

ELECTIONS OF PRESIDENT OF REPUBLIC OF BELARUS

October 11, 2015

CAMPAIGN «HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS»

ANALYTICAL REPORT ON RESULTS OF OBSERVATION

CONCLUSIONS

Presidential elections started in 2015 in an environment that was extremely unfavorable to the holding of free and democratic elections: political prisoners were still held in penitentiary institutions, systemic harassment of independent journalists persisted.

A positive tendency became visible after the release of political prisoners in August 2015: there were more opportunities for exercising civil and political rights during the electoral campaign, the authorities created no obstacles to the collection of signatures for nomination of presidential candidates and campaign events.

The Belarusian authorities did not use repression and arrests during mass events that were held by a part of the the opposition outside the electoral legislation. However, even the administrative punishment of the organizers of such events in the form of heavy fines violates the right to peaceful assembly, guaranteed by international instruments.

Nevertheless, **the election process did not meet a number of key international standards for democratic and free elections.** This was due to the lack of equal access to the media for all candidates, the lack of impartiality of election commissions, use of administrative resources in favor of the incumbent, numerous facts of coercion of voters to participate in early voting, the closure of some election procedures for observers.

The most important reason for criticism is the lack of transparency of the vote count, which does not allow to consider the election results as a reflection of the will of voters.

Election Commissions

The adverse discrimination of representatives of opposition parties on the part of the state bodies forming the election commissions was evident during the process of their formation. The total number of representatives of opposition parties at the TECs was 10 people, or 0.5% of the total number of members of TECs; their number in the PECs was 31 people, or 0.046% of members of the PECs, which is five times less than in the previous presidential election.

The absence of legally determined criteria for the selection of members of commissions of all levels among the nominated persons provides for the possibility of arbitrary approach to their formation. The absence of such criteria also makes ineffective the EC provision regarding the possibility of the court review of the non-inclusion of nominees to election commissions.

The small number of representatives of political parties in the TECs reflects the specifics of the Belarusian political model in which the main political actors in the election campaigns are

representatives of pro-government associations and labor collectives.

Nomination and Registration of Candidates

Documents for registration were filed by 15 initiative groups of citizens for nomination of presidential candidates, the CEC registered eight of them. Decisions of local executive bodies on the prohibition of certain places for collecting signatures for the nomination of candidates did not significantly limit the opportunities of the the initiative groups in public places, but in many cases weren't dictated by the requirements of security and public order.

The authorities did not impose significant restrictions on the collection of signatures, but the role of the executive vertical of power and the administration of state enterprises continued to be very large. The collection of signatures for the nomination of Aliaksandr Lukashenka as a presidential candidate was accompanied by an active use of administrative resources: it was carried out in the workplaces, at enterprises and institutions, often with the direct participation of administrations of these enterprises and institutions.

Non-transparent procedures for verification of signatures and documents give grounds to consider the results of registration as politically motivated. The CEC registered four persons as presidential candidates of the Republic of Belarus: A. Lukashenka, T. Karatkevich, S. Haidukevich, M. Ulakhovich.

Campaigning

The elections didn't become a significant social and political campaign for the Belarusian society, and didn't attract much attention of the electorate. The lack of visual campaigning for presidential candidates is apparently due to the low activity of some candidates, as well as the cessation of the state financing of the production of information materials.

Favorable conditions for electoral campaigning were created in a number of cities, including the capital. At the same time, many observers in the regions say that the local authorities determined completely unsuitable places for campaign events.

The main actors of the electoral process were the incumbent president and the Central Election Commission. A. Lukashenka was beyond competition in the allotted air time and newspaper space.

The administrative resources were actively used in favor of the incumbent president. Pro-government public organizations, funded from the budget, (Federation of Trade Unions of Belarus, Belarusian Republican Youth Union and others) actively carried out socio-political activities under the characteristic symbols and in the context of the election program of the incumbent president, which was identified in the minds of citizens with the support of his electoral campaign. These activities were not financed from the election fund of the candidate, which is a violation of the established order of electoral campaigning.

Early Voting

According to the information of the Central Election Commission, early voting was attended by 36.05% of voters - the largest number compared to the previous presidential campaigns of 2001, 2006 and 2010. In fact, early voting has become a norm, which does not meet the requirements of the EC.

During the early voting, observers of the campaign "Human Rights Defenders for Free Elections" registered numerous cases of coercion of citizens to participate in it on the part of management of enterprises and universities. It repeated the negative practices of previous election campaigns.

Cases of overstatement of turnout were registered at many polling stations. According to the information received from our observers at 144 polling stations, the general turnout during the five days of the early voting was 6.2% smaller than the official number. At some polling stations the registered discrepancy in the turnout was more than 50%.

The practice of early voting remains one of the systemic problems of the electoral process, creating opportunities for the use of administrative resources and all kinds of manipulations on any scale. In this regard, the ODIHR recommendations regarding changes to procedures for early voting remain relevant.

Voting at Places of Residence of Voters

The existing procedures for voting at the places of residence of voters present opportunities for manipulations, too. Observers can not verify whether a voter has really applied for home voting, since the law allows to request this procedure both orally and in writing.

There were registered cases when voters hadn't appealed for home voting and stated it to the members of the PECs who came to their homes with ballot boxes. Sometimes observers weren't given information about the number of voters who had been included in the list for voting at the place of residence. It has been repeatedly noted that the number of electors who had voted at the place of residence didn't match the number of the ballots that were used for it.

Voting at Polling Stations and Vote Counting

The election law does not prescribe a method of counting ballots by the precinct election commissions: It does not apply a clear procedure in which a score on each ballot has to be announced aloud and demonstrated to all present PEC members and observers.

The counting of votes at polling stations largely repeated negative practices during the vote counting. More than a half of the observers could not freely observe the counting. In 76.9% of cases the observers could not see the content of ballots. Only 12.2% of complaints filed by observers were considered at the meetings of the PECs.

INTRODUCTION

The campaign "Human Rights Defenders for Free Elections" is an independent and politically unbiased joint initiative of the Human Rights Center "Viasna" and the Republican human rights

public association "Belarusian Helsinki Committee".

The aim of the campaign "Human Rights Defenders for Free Elections" is the observation of elections of President of the Republic of Belarus, assessment of the electoral process from the viewpoint of Belarusian electoral legislation and international standards of free and democratic elections, as well as informing the Belarusian public and international community about the results of the monitoring.

55 long-term observers of the campaign monitored the elections since their beginning. The observers were present at the number of TECs that cover more than 70% of the voters of the country. The results of processing of the weekly reports of the observers were distributed in the form of weekly reports of the company and preliminary reports on various stages of the elections.

During early voting and election day, monitoring was conducted by 450 short-term observers at 400 polling stations throughout the country. Their reports were processed daily, which allowed to identify common trends in the organization of the electoral process and to establish the level of violations of the EC.

CONDITIONS OF OBSERVATION

International observation in Belarus has traditionally been represented by the observation mission of the Parliamentary Assembly of the CIS, the International Mission of the OSCE ODIHR, the mission of the Parliamentary Assembly of the Council of Europe and representatives of the diplomatic corps in Belarus. Small missions of international observation were also sent by the Parliamentary Assembly of the OSCE and the Shanghai Organization for Cooperation.

Apart from the campaign "Human Rights Defenders for Free Elections", the observation was also implemented by the campaign "Right to Elect-2015", which brought together eight political parties and movements and can be regarded as observation on part of opposition political parties and movements. One more campaign, "For Fair Elections", was held by representatives of two more oppositional political subjects.

Some pro-government associations and political parties (Bielaja Ruś, Belarusian Republican Youth Union, the Belarusian Union of Women, the Federation of Trade Unions of Belarus, and others) also declared that they monitored the presidential election in Belarus, but the results of their work were not presented to the public.

In the process of election monitoring observers of the campaign "Human Rights Defenders for Free Elections" faced pressure from the authorities, election commission refused to provide them with information, they were removed from polling stations. We should also note separately the groundless ban on taking photos and videos at polling stations, as well as cases of counteraction to opposition observers during the calculation of voter turnout.

The campaign "Human Rights Defenders for Free Elections" filed an inquiry to the Central Election Commission regarding the procedure of deprivation of observers from accreditation. According to the explanation of the CEC, an observer who has been deprived of accreditation cannot be accredited at the same commission once again. The explanation of the CEC is contrary

to Art. 13 of the EC, as well as to CEC's own Rulings No. 10 and No. 11 for May 14, 2015.

LEGAL FRAMEWORK

The presidential elections were appointed by a Ruling of the House of Representatives of the National Assembly of the Republic of Belarus on May 30, 2015 to October 11, 2015. Presidential elections are regulated by the Constitution of the Republic of Belarus, the Electoral Code of the Republic of Belarus, rulings of the Central Election Commission of the Republic of Belarus, rulings of local authorities.

The OSCE has repeatedly noted the "numerous and significant shortcomings" of the Code and provided recommendations for its improvement. In addition, in 2007 and 2008 the UN General Assembly insistently urged Belarus to "bring the electoral process and legislative framework into line with international standards and eliminate the shortcomings of the electoral process".

According to the Constitution and the Electoral Code, "the elections of the President shall be appointed by the House of Representatives no later than five months and shall be held no later than two months before the expiration of the term of office of the previous President".

In the early days of the campaign the Central Election Commission adopted a package of regulations and other documents on the organization and preparation of the elections, which is not significantly different from the one that had been adopted before the elections in 2010.

The CEC did not accept the proposals, the implementation of which would contribute to the transparency and fairness of the electoral process. These proposals include the publication of the election results for each polling station in the country, issuance of a certified copy of the final protocol to the observers and guaranteeing a transparent vote count. These changes were requested by the campaign "Human Rights Defenders for Free Elections" with the justification that they did not require changes in the EC, but only improving its practical application, which was entirely within the powers of the CEC. CEC unreasonably rejected the proposals of the independent observers.

Presidential elections in 2015 are the first ones that were held after the changes introduced in the EC in 2011, 2013 and 2015. The main changes are:

- Candidates for President of the Republic of Belarus received the right to create their own electoral funds to finance the additional costs of campaigning in the amount of not more than 9,000 basic units, since the moment of registration of the initiative group of the respective candidate;
- there was introduced administrative liability for the call to boycott the elections;
- it was prohibited to register the initiative groups for the nomination as presidential candidates the persons who were in custody or were serving sentences involving deprivation of liberty.

Changes and additions to the EC are mostly negative, compared with the changes of 2010, and do not take into account the recommendations of the OSCE experts, national independent observers and the opposition parties in Belarus. Many recommendations weren't implemented, including the measures to increase the transparency of the electoral process. The norms that would provide a public and transparent vote counting, weren't introduced, as well as the obligation of the secretary of the election commission to issue a copy of the protocol on voting results to those who are entitled to be present during the counting of votes at the polling station.

Thus, the shortcomings of regulations of the procedures of the electoral process that are most suitable for fraud and abuse, remain intact.

A positive moment is Ruling of the Central Election Commission of the Republic of Belarus No. 26 of July 1, 2015 "On creation of additional conditions for voting of voters with visual impairment during the election of the President of the Republic of Belarus".

ELECTION COMMISSIONS

The CEC acts on a permanent basis, and includes 12 members, six of whom are appointed by the President, and 6 others are chosen by the Council of the Republic of the National Assembly out of the candidates recommended by the presidia of the regional councils, Minsk City Council and the regional executive committees and Minsk City Executive Committee. Only three members of the current composition of the CEC are not civil servants. Thus, the order of formation of the CEC and its composition, as well as numerous manifestations of loyalty to the incumbent president on the part of its chairperson and members suggest that the CEC is not an independent body.

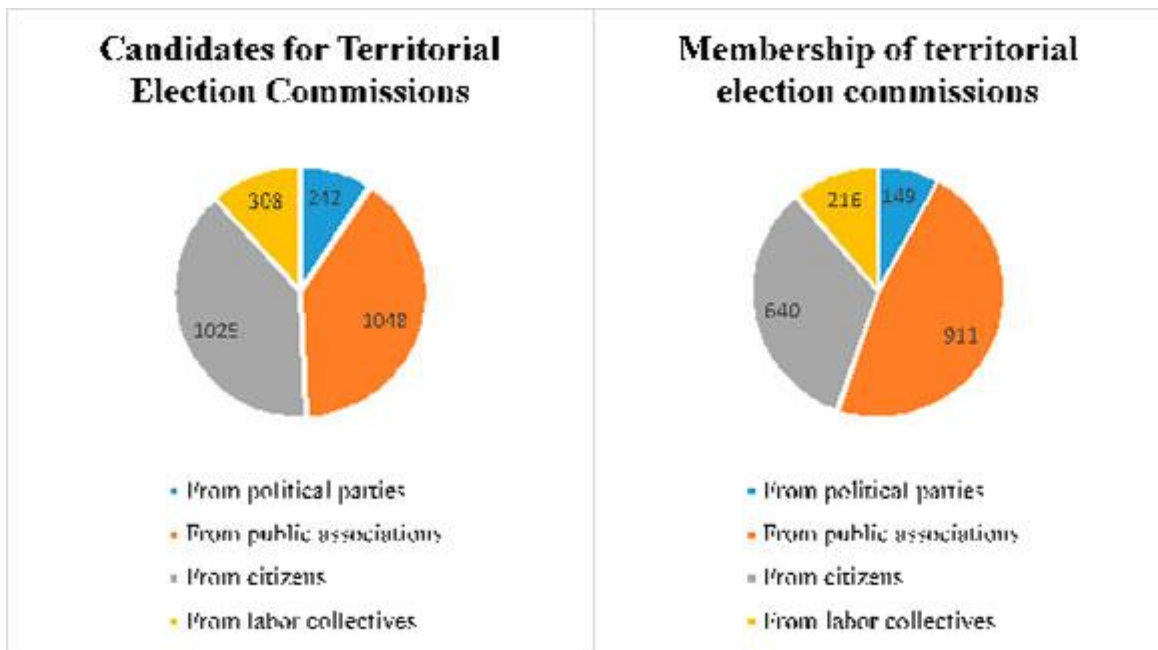
TERRITORIAL ELECTION COMMISSIONS

According to the electoral legislation, the TECs are formed by executive committees and administrations of city districts. All of them are a part of the power "vertical" of the incumbent President, as well as the the local councils, elected in the course of the local elections in 2014 that weren't free and fair.

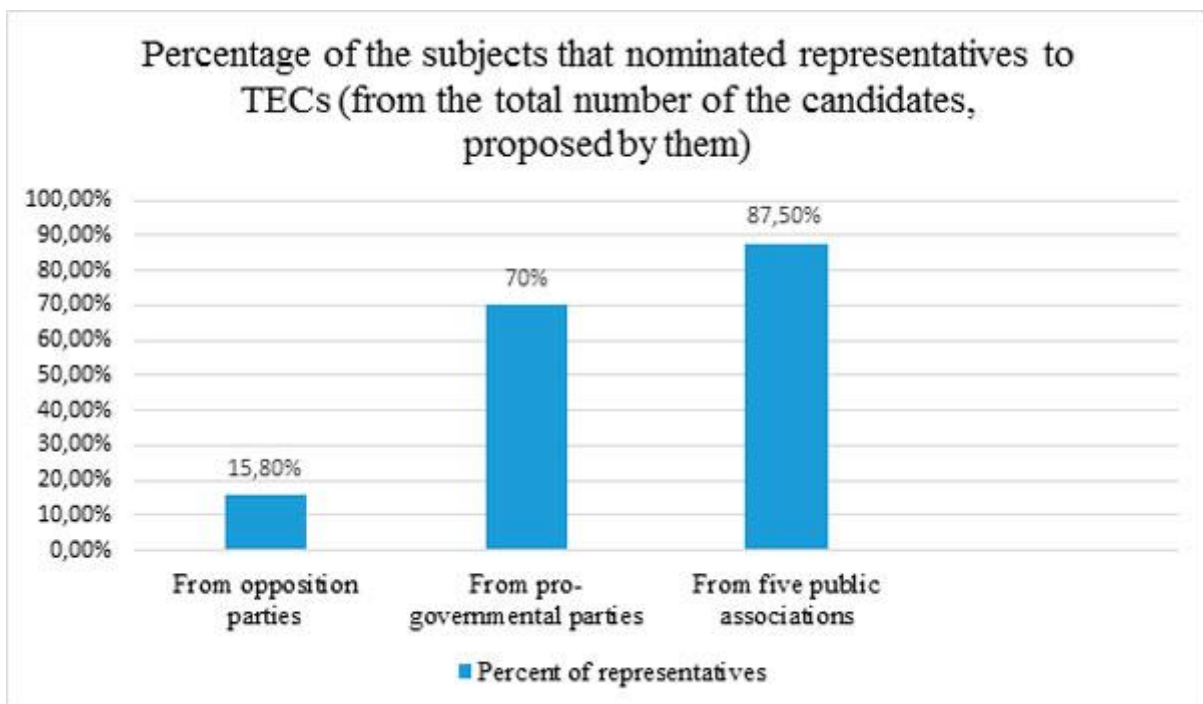
The nomination of the candidacies for the membership in the TECs by political parties, public associations, labor collectives and citizens' groups was free. According to the CEC, there were nominated a total of 2,623 candidates.

The sittings of the bodies that formed the TECs were sometimes held in the conditions of lack or absence of information about their time and place. In some regions (almost the whole Viciebsk region) – in the conditions of restricted access for observers. These sittings were of a purely formal nature and were actually reduced to uncontested adoption of the lists of members of commissions, composed by the local authorities on the eve of the sittings.

Representatives of political parties constituted a small part of the nominees for the TECs, 9.2%. One-third of candidacies to the TECs were nominated by representatives of five pro-governmental public associations: "Bielaja Ruś, Belarusian Republican Youth Union, Federation of Trade Unions of Belarus, Belarusian Union of Women and Belarusian Public Association of Veterans.



The CEC formed 153 territorial election commissions with 1,916 members. 10 out of 63 representatives of opposition parties, were included in them, which is 0.5% of the total membership in the TECs. The “inclusiveness” of members of opposition political parties is 15.8%, of pro-governmental political parties – 70%, of the aforementioned five public associations – as high as 87.5%.



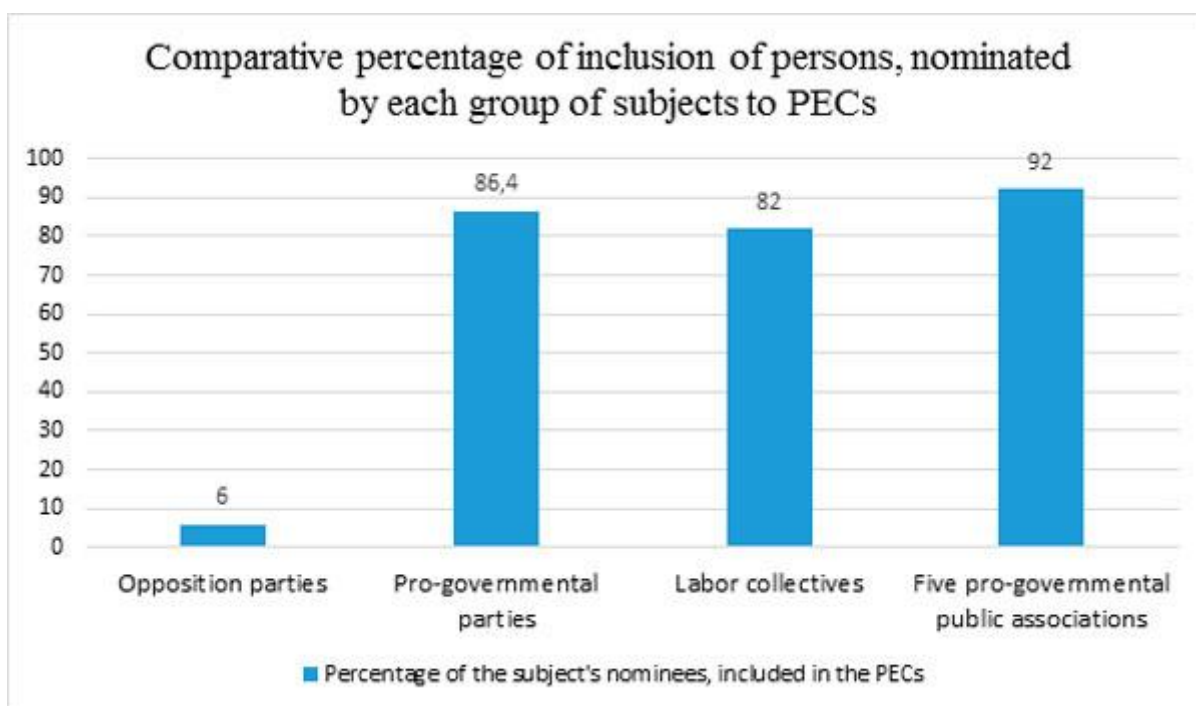
As a rule, the commissions include 2-4 civil servants, including members of the executive committees and administrations – the bodies that had formed them. The rest are representatives of pro-governmental public organizations, budget organizations, and heads of state-owned enterprises.

PRECINCT ELECTION COMMISSIONS

6,080 precinct election commissions were formed for the current election campaign. Parties nominated only 3,826 out of 76,719 nominees for membership in the PECs, 515 of whom were nominated by opposition parties.

There weren't registered any cases of refusal of the state bodies to accept documents for the nomination of representatives to PECs. All interested parties were able to submit the necessary documents and were informed about the time and place of their reception. The sittings of the executive committees and local administrations to form the PECs took place in conditions of relative openness to observers, but were extremely formal. In most cases they were confined to a quick and uncontested adoption of the lists of members of commissions that had been prepared on the eve of the sittings behind closed doors.

66,941 people were included in 6,080 on the territory of Belarus. Only 31 out of 515 nominees of political parties (6%) were included, whereas in 2010 this figure was almost thrice larger and amounted to 17.1%). At the same time, 86.4% of nominees of loyal political parties were included in the PECs, whereas for representatives of Bielaja Ruś, Belarusian Republican Youth Union, Federation of Trade Unions of Belarus, Belarusian Union of Women and the Belarusian Public Association of Veterans the number was even higher, 92%.



As a result, representatives of opposition parties constituted only 0.046% of the total number of PEC members (in 2010 it was 0.25%) in less than 0.5% (in 2010 - 3%) of PECs. The majority of other PEC members also worked in PECs during previous local, parliamentary or presidential elections. The observers noted numerous cases of the formation of PECs of representatives of one labor collective and the appointment of the heads of these collectives to the governing positions in the commissions.

Thus, the formation of TECs and PECs had almost no differences from a similar process during previous presidential, parliamentary and local elections. In terms of compliance with national legislation, this process took place without major violations, but the results leave no opportunities to consider the formed commissions as impartial and unbiased.

NOMINATION AND REGISTRATION OF CANDIDATES

The stage of the nomination and registration of presidential candidates includes the determination of places prohibited for pickets held for collecting signatures in support of the nomination of candidates; registration of initiative groups; collecting signatures of voters, verification of signatures in the signature sheets; registration of candidates for President of the Republic of Belarus.

The local authorities defined the places where it was prohibited to hold pickets for collecting signatures in support of the nomination of candidates. The appropriate rulings of the local executive bodies were not significantly different from the ones that were adopted during the previous presidential election campaign. They did not significantly limit the activities of the initiative groups in public places, but many of the imposed prohibitions were not caused by the requirements of security and public order, which resulted in an arbitrary restriction of rights many participants of the electoral process. Local authorities in fact demonstrated a lack of a unified approach to the rights of participants of the electoral process: some tried to expand them, whereas others left the restrictions unchanged.

Documents for the state registration were filed by 15 initiative groups of citizens established for nomination of presidential candidates. CEC registered eight initiative groups (the groups of A. Lukashenka, S. Kaliakin, S. Haidukevich, T. Karatkevich, A. Liabedzka, Zh. Ramanouskaya, Uladzimir Tsiareshchanka and M. Ulakhovich). Refusals to register initiative groups were justified by norms of the electoral legislation.

For registration of a candidate, his/her initiative group had to collect at least 100,000 signatures. The collection of signatures was carried out either by initiative groups of voters by visiting the voters' apartments and houses, or by means of outdoor pickets in the places that were not prohibited by local authorities. The authorities did not put significant restrictions on the collection of signatures, but the role of the executive vertical of power and the administration of public enterprises in the electoral process was still very large. The collection of signatures for nomination of A. Lukashenka as a presidential candidate was accompanied by the active use of administrative resources: it was conducted during business hours on the territory of enterprises and institutions, often with the direct involvement of the administration of enterprises and institutions.

TECs were reluctant to contact with observers almost everywhere, with a few exceptions. Observers were not allowed to attend the reception and verification of signature sheets. Absolute non-transparent procedures for verification of signatures collected for nomination of presidential candidates cause mistrust in the results of verification.

The documents for the registration as presidential candidates were filed by Aliaksandr Lukashenka, Tatsiana Karatkevich, Siarhei Haidukevich, Mikalai Ulakhovich, Zhana Ramanouskaya and Viktor Tsiareshchanka. Only A. Lukashenka, T. Karatkevich, S. Haidukevich and M. Ulakhovich were registered as presidential candidates.

PRE-ELECTORAL CAMPAIGNING

The presidential candidates did not face with significant violations of their rights during the electoral meetings with voters. However, the rulings on defining the places for campaign events,

taken by the local authorities, demonstrated the absence of a uniform approach. Relatively favorable conditions for campaign events were created in a number of cities, including the capital. At the same time, many observers in the regions say that the local authorities determined completely unsuitable places for campaigning.

Regulation "On the electoral fund of a person nominated as a candidate for the President of the Republic of Belarus, candidate for President of the Republic of Belarus during the presidential elections in Belarus in 2015" does not provide for the possibility of public scrutiny of sources of the financial means used for the establishment of the electoral fund. The legality of the formation and spending of the fund is assessed only by the financial authorities and the CEC.

The campaign activities of T. Karatkevich were quite notable, while the campaigns of M. Ulakhovich and S. Haidukevich went almost unnoticed. The main actors of the electoral process were the incumbent president and the Central Election Commission. A. Lukashenka was beyond competition in the allotted air time and newspaper space.

Campaign events with the participation of the proxies of candidate Lukashenka were actively organized: meetings in labor collectives, visits to enterprises, educational institutions, etc. These meetings are always attended by the heads of central and local authorities, enterprises and institutions. The main purpose of these events was to urge the country's citizens to support the country's political course and take part in the elections. State-run media widely covered the actions of pro-government public organizations who expressed their support for the incumbent President.

EARLY VOTING

Early voting was conducted from 6 to 10 October from 10.00 a.m. to 4.00 p.m. and from 4.00 p.m. to 7.00 p.m. According to Art. 53 of the EC, a voter who can not vote on election day can do it at the polling station not earlier than five days before the election day. The voter doesn't need to confirm the impossibility of voting on the election day.

Thus, the procedure of early voting is an exception rather than a rule, and can be used only by those who are not able to stay at place of their residence on the election day. However, according to the long-established practice in the country, the early voting has turned into a norm, which doesn't meet the requirements of the EC.

Early voting during this year's elections didn't become an exception. According to the CEC, 36.05% electors voted during the five days of early voting, which is the highest percent compared to the previous presidential elections of 2001, 2006, 2010. Given that the turnout for the elections was 86.75%, early voting was attended by 41.5% of those who voted.

Observers of the campaign registered facts of overstatement of the turnout at many polling station, which amounted to 6.2% at 114 polling stations at which the observation was conducted (in 2010 - 2.8%). At some polling stations the discrepancy between the observers' calculations and the PECs' numbers reached 50%.

We registered numerous cases of coercion of voters to participate in early voting by the administrations of public enterprises, universities and hostels. It repeated the negative practices of previous election campaigns.

VOTING AT PLACES OF RESIDENCE OF VOTERS

Voting at the place of residence of a voter is organized on an oral or written request of the voter who cannot come to the polling station. The voter doesn't need to explain the reasons or provide any documents proving his inability to come to the polling station. PEC creates a special list of voters for this kind of voting and receives the ballots for them. The number of the ballots must correspond to the number of the voters on the list. The inscriptions “voted at the place of residence” are put opposite the surnames of such voters in the main list of voters. The special ballot box for voting at the places of residence is carried by at least two members of the PEC who receive in advance the number of ballot that corresponds to the number of voters who expressed the wish to vote at the places of their residence and were therefore introduced in the corresponding list. A PEC should have no more than three portable ballot boxes for the organization of voting at the places of residence.

This type of voting is traditionally criticized by independent observers, as the existing procedure allows for various kinds of manipulations at any scale. Observers can not establish whether a voter has really applied for voting at home, as according to the law requests for home voting can be made both orally and in writing. Observers aren't always able to observe this kind of voting, including due to refusals of PEC members to provide them with such an opportunity.

During the observation of home voting there were recorded cases when voters had not requested the organization of such voting and stated it to the PEC members who came to them with the ballot box. Sometimes the number of the voters who voted in the place of their residence didn't match the number of the ballots that were allegedly used for it.

VOTING AT POLLING STATIONS AND VOTE COUNTING

The voting process at the polling stations has been traditionally organized at a high technical level and in general was held in conformity with the election procedures. It is important to note that the closeness of the voter lists for the observers makes it impossible to exercise a public control over the issuance of ballots and the turnout of voters.

The main principle for ballot counting is the separate counting: at first, the commission is to count the ballots from the ballot box for early voting, then – from the ballot boxes for voting at the places of residence of voters, and then – from the ballot boxes for voting on the election day. The results of such counting are just announced by the PEC and, according to the provisions of the Guidelines for the members of PECs for the election of President of the Republic of Belarus (adopted by CEC Ruling No. 11 of May 14, 2015) are indicated in the protocol of the PEC sitting. The protocol is compiled in one copy and is not accessible for observers. The final protocol of the results of voting indicates only the overall result of voting. The copies of the protocol of results of the voting, produced by observers, aren't signed by members of the PEC or certified with its seal.

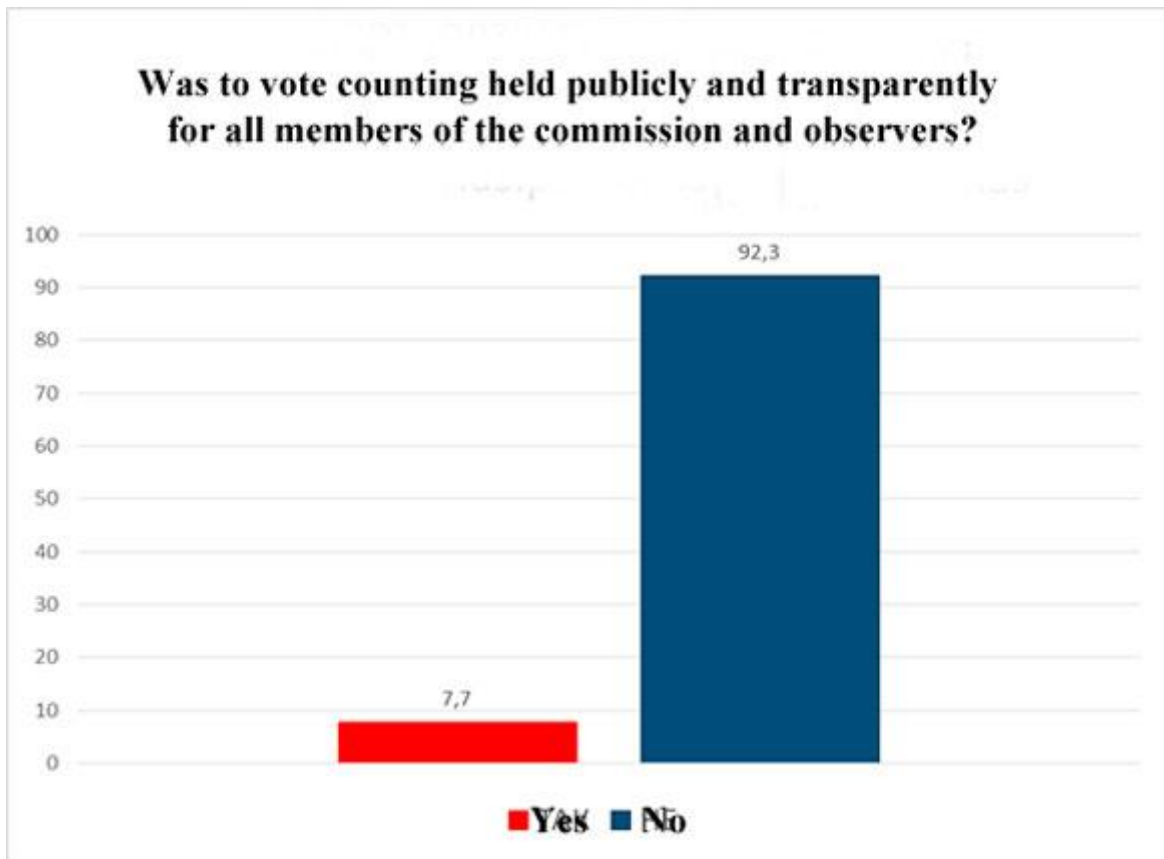
It should be noted that the details of counting of ballots by the PECs are not described in the legislation. This circumstance is one of the main problems of Belarusian electoral legislation. BHC addressed the CEC with a proposal to establish a clear procedure for the counting of votes, during which the vote at each ballot would be announced allowed and the ballot would be demonstrated to all present PEC members and observers. However, the CEC refused to implement this proposal.

The results of processing of reports from 326 polling stations covered by the observation of the

campaign "Human Rights Defenders for Free Elections", are given in Table 1 (the information was processed by 6.00 a.m. on October 12).

QUESTION	% YES	% NO
1. Were all registered observers allowed to observe the vote counting?	94,9	5,1
2. Were you able to see the content of the ballots?	23,1	76,9
3. Were observers removed during the vote counting?	1,3	98,7
4. Were ballots from different ballot boxes (for early voting, for voting at places of residence of voters, for voting on the election day) counted separately?	91	9
5. Were the results of the separate counting of votes from each ballot box announced?	60,3	39,7
6. Did you file complaints against actions of the commission?	20,5	70,5
7. Did the PEC consider the received complaints at its sittings?	12,2	87,8
8. Were you and other observers able to observe the elections from a convenient place?	48,1	51,9
9. Was the final protocol with the results of voting posted for public viewing?	96,8	3,2
10. Was the polling station accessible for people with low mobility (ramps, doorsills, etc.)?	39,9	60,1
11. If not, did the commission have the people who could help a person with low mobility enter the polling station?	67,4	32,6

Table 1. Observers' answers to questions in a special questionnaire.



The procedure of passing of the final protocols of PECs to TECs remains closed to observers.

RECOMMENDATIONS

Most of the recommendations of the OSCE and the Venice Commission, which were made on the basis of observations of previous election campaigns, haven't been implemented during the amendment of the EC in the recent years. Most of these recommendations have not lost their relevance after the elections of President of the Republic of Belarus in 2015. These elections showed that it is impossible to hold elections that would correspond to the international standards of free and fair elections, particularly the Copenhagen Document of the OSCE of 1990, without a detailed delineation of the order of the formation of election commissions, voting and counting.

The campaign also witnessed the need to ensure a real equality of candidates in the field of access to the media and the extend the powers of observers. The changes in the electoral legislation proposed below would allow bringing elections closer to international standards, and also to increase confidence in the results of the elections on the part of the citizens of Belarus and the international community.

Election Commissions

The Electoral Code must be supplied with the provision that would ensure the presence of representatives of political parties in election commissions, as well as a pluralistic composition of commissions. It is necessary to ensure the right of the political parties that take part in the electoral campaign, including the presidential electoral campaign, to delegate one representative

to each territorial, constituency and polling station electoral commission. The local executive bodies need to be entitled to form the commissions of other nominees for the seats in the election commission only in case none of the political parties use this right. By analogy, the primary right to nominate their representatives to election commissions must belong to candidates for president. Moreover, the criteria for the choice of members to election commissions need to be legally defined (nomination by political parties, education, other professional experience) with the aim to decrease the opportunities for an arbitrary approach in the formation of the commissions and provide the opportunities for court review during the consideration of relevant complaints.

Registration of Candidates

It is necessary to exclude the possibility of using administrative resources in collecting signatures for the nomination of presidential candidates, and, in particular, prohibit the collection of signatures by the persons who are not members of the initiative groups of the respective nominees. In addition, it is necessary to provide for the right of observers to be present at the verification of signatures for the nomination of candidates.

Voter Lists

To increase the transparency and accountability of the voter registration process, it is necessary to create the national voter list. Citizens and observers (including, proxies of the candidates, representatives of mass media and international observers) should be given full access to the list. Every citizen shall have the right to examine the list of voters before voting. In addition, observers should be able to familiarize themselves with the voter list during the voting. The number of voters registered at the polling station should be declared by the election commission ahead of the vote, and then – after its completion.

Financing of Elections

Provisions of the EC allows the CEC to independently use the means of the state budget for the production of informational leaflets with the general information about the candidates instead of financing their expenditures for printed campaigning materials. This results in the inactivity of the majority of the candidates in the production of campaigning materials. That's why it is necessary to return to the legislation the provision about the state financing of the expenditures of the candidates on production of the printed materials related to their electoral campaigns.

Campaigning

The legislation provides for the duration of the period of pre-election campaign for no longer than one month. This period restricts the possibilities for the campaigning, as well as the receipt of full information about the candidates and their electoral programs. It is proposed to extend the period of campaigning for at least up to two months. Apart from that, it is necessary to ensure that the subjects who post political adverts bear no responsibility for the content of the campaigning materials provided by the candidates or political parties.

Judicial Review of Decisions Related to Elections

EC provides a limited number of reasons for appeals to courts. It is necessary to provide for the possibility of court review of any decisions of election commissions and other state bodies on the issues that are related to the elections. First of all, it is necessary to provide for the possibility of judicial review of the ruling of the CEC that announces the election results.

Early voting

The procedure for early voting in its current form allows the authorities to carry out all sorts of manipulations at any scale. Therefore, it is proposed to consider the possibility of full abolishment of early voting. In case it is not abolished, the following changes are proposed: to introduce the criteria that give an elector the right to vote early. Such criteria must be the reasons that clearly show the impossibility for the voter to vote on election day, for example, the departure abroad and other documented evidence. The procedure of storage of the ballot boxes during the early voting, including the sealing of the ballot boxes need to be precisely delineated in the legislation. It is necessary to prohibit the stay of unauthorized persons, including police officers, in the voting rooms and the places where the ballot boxes, ballots and other materials related to the elections are stored. It is also necessary to provide for the right of observers to stay in the voting rooms during the hours when the PECs stop their work (during the dinner breaks and overnight, after the end of the hours of early voting) in the cases when members of election commissions stay there. All PECs need to be supplied with transparent ballot boxes with plastic plumbs for sealing (with the individual number of each polling station).

Voting in Places of Residence of Voters

It is necessary to enshrine in the legislation that an elector is entitled to vote at home only in case of a significant health damage, confirmed by documents of a medical institution, which prevents him from coming to the polling station. It needs to be enshrined in the EC that the voter obtains such a right only in case of passing to the respective PEC his written statement about the impossibility to vote at the polling station, and attaching a relevant document of a medical institution to prove this statement.

Counting of Votes

The existing procedure of counting of votes is not transparent. One of the main reasons is the absence of a detailed description of all counting procedures in the EC. Therefore, the following procedures of vote counting need to be enshrined in the legislation: counting of votes must be carried out publicly in the presence of observers who can monitor the accuracy of the counting of voters' will in every bulletin (i.e., to see the contents of each ballot); counting of votes must be conducted by one of the commission members, who announces the vote in the ballot box and shows the ballot to all members of the commission and observers; counting of votes must be conducted separately for each ballot box and results of such separate counting must be reflected in the final protocol. A copy of the final protocol, signed by the chairman and secretary of the commission and certified by its seal must be issued to an observer on his request. It is also proposed to provide the observers who are accredited at TECs, as well as proxies of the candidates, with the right to directly attend and observe the procedures of passing the ballots and protocols with the results of voting from polling stations to territorial commissions.

Election Observation

The rights of observers need to be expanded by the legislation in order to increase the credibility of the elections in Belarus. Observers should be able to freely study the materials of a Commission related to its composition, ways of nomination of its members, lists of voters, storage of the ballot boxes and ballots during the early voting.

Abbreviations List

OSCE - Organization for Security and Cooperation in Europe

Belarusian Union of Women - Public Association "Belarusian Union of Women"

Bielaja Ruś - Republican public association "Bielaja Ruś"

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

Belarusian Republican Youth Union - Public Association "Belarusian Republican Youth Union"

BHC - Republican human rights public association "Belarusian Helsinki Committee"

EC - Election Code of the Republic of Belarus

NGO - Non-Governmental Organization

Calendar schedule - the calendar plan of organizational measures on preparation and holding of elections of the President of the Republic of Belarus

PACE – Parliamentary Assembly of the Council of Europe

PACIS - Parliamentary Assembly of the Commonwealth of Independent States

HRNA - the House of Representatives of the National Assembly of the Republic of Belarus
Movement "For Freedom" - Human rights and educational association Movement "For Freedom"

CIS - Commonwealth of Independent States

TEC - Territorial Election Commission

PEC - Precinct Election Commission

CEC / Central Commission - the Central Commission for Elections and National Referenda.