



# 2015 Observation campaign for presidential elections in the Republic of Belarus

## ПРАВА ВЫБАРУ

*Intermediary report No. 5*

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*During the early voting, 1344 observers from Right of Choice 2015 campaign observe the voting in all regions of the country at 672 polling stations out of 6080 ones created in Belarus. This report is the fifth document of the campaign and covers the first four days of early voting (from October 6 till October 9)\*.*

### **General conclusions**

1. Early voting is a period when during five days the conditions for rigging the elections are the most favorable. At these elections the authorities did not move away from previous practices of mass (including forced) early voting; the ballot boxes are kept in an improper way, with third persons having access to those. Due to the absence of opposition representatives in the election commissions, this causes non-confidence in the election results.
2. During early voting, many cases of forced early voting were documented, as well as the use of administrative resource to force persons dependent on state authorities (students and researchers in educational establishments, state enterprise employees) to involuntary voting not on the main voting day.
3. The voter turnout announced by election commissions does not correspond to the turnout documented by observers at most polling stations observed. There is information about election commissions involvement in fraud during early voting, including the voting of persons not having the right to vote, as well as manipulations with voter lists. At that, the official data on voter turnout at the polling stations which were observed is much lower than the officially announced voter turnout over the whole country.
4. During early voting, the administrative resource was still used for campaigning in favor of the current President, including the placement of campaign materials inside the polling stations.
5. The election commissions and other state structures obstructed the work of observers, which manifested in the non-provision of information about the number of voters at the polling station according to the voter lists; the illegitimate refusal to accredit observers; the deprivation of observers of their accreditation and their removal from the polling station; the pressure on observers at their workplaces to force them to refuse from observation; the creation of inconvenient conditions for observers' work in the polling station and for their full-fledged work on observing the commission handing out the ballots.

### **Legal conditions of early voting**

According to Article 53 of the Election Code, the voter having no possibility to be at his/her place of residence on voting day, has the right no later than five days before elections, according to the conditions excluding control over his/her will expression, to fill out a ballot in the precinct election commission (PEC) and put it in the sealed ballot box for early voting. No official confirmation of the reason why the voter cannot come to his/her polling station on voting day is required. Early voting takes place between 10 AM and 2 PM and 4 and 7 PM in the presence of no less than two PEC members. On the first day of early voting, the ballot boxes are locked or sealed, and during early voting, every day after the end of voting, the head or deputy head of PEC seals the slit for putting the ballots in the box, using a piece of paper. The head or deputy head of PEC as well as its members put their signatures on this paper. The unsealing of a slit for putting ballots in the box is done daily before the start of early voting by head or deputy head of PEC.

The keeping of ballot box for voting is guaranteed by the head of PEC, but neither the legislation nor methodological manuals from the Central election commission for PECs regulate the details of measures to be taken to ensure the safekeeping of the box and the prevention of access to it for third persons during the days of early voting in the time when voting is not conducted.

During early voting, every day the head or the deputy head of PEC draws up a protocol which indicates the number of ballots received by the PEC, the number of citizens who received the ballots (in the last day of early voting, the total number of citizens who received the ballots), the number of spoiled and the number of unused ballots. The protocol is signed by the head or deputy head and PEC members. When receiving the ballot, the voter puts his/her signature in the list of citizens having the right to participate in elections and writes down the date of early voting.

According to Calendar plan of organizational activities for preparation and holding of elections for the President of the Republic of Belarus (approved by Decree No. 17 of Central election commission of July 1, 2015), the early voting is conducted for five days, from October 6 till October 10, 2015 inclusive.

### **Illegal manipulations with the ballots and voter lists during voting**

Early voting at these elections was marked by an unprecedentedly high turnout, which is a record one for the elections of President in Belarus. According to the information announced by the Central election commission, during the four days of early voting 28.09% of eligible citizens voted. This is more than official data about citizens who voted after all five days of early voting at previous presidential elections in 2010 (the official information was 23.1%). With regard to the fact that the overwhelming majority of oppositional parties and union, as well as some oppositional politicians separately called for ignoring the elections and non-participation in voting, these record-high results spur some serious doubt.

At the polling stations where the observers from Right of Choice 2015 campaign were present, the official turnout was markedly lower (on average by about a fourth) than the official announced turnout over the whole country. This testifies to the fact that at the polling stations where no observers were present the illegal manipulations to increase the turnout can take place at a greater scale than documented at the observed polling stations.

Contrary to the previous practice, Central election commission does not publish the data about the number of voters who voted early on the national level and by regions: the number of voters is not announced, only the turnout percentage over the whole country, by regions and by polling stations established abroad. This does not allow to check the verity of data announced by the Central election commission and compare them with the percentage of voter turnout at specific polling stations for each of the five days of early voting.

The voter lists were changing practically at all polling stations where the Right of Choice 2015 campaign observed; in most cases the changes were to reduce the lists: at 570 polling stations where the commissions provided the observers with the data about the number of voters at the precinct on the first and the fourth day of early voting, the lists have shrunk in total from 1,019,897 voters at the moment of precincts opening on October 5 to 1,016,577 on October 9. Therefore, at these polling stations the amount of voters in the lists decreased by 3,320 persons. Nevertheless, the official data of Central election commission about the number of voters entered on the voting lists for all regions stayed the same (the increase was noted only on the lists at polling stations abroad). Obviously, this makes the turnout percentages announced by Central election commission false both for these regions and the country as a whole.

The most significant reduction of numbers in the voter lists was documented at polling stations No. 28 in Chygunachny district of Gomel, where between October 6 and 9 the number of voters was decreased from 2004 to 1385 persons (i.e., by 619 voters). It is worth noting that this reduction of voter numbers on the list creates conditions for illegal manipulations with ballots, which are allocated to the PECs based on the initial number of voters in the list available at the polling station.

It is also worth noting that as at more than a hundred polling stations PECs did not provide any information at all about the number of voters on the lists, the reduction of voter numbers can be even more significant.

Along with that, in some cases the unjustified inclusion of voters not residing on the territory of the precinct was also noted. In particular, such cases were documented in Minsk by observers from Tell the Truth campaign: there, the citizens showing a rent agreement for an apartment on the territory of the precinct were included in the list (even though they did not have either permanent or temporary registration on the territory of the precinct) – this practice became a subject of complaint from observers, but this complaint was left unsatisfied.

A significant difference in the turnout between the data of election commissions and observers from Right of Choice 2015 campaign was observed, for example, at polling station No. 2 of Central district in Minsk. According to the calculations of observers, on the first day of early voting 32 people voted, and according to the data of commission there were 62. Then the discrepancies increased exponentially: on October 7, the observers counted 32 voters, and there were 94 in the protocol. When the observer from For Freedom Movement Ales Marchanka said he was going to go to the prosecutor's office and the TEC due to this reason, he received threats from the head of the commission. At polling station No. 43 in Sovetsky district of Minsk, a difference of 64 voters was documented between the number of those who voted according to the commission data (247 people) and the data of observers (311 people).

One of the most criminal methods of vote rigging, which would have been impossible without the help from PEC members, is the mass voting of the same voter groups at different polling stations. In particular, such mobile organized group was sighted at the polling stations of Leninsky district in Minsk by an observer from For Freedom Movement Ales Tavstyk. In his words, at a certain point women dressed like office clerks appeared at the polling stations and waited for their colleagues to finish voting. Besides, unlike regular voters, they did not name their addresses and nobody asked them. Tavstyk also found the bus which brought this group; it was parked on an adjacent Plekhanova street. In his words, the manipulations continued in the afternoon as well, 11 more people voted according to the similar scheme. The same case was documented by an observer at polling station No. 18 of Tsentralny district in Minsk when a group of people, about 11 to 12 persons, came to his polling station all at once and voted without naming their addresses. The observer from UCP Nikolay Kozlov documented the same practice at polling station No. 24 of Tsentralny district.

A member of Minsk city election commission from BPF Dmitry Kaspyarovich unearthed manipulations with voter ballots. He decided to go PECs where the observers from Right of Choice 2015 campaign were not accredited and compare the number of voter ballots handed out and the real number of signatures from voters who received the ballots and signed for them on the lists. As of morning of October 8, at polling station No. 25 of Sovetsky district in Minsk 146 ballots were handed out, but only 109 people signed for them. At polling station No. 26 of the same district in Minsk, 351 ballots were handed out, but only 162 voters signed for them. As of the morning of October 9, at polling station No. 49 of Sovetsky district in Minsk, for the three days of early voting 308 ballots were handed out, but on the same morning only 170 voter signatures were put in the voting journal. Dmitry Kaspyarovich noted that such tendency was present everywhere there were no independent observers. Due to this incident the representative of Right of Choice 2015 campaign sent a note to the head of city election commission and prepares a complaint to the prosecutor's office.

### **The use of administrative coercion to early voting**

Current election campaign is marked by widespread use of administrative coercion to organize involuntary early voting of students and researchers at educational establishments and employees of state enterprises. The facts of administration involvement in the organization of forced early voting were documented in Belarus State University, Belarus State Economic University, Belarus State

Technological University, Belarus State Technical University, Minsk State Energy College, Minsk Architectural College, Belarus Institute of Entrepreneurship, Gomel Polytechnical College, Presidential Administration Academy, Belarus State University of Computer Science and Radioelectronics, Belarus University of Culture and Arts, and other educational establishments. The administration of universities coerces students from other cities to vote early by canceling classes on Saturday, which encourages them to leave the capital. At that most students are afraid of administration pressure and do not agree to confirm with written statements the facts of pressure and coercion, which they report anonymously when talking to observers. In such conditions almost the only sources for information on coercion to early voting are the messages on the Internet, especially in social networks, as well as the interviews to the media.

### **The work of observers**

During observation at the polling stations between October 6 and 9 inclusive, the short-term observers of Right of Choice 2015 campaign documented 904 cases of election legislation violations. The biggest amount of violations is associated with improper safekeeping of ballot boxes in the conditions when the facility where the ballot box is kept is not sealed, or third persons have access to the ballot box during breaks in early voting (more than 400 of such incidents documented). It is worth noting that the complaints submitted about this at a range of polling stations were fruitful, and they started to hide ballot boxes in sealed rooms not accessible to third persons. Another widespread type of violation was the prevention of observer from really observing the handing out of ballots due to inconvenient location of places for observers or other obstacles (more than 30 cases). Some cases of coercion to early voting were documented, as well as control over will expression of the citizens due to the access of enterprises and educational establishment administrations to the lists of voters who participated or did not participate in early voting. One of the gravest violations documented by the observers of Right of Choice 2015 campaign was the voting of persons not entered in the voter lists at the polling stations (including in the form of organized group of voters not residing on the territory of the precinct).

In general, these violations of legislation during the first four days of early voting served as a basis for 319 complaints submitted by Right of Choice 2015 campaign observers to PECs, TECs, Central election commission, law enforcement institutions, and the prosecutor's office.

### **Obstructions in the work of observers and pressure on observers**

Obstructions in the work of observers from Right of Choice 2015 campaign were documented in Minsk and all regions of Belarus. These included unsubstantiated refusals to accredit observers in PECs in the beginning of observation, obstructions in using a smartphone for filming and making pictures of violations (in some cases the commissions did not even allow to take pictures of protocols put out by the PECs and listing the results of early voting), pressure on observers in their workplaces and the threats to fire them so that they refused to participate in observation campaign, and unsubstantiated deprivations of accreditation and removal of observers from the polling stations.

In Minsk, the observers from BPF party and Renaissance civil union of BPF faced a refusal of simultaneous accreditation as observers at the same polling stations. For example, at polling station No. 64 of Sovetsky district in Minsk a PEC refused to register an observer put forward from Renaissance BPF civil union Aleksandr Akulich referring to the fact that the commission had already registered an observer from BPF party and one organization cannot send more than one observer to a polling station. Only after a complaint had been written this commission agreed to register the observer. Some PECs required an observer to present a statute or a registration certificate of the NGO sending them as observers, during registration, which is not envisaged by the law.

At polling station No. 40 in Chygunachny district of Gomel, they did not want to accredit observer Mikhail Ragovsky due to the reason that there was no stamp on the excerpt from the protocol. This

violation has a mass nature and testifies to the low qualification level among PEC members. Only after a complaint about this violation the observers could start their work.

For example, on October 7 observer Taisiya Kabanchuk was accredited at polling station No. 28 in Leninsky district of Babruysk. But after an hour the head of PEC canceled her accreditation referring to an incorrect excerpt from the protocol of UCP regional organization, which sent this observer. Among the remarks were the incomplete initials and the lack of a stamp. The following day, the documents for observation were brought to this polling station by another activist of Right of Choice 2015 campaign Genadz Rodzichav, with the corrected excerpt from the protocol but without a stamp as the organization does not have one. In spite of the fact that the legislation allows an excerpt without a stamp if the organization does not have one, the head of PEC also did not register the activist. Kabanchuk and Rodzichav submitted a complaint to the TEC for Leninsky district in Babruysk, and the head of UCP regional organization Vladzimir Shantsav submitted a complaint to the Central election commission. As a result the observers were accredited only on October 9 according to the old protocols.

In Orsha, about 30 observers from the left party “Just World” were removed from the polling stations on the basis of the protocols from organization sending them to the polling station: it was said there that the observers are sent to the polling stations to observe elections, which take place on October 11, 2015, according to the sample protocol from the Central election commission. The PECs decided that these observers have no right to observe early voting on October 6-10.

An observer from REP trade union Irina Osipova was refused accreditation at polling station No. 43 in Kalodzischi, Minsk region, due to the fact that REP organizational structure does not have registration in Minsk region. Only after a complaint was submitted the observer was accredited.

It is worth noting that PECs over the whole Belarus in the days before early voting did not have the same schedule, which would cover the whole working day (unlike TECs the schedule of which was established by the Central election commission and was rather favorable). This created inconveniences for timely registration of observers on the day before the start of early voting.

In general, during the four days of early voting from October 6 till 9, 11 observers of Right of Choice 2015 campaign were deprived of accreditation and removed from polling stations.

In Brest, a Right of Choice campaign observer Tikhonova was deprived of accreditation according to the decision of PEC No. 67 due to “behavior non-corresponding to the status of observer”.

On October 7, an observer from For Freedom Movement Pyotr Markelov was removed from polling station No. 10 when he tried to start observing the voting process. In his words, he had 8 complaints submitted about him, all from pro-government observers and commission members and all listing different artificial reasons. The observer had his camera taken away from him: “We started the second day of observation. I took my camera with me and did not even take pictures with it, but deputy head of the commission took it from me and put it in the safe, and the head of the commission locked it up there,” said observer Pyotr Markelov. In a similar way the PEC at polling station No. 22 in Tsentralny district of Minsk prohibited the observers to use smartphones.

Observer Maksim Alyamovsky accredited at polling station No. 69 in Mogilyov stated that the head of election commission Andrey Mikhaylov prevented him from taking a picture of voting protocol on October 6. Similar bans on taking pictures were documented by observers at polling stations No. 26 of Moskovsky district in Brest and No. 29 of Tsentralny district in Minsk.

On October 8, an observer from Right of Choice 2015 campaign Mariya Poklonskaya was deprived of accreditation at polling station No. 65 of Pershomaysky district in Minsk for an attempt to take a picture of ballot box, which had visible features of a torn off seal. It is worth noting that in this and in a range of other cases the decision about depriving the observer of accreditation was taken by heads of the commissions only, which is a violation of legislation. Only after the intervention of Right of Choice 2015 campaign coordinators the issue of depriving this observer of accreditation was discussed at a PEC

meeting. This fact was used by presidential candidate Tatyana Korotkevich to submit a complaint to Central election commission.

On October 9, a member of For Freedom Movement, an observer from Right of Choice 2015 campaign Artyom Lyava was deprived of accreditation at polling station No. 29 in Leninsky district of Minsk. The commission decision referred to five complaints about the Right of Choice 2015 observer from pro-government observers. According to the commission data, the observer “created an unpleasant environment at the polling station and filmed without the permit of citizens.”

At that the observers from organizations loyal to the authorities (BRSM, Belaya Rus, and others) had on them the statements about the absence of violations at the polling stations, prepared beforehand, filled out and submitted even in case of obvious violations. In a range of cases, observers from loyal organizations had a negative attitude towards the observers from Right of Choice 2015, wrote ungrounded complaints about them, and in some cases those were used by PECs as the basis of depriving Right of Choice 2015 observers of accreditations.

On October 9, Tatyana Shevchenkova was fired upon agreement of the parties from Center of Social Services in Borisov; she was an observer from Right of Choice 2015 at polling station No. 41: the director of the Center called her to her office and offered her to resign immediately. “I understood that if I don’t sign a resignation upon agreement of the parties, bullying will start; I don’t need that, my nerves are too weak. They started digging under me, so they could simply fire me due to incompetence,” said Tatyana Shevchenkova.

On October 6, at polling station No. 29 in Oktyabr of Buda-Kashalyovsky district as well as at polling station No. 33 in Novopolotsk the observers did not start their work as the management from their workplaces threatened them with termination of their labor contracts.

On October 8-9, four facts of pressure on observers were documented in Molodechne and Molodechne district. Out of four observers, only one refused to observe; three stayed on, but don’t want their cases to be publicized. It is known that the observers received calls from an educational establishment, a health care institution, a district executive committee, and an enterprise administration.

There was also pressure on election commission members sent by Right of Choice 2015 campaign. For example, a PEC member in Dzeravyanchytsky polling station No. 32 in the village of Dzeravyanchytsy of Slonim district, from Slonim organization of “Renaissance” BPF civil union faced pressure in her workplace at the farm: the farm director warned her not to go to PEC duty shifts or she’d be fired for truancy. Than the farm director said that Tatyana Byalko was told not to go anywhere by acting director of “Peremozhats” enterprise Nikolay Grechishnikov.