

“Right to Choose-2016” campaign

for observation of election of deputies of the House of Representatives of the National Assembly of the Republic of Belarus (6th convocation)

Interim evaluation of the conditions of early voting

September 10, 2016

The “Right to Choose-2016” campaign conducts a long-term observation of the election campaign in all regions of Belarus by efforts of organizations participating in the campaign. This report is the sixth document on the results of long-term observation covering the stage of early voting, which was conducted on September 6-10.*

General conclusions:

- Precinct election commissions (PECs) with the assistance of the local authorities and administrations of state-owned enterprises and institutions created favorable conditions for election frauds during a 5-day period of early voting. The authorities didn't abandon the past practice of large-scale participation in early voting (including compulsory voting), the ballot boxes are stored improperly and can be accessed by unauthorized persons, which in the absence of opposition representatives in the composition of election commissions undermines the credibility of the election results.
- During the early voting were recorded numerous cases of coercion to participate in early voting, as well as the use of administrative resources in order to induce persons dependent on state power (students and pupils, employees of state-owned enterprises) to involuntarily not vote on election day. In the course of early voting observers recorded numerous cases of compulsory voting as well as the use of administrative resources in order to induce persons dependent on government (students of educational institutions, employees of state-owned enterprises) to involuntary participation in early voting. In several cases, the PECs were involved or gave consent to illegal monitoring of participation of representatives of these vulnerable groups in the early voting process, which constitutes a violation of the principle of free elections held under the terms of a secret ballot.
- The record-breaking turnout rates in the parliamentary election, which were announced by the election commissions, do not comply with the voting figures which were recorded by observers at the majority of polling stations where continuous monitoring of the election was conducted: turnout figures recorded by observers coincided with those announced by the PECs only in 19.7% of all 382 polling stations located in 10 election districts, which were fully covered by the “Right to Choose-2016” observation campaign during the whole 5-day period of early voting, There is some evidence of involvement of precinct election commissions in the falsification of early voting, including issuance of ballot papers to persons who do not have the right to vote.

** About “Right to Choose-2016” campaign: “Right to Choose-2016” is a campaign for observation of election of deputies of the House of Representatives of the National Assembly of the Republic of Belarus. The main goal of the campaign is to prevent violations of the law at all stages of the election campaign, ensure fixation of committed violations and a prompt response to them. “Right to Choose-2016” observation campaign is an alliance including 8 political and civic organizations: Belarusian Popular Front, Belarusian Christian Democracy, Belarusian Social-Democratic Party (Gramada), Human rights and public awareness non-governmental organization “For Freedom!” Movement”, United Civic Party, Belarusian Party “The Greens”, the organizing committee of the Party of Freedom and Progress, and Belarusian Trade Union of Radio-Electronic Industry. The key difference between “Right to Choose-2016” campaign and observation campaigns conducted by human rights organizations or international observers is its “proactive approach to observation”, which includes mobilization of volunteers not only for the purpose of fixation of violations, but also for active prevention of these violations.*

- Precinct election commissions have put obstacles in observers' way in the form of unlawful denials of accreditations, revocation of accreditations of observers and expelling them from the polling stations, creating uncomfortable conditions for the deployment of observers at the polling stations and failure to provide adequate working conditions for full-scale observation of voting process and issuance of ballot papers by the election commissions. 23 observers of the "Right to Choose-2016" campaign had their accreditations revoked over a 5-day period of early voting.

Results of the five days of early voting in 10 election districts, which are covered by the “Right to Choose-2016” observation campaign

8



Refusal of accreditation

23



Revocation of accreditation

19



Refusal to provide information

5



Inadequate conditions for observation

12



Compulsory voting

185



Improper storage of ballot boxes

4



Non-publication of protocols

76



Other



Legal environment of early voting process

According to article 53 of the Electoral Code, those citizens who are unable to vote at their place of residence on the election day have the right to fill in the ballot papers and cast them into special sealed-off ballot boxes for early voting on the territory of PECs under condition of exclusion of control over expression of their will and no earlier than five days before the election day. In such a case, a voter is not required to present any kind of official confirmation or explanation of the reasons for the impossibility to come and vote on the election day. Early voting is carried out from 10am till 2pm and from 4pm till 7pm in the presence of at least two members of the PEC. On the first day of early voting the ballot boxes should be either lead-sealed or sealed-off, while at the end of each day of early voting the chairperson or deputy chairperson of PEC should put their signatures on a sheet of paper and stick it on the insertion slot of ballot box. The insertion slots of ballot boxes are opened by the chairperson or deputy chairperson of PEC on a daily basis prior to the start of early voting process. Every day during the period of early voting the chairperson or deputy chairperson of the precinct election commission draws up a protocol specifying the total number of ballot papers received by the precinct election commission, the total number of citizens who received ballot papers (additionally, on the last day of early voting - the total number of citizens who received ballot papers during the whole period of early voting), the total number of spoiled and unused ballot papers. This protocol is signed by the chairperson or deputy chairperson of the PEC. A copy of this protocol should be put up on the territory of PEC and open to inspection by public. Each voter puts the date and signature under the list of citizens having the right to vote in the election upon receipt of ballot paper.

In accordance with the Calendar of organizational measures on preparation and conduct of election of deputies of the House of Representatives of 6th convocation of the National Assembly of the Republic of Belarus (as adopted by the CEC Resolution №14 as of June 8, 2016), early voting process is carried out over a 5-day period from September 6 to September 10 inclusive.

Conditions of organization of early voting process and storage of ballot boxes

Proper storage of ballot boxes should be ensured by the chairperson of the PEC. However, the current legislation and the CEC guidance for PECs do not provide detailed description of measures that must be applied in order to ensure safety of ballot boxes and prevent access of unauthorized persons in the course of early voting.

Observers of the “Right to Choose-2016” campaign recorded 185 cases of improper storage of ballot boxes under conditions that made them accessible to unauthorized persons during the breaks in early voting process. In the vast majority of cases, improper storage of ballot boxes manifested itself in the refusals to seal off the premises, where ballot boxes are kept, careless sealing of the ballot boxes, which allowed for unauthorized ballot box stuffing. In several cases, observers recorded facts of access of unauthorized persons to the ballot boxes during the time when early voting wasn’t conducted. Observers filed complaints against unauthorized access to ballot boxes, but such complaints were mostly ignored by PECs and higher-level commissions, and so the PECs continued to store ballot boxes in inappropriate conditions.

On September 6, at the polling station №178 located in Chkalovskiy election district №96, the chairperson of PEC Mrs.Kalinina sealed off the ballot box in such a way that left a large gap under the box top and allowed for ballot box stuffing. The chairperson of PEC refused to remove defects in the sealing of ballot box and in response to observer’s remarks demanded that observer should stop interfering in the work of the election commission.

On September 6, the ballot box wasn’t sealed off as at the opening of polling station №59 located in Vitebskii-Chkalovskiy election district №18, while the chairperson of the commission and his deputy were both absent at that time.

On September 6, the premises of polling station №626 in Kalinovskiy election district №108 weren’t sealed off for the night time. In a similar fashion, PECs didn’t seal off the premises of polling stations

№11 and №29 in Grodnenskii-Tsentrалnyi election district №51, polling stations №23 and №27 in Gomelskii-Tsentrалnyi election district №33, polling stations №18 and №21 in Senitsa election district №76, polling station №629 in Kalinovskiy election district №108, polling stations №565, №567 and №568 in Vostochniy election district №107, polling station №58 in Mogilevskii-Tsentrалnyi election district №85, etc. On September 6, the chairperson of PEC at the polling station №1 in Brestskii-Vostochniy election district №3 responded to the objection of observer by saying that locking of the door for the night without sealing off the premises would be enough to ensure the safety of ballot boxes. On September 6, at the polling station №414 located in Dombrovskiy election district №103 an observer returned to work at 14:40 and saw an unknown woman leaving the room, where the ballot box was kept, while a police officer closed the door behind her and remained in the room with the ballot box.

Compulsory participation in early voting and administrative control

The current election campaign is characterized by extensive use of administrative enforcement aimed at organizing compulsory voting of students of educational institutions and workers of state-owned enterprises. Observers of the “Right to Choose-2016” campaign recorded facts of involvement of administrations in the organization of compulsory voting throughout the country and filed a total of 12 complaints in relation to these facts.

In several cases, the process of organization of compulsory voting was accompanied by measures violating the principle of free election held under the terms of a secret ballot: representatives of administrations of educational institutions and state-owned enterprises were monitoring participation of their students and staff in the early voting process.

On September 6, at the polling station №637 located in Kalinovskiy election district №108, our observer recorded a fact of large-scale and organized early voting of more than one hundred students who were under the pressure of administrative enforcement. A corresponding complaint was filed in relation to this fact. Similar incidents were recorded at the polling station №176 in Chkalovskiy election district №96 and polling station №42 in Avtozavodskoi election district №92. On September 7, the majority of voters who casted ballots at the polling station №610 in Kalinovskiy election district №108 were students residing in the dormitory №5 of BSATU university. Mentor of dormitory №5 was checking with the members of PEC which of the students of dormitory №5 took part in the early voting. Observers filed a complaint against this fact of compulsory voting.

On September 9, deputy chairperson of PEC at the polling station №591 located in Vostochniy election district №107 made an extract from the list of students who were yet to vote and resided in the dormitory located on the territory of this polling station. After that, deputy chairperson left the territory of polling station. Our observer pointed to the illegality of deputy chairperson’s actions, but the chairperson of the commission said that his deputy was unaware of illegality of such actions and proposed to forgive him. The corresponding complaint was admitted to examination and the decision on this matter should have been made until Sunday.

On September 6, our observer at the polling station №38 in Senitsa election district №76 reported about conversation between tannery workers in Gatovo who expressed their anger with the management board of tan yard forcing them to participate in early voting, because otherwise they would lose their bonuses amounting to 100 rubles.

There were several cases when voters reported about phone calls from members of PECs who urged them to take part in early voting – in particular, such a report was received from polling station №630 located in Kalinovskiy election district №108. On September 7, 4:35pm, one of the citizens, who came to vote at the polling station №568 located in Vostochniy election district №10, said that “Larisa Adashkevich (chairperson of PEC) asked her to take part in early voting today.” Twenty minutes later, several teachers and members of school staff came to vote at this polling station. Observers believe that they were also persuaded to take in early voting by the chairperson of the commission.

On September 8, commandant of dormitory came to the polling station №402 located in Dombrovskiy election district №103 and asked the chairperson of PEC to name those persons who have already voted. After that, the chairperson of PEC and the commandant walked out into the corridor. Citizens residing in the dormitory of the Republican Institute of Advanced Training under the Ministry of Labor and Social Protection also took an active part in early voting at this polling station.

On September 7-9, in Tsentralniy election district №51, an observer accredited to polling station №31 recorded 6-7 groups consisting of 10-15 people who came to vote at the polling station №24 and were accompanied by the same persons. According to observer, all these groups consisted of people serving their sentences in open prisons, and they were accompanied by employees of these institutions.

On September 6, a voter came to the polling station №409 located in Dombrovskiy election district №103 and asked members of PEC for a certificate stating that he took part in early voting. The election commission refused to issue such a certificate.

Students of BSU University residing in dormitories №5-7 in the city of Minsk were forced to take part in early voting. One of the students residing in dormitory said that on September 6th he received a letter from someone called Mariya Bobkova reading as follows: according to the request of dean's office, all students living in dormitories located near the polling station with an address at 10, Oktyabrskaya str., must take part in early voting.

Students of medical college in Mogilev are forced to vote in favor of chief doctor of Mogilev central polyclinic Alexandr Starovoitov, while the students of pedagogical university are forced to sign an acknowledgement of participation in early voting. According to observers of the "Right to choose-2016" campaign, more than 10% of voters took part in early voting on September 6th at the polling station №42 located in Mogilevskii-Tsentralniy election district №85: 121 (according to observer - 117) out of 785 voters registered at this polling station. There are four small residential buildings and several student dormitories located on the territory of precinct №42. In the first half of the day the polling station was crowded with students of medical college and pedagogical university: a total of 105 persons have casted their votes during the first half of the day. "Yesterday, some groups of students were accompanied by their curators, and today students came by themselves. In the course of informal conversation, the students told that they were divided into 5 groups (for the 5-day period of early voting), so that they don't come to vote all at once. Students of pedagogical university came to the polling station, casted their votes, returned to the dormitories, and put their signatures under the list of those who took part in early voting," - said the observer.

It should be noted that compulsory voting organized with the use of administrative enforcement, as well as illegal administrative control over participation of citizens in early voting, constitutes a violation with a high degree of latency. Implementation of such illegal practices is carried out through coercive actions of administrations at the place of employment or education, which are aimed at intimidating people and stop them from reporting these facts to observers who can then file official complaints. Nevertheless, an audio recording of the speech of the rector of Mogilev State University containing threats, which are aimed at forcing the students to vote early, was published on the Internet. According to one of the students from the official group of Belarusian State Technical University, students were informed about the need to vote early. Monitors of all student groups were requested to write a letter of intent for participation in early voting addressed to the head of dean's office. These letters of intent must be signed by all students and sent to the dean's office, - wrote the group administrator under the hashtag #News from BSTU.

Evidence of illegal manipulation in the course of early voting

According to official data, the turnout figures for early voting have increased as compared to 2012 parliamentary election: according to the CEC, the current turnout figures for early voting broke the record for voter turnout in the parliamentary elections in Belarus. By comparison: the official turnout rate over the whole period of early voting in 2004 election of deputies of third convocation of the House of Representatives (which was combined with a referendum on granting A.Lukashenko the right to run for president an unlimited number of times), amounted only to 17.39%.

Official data on voter turnout in the parliamentary election (as %)

Year of parliamentary election	Voter turnout on the first day of early voting	Voter turnout on the second day of early voting	Voter turnout on the third day of early voting	Voter turnout on the fourth day of early voting	Total voter turnout over the whole period of early voting
2012	3	7.19	12.5	19.6	25.9
2016	3.92	9.63	16.71	24.31	31.29

However, the reports of observers of the “Right to Choose-2016” campaign, who conducted vote tabulation during the whole period of early voting, suggest that compulsory voting organized with the use of administrative enforcement only partially contributed to unprecedentedly high turnout figures. Meanwhile, the main instrument for achieving such a high turnout rate was a deliberate manipulation having indicia of a crime.

The observers of the “Right to Choose-2016” campaign conducted vote tabulation at 382 polling stations. It should be noted that turnout figures recorded by observers coincided with those announced by the PECs only at 69 polling stations (or 19.7% of all polling stations that were covered by election observation). In four cases, the PECs failed to publish official data on the number of citizens who took part in early voting on each day of early voting, as prescribed by law.

Discrepancy between turnout figures recorded by PECs and the observers amounted to 5% or more at 141 polling stations (or 40% of all polling stations that were covered by election observation), which can be explained only by deliberate manipulations on the part of the election commissions. For example, members of PEC recorded 1657 citizens (or 78.9% of the total number of registered voters) who took part in early voting at the polling station №637 located in Minsk (Kalinovskiy election district №108), while observers recorded only 992 voters (or 47.2 % of the total number of registered voters). Therefore, deliberate overestimation of turnout rate for this polling station amounted to 31% of the total number of registered voters. According to observer of polling station №626 in Kalinovskiy election district №108, a total of 37 citizens took part in early voting, while the PEC indicated 248 voters in its vote counting protocol.

Overestimation of official turnout figures as compared to the actual turnout rates was recorded in all election districts where observers of the “Right to Choose-2016” campaign conducted continuous monitoring at all polling stations on a permanent basis. However, the most large-scale illegal manipulations and overestimations of voter turnout were recorded in the election districts of Minsk, where in some cases the official turnout figures announced by PECs exceeded by several times the actual number of voters who came to the polling stations and received ballot papers. Such a large-scale use of the most obvious and simple means of election fraud in the city of Minsk may be due to the limited availability of enforcement resources in the capital.

Discrepancy between turnout figures recorded by PECs and observers

Name and № of election district	Total number of citizens who took part in early voting over the period of September 6-10 according to observers	Voter turnout rates according to observers	Total number of citizens who took part in early voting over the period of September 6-10 according to election commissions	Voter turnout rates according to election commissions	Overestimation of turnout rates, as % of registered voters
3 – Brestskii-Vostochniy	10763	17.2	11845	18.9	+1.7
18 – Vitebskii-	12003	18.2	13652	19.2	+0.9

Chkalovskiy					
51 – Grodnenskii-Tsentralniy	13528	22.8	13655	23	+0.2
85 – Mogilevskii-Tsentralniy	12616	19.9	16177	25.5	+5.6
92 - Avtozavodskoi	10050	15.3	14985	22.8	+7.5
96 - Chkalovskiy	9870	15.4	14735	32.1	+16.7
103 - Dombrovskiy	11913	18.8	16874	26.7	+7.9
107 - Vostochniy	11340	16.6	20378	29.9	+13.3
108 - Kalinovskiy	10396	14.9	15703	22.4	+7.5

Moreover, in the majority of cases the official turnout rates recorded at those polling stations where there are no observers are higher than the turnout rates recorded at the polling stations that are covered by election monitoring. For example, a total of 43 voters casted their ballots on September 7th at the polling station №135 in Minsk, which was covered by continuous election monitoring, while the turnout rate at the neighboring polling station where there were no observers was more than four times higher - 189 voters.

At several polling stations located in Minsk (election districts №103 and №108), our observers detected special groups of individuals who repeatedly casted ballots at different polling stations. Moreover, these organized criminal groups were acting with the consent and assistance of some of the members of PECs. Representatives of the “Right to Choose-2016” campaign took photos of a group of people who repeatedly casted ballots at different polling stations: №631, №635, №607 and №618.

Failure of the election commissions to ensure proper storage of ballot boxes led to more serious violations related to direct falsification of election results by way of ballot box stuffing. For example, an observer allocated to polling station №625 in Kalinovskiy election district №108 took a photo of ballot box stuffing with a stack of false bulletins. The observer filed a complaint with the police and the prosecutor's office stating the fact of “ballot box stuffing with a large number of false voting bulletins in the presence of members of the election commission” on September 9th. The observer noted that he detected “a thick stack of ballot papers” in the ballot box, which would be impossible “in the case of casting a single ballot by each voter”. According to observer’s estimates, a total of 42 voters came to the polling station on September 9th. However, the PEC made an official statement on 228 voters who casted ballots at the polling station during that day. Discrepancy in turnout figures was also recorded in the following days of early voting. The observer asked to convict the violators of a criminal offence. Minsk city election commission refused to take into consideration the facts presented by the observer, in spite of availability of evidence and video recordings.

Some PECs artificially extend the lists of citizens voting at home in the absence of corresponding applications for home voting. For example, 125 out of 1692 registered voters at the polling station №20 in Slonim election district №58 were added to the list of citizens voting at home.

Coercion and impediments to the work of observers in the course of early voting

A total of 23 observers of the “Right to Choose-2016” campaign had their accreditations revoked over a 5-day period of early voting, which amounts to 3% of the total number of observers deployed to the polling stations on behalf of organizations-participants of the campaign. Evidence-free accusations of interference in the activities of election commissions as well as provocative acts by members of PECs and observers of pro-government organizations were the main reasons for expelling observers of the “Right to Choose-2016” campaign from polling stations. The largest number of cases related to expelling observers from polling stations was recorded in Minsk.

Observer of the “Right to Choose-2016” campaign was expelled from polling station №179 located in Chkalovskiy election district №96 on the grounds of allegations of taking photos and making audio

recordings at the polling station, and the PEC didn't even invite the observer to its meeting on revocation of accreditation. At the polling station №195 located in the same election district, members of PEC adopted a decision on revocation of observer's accreditation without stating any formal reasons for such a decision. At the polling station №585 located in Vostochniy election district №107, our observer was shown a decision of the election commission stating that the observer made an audio recording using a hidden voice recorder pen. Another observer was expelled from one of the polling stations in Senitsa election district №76 on the grounds of allegations of improperly filled out protocol on nomination of observer.

On September 8, the PEC revoked accreditation of observer of the "Right to Choose-2016" campaign at the polling station №562 in Minsk due to provocative acts by pro-government observer: Pro-government observer deliberately spilled a glass of tea over himself and the observer of the "Right to Choose-2016" campaign. After that, he submitted a complaint to the election commission stating that the tea was deliberately spilled by observer of the "Right to Choose-2016" campaign. After the incident, a few more pro-government observers filed their complaints against the observer of the "Right to Choose-2016" campaign. As a result, members of PEC adopted a decision on revocation of accreditation and observer of the "Right to Choose-2016" campaign was expelled from polling station.

The PEC at the polling station №185 located in Chkalovskiy election district №96 came up with an absurd reasoning for revocation of accreditations of two observers representing the "Right to Choose-2016" campaign, namely Anastasia Alshanets-Dorofei and her daughter Marina Alshanets. On September 10, 4:05pm, members of PEC adopted a decision on revocation of accreditations of observers stating the following: "Anastasia Alshanets-Dorofei and Marina Alshanets have a close family relationship and both reside at the same address. The two of them were registered as observers by different organizations. On the basis of the foregoing, Mr.Poznyak proposed to revoke the accreditations of the above-mentioned observers... and deprive them of the opportunity to carry out their duties as observers so as to prevent family biased attitude towards observation of the election process at the polling station."

In several cases, observers were denied accreditation for no good reason. For example, the PEC at the polling station №621 in Kalinovskiy election district №108 refused to accredit observer of the "Right to Choose-2016" campaign who was nominated by public association BPF "Vozrozhdenie" ("Revival") - the election commission pointed to the fact that public association BPF "Vozrozhdenie" and BPF party seem to be one and the same organization. The observers of the "Right to Choose-2016" campaign filed 8 complaints against non-admission to observation and denials of accreditation. Administration of Gomel State Technical University banned its students from participating in the "Right to Choose-2016" election observation campaign.

Observers filed 5 complaints against PECs, which failed to provide adequate working conditions for observation of voting process (observers were deprived of the opportunity to monitor the issuance and casting of ballot papers into the ballot boxes all at the same time).