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“Right to Choose” Election Monitoring Campaign of 2015 Presidential Elections Interim Report #1

August 3, 2015.

Right to Choose campaign carries out long-term observation of the electoral campaign in all regions of Belarus through its regional representatives. This report is a first in a series of reports on the findings of long-term observation and covers the first month of the campaign – from July 1 through July 31. Until the Election Day October 11, the campaign will publish five more reports on long-term observation findings¹.

Main findings:

1. Already at the early stage of elections the observers note unequal conditions for campaigning between the opposition and pro-governmental candidates. The electoral campaign is characterized by limits on the freedom of speech, assembly and association, exclusion of the opposition from the work of election commissions and its inability to control the count of votes and preparation of elections in general. This hampers public trust into the elections and their future results.
2. The political situation in the country does encourage holding free and fair elections. The presence of six political prisoners (M. Dziadok, Yu. Rubtsou, A. Prakapenka I. Alinevich, Ja. Vaskovich, and especially 2010 Presidential candidate M. Statkevich) creates an atmosphere of intimidation of the public and opposition ahead of elections.
3. The changes made to the Election Code in 2013 have not secured equal access of all political forces to the work of election commissions. Most opposition representatives nominated to the Territorial Election Commissions (TECs) have not been included, while most people nominated by the pro-governmental organizations have been included into the commissions. Democratic forces have officially nominated 63 people to the TECs (and a few more people have been nominated by gathering signatures), and only 10 (or 15.87%) of them have been included, which is even lower than during last Presidential elections of 2010.
4. Newly formed TECs are under full control of executive bodies of the government: 93.5% of them will be working without any representatives of the opposition. Appealing decisions on formation of the TECs in the courts does not appear to be an effective mechanism of granting the political parties fulfillment of their lawful rights, because courts never call for reconsidering the composition of the commissions.
5. During collection of signatures, the campaign has recorded a few cases of use of administrative resource in favor of the acting President or to pressure initiative groups of the opposition candidates.

¹ About “Right to Choose” campaign: Right to Choose is an election monitoring campaign created to counter, record and react at violations of election law at all stages of the electoral campaign. The campaign will strive to minimize election fraud at each polling place where its observers will be deployed. It intends to deploy not less than 1,500 observers in all regions of Belarus. The campaign unites eight political forces: Belarusian People’s Front (BPF), Belarusian Christian Democracy (BCD), Belarusian Social-Democratic Party “Gramada” (BSDP-G), “For Freedom” Movement, “Tell the Truth!” Civic Campaign, “The Greens” party, organizing committee of Party of Freedom and Progress (PFP), Belarusian Trade Union of Radio-Electronic Industry (REP). Its members have experience of monitoring Parliamentary elections of 2008 and 2012, 2010 Presidential elections and local elections of 2014.



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1. Political and legal background of the election campaign

Legal regulation of the electoral process. The Law “On amendments and additions to certain laws of the Republic of Belarus on elections and referendums” as of 25th of November 2013 has introduced a number of amendments to the Electoral Code of the Republic of Belarus. These amendments were developed without the participation of the general public and contrary to the requests of political parties the text of the law was not presented to the public prior to its consideration in the House of Representatives. Consequently, according to the results of legal research conducted by the opposition this document limits the ability of the participants of the electoral process: campaigning in favor of non-participation in the voting was prohibited; public funding of election campaigns of candidates was abolished; and a number of other restrictions were introduced. This new law has not solved the main problems that exist in the Belarusian electoral legislation and legal practice, in particular, it did not improve the conditions for forming the election commissions. Remarks of domestic observers, as well as observers of the OSCE/ODIHR, were not taken into account.

Prohibition of campaigning for a boycott. The introduction of amendment to the Electoral Code that prohibits campaigning in favor of non-participation in the voting was another negative change in the legislative environment of the electoral process. Significantly, the ban on campaigning for a boycott of the election applies to all participants in the electoral process: political parties, candidates and citizens. Violation of this prohibition shall be regarded as an administrative offense. The introduction of such a rule is contrary to the principles of free elections and freedom of agitation. This prohibition will be of special significance in Belarusian day-to-day realities, especially if the unfair and unfree nature of the elections will become obvious to the general public and a number of representatives of political opposition decide to take a stand in favor of a boycott of the voting during the presidential elections in 2015.

Proposals of members of the public for improvement of the election legislation were not taken into consideration. On the 8th of April 8, 2015, organizations participating in the campaign “Right to Choose-2015” sent their proposals for improvement of the electoral legislation to the subjects of legislative initiative – Deputies of the House of Representatives and the Council of Republic of the National Assembly of the Republic of Belarus as well as the Central Commission of the Republic of Belarus for Elections and Holding Republican Referenda (CEC). Specific proposals were set out in the draft law were set out concrete proposals that prevent vote frauds during the early elections; broaden the powers of observers and political parties as participants in the electoral process; prevent the use of administrative resources. Provision of additional guarantees to the presidential candidates was proposed based on the experience of previous campaigns, including guarantees of their personal security and provision of an opportunity to nominate and send representatives of the candidates to the election commissions. However, the subjects of legislative initiative refused to submit this draft law for consideration and approval by the parliament, while the CEC evaded the fulfillment of its obligation to improve the electoral legislation.

After the announcement of the presidential election in July, “The Human Rights Defenders for Free Elections” campaign, which comprises reputable independent monitoring organizations (the Belarusian Helsinki Committee and the Human Rights Center “Viasna”), has sent its proposals concerning improvement of legal regulation of the electoral process to the CEC. These proposals did not provide for changes in the existing legislation and could be adopted in the form of regulations and clarifications of the CEC. The following steps were suggested, which could ensure the transparency of the electoral process to a significant extent: 1) publication of voting results with a breakdown by polling stations; 2) provision of completed copies of protocols on results of voting to the observers at the polling stations on a mandatory basis; 3) establishment of a clear procedure for counting of votes when marks in each of the ballot papers would be pronounced followed by the demonstration of the ballot paper to all present members of election commissions and observers. However, these proposals, made by human rights defenders-observers, were rejected by the CEC.



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Under such conditions, it must be acknowledged that the legal regulation of the electoral process in Belarus remains unchanged. Against this background, it is impossible to recognize the considerableness of statements of the CEC on the increased use of transparent ballot boxes, which can by no means improve the transparency of the elections without the fulfillment of other conditions.

There are still political prisoners remaining in Belarus, many Belarusians were forced to leave the country because of political repression. At the beginning of the campaign there are still 6 individuals remaining behind bars who on the basis of criteria developed by the community of Belarusian human rights defenders have been attributed to political prisoners. Among the individuals who were illegally imprisoned for their political beliefs are Nikolai Dzyadok, Igor Olinevich, Yevgeniy Vaskovich, Artsëm Parakapenka, Yuriy Rubtsov and the presidential ex-candidate Nikolai Statkevich who was jailed after the presidential election in 2010.

Strengthening of political repression against the opposition and civil society, as well as massive and comprehensive restrictions on fundamental human rights that began during the period of the presidential election in 2010 forced many Belarusians to leave the country. Not only the rank-and-file activists of the opposition, but also prominent politicians were forced to seek political asylum abroad: The former presidential candidates in the election of 2010 Andrei Sannikov (after a long imprisonment) and Ales Mikhalevich (criminal charges against him have not been dropped until now) as well as a number of activists, who worked during the election campaign of 2010 in the headquarters of these and other candidates, have left Belarus. The leader of the Conservative Christian Party-BPF Zenon Pozniak has been in a forced political exile since 1996.

Restrictions on freedom of association in law and legal practices deprive the people of Belarus of the opportunity to participate in elections through public associations and political parties. Despite the adoption of amendments to laws “On Public Associations” and “On political parties” in 2013, the procedure for the registration of new organization remains extremely complicated (especially for political parties). Strict requirements were set for the documents that need to be prepared in order to register the association, but even in the event of meeting these requirements vague wordings of the possible grounds for refusal of registration of public associations empower the Justice Department to arbitrarily deny registration based on technical violations or minor errors in execution of documents.

In practice, inaccurate indication of place of work, indication of mobile phone number instead of home phone number, an error in the date of birth of one of the founders, bringing to administrative responsibility of one of the founders of the organization, execution of the document using wrong font size and so on can afford ground for making the decision to refuse the registration of associations. State authorities have also made practice of refusing to register the association due to the fact that it has previously acted as an unregistered organization, whose activity was banned.

Consequently, state authorities have refused to register dozens of organizations during the period between 2010 and 2015, including human rights organizations. In July 2014 state authorities denied the registration of the public association “Pact”, which was established in order to facilitate the implementation of the recommendations of the UN Committee on Human Rights adopted on individual applications of citizens of Belarus. On the 10th of June 10, 2015, the Supreme Court for the third time has refused to consider the complaint filed by the founder of the association “For Fair Elections”, which was established to monitor the electoral process, but was denied registration for the third time (At the same time in accordance with the decision of the UN Committee on Human Rights the refusal to register this organization is illegal and is a violation of the Covenant on Civil and Political Rights ratified by the Republic of Belarus).

Terms of establishment of political parties in practice make it impossible to exercise the right to establishment of



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new parties. The last case of registration of new political party took place back in 2000. During the period between 2010 and 2014 Belarusian Christian Democracy party, the Belarusian Party of Workers as well as local offices of the BPF Party and the movement “For Freedom” were repeatedly denied registration. In July 2015 the founders of the Belarusian Christian Democracy have applied for registration of their party in the Ministry of Justice for the fifth time.

The absence of registration deprives a number of parties and public organizations of the possibility to participate in the electoral process, including nomination of their representatives to the election commissions and allocation of their observers to the polling station. Moreover, any activity conducted on behalf of unregistered parties or associations is prohibited and it is also a criminal offense punishable by up to two years in prison under Article 193¹ of the Criminal Code.

Freedom of assembly in Belarus is very restricted; in particular, this hinders ability to organize and hold political events. Excessive restrictions on peaceful assembly are still enshrined in Belarusian legislation. Amendments to the Law “On mass events” adopted in 2011 have made the legal framework for the exercise of freedom of peaceful assembly even worse and were criticized for failing to meet international standards (for example, these amendments introduce responsibility for mass actions in the form of collective inaction, as well as for dissemination of information on place and time of holding mass actions via the Internet prior to receipt of government approval). The law introduces authorization procedure for all mass events. Any form of peaceful assembly conducted without official permission is immediately dispersed, often with a disproportionate use of physical force and special means. During the period between January 2010 and August 2014 more than 1,200 people were sentenced to short-term arrests (for up to 15 days) and fines for taking part in peaceful assemblies, demonstrations and pickets.

The use of force against participants of demonstrations against the rigged elections in 2010 as well as allegations of criminal offences for participation in preparation for mass riots was of special significance. At that time, on December 19, 2010, 60 thousand people participated in a protest that took place in October Square and Independence Square in Minsk. Four presidential ex-candidates and 30 Belarusian citizens were convicted for organizing this demonstration; hundreds were sentenced to administrative arrest; dozens of raids in the offices of parties, non-governmental organizations, apartments of politicians, journalists and civil society activists were carried out. The wave of repression that followed the presidential elections on 19 December 2010 has led to a dramatic deterioration of the situation of civil and political freedoms.

Shortly before the presidential elections in 2015 the situation of freedom of assembly has not changed for the better. The authorities continue to prohibit rallies, meetings and demonstrations in the vast majority of cases; the number of mass actions that the opposition can hold legally with the permission of the authorities does not exceed four or five meetings and pickets per year. After the official start of the election campaign, presidential candidate Tatiana Korotkevich nominated by the “People's referendum” has applied for holding a series of pickets in Minsk and other cities in order to form her initiative group. However, on each occasion the state authorities have refused the permission to hold such mass events.

The situation of freedom of speech in Belarus on the eve of the election is a major concern. In addition to previous restrictions on freedom of speech, which are traditionally being used by the Belarusian authorities and which make Belarus subject to criticism by human rights organizations, there were also some new restrictions introduced prior to the start of the election campaign.

Amendments to the law “On mass media” as of January 1, 2015, extended the responsibility of the mass media



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to websites, as provided by law, and also obliged the websites to keep track of comments that their visitors leave. The Ministry of Information has received the right to block access to online resources (including foreign ones) out of court. On the 18th of June, 2015, this new power was used in practice: kyky.org website was blocked (after removal of the disputed material access to the site was restored). Prior to this event, a number of websites have received inquiries from the Ministry of Information about the owners of web content (music website “A dozen hits”, the website of the United Civic Party, the website of “Radio Ratsiya”, the website of “Free region” and others.), which contained a warning about the responsibility for disseminating false information that could harm the state or public interests. These letters also informed that receipt of two or more warnings by the website during the year, as well as failure to comply with the requirements of state body regarding elimination of violations, may result in restriction of access to the corresponding website, but at the same time there were no specific violations mentioned in these letters which could explain the exact reason for receiving a warning.

On January 1, 2015, President’ Decree №6 “On urgent measures to combat drug trafficking”, which was signed on the 28th of December, 2014, also came into force. Among other things, the law affects the activity of “information resources located in the global computer network” and, as noted by the Belarusian Association of Journalists, it poses a threat to freedom of speech. In particular, the law establishes the obligation of the owners of Internet resources to monitor content; provides the ability to restrict access to information resources on the initiative of the Ministry of the Interior; introduces administrative liability of the owners of Internet resources for non-compliance with the directives of the Ministry of Information on removal of information materials aimed at promoting drug trafficking.

On the 19th of February, 2015, the Ministry of Communications and Informatization in cooperation with the Operating and Analytical Center under the President of Belarus have approved the “Regulation on the restriction of access to information resources (and their components), which are located in the World Wide Web”. This document provides the ability to block Internet resources, means of ensuring anonymity (proxy servers, anonymous networks like Tor and others.), which enable users of Internet services to visit Internet resources with restricted access. The right to appeal to court against the decision of the Ministry of information on blocking the website is not provided by the Regulation.

In contrast to the previous order, according to which restriction of access to websites added to the “black list” was mandatory only for public authorities, institutions of education and culture, the new order blocks access to websites from “black list” for all users of Internet in Belarus.

At the beginning of 2015 the regional newspapers “Intex-Press” (Baranovichy), “Gantsevichski Vremya” (Gantsevichi), “Borisovskie novosti”, “Reklamniy Borzhomi” (Borisov), “Gazeta Slonimskaya” (Slonim) and the national newspaper “Novoye Vremya” received warnings from the Ministry of Information for minor violations in publisher’s imprint. According to the Belarusian Association of Journalists, the Ministry of Information has issued a total of 27 warnings to 26 mass media organizations during the period between January and March 2015.

Another trend in restricting freedom of expression, same as before, is harassment of journalists who cooperate with foreign media and do not have the accreditation of Ministry of Foreign Affairs. According to the Belarusian Association of Journalists, the courts have fined the journalists for cooperating with foreign media on 26 occasions since the beginning of 2015, including 8 journalists who were prosecuted in a single month in June (there were only 10 such convictions over the whole year in 2014).

This practice of persecution of journalists of foreign media was continued in the course of the election campaign.



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Journalists Alexander Liauchuk, Konstantin Zhukovsky, Natalia Krivoshey have been convicted to an administrative fine during the first week of July; journalist Dmitry Lupach was fined on the 23rd of July; journalist Tatiana Samotkina was fined on the 28th of July. Same as before, it was not the content of the information materials, but the fact of their appearance in the foreign media that formed the basis for the application of sanctions against journalists under Part 2 of Article 22.9 of the Code of Administrative Offences. The total amount of penalties awarded to journalists in 2015 has already exceeded 137 million rubles.

2. Formation of Territorial Election Commissions

Legal regulation of formation of election commissions. According to article 27 of the Electoral Code, the following electoral commissions provide for preparation and holding of elections:

- 153 TECs (6 – in oblasts, 1 – in the city of Minsk, 118 – in rayons, 4 – municipal election commissions in the cities divided into districts, 24 – rayon election commissions in the cities divided into districts), nomination of candidates into which was conducted until the 19th of July 2015 inclusive, while the decisions on the establishment of these commissions were adopted by 22nd of July.
- precinct election commissions, nomination of candidates into which will begin after the establishment of polling stations and will run until the 23rd of August inclusive; the decisions on the formation of commissions shall be adopted by 26th of August.

According to part 2 of Article 34 of the Electoral Code, at least one third of the commission members must be representatives of political parties and other public associations. The commissions may not include judges, prosecutors, heads of local executive and administrative bodies. Civil servants should account for no more than 1/3 of the composition of commission.

Representatives of participants in the electoral process, which have nominated their candidates to the commission, have the right to attend the meetings of the bodies that form the commission.

The decision of bodies that formed the commission may be appealed in court by participants, which nominated their candidates to the commission, within three days from the date of corresponding decision. The court shall consider the complaint within a period of three days, and its decision shall be final and won't be subject to further appeal.

The amendments to the Electoral Code adopted in 2013 mostly did not have any impact on neither the procedure of formation of the TECs nor the procedure for the nomination of candidates for membership in the TECs.

At the same time, Article 35 of the Electoral Code has made it mandatory to specify the party affiliation of persons nominated to the election commissions of any level, regardless of whether the nominee was put forward by the party (public associations), labor collective or citizens who submitted an application.

State authorities in oblasts have made good use of their webpages for providing information regarding the place and time of the meetings on formation of TECs. However, state authorities in rayons and cities did not always use this opportunity in a proper manner – sometimes they were slow in publishing the information about the time and place of the meetings on the formation of TECs on their websites or even did not publish it at all. Participants in the electoral process, who nominated their candidates to the TECs, had the opportunity to attend the meetings of the local authorities on the formation of commissions in most cases. However, in some cases such opportunity was not provided to observers.

Websites of Vitebsk City Executive Committee and Grodno City Executive Committee misinformed the public about the time of filing nominations for TECs: the websites of these state authorities stated that documents of



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nominations for TECs will not be accepted on the last day (19th of July) allowed for their submission. This misinformation was corrected only after complaints of representatives of the Grodno city office of the Belarusian Popular Front Party to the CEC.

At the same time, on the 17th of July around 4:45 p.m. the representative of local office of BPF party in the city of Molodechno Olga Logvinovich was refused acceptance of documents for nomination of representatives of the party to the TECs – there was simply no one in the place to accept the documents. The official website of Regional Executive Committee in the city of Molodechno did not contain any information about the place and time of accepting the nomination documents, even though such information should be present on the website in accordance with p.2 of CEC resolution №22 as of 01.07.2015 “On informing the citizens about the work on preparation and holding of elections of the President of the Republic of Belarus in 2015”. But neither on the 17th of July (the day when the representative of the Belarusian Popular Front party failed to submit nomination documents) nor on the 19th of July (the deadline for submitting nomination documents) was such information present on the website. Later, the information about the already approved composition of the local TEC consisting of 13 people was placed on the website of the executive committee.

Table 1: Nomination and inclusion of representatives of different participants of electoral process in the composition of TECs

Subject of nomination	2010 Presidential Elections			2015 Presidential Elections		
	Nominated	Included	% of nominated	Nominated	Included	% of nominated
From citizens via submission of application	1077	670	62.20	1025	640	62.43
From labor collectives	427	330	77.28	308	216	70.12
From public associations:	1179	1000	84.81	1290	1060	82.17
<i>including the following:</i>						
Political parties:	193	120	62.17	242	149	61.57
Belarusian Agrarian Party	1	1	100.00			
Belarusian Leftist Party “Fair World”	36	5	13.88	39	4	10.25
Belarusian Social-Democratic Party “Gramada”	4	1	25.00	3	1	33.33
Belarusian Social-Sports party	1	0	0.00	4	2	50.00
Communist Party of Belarus	94	87	92.55	107	94	87.85
Liberal-Democratic Party	7	4	57.14	11	4	36.36
United Civil Party	24	6	25.00	10	3	30.00



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BPF Party	7	2	28.57	11	2	18.18
Republican Party	1	0	0.00	1	0	0.00
Republican Party of Labor and Justice	18	14	77.77	56	39	69.64
<i>Other civic associations:</i>						
Belaya Rus'	151	147	97.35	162	146	90.12
Belarusian Republican Youth Union BRSM	142	142	100.00	148	130	87.83
Belarusian Womens' Union	116	111	95.68	125	119	95.2
Belarusian Public Union of Veterans	103	95	92.23	127	107	84.25
FPB	269	234	86.98	287	241	83.97
<i>Other civic association :</i>	205	151	73.65	199	168	84.42
TOTAL	2683	2000	74.54	2623	1916	73.04

Thus, 63 representatives of opposition organizations were nominated to the TECs, but only 10 of them were eventually included in the composition of the TECs (or 15.87% of the total number of nominees). **The percentage of representatives of the opposition included in the composition of the TECs is even smaller than during the last presidential election in 2010** when 14 out of 71 nominees of the opposition were included in the composition of the TECs, which amounts to 19.71% of the total number of candidates nominated by the opposition. Thus, in spite of almost the same number of candidates nominated by the opposition during the two elections, the total number of opposition representatives in TECs has decreased as compared to previous presidential elections in 2010.

As noted by “Right to Choose-2015” campaign, restrictions on registration of public associations and political parties have played a largely negative role at the stage of nomination of candidates to the TECs. The right to nominate candidates to the commissions is provided for the organizational structures of parties and public associations (these entities are provided with a quota of no less than 1/3 of the composition of the commission). Therefore, those parties and associations that face refusals in registration are unable to officially apply for participation in the election commissions, and therefore they can not freely participate in the electoral process. For example, participant of “Right to Choose-2015” campaign – the Belarusian Christian Democracy - has repeatedly faced the refusals in registration (currently, the Ministry of Justice is examining the documents of the party, which is making its fifth attempt to register). Also, the authorities refused to register the local organizational structures of “Movement For Freedom”, BPF Party and other democratic associations (for example, through the repeated refusal to register the Grodno regional organization of the Party of the Belarusian Popular Front, this structure was deprived of the opportunity to nominate its candidate to the TEC of Grodnenskaya oblast).

Only 3 out of 25 candidates nominated by organizations-participants of “Right to Choose-2015” campaign (nominated on behalf of both organizations and by means of collecting signatures) were included in the composition of TECs: representatives of the Party of the Belarusian Popular Front Konstantin Smolikov and



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Dmitry Kaspiarovich were included in commissions of Vitebskaya oblast and the City of Minsk respectively; representative of Belarusian Social Democratic Party Nadezhda Shomchanka was included in the election commission in Zavodskoi district in the city of Minsk. Thus, only 12% of the nominated representatives of the “Right to Choose-2015” campaign were included in the composition of the TECs.

In most cases the refusals to include representatives of the democratic forces in the composition of commissions were not motivated in any way; the meetings of the bodies forming the commissions were conducted without debates on nominations, but instead came down to simply approving pre-prepared lists of candidates.

Only on rare occasions were the representatives of the opposition parties included in the composition of the TECs, while candidates nominated by parties and public associations loyal to the state authorities were approved in most cases. The newly formed TECs in most cases will work without the participation of representatives of opposition political parties, while representatives of political parties and public associations that support the current government, have obtained an absolute majority in the commissions. None of the TECs include more than one member of the opposition – those members of the opposition who were approved will work in the absolute minority in all TECs.

93.5% of TECs will work without any control by the opposition, since none of the nominated representatives of democratic parties and associations were included in their composition. Given the fact that according to the legislation the formation of election commissions is the prerogative of local authorities, state government flagrantly violates the principle of equality of rights of political parties and associations, regardless of their political orientation, to participate in the organization and conduct of elections as early as the first stage of the election campaign. The newly formed TECs are almost exclusively made up of members who are most loyal to the current state government and are ready to fulfill any of its orders. Under these conditions, the ability of the commissions in this format to ensure transparent and democratic electoral procedures as well as generally free and fair elections, while maintaining the equality of rights of all the presidential candidates, is in serious doubt. As early as the stage of formation of the TECs electoral campaign in Belarus follows its usual practice that prevents opposition parties and associations from participating in the work of the bodies ensuring the preparation and conduct of elections. This demonstrates the inequality of conditions in this election campaign; undermines the credibility of the election procedure from a community’s point of view and serves as the basis for the future distrust of the election results.

Appeals against decisions of the bodies, which formed the electoral commissions. The right to appeal against a refusal to include nominees in the composition of the TECs was exercised by the organizational structures of the Belarusian Left Party “A Just World”, the BPF Party and voters who nominated their candidates by means of collecting signatures of members of JEPU “Movement “For Freedom” and others. The hearings of cases were conducted in the courts of Brestskaya, Gomelskaya and Minskaya oblasts as well as in the court in the City of Minsk. None of the appeals have been sustained. Thus, the institute for court appeals against non-inclusion of nominees in the composition of election commissions in Belarus is just a pure formality and, practically, it can not be considered an effective way to revise the composition of election commissions.

It is worth noting that even prior to the stage of formation of the TECs there were signs of activity of executive authorities, which were preparing for the illegal vote manipulation. For example, the Executive Committee in the city of Gorodok announced the performance of work on “clarification of oral and written requests from voters who want to vote on the place of residence”. However, such requests of voters should be recorded and handled only by precinct election commissions, which have not been created yet.



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3. Registration of initiative groups and the start of collection of signatures in favor of nominations

Registration of initiative groups. The procedure for nomination of presidential candidates is governed by Article 61 of the Electoral Code, which provides that the nomination of presidential candidates is carried out by initiative groups that must collect at least 100,000 signatures in favor of the nomination.

Following the appointment of the election by the decision of the House of Representatives of the National Assembly on June 30, 2015, initiative groups had time until the 17th of July for submission of a list of the initiative group, which should include at least 100 people, to the CEC. There was an innovation as compared to the previous elections that required indication of passport series and number of each member of initiative group. It seems that this innovation could have a negative affect on the size of initiative groups during the elections in 2015, which were significantly smaller as compared to previous election campaigns.

A total of 14 applications for registration of initiative groups were submitted to the CEC (one more application was submitted after the deadline for receiving applications for the registration of initiative groups).

Yuri Shulgan, who planned to be nominated as a presidential candidate supported by the Belarusian “Greens” party, could not apply for registration of the initiative group because on the 17th of July he was not allowed into the premises of the CEC and was detained by police right at the entrance. The potential presidential candidate was accused of appearing in public place while being under the influence of alcohol. The politician has spent two days in pretrial detention facility prior to conduct of hearing in court and eventually lost the opportunity to apply for registration. On the 20th of July the Moscow district court in the city of Minsk imposed a fine on Yuri Shulgan and the head of his election campaign team Mr.Konovalchik amounting to 30 minimum official wages for hooliganism (which manifested in the actions of these persons after their arrest). It should be noted that arbitrary arrest on charges of hooliganism is one of the most common ways of legalization of arbitrary detentions used by the authorities of Belarus for the purpose of isolation and imprisonment of their political opponents.

The CEC has adopted a decision to register 8 initiative groups representing the following presidential candidates: Alexander Lukashenko (president in office), Sergei Kalyakin (Belarusian Left Party “A Just World”), Sergei Haidukevich (Liberal Democratic Party), Tatiana Korotkevich (member of the Belarusian Social Democratic party (Hramada), whose nomination is supported by the “Tell the Truth” campaign and the BPF Party), Anatoly Lebedko (United Civic Party), Victor Tereshchenko (non-partisan), Zhanna Romanovskaya (non-partisan) and Nikolai Ulakhovich (Belarusian Patriotic Party). The rest of the initiative groups were denied registration for various reasons: failure to comply with the established minimum size of the initiative group as provided by law, submission of application by mail, nonresidency in Belarus over the past 10 years.

Table 2. Registration of initiative groups for nominating Presidential candidates

Year of Elections	The Number of Applications Submitted for Registration of Initiative Groups	The Number of Registered Initiative Groups
2001	26	22
2006	8	8
2010	19	17
2015	14	8

The refusal to register the initiative group for nominating Nikolai Statkevich stands out among the other refusals due to its political motivation. His initiative group included more than 1,700 people. However, the CEC



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refused to register the initiative group for two reasons: 1) Nikolai Statkevich is currently behind bars, while persons held in State custody do not have the right to participate in elections according to Article 4 of the Electoral Code; 2) the application for registration of the initiative group was signed and filed by the head of the initiative group Marina Adamovich (N. Statkevich's wife), while Article 61 of the Election Code provides only for submission of the application through a representative, and the application itself must be signed personally by the nominee.

The members of the initiative group did not agree with this decision and appealed to the Supreme Court, but the Court refused to consider the appeal. The reason for refusal was also the absence of personal signature of imprisoned politician under the appeal to the court.

Nikolai Statkevich, presidential candidate for the 2010 elections, is currently serving his sentence in prison. In May 2011, he was convicted of organizing mass riots in Minsk on the night of 19-20 December, 2010, during the mass protests against electoral fraud and eventually sentenced to 6 years in prison. He was later recognized as a political prisoner and a prisoner of conscience by the Belarusian human rights community and the international community.

As a result of politically motivated illegal conviction, Mikalai Statkevich was deprived of the opportunity to be nominated as a presidential candidate. However, the ban on registration of a prisoner as a candidate can not be a valid ground for refusing registration of the initiative group: according to the norms of the Election Code, the issue of compliance of nominated person with the criteria, which are mandatory for nomination, should be considered at the stage of registration of a candidate after the end of the stage of collecting signatures. Thus, the eligibility or ineligibility of Nikolai Statkevich to be nominated as candidate should not influence the decision on registration of the initiative group.

Determination of places prohibited for picketing in order to collect voters' signatures was completed according to the schedule of the electoral campaign before the 17th of July. According to the research of observers-participants of "Right to Choose-2015" long-term campaign, the local authorities did not establish excessive restrictions for initiative groups when determining the places prohibited for collection of signatures in most cases. However, in some cities the list of places, in which the collection of signatures is prohibited, includes the most populous areas. In Minsk, the underground crosswalks were added to the list of places forbidden for collection of signatures as compared to the elections in 2010. Local authorities were not guided by the unified principles when determining the places prohibited for collection of signatures; criteria for determining prohibited places were different in each city.

Working environment of initiative groups and active members of initiative groups

Collection of signatures will be taking place from the 23rd of July to the 21st of August. The following initiative groups have joined the activity concerning collection of signatures:

Table 3. Quantitative composition of initiative groups

№	Name of the person nominated as a candidate	Number of members in the initiative group
1	Aleksandr Lukashenko	10577
2	Sergei Haidukevich	2481
3	Tatiana Korotkevich	1993
4	Sergei Kalyakin	1510
5	Nikolai Ulakhovich	1426
6	Anatoly Lebedko	977



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7	Victor Tereshchenko	946
8	Zhanna Romanovskaya	110

Observers-participants of “Right to Choose-2015” long-term campaign have reported that all initiative groups with the exception of initiative group of Zhanna Romanovskaya are collecting signatures by means of picketing. There were only a few pickets of initiative group of Nikolai Ulakhovich recorded.

There were numerous cases of obstructing the work of the initiative groups for collection of signatures recorded. In Brest, on the 23rd of July the activist of the United Civic Party Alina Lytvynchuk was detained directly at the train station right after arrival from Minsk, while she was carrying the accreditations of members of the initiative group of the leader of the United Civic Party Anatoly Lebedko. Consequently, the initiative group for nominating Anatoly Lebedko as a candidate in Brest was forced to delay the beginning of collection of signatures due to the absence of accreditations.

On the 24th of July, member of the initiative group of Anatoly Lebedko was not allowed to collect signatures for the nomination of the leader of the United Civic Party as a presidential candidate by security guards of Zhdanovichi market in Minsk rayon.

Observers from Gomelskaya oblast reported that employees of the “Belorusneft” company have refused to put signatures for opposition candidates on the grounds that the company's administration threatened them with dismissal for such an act.

On the 27th of July in the city of Molodechno Valentin Tishko, who is a member of the initiative group of Tatiana Korotkevich, was briefly detained by police patrol and taken to the police station in Molodechno. After the end of investigation Valentin Tishko received apologies. On the 29th of July a hooligan attack on the pickets in support of Tatiana Korotkevich took place in the city of Novopolotsk. As a result of the incident, a report was filed to the police department and the municipal commission on elections. Similar acts of hooliganism were committed during pickets against activists collecting signatures in favor of Anatoly Lebedko in the city of Grodno on the 3rd of August. Unidentified men tried to prevent the collection of signatures by the initiative group of Tatiana Korotkevich on the 1st of August in the city of Brest on Sovetskaya street during the celebration of the City Day.

On the 27th of July, Tatiana Korotkevich was banned from organizing and making a bike ride from one picket collecting signatures in the city of Minsk to another by the executive committee of Minsk: the authority explained that this bike ride will be interpreted as an ineligible mass event and its participants will be brought to administrative responsibility.

On the 29th of July in the city of Minsk, a famous Belarusian musician and writer Leonid Zubaravaza was detained by police for treating to ice-cream the activists of the United Civic Party who were collecting signatures.

The use of administrative resources; violations of the initiative group of Lukashenko

According to article 61 of the Electoral Code, participation of administrations of organizations and companies in the process of collecting signatures, as well as coercion in the process of collecting signatures and giving rewards to the voters for signatures are not allowed. Failure to do so may provide grounds for refusal of registration of a presidential candidate. This provision of the legislation is being massively violated by the initiative group for nominating Alexander Lukashenko.

Signatures for nominating A.Lukashenko as presidential candidate are collected in pickets decorated by the emblems of Federation of Trade Unions of Belarus, the Belarusian Republican Youth League and the Communist Party of Belarus. It should be noted that these organizations are funded by the state using national



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and local budgets: for example, 43 billion rubles were allocated in the national budget-2014 for funding the Belarusian Republican Youth League. Moreover, these organizations enjoy preferential rates when renting premises of state property.

According to reports of the “Human Rights Defenders for Free Elections” campaign, members of staff of secondary school №5 in Krichev, “Krichevsky State Vocational College of Agronomy”, “Krichevsky plant of rubber products” were ordered to bring their passports and put their signatures in support of A.Lukashenko. Similar actions were performed by the administration of the affiliated branch of OJSC “BelAZ” – “Mogilev S.M.Kirov Autoworks”, “Mogilev Regional Diagnostic and Treatment Center” and others. The administration of Electromechanical Plant in Brest organized collection of signatures among employees in favor of A.Lukashenko during the working time. According to employees of the “Mogilevkhimvolokno” company (Mogilev), the administration of the enterprise has been organizing collection of signatures in favor of A.Lukashenko during the working time starting from the 23rd of July; moreover, the signatures were not collected by the authorized members of the initiative group. On the 27th of July, the physician of municipal polyclinic №6 in the city of Grodno during her visit to the patient tried to convince the latter to sign up for the nomination of A.Lukashenko. On the 29th of July, journalists and human rights activist Victor Odinochenko have identified 12 persons in the secondary school №27 in the city of Homel who were sitting near the director's office and holding their passports in their hands. They explained that they came here “to elect the President”. Member of staff of employment center in the city of Soligorsk has demanded in a commanding tone that the visitors should sign up for nomination of A.Lukashenko. In the town of Mikoshevichi participation of administration in the process of collecting signatures in favor of A.Lukashenko was recorded in the district hospital and “Granite” enterprise. In the town of Berezovka in Lidskiy district, the Head of section in Housing Maintaining Service ordered his subordinates (who are not members of the initiative group) to collect at least one signature each and 16 signatures in total in favor of for A.Lukashenko. In Minsk, the administration of the “Atlas” plant for production of refrigerators has organized collection of signatures for nomination of Alexander Lukashenko with the involvement of masters of workshops. In the city of Zhodino a case was recorded when collectors of signatures in favor of A.Lukashenko allowed the voters to put their signatures on behalf of other voters.

State-owned media in their publications pay special attention to the pickets collecting signatures in favor of A.Lukashenko and describe them only in a positive way. The collection of signatures in favor of other candidates is rarely reported and is described in a neutral or negative way. TV program “Yak èsts” and its anchorman Alexei Mihalchenko, broadcasted on state TV channel ANT, is one of such examples. The program dedicated airtime on TV to Anatoly Lebedko and harshly criticized his work.

Representatives of the Party of the Belarusian Popular Front appealed to the CEC with the complaint, in which they demand to issue a warning to the initiative group of A.Lukashenko: the initiative group of A.Lukashenko composed of the members of the pro-government Communist Party of Belarus distributed printing publications in favor of its nominee near the supermarket “Centralniy” in Minsk where initiative groups of other candidates are collecting signatures by picketing, despite the fact that distribution of any printed materials to voters is prohibited during the stage of collecting signatures.

Detailed information and evaluation of environment for collecting signatures will be presented by “Right to Choose-2015” campaign in a separate report at the end of the stage of nomination of candidates.