administration.

15. In view of ensuring the impartiality of the election administration and increasing public trust, local executive officials should not be allowed to simultaneously serve on election commissions or interfere in their activities.
16. To enhance the pluralistic representation on election commissions and to promote confidence in the election administration, consideration should be given to ensuring the inclusion of commission members nominated by all contestants. To enhance the independence of election commission members, commissions should not replicate existing hierarchical relationships in public institutions.

Candidate Registration

17. To ensure suffrage rights, restrictions on the right to stand of individuals with an unexpunged criminal record should be reviewed. Such restrictions should apply for only the most serious of offences.
18. To enhance inclusiveness and transparency, the Election Code should provide clear and reasonable criteria and mechanisms for candidate registration. Minor inaccuracies in candidates' financial declarations should not lead to automatic disqualification and candidates should be provided an opportunity to correct minor or technical mistakes in their applications.
19. Consideration could be given to reducing the requisite number of supporting signatures for registration, introducing clear and reasonable criteria for verification, and ensuring equal conditions for signature collection. Consideration could also be given to introducing an alternative requirement, such as a reasonable financial deposit that is refunded if the candidate obtains a certain amount of votes.

Campaign Environment

20. Authorities should ensure a clear separation of the State and candidate as well as guarantee equal treatment of contestants before the law. Campaigning should take place without abuse of official position, pressured involvement of employees, or support from state-owned enterprises or state-subsidized associations.
21. To ensure effective exercise of the freedom of expression and to enable voters to make an informed choice, all candidates should be free to craft their campaign messages to the electorate within the limits of the law. Information about candidates or their programmes should not be subject to review by election commissions or any other body.
22. In order to ensure the right to freedom of peaceful assembly, the notification procedure for staging events should be applied equally to all stakeholders and be widened to include pre- and post- election activities.

Campaign Finance

23. Consideration could be given to re-introducing direct public campaign financing as a means to level the playing field among candidates. Prospective candidates should be

allowed to open campaign funds before registration to be able to finance activities related to signature collection and fundraise for their campaigns.

24. To enhance transparency, campaign finance reports, including all income and expenditure, should be published in a timely manner. An independent, impartial and professional body should audit campaign finance reports on the basis of fair and objective criteria.

Media

25. The legal framework for media should be reformed to ensure full protection of the principle of freedom of speech and the press, both offline and online. Defamation should be decriminalized.
26. The accreditation of journalists should be reconsidered in view of improving their working conditions rather than functioning as a work permit. Freelance and online journalists should enjoy the same status of other journalists without discrimination.
27. Consideration should be given to ensuring a more balanced MSB membership by including private media professionals and additional civil society representatives. The MSB should be mandated and sufficiently resourced to conduct comprehensive media monitoring during the election campaign so as to more effectively fulfil its role.
28. State-owned media should provide impartial and balanced coverage in their news and political programmes to all contestants and should provide voters with sufficient information to make an informed choice. To achieve this, the competent authorities could develop policy guidance and training for electoral periods.

Complaints and Appeals

29. Consideration should be given to revising the Election Code to provide a dedicated section on complaints and appeals that ensures a systematic and simple framework of all mechanisms for legal redress in one hierarchical and clear structure. Amendments should ensure that all acts, omissions and decisions of election commissions are subject to judicial appeal.
30. Every voter, candidate, and political party should have the right to lodge a complaint on every aspect of the electoral process. The deadlines for filing complaints should be suited to the pace and context of an electoral process so as to ensure the right to effective remedy.
31. In view of enhancing the transparency of dispute resolution, complaints and appeals should be reviewed by election commissions and courts in the presence of the concerned parties and decisions should be published in a timely manner. All judicial proceedings should be public.

Election Day

32. To enhance the integrity of the voting process, authorities should consider more robust security measures such as numbered ballot box seals, uniform translucent ballot boxes, ballots with safety features and unique PEC stamps. In view of preventing undue influence on voters and PEC members, the presence of local officials in polling stations should be prohibited.

ANNEX I: FINAL RESULTS

DEC	Total number of voters	Added on E-day	Ballots issued	Turnout %	Early voting	Mobile voting	Voting on E-day in PS	Against all	Invalid votes
1	69,563	465	46,613	67.0	19,314	2,137	25,148	4,932	776
2	60,143	338	41,470	68.9	19,926	1,702	19,835	5,478	558
3	59,845	210	34,843	58.2	11,960	1,042	21,806	3,939	461
4	61,855	189	45,330	73.3	20,963	3,101	21,259	5,068	627
5	66,514	-	48,641	73.1	21,398	2,259	24,983	5,937	803
6	61,687	265	49,151	79.7	22,821	1,493	24,835	3,856	525
7	62,645	211	56,354	90.0	21,889	7,197	27,268	4,434	844
8	62,455	-	53,715	86.0	18,726	7,527	27,454	5,350	705
9	59,343	-	47,698	80.3	16,607	5,927	25,130	8,013	961
10	60,121	112	52,003	86.5	20,044	5,947	26,012	4,438	834
11	64,051	6	52,081	81.3	17,545	5,700	28,830	4,908	825
12	62,024	100	48,498	78.2	18,448	6,934	23,114	4,801	1,085
13	59,964	118	50,383	84.0	18,987	2,333	29,055	2,508	643
14	61,199	89	46,199	75.5	13,226	1,519	31,452	5,877	816
15	66,741	-	57,076	85.5	17,644	2,873	36,559	4,546	808
16	54,578	42	44,491	81.5	18,957	1,699	23,833	1,962	771
17	64,364	306	46,399	72.1	20,627	4,750	21,019	2,835	550
18	66,993	120	40,297	60.1	13,134	3,715	23,431	2,501	599
19	64,385	204	56,108	87.1	24,846	6,241	25,016	3,201	433
20	62,510	247	52,662	84.2	28,320	3,882	20,419	3,207	651
21	64,449	32	56,345	87.4	23,142	10,681	22,522	6,267	824
22	57,654	-	51,050	88.5	19,549	11,034	20,467	1,770	476
23	64,435	258	55,957	86.8	24,249	8,010	23,692	3,620	652
24	70,801	198	53,596	75.7	18,866	2,160	32,569	5,824	793
25	60,601	20	43,920	72.5	19,874	7,293	16,748	2,624	407
26	58,712	31	45,564	77.6	18,949	7,372	19,240	4,748	811
27	59,365	25	46,789	78.8	20,623	7,583	18,580	4,151	719
28	59,223	53	49,856	84.2	21,955	11,917	15,981	4,673	730
29	60,359	-	48,410	80.2	20,222	8,366	19,818	5,194	762
30	60,289	174	52,195	86.6	20,967	11,577	19,651	5,153	817
31	69,161	-	46,830	67.7	22,642	1,580	22,584	4,770	854
32	68,718	-	46,483	67.6	20,963	1,542	23,953	5,044	1,286
33	69,523	-	42,826	61.6	19,808	1,279	21,732	4,982	609
34	65,343	-	41,547	63.5	19,299	2,357	19,848	2,511	122
35	63,149	-	45,709	72.3	17,391	2,986	25,287	4,575	149
36	69,797	152	48,165	68.9	20,846	1,854	25,421	4,319	507
37	67,750	-	55,972	82.6	28,480	2,852	24,631	5,404	1,302
38	67,154	-	56,814	84.6	28,762	3,195	24,850	6,583	500
39	57,446	15	50,137	87.3	22,629	2,935	24,564	4,972	626
40	69,511	154	51,565	74.2	26,191	2,070	23,302	6,329	665
41	57,240	2	47,779	83.4	19,680	4,096	23,985	4,310	367
42	65,862	32	48,623	73.8	25,714	635	22,244	2,025	494

43	66,241	35	54,192	81.8	27,742	2,817	23,629	2,697	411
44	57,671	330	42,808	74.2	18,116	5,180	19,505	3,304	497
45	61,591	-	50,344	81.7	21,764	5,114	23,441	5,306	671
46	66,443	134	47,568	71.6	21,151	2,573	23,837	2,758	508
47	58,171	25	52,462	90.2	26,401	5,503	20,545	6,827	1,150
48	55,582	17	44,251	79.6	20,277	3,949	20,025	3,250	641
49	58,358	115	40,881	70.1	18,747	1,811	20,323	2,233	442
50	47,450	97	40,687	70.8	18,991	369	21,314	3,161	405
51	57,350	141	31,459	54.8	13,634	3,035	14,777	4,810	552
52	57,629	102	40,447	70.2	18,247	1,178	21,019	4,952	475
53	66,388	7	59,813	90.1	21,312	8,706	29,795	6,610	742
54	66,263	82	57,235	86.4	25,320	7,429	24,486	3,602	783
55	65,632	60	45,942	70.0	20,904	1,672	23,351	5,639	753
56	56,889	50	48,679	85.6	20,111	6,008	22,560	3,264	559
57	57,145	73	49,259	86.2	18,917	10,987	19,355	5,049	708
58	63,539	5	46,638	73.4	18,371	7,727	20,540	4,269	481
59	57,404	112	41,411	72.1	15,851	6,339	19,217	5,522	854
60	55,931	3	47,924	85.7	22,086	8,545	17,288	6,992	1,002
61	63,244	25	51,970	82.2	22,545	9,180	20,245	5,107	524
62	69,016	-	45,688	66.2	19,325	2,404	23,959	3,945	536
63	61,371	-	46,273	75.4	19,521	4,436	22,316	4,264	991
64	65,867	86	44,670	67.8	20,403	2,671	21,596	4,421	290
65	68,296	-	56,653	82.9	25,268	6,922	24,461	4,986	711
66	58,102	9	50,667	87.2	21,224	8,364	21,078	4,422	700
67	60,256	12	44,589	74.0	16,720	3,640	24,217	5,257	886
68	68,091	207	44,968	66.0	19,628	706	24,623	3,667	628
69	67,203	419	56,664	84.3	22,058	6,680	27,925	6,502	1,007
70	62,210	48	47,130	75.8	19,188	7,193	20,746	6,321	711
71	69,112	32	52,175	75.5	22,584	10,442	19,144	5,351	727
72	67,315	515	46,023	68.4	20,121	1,969	23,928	5,184	703
73	67,523	247	54,540	80.8	20,569	10,245	23,724	3,121	639
74	59,046	146	48,420	82.0	19,943	10,058	18,417	4,166	911
75	70,174	54	56,019	79.8	20,871	8,368	26,780	5,562	510
76	71,775	108	43,369	60.4	14,221	13,216	15,921	8,417	1,051
77	71,083	194	54,299	76.4	20,193	3,235	30,871	4,903	261
78	62,625	89	45,677	72.9	14,037	7,035	24,604	3,860	571
79	71,278	129	52,861	74.1	22,844	3,036	26,937	3,402	399
80	60,110	27	49,896	83.0	20,251	6,382	23,258	2,029	436
81	58,946	111	55,066	93.4	25,614	5,640	23,796	1,976	975
82	54,933	41	49,467	90.0	21,184	8,430	19,840	1,738	451
83	64,658	79	59,380	91.8	25,724	5,695	27,905	1,766	581
84	66,104	48	49,831	75.3	23,652	3,844	22,270	3,100	418
85	62,422	15	44,053	70.5	15,658	7,959	20,377	3,558	346
86	67,772	91	51,570	76.1	20,462	1,814	29,279	2,587	794
87	64,255	107	46,954	73.0	19,250	1,997	25,679	1,955	482
88	65,050	62	53,410	82.1	20,727	8,305	24,373	10,509	727
89	59,789	293	50,659	84.7	22,988	7,727	19,932	5,264	965

90	60,922	92	55,749	91.5	21,750	7,546	26,451	2,311	477
91	63,425	115	39,686	62.6	15,824	779	23,083	3,443	423
92	63,937	324	36,912	57.7	15,068	1,842	20,002	3,422	385
93	56,557	223	36,582	64.7	16,448	982	19,150	3,497	338
94	67,833	20	40,290	59.0	17,105	551	22,394	3,602	352
95	65,416	5	41,939	63.7	16,776	1,172	23,727	5,148	518
96	61,999	84	37,078	59.7	15,227	806	21,002	6,942	141
97	60,803	122	36,319	59.7	14,098	598	21,588	8,800	151
98	64,422	442	40,585	63.0	16,463	507	23,598	7,077	309
99	67,199	943	42,335	63.0	15,838	1,140	25,354	4,320	95
100	68,445	224	43,640	63.7	16,253	412	26,962	5,820	166
101	67,597	340	41,742	60.9	17,218	577	23,369	6,876	541
102	57,245	390	38,701	67.3	13,899	382	24,255	4,396	349
103	67,539	780	42,473	62.4	16,875	989	24,259	4,516	211
104	63,035	160	41,598	65.7	15,598	835	24,996	3,308	284
105	66,062	60	42,015	63.5	17,770	1,266	22,930	6,262	514
106	63,195	370	39,902	62.8	19,125	1,765	18,771	2,713	181
107	68,507	40	40,682	59.0	20,775	3,244	16,417	3,233	310
108	70,092	-	41,030	58.5	16,344	647	23,984	3,667	86
109	70,131	-	45,613	65.0	20,349	651	24,570	3,646	54
110	63,304	129	39,403	62.2	17,410	2,177	19,808	3,763	454

DEC	Elected Candidate	Number of votes	Percentage of votes	Nomination
1	Aliaksandr Brych	27,347	58.7	Initiative Group, Labour Collective, Belarusian Patriotic Party
2	Valiantsin Milasheuski	25,923	62.5	Initiative Group, Labour Collective
3	Anatol Dashko	21,716	62.4	Initiative Group, Labour Collective
4	Uladzimir Bazanau	29,527	65.1	Initiative Group, Labour Collective
5	Volha Palituka	34,942	71.8	Initiative Group, Labour Collective
6	Tatsiana Yakubovich	38,138	77.6	Initiative Group, Labour Collective
7	Leanid Tsupryk	42,701	75.8	Initiative Group, Labour Collective
8	Zhanna Statsivka	35,470	66.0	Republican Party of Labour and Justice, Initiative Group, Labour Collective
9	Leanid Kachina	27,629	58.0	Initiative Group, Labour Collective
10	Yury Daragupets	36,539	70.3	Initiative Group
11	Anatol Tkachuk	34,802	66.8	Initiative Group, Labour Collective
12	Vasili Dzemidovich	30,034	61.9	Initiative Group, Labour Collective
13	Ihar Nevar	38,513	76.5	Initiative Group
14	Ihar Kolb	32,850	71.1	Initiative Group, Labour Collective
15	Ivan Rabkavets	44,029	77.1	Initiative Group, Labour Collective
16	Aliaksandr Babalobich	28,568	64.2	Initiative Group, Labour Collective
17	Tatsiana Starynskaya	33,995	73.3	Initiative Group, Labour Collective
18	Siarhei Zanko	31,966	79.4	Initiative Group, Labour Collective
19	Vasili Chekan	43,722	77.9	Initiative Group, Labour Collective
20	Uladzimir Tsetsokha	40,446	76.9	Initiative Group, Labour Collective
21	Viktar Mirash	35,714	63.4	Initiative Group, Labour Collective
22	Uladzimir Andreichanka	44,316	86.8	Initiative Group, Labour Collective
23	Ihar Martynau	41,309	73.8	Initiative Group, Labour Collective
24	Vadzim Dzeviatouski	32,069	59.8	Initiative Group, Labour Collective
25	Liudmila Dabrynina	33,595	76.5	Initiative Group, Labour Collective
26	Vitaly Chudovich	32,530	71.4	Initiative Group, Labour Collective
27	Natallia Guivik	30,390	65.0	Initiative Group, Labour Collective
28	Andrei Yunitsyn	33,477	67.2	Initiative Group, Labour Collective
29	Siarhei Ziamchonak	35,885	74.1	Initiative Group, Labour Collective
30	Anatol Lukashou	38,610	74.0	Initiative Group, Labour Collective
31	Ivan Korzh	32,363	69.1	Initiative Group, Labour Collective
32	Vitali Shylau	31,176	67.1	Initiative Group, Labour Collective
33	Aleh Levshunau	25,520	59.6	Initiative Group, Labour Collective
34	Pavel Zhdanovich	22,052	53.1	Initiative Group, Labour Collective
35	Dzmitry Hurski	31,117	68.1	Initiative Group, Labour Collective
36	Alena Astapiuk	31,141	64.7	Initiative Group, Labour Collective
37	Alla Navumchyk	43,250	77.3	Initiative Group, Labour Collective
38	Mikalai Vasilkou	44,486	78.3	Initiative Group, Labour Collective
39	Iryna Kravich	38,203	76.2	Initiative Group, Labour Collective
40	Viachaslau Dziachenka	34,764	67.4	Initiative Group, Labour Collective
41	Yauheni Adamenka	35,080	73.4	Initiative Group, Labour Collective

42	Mikalai Rassokha	36,448	75.0	Initiative Group, Labour Collective
43	Leanid Piasanik	40,329	74.4	Communist Party of Belarus Initiative Group, Labour Collective
44	Baliaslau Pirshtuk	31,585	73.8	Initiative Group, Labour Collective
45	Uladzislau Shchepau	28,051	55.7	Initiative Group, Labour Collective
46	Halina Filipovich	31,244	65.7	Initiative Group, Labour Collective
47	Sviatlana Chekan	36,034	68.7	Initiative Group, Labour Collective
48	Aliaksandr Siahodnik	27,206	61.5	Initiative Group, Labour Collective
49	Siarhei Patsevich	29,301	71.7	Initiative Group, Labour Collective
50	Viktar Rusak	28,809	70.8	Initiative Group, Labour Collective
51	Lilia Kiriak	16,972	54.0	Initiative Group, Labour Collective
52	Tamara Dauhashei	27,842	68.8	Initiative Group, Labour Collective
53	Siarhei Litvin	44,773	74.9	Initiative Group, Labour Collective
54	Aliaksandr Markevich	44,650	78.0	Initiative Group, Labour Collective
55	Andrei Naumovich	24,413	53.2	Initiative Group
56	Valiantsin Mikhnevich	34,218	70.3	Initiative Group, Labour Collective
57	Volha Papko	37,424	76.0	Initiative Group, Labour Collective
58	Alla Sopikava	29,510	63.3	Initiative Group, Labour Collective
59	Adam Kavalko	25,902	62.6	Initiative Group, Labour Collective
60	Valery Sauko	33,899	70.7	Communist Party of Belarus, Initiative Group
61	Piotr Atroshchanka	40,485	77.9	Initiative Group, Labour Collective
62	Vasili Baranik	27,856	61.0	Initiative Group, Labour Collective
63	Tamara Krasouskaya	35,762	77.3	Initiative Group, Labour Collective
64	Dzmitry Zablotski	28,995	64.9	Initiative Group, Labour Collective
65	Valery Haidukevich	39,874	70.4	Initiative Group, Labour Collective
66	Liudmila Nizhevich	40,668	80.3	Initiative Group, Labour Collective
67	Valiantsina Razhanets	30,838	69.2	Initiative Group, Labour Collective
68	Andrei Rybak	29,006	64.5	Initiative Group, Labour Collective
69	Yulia Muryna	37,697	66.5	Initiative Group, Labour Collective
70	Alena Anisim	19,097	40.5	Initiative Group
71	Yury Lobach	35,020	67.1	Initiative Group, Labour Collective
72	Liudmila Kananovich	34,583	75.2	Initiative Group, Labour Collective
73	Ivan Markevich	42,376	77.7	Initiative Group, Labour Collective
74	Natallia Zhibul	34,155	70.5	Initiative Group, Labour Collective
75	Piotr Vabishevich	44,079	78.7	Communist Party of Belarus, Initiative Group, Labour Collective
76	Mikalai Ulakhovich	24,565	56.7	Belarus Patriotic Party, Initiative Group, Labour Collective
77	Valiantsina Kursevich	41,558	76.5	Initiative Group, Labour Collective
78	Iryna Raneiskaya	28,550	62.5	Initiative Group, Labour Collective
79	Vitali Vlasevich	31,094	58.9	Initiative Group, Labour Collective
80	Ihar Kananchuk	37,606	75.4	Initiative Group, Labour Collective
81	Tatsiana Kananchuk	34,569	62.8	Initiative Group
82	Alena Kaliasniova	30,155	61.0	Initiative Group, Labour Collective
83	Tatsiana Marachkava	44,385	74.8	Communist Party of Belarus,

				Initiative Group, Labour Collective
84	Ihar Marzliuk	24,462	49.2	Initiative Group, Labour Collective
85	Aliaksandr Staravoitau	25,167	57.2	Initiative Group, Labour Collective
86	Volha Petrashova	28,599	55.5	Initiative Group, Labour Collective
87	Piotr Salaiou	31,509	67.1	Initiative Group, Labour Collective
88	Anatol Khischanka	31,576	59.1	Liberal Democratic Party, Initiative Group, Labour Collective
89	Aliaksandr Bahdanovich	35,463	70.0	Initiative Group, Labour Collective
90	Dzmitry Hobarau	46,080	82.7	Initiative Group, Labour Collective
91	Axana Niakhaichyk	23,381	58.9	Initiative Group, Labour Collective
92	Valery Kursevich	21,132	57.2	Initiative Group, Labour Collective
93	Valery Baradzenia	21,129	57.8	Initiative Group, Labour Collective
94	Valery Varanetski	16,281	40.7	Labour Collective
95	Tatsiana Saihanava	21,454	51.5	Belarus Patriotic Party, Initiative Group
96	Natallia Klimovich	19,625	53.0	Communist Party of Belarus, Initiative Group
97	Hanna Kanapatskaya	8,603	23.7	United Civic Party
98	Ihar Kamarouski	19,893	49.0	Republican Party of Labour and Justice, Initiative Group, Labour Collective
99	Liudmila Makaryna- Kibak	21,763	51.4	Initiative Group, Labour Collective
100	Axana Haiduk	20,847	47.8	Republican Party of Labour and Justice Initiative Group
101	Anna Staravoitava	22,303	54.2	Initiative Group, Labour Collective
102	Liudmila Kubrakova	23,145	60.1	Communist Party of Belarus, Initiative Group, Labour Collective
103	Vitali Misiavets	19,252	45.7	Communist Party of Belarus, Initiative Group, Labour Collective
104	Mikhail Milavanau	22,790	55.0	Initiative Group, Labour Collective
105	Iryna Darafeeva	16,497	39.3	Initiative Group
106	Dzmitry Shautsou	24,771	62.5	Initiative Group, Labour Collective
107	Aliaksei Sokal	22,301	55.2	Communist Party of Belarus, Initiative Group
108	Maxim Misjko	18,027	44.0	Initiative Group
109	Siarhei Bobrykau	30,535	67.0	Initiative Group
110	Volha Mychko	17,072	43.3	Initiative Group

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

SHORT-TERM OBSERVERS

OSCE Parliamentary Assembly

Kent	HARSTEDT	Sweden	Special Co-ordinator
Ivana	DOBESOVA	Czech Republic	Head of Delegation
Orest	DEYCHAKIWSKY	America	MP
Scott	RAULAND	America	MP
Nikolaus	BERLAKOVICH	Austria	MP
Heidelinde	REITER	Austria	MP
Eric	MASSIN	Belgium	MP
Brecht	VERMEULEN	Belgium	MP
Zuzka	BEBAROVA RUJBROVA	Czech Republic	MP
Jan	HORNIK	Czech Republic	MP
Katerina	KOSARIKOVA	Czech Republic	MP
Mika	RAATIKAINEN	Finland	MP
Egon	JUETTNER	Germany	MP
Andreas	NOTHELLE	Germany	MP
Georgios	CHAMPOURIS	Greece	MP
Anastasia	GKARA	Greece	MP
Georgios	VAREMENOS	Greece	MP
Georgiy	KIM	Kazakhstan	MP
Piotr	APEL	Poland	MP
Susana	AMADOR	Portugal	MP
Paulo Miguel	SANTOS	Portugal	MP
Olga	ALIMOVA	Russian Federation	MP
Sergey	KARSEKA	Russian Federation	MP
Ilya	KOSTUNOV	Russian Federation	MP
Margareta	CEDERFELT	Sweden	MP
Arhe	HAMEDNACA	Sweden	MP
Anna	WALLEN	Sweden	MP
Simon	MCGUIGAN BURNS	United Kingdom	MP
Marc	CARILLET	France	Secretariat
Loic	POULAIN	France	Secretariat
Anna	DI DOMENICO	Germany	Secretariat
Veronika	KRUPOVA	Czech Republic	Staff of Delegation
Fredrik	SVENSSON	Sweden	Staff of Delegation

Parliamentary Assembly of the Council of Europe

Gisela	WURM	Austria	Head of Delegation
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Beatrice	FRESKO-ROLFO	Monaco	MP
Aleksander	POCIEJ	Poland	MP
Paolo	CORSINI	Italy	MP
Titus	CORLATEAN	Romania	MP
Bernard	PASQUIER	Monaco	MP
Ingebjorg	GODSKESEN	Norway	MP
Suat	ONAL	Turkey	MP
Sona	MARKOVA	Czech Republic	MP
Andrea	RIGONI	Italy	MP
Manuel	GONZALEZ OROPEZA	Mexico	Venice Commission
Alberto	GUEVARA CASTRO	Mexico	Venice Commission
Amaya	UBEDA DE TORRES	Spain	Venice Commission
Chemavon	CHAHBAZIAN	France	Secretariat
Anne	GODFREY	United Kingdom	Secretariat

OSCE/ODIHR EOM Short-Term Observers

Gert Michael	BINDER	Austria
Werner	ROHRACHER	Austria
Andreas	STADLER	Austria
Denise Doris	WAPPEL	Austria
Jean Pierre	BIEBUYCK	Belgium
Maxime	DIDAT	Belgium
Jeroom Jan Maurice	JOOS	Belgium
Michel Joseph A.	VAN DEN STOCK	Belgium
Jan	BLAZEK	Czech Republic
Ales	FOJTIK	Czech Republic
Radomir	KARLIK	Czech Republic
Petra	KRATOCHVILOVA	Czech Republic
Marie	KUCEROVA	Czech Republic
Martina	NIKODEMOVA	Czech Republic
Petr	PIRUNCIK	Czech Republic
Josef	REHOR	Czech Republic
Jiri	SYKORA	Czech Republic
Patrik	TAUFAR	Czech Republic
Inge	CHRISTENSEN	Denmark
Pia	CHRISTMAS-MØLLER	Denmark
Anna Gurzhiy	HOUGAARD	Denmark
Jorgen	HOXER	Denmark
Helle	IBSEN	Denmark
Torsten	JUUL	Denmark
Kirsten	LIND	Denmark

Jytte Vagner	PETERSEN	Denmark
Jasmina Johansson	PLESS	Denmark
Jan Philip	SCHUNCK	Denmark
Michael Vallentin	STRAND	Denmark
Peder	VENTEGODT	Denmark
Eda	AHI	Estonia
Herol	MARJAK	Estonia
Anna-Kristiina	KÄÄRIÄINEN	Finland
Pekka Kalevi	MONONEN	Finland
Sami Juhani	SAARINEN	Finland
Kristiina Annikki	SILVAN	Finland
Julien	ARNOULT	France
Ekaterina	BURDINA	France
Roman	KWIATKOWSKI	France
Pascale	ROGNO TRIMBACH	France
Judith Christina	ABDEL-MASSIH-THIEMANN	Germany
Hans-Wulf Peter	BARTELS	Germany
Ulrike Elisabeth	DAESSLER	Germany
Hans Thomas	DOEHNE	Germany
Matthias	DORNFELDT	Germany
Torsten Alexander	FIX	Germany
Ino David	FLEISCHMANN	Germany
Joachim Heinrich	FRANKE	Germany
Jochen August Max	FREDE	Germany
Mendel	GOLDSTEIN	Germany
Gabriele	HABASHI	Germany
Johannes	HEILER	Germany
Mechthild Adelheid	HENNEKE	Germany
Brigitte Franziska	HEUER	Germany
Arno Gregor	HUEBNER	Germany
Dorothee Elisabeth	HUTTER	Germany
Timo	KNAUTE	Germany
Rainer Hubertus	LINGENTHAL	Germany
Elena Andrea	LOPEZ WERNER	Germany
Edith Maria	MUELLER	Germany
Dirk Daniel	NEUMEISTER	Germany
Jana Sophia	NOLLE	Germany
Karl Josef	PAMMER	Germany
Horst Edlef	PROETEL	Germany
Regine Luise	REIM	Germany
Anne Elisabeth	SCHARRENBROICH	Germany
Gesa	SCHOENEBERG	Germany

Gudrun Elisabeth	STEINACKER	Germany
Frank Adolf Alfred	STEINHOFF	Germany
Antonia	TILLY	Germany
Pavel	UTITZ	Germany
Volker Alfred Heinz	WEYEL	Germany
Peter Szilveszter	FODOR	Hungary
Zsolt Istvánné	HEJCSER	Hungary
Iván	KOVÁCS	Hungary
Elza	SHCOENSTEIN	Hungary
Andrea Dora	SZUCS	Hungary
Daniel	VERBA	Hungary
Leila Jane	BLACKING	Ireland
Anne Martina	DONNELLAN	Ireland
Brian	FAGAN	Ireland
Thomas John	KELLY	Ireland
Tom	KITT	Ireland
Paul Gerrard	TIGHE	Ireland
Giovanni	CAPELLINO	Italy
Cesira	DAMIANI	Italy
Federica	SUSTERSIC	Italy
Takao	ASAMURA	Japan
Yasushi	TOMOSHIGE	Japan
Anna	STEPANOVA	Latvia
Birute	ABRAITIENE	Lithuania
Sarune	KUBILIUTE	Lithuania
Irena	PAUKSTYTE	Lithuania
Lea Theadora	BOUWMEESTER	Netherlands
Margaretha	PRINS	Netherlands
Margriet Josephine	TEUNISSEN	Netherlands
Maria Cornelia Jacoba	VAN DER WILK	Netherlands
Reidun	GJENGEDAL	Norway
Jorun	LUNESTAD	Norway
Narve	RIO	Norway
Sylvia Rani	ROGNVIK	Norway
Mateusz	BAJEK	Poland
Adam Tomasz	BEDKOWSKI	Poland
Wojciech Piotr	BEDNAREK	Poland
Jakub Andrzej	BIERNAT	Poland
Tomasz Mieczyslaw	BLADYNIEC	Poland
Jan Pawel	BRODOWSKI	Poland
Sylwia	BYLINIAK	Poland
Paulina	CZARNECKA	Poland

Radzislawa Urszula	GORTAT	Poland
Jan Tomasz	HOFMOKL	Poland
Elzbieta	HOROSZKO	Poland
Michal	JASIULEWICZ	Poland
Marta	KAZMIERCZAK	Poland
Ewelina Anna	KOCHOWSKA	Poland
Anna	MACZUGA	Poland
Maria	MUZAROWSKA	Poland
Pawel	OLEJNIK	Poland
Agnieszka Anna	OSTROWSKA	Poland
Bartosz	PIECHOWICZ	Poland
Michal	ROMANOWSKI	Poland
Magdalena Anna	SIDOROWICZ	Poland
Anna Berenika	SIWIRSKA	Poland
Katarzyna Anna	SOBIERAJ	Poland
Marta	STEFANOWICZ	Poland
Justyna Anna	SZYMANSKA	Poland
Bartlomiej Michal	TOMALIK	Poland
Marta Maria	TOMASZKIEWICZ	Poland
Krzysztof Janusz	TOMCZYNSKI	Poland
Adam	WASILUK	Poland
Danuta Maria	WENCEL-MIERZWA	Poland
Atanase-Daniel	BALA	Romania
Angela	BALANEANU	Romania
Simona-Daniela	BARBULESCU	Romania
Romulus-Andrei	BENA	Romania
Octavian-Alin	GREBLA	Romania
William Anton	KORBL	Romania
George-Adrian	LIXANDRU	Romania
Cristian	MIHAILESCU	Romania
Liviu Lucian	RADUCAN	Romania
Cristina	ROMILA	Romania
Bogdan	STEFAN	Romania
Julia Cristina	VANGHELE	Romania
Vladimir	ALESHKIN	Russian Federation
Anton	ANDREEV	Russian Federation
Maria	ANTIPOVA	Russian Federation
Pavel	ARTAMONOV	Russian Federation
Sergey	BABURKIN	Russian Federation
Elena	BADIYAN	Russian Federation
Dmitry	BAGDULIN	Russian Federation
Elena	BALANDINA	Russian Federation

Artur	BALAOV	Russian Federation
Alexander	BELOSHEEV	Russian Federation
Denis	BORODICH	Russian Federation
Aslan	BOTASHEV	Russian Federation
Natalia	BRONNIKOVA	Russian Federation
Igor	CHAMOV	Russian Federation
Sergei	CHERKALIN	Russian Federation
Nikita	DOLGOV	Russian Federation
Sergei	ERMAKOV	Russian Federation
Aleksei	FILIPPOV	Russian Federation
Rafael	GEVORKYAN	Russian Federation
Ivan	GUBANOV	Russian Federation
Yulia	KISELEVA	Russian Federation
Alexander	KOBRINSKIY	Russian Federation
Oleg	KOMAROV	Russian Federation
Vasily	KORCHMAR	Russian Federation
Alexander	KORMACHEV	Russian Federation
Kim	KOSHEV	Russian Federation
Anton	KOVSHOV	Russian Federation
Dmitrii	KULIKOV	Russian Federation
Evgeny	LOGINOV	Russian Federation
Svetlana	LYAPUSTINA	Russian Federation
Aleksei	MALENKO	Russian Federation
Pavel	MALTSEV	Russian Federation
Igor	MEDNIKOV	Russian Federation
Maria	NIKIFOROVA	Russian Federation
Vladimir	NUZHIN	Russian Federation
Anatoly	ODINTSOV	Russian Federation
Andrei	OSMAKOV	Russian Federation
Inna	PANKINA	Russian Federation
Mariia	PLAKHOTNIUK	Russian Federation
Maria	POMERANTSEVA	Russian Federation
Vladimir	POPOV	Russian Federation
Aleksandr	PRUSOV	Russian Federation
Stanislav	RUZHINSKIY	Russian Federation
Roman	SAIKO	Russian Federation
Igor	SHAKTAR-OOL	Russian Federation
Ekaterina	SHAUMIAN	Russian Federation
Veronika	SHMELEVA	Russian Federation
Natalia	SHMELEVA	Russian Federation
Sergei	SHULGA	Russian Federation
Vilyam	SMIRNOV	Russian Federation

Dmitrii	STEPANOV	Russian Federation
Ilia	SUBBOTIN	Russian Federation
Kirill	TARASOV	Russian Federation
Svyatoslav	TERENTYEV	Russian Federation
Aleksei	TOPOLSKII	Russian Federation
Dmitrii	ULITIN	Russian Federation
Ksenia	VERKHOLANTSEVA	Russian Federation
Olga	VORONTSOVA	Russian Federation
Petr	YAKHMENEV	Russian Federation
Mariia	ZOTS	Russian Federation
Miroslav	MOJZITA	Slovakia
MONICA MARIA	ARNAIZ HERNANZ	Spain
BORJA	DE LA MADRID MASI	Spain
Pilar	GALVEZ GARCIA	Spain
Estefania	GUALLAR ARINO	Spain
Rolf Olof Andreas	BERGLOF	Sweden
Linda Sabina Helen	CEDERBLAD	Sweden
Mats Ingvar Holger	EKHOLM	Sweden
Evy Birgitta	JANSSON	Sweden
Hans Birger	NARESKOG	Sweden
Haakan Per-Olov	NYMAN	Sweden
Paer Olof Daniel	OLSSON	Sweden
Anna	ROGALSKA HEDLUND	Sweden
Lilian	SKOGLUND	Sweden
Zackie Birgitta Madeleine	STRÖJE WILKENS	Sweden
Inga Kerstin	SUNDBERG	Sweden
Fabrice Gerard Michel	BOULÉ	Switzerland
Loïc Alexis	DEGEN	Switzerland
Francine	JOHN	Switzerland
Christian	MIESCH	Switzerland
Carlo Luca Maria	SOMMARUGA	Switzerland
Mesut Hakki	CASIN	Turkey
Kemal	KAYGISIZ	Turkey
Kazi Abdul Kalam Muhammed	ALI	United Kingdom
Leslie Thomas	BARNFIELD	United Kingdom
Helen Claire	BRODRICK	United Kingdom
Andrew Frew	CALDWELL	United Kingdom
Derek John	CHAPPELL	United Kingdom
Anthony Campbell	CROMBIE	United Kingdom
Christopher James	CUNINGHAME	United Kingdom
Teresa	ETIM-GORST	United Kingdom
Brian Stanley	GIFFORD	United Kingdom

Oliver	GREEN	United Kingdom
Dominic Rupert David	HOWELL	United Kingdom
Oliver	JOSEPH	United Kingdom
Ailsa Marion	PLAIN	United Kingdom
Paul Michael	SIMON	United Kingdom
Valerie Louisa Diana	SOLOMON	United Kingdom
Anthony Michael Ernest	TALBOT	United Kingdom
Alison Mary	WILMSHURST	United Kingdom
Jaroslav	ANDERS	United States
Shaun Richard	BARCAVAGE	United States
Charles Earl	BARNETT	United States
Daria	FANE	United States
Anslem Bullin	GENTLE	United States
Andrew B	GRIDINSKY	United States
James Montgomery	HEILMAN	United States
Elizabeth Leigh	HOWARD	United States
Lesley Lowe	ISRAEL	United States
Darryl Leo	KEMPF	United States
David Alan	LEVINE	United States
Laura Sue	LOCKARD	United States
Melinda Marie	LORD	United States
Richard Newman	LYONS II	United States
James A	MARTIN	United States
Darnelle Cheri	MASON	United States
Karen Linnea	MCKENNEY	United States
Aubrey Frances	MENARD	United States
Garrett Carmine	MONTI	United States
Ronald Dean	MORAVEC	United States
Sherry Suzanne	MURPHY	United States
Tara Bree	O'CONNOR	United States
Dwight Richard	PELZ	United States
Octavius Nairobi	PINKARD	United States
Raleigh	QUESENBERRY	United States
Ann	RANDALL	United States
Irene Kerekes	RATNER	United States
Minerva Cynthia	REISER	United States
Philip Clements	RICHTER	United States
Emily Ann	ROME	United States
Steven Douglas	ROPER	United States
Steven Boyd	SAUM	United States
John Benton	SHEPHERD	United States
Richard Edward	STEFFEN	United States

Mary Ann	STEGMAIER	United States
James Thomas	STOCKSTILL	United States
Gligor Arthur	TASHKOVICH	United States
Jason Ben-Doon	TOY	United States
Bobby Thomas	WATTS	United States
Ernest Eugene	WICKERSHAM	United States
Ethan Charles	YAKE	United States

OSCE/ODIHR EOM Core Team

Tana	DE ZULUETA	Italy	Head of Mission
Elissavet	KARAGIANNIDOU	Greece	Deputy Head of Mission
Rashad	SHIRINOV	Azerbaijan	
Damir	MALBAŠIĆ	Croatia	
Francesca	BOGGERI	Italy	
Jurga	LUKSAITE-ROEHLING	Lithuania	
Angela	GHILASCU	Moldova	
Stefan	SZWED	Poland	
Yury	OZEROV	Russian Federation	
Sasa	POKRAJAC	Serbia	
Anders	ERIKSSON	Sweden	
Zeliha	AYDIN	Turkey	
Oleksandr	STETSENKO	Ukraine	

OSCE/ODIHR EOM Long-Term Observers

Stefan	MAY	Austria
Ivana	KRATKA	Czech Republic
Petr	POJMAN	Czech Republic
Conny	JENSEN	Denmark
Kirsten	JOERGENSEN	Denmark
Matti Tapio	HEINONEN	Finland
Laura Sofia	LAKSO	Finland
Mathilde Jeanne	HENRY	France
Helmut Julius	GOESER	Germany
Michael Alexander	ICKES	Germany
Carola	KASBURG	Germany
Jens Wilhelm	KREIBAUM	Germany
Jochen Michael	RINCK	Germany
Hildegard	ROGLER-MOCHEL	Germany
John Ignatius	BURKE	Ireland
Nurul	RAKHIMBEKOV	Kazakhstan
Lena Francina	HEMMINK	Netherlands

Oddvin	FORBORD	Norway
Oeyvind	SEIM	Norway
Zbigniew	CIERPINSKI	Poland
Elzbieta Ewa	CIESIELSKA	Poland
Jakub	HEROLD	Poland
Anna	MATEUSIAK	Poland
Alexander	BEDRITSKIY	Russian Federation
Kristina	BOGDANOVA	Russian Federation
Andrei	BORODIN	Russian Federation
Alena	GUDKOVA	Russian Federation
Dzhalil	KIEKBAEV	Russian Federation
Sergei	KOVALEVSKII	Russian Federation
Lars	LAGERGREN	Sweden
Diana Franca	FERRARI	Switzerland
Thomas	HOLZER	Switzerland
Anthony	ROBINSON	United Kingdom
Joseph Lloyd	WORRALL	United Kingdom
Max Eldon	GOUGH	United States
Hans	OPSAHL	United States
Constance Ann	PHLIPOT	United States
Linda Ann	SUMNER	United States

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 130 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE Commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programs annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations. More information is available on the ODIHR website (www.osce.org/odihhr).

Elections of the members of the Council of the Republic of the National Assembly of Belarus.

Notes by an observer in the Hrodna region

The Council of the Republic is one of the two chambers of the National Assembly of Belarus. It is composed of 64 members. 56 members are elected at the meetings of members of local councils and members of the Minsk City Council of Deputies: 8 from each region and the city of Minsk. Another 8 of the Council members are appointed by the President.

A member of the Council of the Republic may be a citizen of the Republic of Belarus who has reached 30 years of age and has lived on the territory of the region or the city of Minsk for not less than five years. Citizens with an unexpunged criminal record cannot be nominated as candidates for the Council. A member of the Council cannot simultaneously be a member of the government, the President of the Republic of Belarus, a member of the House of Representatives, and a judge.

All members of the Council of the Republic shall be inviolable. Only 7 members of the Council receive a salary: the Chairman, his or her deputy and the chairpersons of the standing committees. The rest only arrive at the Council's sessions to consider proposed bills and to vote. Members of the Council receive citizens and can send requests to all authorities and organizations.

The elections of the members of the Council of the Republic of the sixth convocation were held on a single-candidate basis. The Presidiums of the local councils and the respective executive committees and in the city of Minsk — the Presidium of the Minsk City Council of Deputies and the Minsk City Executive Committee — nominated exactly the same number of candidates who were later elected by secret ballot, namely eight people each. As a result, all of the candidates, 56 of 56, were elected members of the Council of the Republic without any competition. Eight members of the Council were appointed by the President.

After the nomination of candidates by local councils and executive committees, the elections to the Council of the Republic turn into a purely formal procedure. In fact, the elections take place at the time of the nomination of candidates, while it is important that this step became competitive and transparent. However, the process of the selection of candidates was not public.

Media coverage of the procedure was extremely scarce. State-controlled media published occasional formal reports with a list of candidates and their regalia and a description of the election procedure. For example, the website of the Belarusian Telegraph Agency (BelTA) published only three messages on the nomination of candidates from specific regions: Hrodna and Brest regions, and the city of Minsk¹. The websites of regional executive committees reposted messages by other media (mainly BelTA). More details were reported by the independent media, but these publications provided little information due to the closed nature of the entire process.

In only one of the seven regions (six regions and the city of Minsk), the Belarusian Helsinki Committee was allowed to organize the observation of the process of the nomination of candidates to the Council of the Republic, namely in the Hrodna region.

In violation of Art. 13 of the Electoral Code, the nomination of candidates for the Council of the Republic in the Hrodna region was of a formal character, bearing a hidden and secret nature. The selection of candidates was mainly run by the directorate for organizational and personnel work of the Hrodna regional executive committee, who exercised full control of the entire process (including receiving references from the KGB, the Interior Ministry and the Presidential Administration on the positive characteristics of the candidates). This underlines the uncontested nature of the selection of candidates, which was based on the criteria of loyalty to the current government.

Local media only published general information (with reference to BelTA) when speaking about the nomination of candidates. The public was not aware of who and how was nominated by the Presidiums of local councils and the respective executive committees.

The nomination of candidates for the Council of the Republic of the National Assembly of the sixth convocation in the Hrodna region was completed on August 19. The Presidiums of the city and regional councils of deputies and the executive committees held joint meetings to nominate the candidates. The media did not publish the names of the candidates, but only general information: "All the nominated candidates are senior officials and top managers in various fields, well known to the residents of the region and beyond. Among them are the CEO of the Aziory Farming Company, CEO of JSC "Hrodna Meat-Packing Plant", head physician of the Regional Infectious Hospital, Rector of the Hrodna State

¹ <http://parlament2016.belta.by/sovrep>

Medical University, chairman of the Vaŭkavysk district executive committee, two members (chairman of the Regional Council of Deputies and the Lida District Council of Deputies) and the chairman of the Red Cross's regional branch².

All the eight nominees for the Council of the Republic were non-partisan candidates. Their registration was carried out between August 20 and August 24.

Members of the Council of the Republic from the Hrodna region were elected on September 13, when members of local councils met in the auditorium of the Hrodna regional executive committee. 368 deputies were registered, i.e. 67% of the total number of deputies.

The meeting discussed the candidates for the Council of the Republic. At the same time, Art. 103 of the Electoral Code states that "the nomination of other candidates for the Council of the Republic shall not be carried out at a meeting of deputies of local councils of deputies of the base level". Thus, both in the nomination of candidates for the Council of the Republic and at the joint meetings the electors, representatives of opposition political parties and public organizations, have restricted abilities to nominate their representatives and to discuss other nominations.

The ballots were issued without any violations, one to each participant of the meeting upon presentation of deputies' certificates. Before the beginning of voting, a transparent ballot box had been verified and sealed by the chairman of the counting commission in the presence of members of the counting commission.

Each participant of the meeting voted in person. Counting of votes was held directly by members of the counting commission without interruption until the voting results were established. The content of the ballots could be seen by anyone present.

The results of the vote count were considered at a meeting of the counting commission and entered into the protocol. Two copies of the protocol were signed by all members of the counting commission. Following a report of the counting commission, an open vote at the meeting of deputies decided to approve the voting results.

In order to be elected to the Council of the Republic, a candidate should receive more than half of the votes of deputies who took part in the vote. The deputies supported all the proposed candidates:

Ramaniya Skamaroshka, chairperson of the Hrodna regional branch of the Belarusian Red Cross Society, was supported by 360 deputies;

Mikhail Sitsko, chairperson of the Vaŭkavysk district executive committee — 361 votes;

Inesa Belush, chairperson of the Lida District Council of Deputies — 362 votes;

Alena Karatkova, head physician of the Hrodna Regional Infectious Hospital — 363 votes;

Viktar Sniazhytski, Rector of the Hrodna State Medical University — 363 votes;

Anatol Hryshuk, CEO at JSC "Hrodna Meat-Packing Plant" — 366 votes;

Ihar Zhuk, chairperson of the Hrodna Regional Council of Deputies — 366 votes;

Aliaksandr Shyshko, CEO of the Aziory Farming Company — 366 votes.

During the meeting, there were no dissenting opinions or opposition to the candidates. Members of the counting commission did not voice any dissenting opinions, either.

Mikhail Miasnikovich, Chairman of the Council of the previous convocation, was unanimously elected by secret ballot Chairman of the Council of the sixth convocation. His candidacy was proposed by Maryiana Shchotkina, ex-Minister of Labor and Social Protection. Ms. Shchotkina was unanimously elected Deputy Chairperson of the Council of the Republic.

Chairpersons of the five standing committees were elected by open ballot, but also unopposed. Uladzimir Pantsiukhou was elected Chairman of the Committee on Economy, Budget and Finance; he chaired the commission at the Council of the fifth convocation. Former Deputy Minister of Justice Alla Bodak was elected Chairperson of the Committee on Legislation and State Construction. Former Rector of the Mahilioŭ State Regional Institute of Education Development Iryna Staravoitava was elected Chairperson of the Committee on Education, Science, Culture and Social Development. Former Belarusian ambassador to Japan Siarhei Rakhmanau was elected Chairman of the Committee for International Affairs and National Security. Former Deputy Prime Minister and Deputy Head of the Presidential Administration Aliaksandr Papkou was elected Chairman of the Committee on Regional Policy and Local Self-Government.

² <http://parlament2016.belta.by/sovrep/view/vybory-2016-v-grodnenskoj-oblasti-zavershilos-vydvizhenie-kandidatov-v-chleny-soveta-respubliki-234>