

«HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS»

**ELECTION OF THE PRESIDENT
OF THE REPUBLIC OF BELARUS
19 DECEMBER 2010**

**RESULTS
OF INDEPENDENT OBSERVATION**

MINSK 2011

ELECTION OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, 19 DECEMBER 2010:
RESULTS OF INDEPENDENT OBSERVATION

Editor: Tatsiana Reviaka

The edition covers the results of the independent observation campaign in the 2010 presidential election, maintained by the Human Rights Center «Viasna» and the Belarusian Helsinki Committee as part of the «Human Rights Defenders for Free Elections» campaign.

The book provides analysis of the election procedures from viewpoint of the Belarusian electoral legislation and international standards for free and democratic elections.

The book is based on the results of reports by short-term and long-term election observers.

The edition features photos by the «Human Rights Defenders for Free Elections» campaign, www.photo.bymedia.net, Uladzimir Hrydzin, Aliaksei Matsiushkou, Vadzim Zamirouski, and Siarhei Balai.

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Introduction

The «Human Rights Defenders for Free Elections» campaign is a joint initiative of the Human Rights Centre «Viasna» and the Belarusian Helsinki Committee (BHC), implemented in cooperation with «Europaischer Austausch» («European Exchange»). The aim of the campaign was observation of the 2010 presidential election in Belarus, assessment of the electoral process from the viewpoint of Belarusian electoral legislation and international standards for free and democratic elections, and informing the Belarusian and international community about the conclusions of the observation. The campaign is independent and politically unaffiliated.

80 long-term observers conducted observation of all aspects of the electoral process from the very first day of the pre-election period (14 September). Findings from their weekly reports were disseminated in the form of weekly analytical reviews and pre-election reports on different stages of the electoral process in Belarusian, Russian and English.

During early voting (14-18 December) and on the election day (19 December), long-term observers coordinated and supervised the work of 600 short-term observers deployed at 300 polling stations throughout the country — in Minsk, regional and district centers, and other urban and rural settlements. Reports of the short-term observers who participated in a special training comprised a representative sample (observation covered 4.7% of 6,346 polling stations on the territory of the country), which allowed for the assessment of general trends of voting and the detection of any irregularities on 14-19 December.

Summary

The 2010 presidential election in Belarus failed to meet key international standards for democratic elections. While the pre-election process was marked by a number of improvements, including positive changes in the electoral legislation and a decrease in repressions, the process quickly deteriorated on the election day and immediately afterwards. In particular, the vote count and tabulation lacked transparency and accountability and were marked by widespread irregularities. Evidence collected by observers clearly demonstrates that the results did not reflect the will of the people. The election day was further marred by the brutal dispersal of peaceful protestors and detention of hundreds of people, including seven presidential candidates.

Legal framework

The normative basis of the electoral process was improved by several amendments to the Electoral Code of 4 January 2010, as well as modifications to the CEC regulations in September 2010 (restriction on the number of civil servants in election commissions; a reduced number of citizens and proportion of a labour collective representatives required to nominate a candidate to a commission; a possibility to appeal decisions on forming commissions in court; a guarantee that at least 1/3 of commission members comprise representatives of political parties and public associations; an opportunity for the candidates to establish election funds to attract additional financing for their campaigns, etc. However, the necessary foundation for democratic elections, in particular regarding the real independence and balance of the election authorities, vote count procedures and effective complaints and appeals process, was not established.

Election administration

While election officials generally conducted technical election preparations in line with legislation, the composition of the election administration at all levels did not ensure its impartiality or independence from the executive authorities. While legislative changes now appeared to guarantee the representation of political parties and non-governmental organizations on election commissions, in practice nominees of opposition parties made up less than 1% of polling stations and territorial election commission members. Furthermore, the absence of criteria for selecting commission members in the legislation limited transparency in the nomination and selection processes.

Most of TEC and PEC members, regardless of how they were nominated, already had been members of election commissions at previous local, parliamentary or presidential elections, which were neither free nor fair. As a rule, commissions included 3-4 civil servants, such as members of executive committees and Councils of Deputies, i.e. the structures that formed the commissions. Others were representatives of pro-government political parties and public associations, as well as managers and workers of state institutions and enterprises.

Candidate registration

The conditions for signature collection and candidate registration provided nominees the opportunity to be registered without significant obstacles. 10 presidential candidates were registered. However, the overwhelming use of state resources by the incumbent candidate for signature collection and pressure on state employees during this process were observed. The lack of transparency in the signature verification and document checking process gives grounds to view the results of registration as politically, rather than legally, motivated

Voter registration

Similar to the previous elections, lists of citizens who have the right to vote were compiled at each polling station separately, and the number of voters registered was made public only in the final PEC minutes after the end of voting. Observers had no chance to acquaint themselves with voter lists. This situation created the possibility for rigging both the voter lists and the total number of voters registered at different polling stations. The 2009 census data provides an indication that 300,000-350,000

persons who have the right to vote were not included in the lists, and that the real number of eligible voters in Belarus during the election should have been 7.4-7.45 million.

Election campaign

The campaign environment was considerably freer than during previous elections, allowing candidates to freely meet with voters, produce and distribute materials and appear live on television during special election programmes. However, the complete dominance of the incumbent in state electronic and printed media, especially during the last two weeks of the campaign, disadvantaged other opposition candidates who were either not mentioned or were portrayed in an overwhelmingly negative light.

Complaints and appeals

Out of 240 complaints (reported to campaign observers) lodged by the candidates, their authorized representatives and other participants of the electoral process during the pre-election period, only three were satisfied. Courts did not satisfy any of 85 complaints related to non-inclusion of 413 candidates to PECs. Numerous complaints about violations of the election legislation by Lukashenka's initiative group were rejected without proper investigation.

During voting and the vote count, more than 250 complaints and appeals were lodged with polling stations covered by the campaign's observation alone. Most of them were considered formally, and complainants received answers about the absence of any violations in PECs' actions. Only a few of such complaints were satisfied. Some complaints were not considered at all. This clearly demonstrates that no effective legal remedy exists in practice for election-related complaints.

National and international observers

According to the CEC, 1,036 international and 39,619 national observers were accredited during the election. The majority of the national observers were representatives of NGOs and political parties loyal to the regime, as well as observers nominated by citizens and labour collectives at the instruction of the authorities. Their task was to interfere with the activities of independent national observers and journalists. Not a single complaint was lodged by these observers, or any election observation report released.

Most of the international observers were representatives of the OSCE/ODIHR and the CIS missions. National observation independent from the authorities was comprised of campaign «Human Rights Defenders for Free Elections», campaign of party pollwatchers «For Fair Elections», observers of the «For Freedom» Movement and the project «Election Observation: Theory and Practice». In addition, the Belarusian Association of Journalists monitored the coverage of the election in the mass media.

Early voting

The authorities widely used state administrative resources to coerce voters, especially students and state employees, to vote early. Observers experienced numerous obstacles during early voting, including denial of accreditation and access to information on the registration figures. PEC members and other persons were observed in the premises of polling stations where ballot boxes were stored during hours when voting was not taking place. The turnout figures estimated by observers, however, generally coincided with those provided by the election authorities, except in a few polling stations where there were significant deviations.

Election day: mobile voting

A high number of reported irregularities concerned the inclusion of voters into the list for mobile voting. As a rule, voters were added to the special voter list based on their age and the geographical distance from the polling station (especially in rural areas), rather than at the request of the voter. PEC chairs often refused to allow observers any access to the lists. In many polling stations, the number of mobile voters was disproportionate, i.e. up to 30% (7.61% on average at the national level).

Election day: voting at polling stations

Voting at polling stations on the election day was conducted without considerable violations. In a number of polling stations, observers reported: group voting, family voting (upon the presentation of passports of family members), etc. Similar to the early voting, in some cases observers were denied figures relating to the number of voters on the voter list, ballots received, etc.

Vote count

As in 2006, the vote count was carried out in a non-transparent manner. Though most of the observers were allowed to observe the vote count, in most cases the distance from which they were allowed to watch did not allow them to view the content of ballot papers. In addition, the PEC members often stood tightly around the counting table and prevented observers from seeing the counting well.

At most polling stations vote count was conducted jointly and simultaneously by all PEC members. Each PEC member was counting only his/her stack of ballots and then silently reporting the result of the count written on a piece of paper to the PEC chair. With such an order of counting, the final result was known neither to each individual PEC member, nor to any observer present. In some cases PEC members opened all ballot boxes simultaneously and counted ballots from these boxes simultaneously. In addition, at many polling stations where a separate vote count was conducted, its results were not announced. Observers reported that at 49% of polling stations covered by observation the vote count was conducted with considerable violations in general.

Election results

According to the CEC, 6,441,031 voters took part in the election (90.65% of 7,105,660 registered voters), with 79.65% of the ballots for Lukashenka (67.65% in Minsk and 82.15% in the regions). However, observation data indicates that the participation of at least 350,000-400,000 voters could have been added on paper. In addition, ballots could be added to ballot boxes for early voting and mobile voting. Thus, it is very likely that no more than 6.05-6.1 million voters actually took part in the election, i.e. 85-86% of the number of registered voters.

It is impossible to say whether the ballots in the ballot boxes at the moment the vote count started were the same ballots which were cast by the voters themselves, because during early voting and mobile voting, members of election commissions (which were not independent or pluralistic) and unauthorized persons had access to ballot boxes in the absence of observers or other witnesses, and the way the ballot boxes were designed and sealed did not provide an adequate safeguard against potential falsifications. In total, about 2.2 million ballots (the number of voters who voted early, during mobile voting and at closed polling stations) were therefore in a «zone of high manipulation risk».

Analysis of the PEC, TEC and the CEC official data and their comparison with reports of the short-term observers' campaign indicates that during the vote count and tabulation of voting results alone, at least 20-25% of votes in Minsk and 10-15% of votes in the regions were apparently «re-distributed» in favour of the incumbent. Most likely, this was done at those polling stations where the results of counting ballots by PEC members did not correspond to the figures desired by the authorities, and were «corrected» by PEC chairs. Most probably, ultimate «elaboration» of voting results was conducted at the TEC level — in those cases where simple summing up of figures from PEC minutes did not produce desired figures.

The real number of votes cast for the candidates is impossible to determine, because the establishment of election results was not transparent, and manipulation with ballots and figures could have taken place at all stages of voting, vote count and tabulation of election results, so that they «overlapped» each other. Obviously, the figures announced by the CEC do not reflect the will of the voters.

Post-election developments

Peaceful conduct of the election was marred on the evening of the election day, 19 December, when riot police brutally dispersed participants of a mass demonstration who came to Nezalezhnastsi Square in Minsk to protest against unfair conduct of the election. By the morning of 20 December,

about 700 persons were detained, including seven presidential candidates. Many of those detained were beaten, including three presidential candidates. Detentions and arrests of rally participants and supporters of the oppositional candidates continued in the following days. Charges in organization of a mass riot or participation in it (Article 293, Par. 1 and 2 of the Criminal Code) were brought against 43 people, including six presidential candidates. 13 more people were suspects in the criminal case, including one more presidential candidate. In March-April 2011, the charges against 10 defendants in the criminal case, including two presidential candidates, were changed to Article 342, Par. 1 of the Criminal Code, «Organization and preparation of actions that grossly violate the public order or active participation in such actions». In addition, dozens of human rights defenders, journalists and civil activists were searched and interrogated, and the offices of a number of independent NGOs and mass media were raided and searched.

Post-election complaints and appeals

Only one presidential candidate, Ryhor Kastusiou, appealed the election results (also on behalf of arrested candidates). In his appeal, he asked the CEC to invalidate the election because of mass violations during the election. The CEC refused to satisfy his complaint because «the results of verifications of observers' accounts of violations perpetrated during the election, which were attached to the complaint, proved that the allegations they contain have no grounds», and the Supreme Court refused to initiate the case on the basis of Kastusiou's complaint, because «there were no grounds» for it. A complaint lodged by the Belarusian Helsinki Committee on the basis of results of «Human Rights Defenders for Free Elections» campaign was left without consideration.

Recommendations

Changes to the Electoral Code in January 2010 implemented only part of the OSCE and Venice Commission recommendations, which followed the monitoring of the previous elections, including the presidential elections in 2001 and 2006. Most of these recommendations remain valid after the 2010 elections. In addition, the election showed that without detailed regulation of formation of election commissions, and of voting and vote count procedures, it is impossible to ensure that the electoral process meets international standards for free and fair elections. The election campaign also emphasized the need to provide for real equality in the candidates' access to the mass media, and for expanding the rights of observers.

1. Announcement of election

In accordance with the Constitution, President shall be elected directly by the people of Belarus for a term of office of five years by a universal, free, equal, direct and secret ballot. Election of President shall be appointed by the House of Representatives not later than five months and shall be held not later than two months before the expiry of the previous presidential term. Therefore, the election had to be held on or before 6 February 2011, and it had to be announced on or before 6 November 2010. On 14 September, at an extraordinary session of the House of Representatives of the National Assembly, the election was announced for 19 December 2010.

The proposal for holding the election on 19 December 2010 was entered by Vasil Baikou, Chair of the Standing Committee on State-Building, Local Self-Government and Agenda. The debates on this issue lasted for about ten minutes. Only one variant, 6 February 2010, was proposed in addition to that proposed by V. Baikou. The remaining opinions concerned pros and cons of holding the election on 19 December 2010. As a result, all 108 deputies who took part in the sitting, voted for holding the election on 19 December 2010. Thus, there was no all-sided consideration of appointment of the election. The Chamber's Council put the question «On the Draft Ruling of the House of Representatives of the National Assembly «On appointment of the election of President of the Republic of Belarus» on the agenda together with some others the same day, on 14 September 2010, on recommendation of «standing committees of the House of Representatives».

The fact that the proposal to hold the election on 19 December 2010 was introduced by the Chair of the Standing Committee on State-Building, Local Self-Government and Agenda, means that the Chamber's Council put the question of the election appointment on the agenda of its session on proposal of this committee. Meanwhile, the official website of the House of Representatives didn't provide any information about holding any sittings of the Standing Committee on State-Building, Local Self-Government and Agenda on 7-14 September (it was on 7 September that the House of Representatives considered and adopted the agenda of its fifth extraordinary session for the first time). One can conclude that the committee either didn't discuss the question of the election appointment or did it behind the closed doors, which doesn't meet the requirements of Article 2 of the Law «On the National Assembly of the Republic of Belarus», according to which the activities of the National Assembly are based on the principle of publicity.

Thus, the aforementioned activities of the House of Representatives don't correspond to Article 65 of the Constitution of the Republic of Belarus, according to which «elections are prepared and held openly and publicly».

Together with an unprepared, one-sided and hasty discussion at the House of Representatives concerning the proposal to hold the election on 19 December 2010, L. Yarmoshyna's words that the chosen date was an «expected surprise», and that «there were three variants: 12 December, 19 December and 6 February. We worked on all of them. But December is good»¹ are indirect evidence that the decision to hold the election on 19 December 2010 was not taken by the House of Representatives (which just imitated its discussion), but some other organization or person, which is a violation of Article 81 of the Constitution and Article 81 of the Electoral Code.

By taking the decision to appoint the election on 19 December 2010 the House of Representatives reduced the office term of the incumbent to 4 years and 9 months, which doesn't correspond to the Law «On President of the Republic of Belarus» (Article 8), according to which «the office term of President is five years».

1 «Sovetskaya Belorussiya», 15 September 2010.

2. Legal framework

The legal basis for the election process in Belarus is made up of the Constitution, the Electoral Code, other legislative acts, and resolutions and decisions of the Central Election Commission (CEC).

Previous presidential elections (in 2001 and 2006) were held on the basis of the Electoral Code of 4 July 2000 (with minor amendments). The ODIHR OSCE noted «numerous and substantial shortcomings» of the Code on several occasions and proposed recommendations for its improvement. Also, in 2007 and 2008, the UN General Assembly urged Belarus «to bring the electoral process and legislative framework into line with international standards and to rectify the shortcomings of the electoral process».²

On 4 January 2010, several amendments were made to the Electoral Code, including the incorporation of some previous OSCE recommendations. However, the authorities rejected most of the proposals to change the election legislation put forward by the opposition political parties. The key amendments related to procedures for candidate registration and collection of signatures in their support, conduct of the election campaign, formation of election commissions, and appeal of decisions on commission formation in court.

In general, these changes were of a positive character, but did not resolve the systemic deficiencies of the electoral legislation of Belarus: they failed to provide the formation of independent and balanced election administration; didn't legally define detailed procedures for the vote count; and didn't guarantee the real equality of all candidates. However, according to the OSCE and Venice Commission of the Council of Europe, «the amendments represent a step towards removing some flaws in Belarus' election legislation; although they are unlikely to resolve the underlying concern that the legislative framework for elections in Belarus continues to fall short of providing a basis for genuinely democratic elections.»³

On 15 September, the CEC adopted a series of decisions and other documents related to the organization of the election, which did not contain any significant differences from those adopted on the eve of the 2006 election. Later, the CEC adopted amendments to the Methodological Recommendations of Election Organization that had been proposed by opposition political parties and some presidential candidates. They concerned additional measures to protect the voting process from potential falsifications: «providing observers with a real possibility to conduct their monitoring in conditions that guarantee good visibility of the vote count procedure», sealing slots in the early voting ballot boxes for the hours when polling stations are closed; and a requirement to store ballots in sealed safes. In addition, the CEC allowed governing bodies of political parties and public associations sending observers to election commissions of all levels (as it was in 2001 and 2006, but was not allowed by the 15 September Decision of the CEC).

At the same time, the CEC rejected other proposals aimed at better transparency and fairness of the election process, such as prioritizing political party representatives during the formation of polling station election commissions (PECs); protection of ballots against forgery and others. The CEC also refused to allow observers being present at the polling stations overnight during the early voting period, and several times dismissed proposals to describe procedures for the vote count in detail, thus ignoring those elements of the voting process which are most vulnerable to potential falsifications.

² A/RES/62/169, para 2 (e), i A/RES/61/175, para. 2 (a).

³ http://www.osce.org/documents/odihhr/2010/06/44755_ru.pdf

3. Election commissions

According to Article 25 of the Electoral Code, elections of President are prepared and held by the Central commission and corresponding election commissions. According to Article 27 of the Electoral Code, these are territorial (region, Minsk city, district, city (in cities of regional subordination, except for the cities that are divided into districts), city district and polling station election commissions). Thus, the election was organized by the Central Election Commission (CEC), 155 territorial election commissions (TEC) and 6,390 polling station election commissions (PEC), including 44 abroad.

In January 2010, a number of changes were made to the Electoral Code concerning the formation of election commissions. Here are the main ones:

1) Article 34 stated that representatives of political parties should constitute at least one third of the commission staff;

2) a ban was introduced on the inclusion of heads of local executive and administrative bodies, judges and prosecutors into the commissions, as well as a provision that the number of civil servants in them mustn't exceed one third;

3) the new edition of Article 35 changed the number of citizens who can nominate a representative to a territorial commission — 10 people as compared to 30 in the old edition. The same concerns labour collectives — they must consist of at least 10 people as compared to 30 in the old edition;

4) important changes in Article 34 secured the right of representatives of the parties who nominated their representatives to commissions to attend the sittings of the organs that form the commissions;

5) the new edition of Article 34 provided the possibility of court appeals against decisions concerning the formation of commissions. The parties that nominated their representatives to commissions were given the right to appeal the decisions of the appropriate bodies at regional, Minsk city, district and city courts.

These positive steps, however, changed nothing in the essence of legal norms governing the formation of TECs and PECs. Just like with the previous edition of the Electoral Code, the new edition didn't provide any criteria for the choice of the commission staff, which enabled the state bodies that formed the commissions to take arbitrary decisions concerning the inclusion or non-inclusion of nominees in the commissions. The changes to the Electoral Code failed to provide guarantees of transparency at the stage of nomination of candidates to commissions and to lift restrictions on opportunities to monitor the process of approval of commission members.

3.1. Central Commission

The Central Commission on elections and holding of national referenda (CEC) works on a permanent basis. It has 12 members: 6 of them are appointed by the President and 6 by the Council of the Republic of the National Assembly, chosen from the candidates recommended by presidiums of regional and Minsk City Deputies' Councils and corresponding executive committees. The CEC Chair (Lidziya Yarmoshyna) and Secretary (Mikalai Lazavik) work on a professional basis, while other members combine their work in the CEC with other government posts. In particular, the current staff of the Commission formed on January 22, 2007 has many members who occupy high positions in executive bodies. The CEC cannot be considered to be an independent body considering the procedures for its formation and its composition, as well as repeated signs of loyalty to the incumbent by its members. An eloquent confirmation of it is the confession of the CEC head L. Yarmoshyna in an interview with the «European Radio for Belarus» of 19 December 2010, (<http://euroradio.fm/node/6980>), in which she stated that she was not going to leave her position for the following reasons: «I am not very good at self-promotion, but elections are always self-promotion. Moreover, I am **a member of the team of the incumbent Head of State**, and a team member doesn't take independent decisions on how long to stay at a certain position. That's why I will occupy this seat for as long as the Head of State finds it necessary.»

During the online conference held at the website www.naviny.by on 21 September, at the stage of the registration of initiative groups of presidential hopefuls, Lidziya Yarmoshyna also stated she believed in the victory of Aliaksandr Lukashenka in the upcoming election (<http://naviny.by/ru->

brics/politic/2010/09/21/ic_articles_112_170510/). This statement of the head of the Central Election Commission eloquently contradicts the principle of impartiality which election administration must pursue.

3.2. Territorial commissions

According to the Schedule of organizational measures on preparing and holding the election of President, adopted by the CEC Ruling №43 of 15 September 2010, the nomination of candidates for territorial commissions was to end on 26 September, and the lists of the TECs' staff were to be approved not later than 29 September.

Legal regulation

According to Article 34 of the Electoral Code, commissions on elections of President consist of representatives of political parties, other public associations and labour collectives, and of public representatives who are nominated to commissions by collection of signatures. Representatives can be nominated to election commissions (1 representative per commission) by:

- 1) the governing bodies of regional, Minsk city, district (in cities of regional subordination) and city district branches of political parties and other public associations — to the corresponding regional, Minsk city, district (in cities of regional subordination) and city district territorial commissions, as well as to polling station commissions⁴;
- 2) assemblies of labour collectives or their structural subdivisions which are situated on the territory of the corresponding district, city or city district and consist of at least 10 workers have the right to nominate their representatives to the corresponding territorial commissions. According to Article 35, Part 2, paragraph 5, labour collectives have the right to nominate their representatives only to district, city and polling station election commissions;
- 3) citizens — by filing an application. The application must be signed by at least 10 citizens who have the right to vote and reside on the corresponding territory.

The territorial election commissions are formed by the following bodies:

- regional commissions and the Minsk city commission — by the presidiums of regional, Minsk city council and regional executive committees and Minsk city executive committee, and must consist of 9-13 members;
- district and city commissions — by presidiums of district and city councils and district and city executive committees, and must consist of 9-13 members;
- city district commissions — by presidiums of city councils and city executive committees and must consist of 9-13 members.

As a rule, representatives of political parties and other public associations must constitute not less than one third of a commission. The number of civil servants in an election commission cannot exceed one third. Judges, prosecutors and heads of local executive and administrative bodies cannot be included in the commissions.

Representatives of the parties who nominated their representatives to commissions (political parties, public associations, labour collectives and citizens) have the right to attend the sittings of the organs that form the commissions. A decision on the formation of a commission is published in the press within 7 days since its adoption.

A decision of a body on the formation of a commission can be appealed accordingly at regional, Minsk city, district and city courts by the parties who nominated their representatives to the commission within three days since the adoption of the decision. The court considers the appeal within a three-day term. Its decision is final and cannot be appealed.

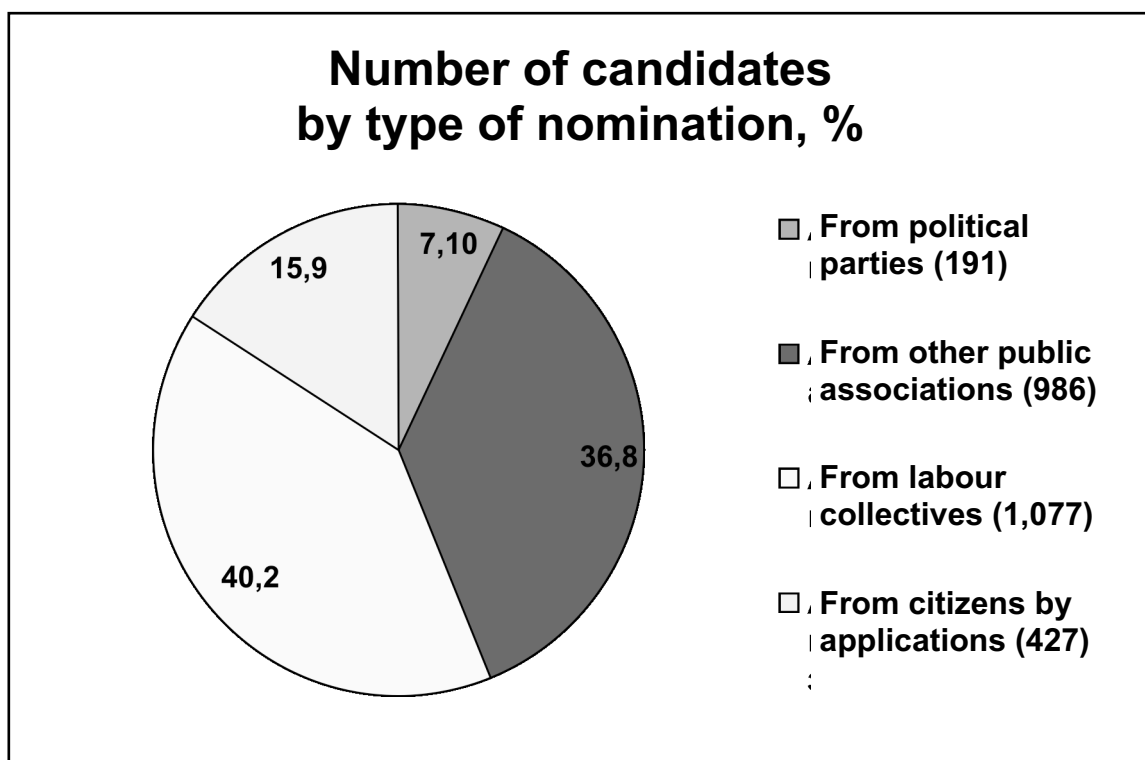
Thus, according to the Electoral Code, the formation of TECs is conducted by executive committees, which are elements of the power «vertical» built by the incumbent and local Councils of Deputies elected in the 2010 local elections, which were neither free nor fair.

⁴ The order of the nomination of representatives of political parties and other public associations was also explained by the CEC Ruling №48 of 15 September 2010, «On explanation of the use of Part 2 of Article 35 of the Electoral Code of the Republic of Belarus, which provides the nomination of representatives to commissions on the election of President of the Republic of Belarus in 2010».

Nomination to TECs

Just like with the previous presidential election, the nomination of candidates to territorial commissions took place in the conditions of informational vacuum. Neither the state bodies who were responsible for the formation of the commissions, nor state-owned mass media gave any information about the nomination process since the moment when the election was announced (14 September) till the last day of the nomination of candidates to commissions (26 September). The public associations, whose representatives had been included in the commissions on a mass scale during the presidential election of 2006 (the Belarusian National Youth Union (BRSM), the Federation of Trade Unions of Belarus, the Belarusian Union of Women, the Belarusian public association of War Veterans) didn't voice any information about the nomination of their representatives to territorial commissions. Observers had access only to information about the nomination of candidates from certain political parties (the United Civil Party, the Belarusian Popular Front Party, etc.), independent public associations and groups of electors.

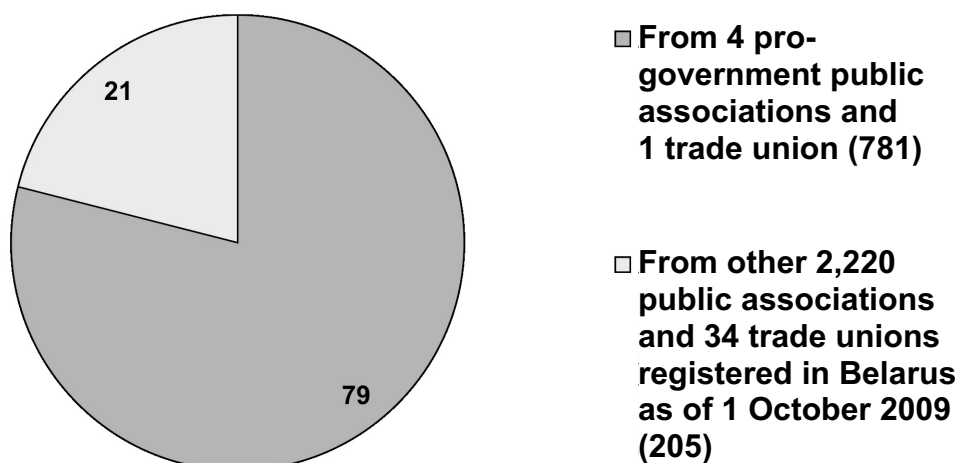
According to the CEC information, 2,681 candidates were nominated to 155 territorial election commissions. The official proportion by the way of the nomination is as follows:



According to the CEC, 10 out of the 15 officially registered Belarusian parties nominated their representatives to territorial commissions, including 4 opposition parties: the Belarusian Leftist Party «Fair World» (36), the United Civil Party (24), the Belarusian Popular Front Party (7) and the Belarusian Social Democratic Hramada (4). However, according to the CEC statement, there were 71 nominees, while according to the parties' headquarters there were 92, i.e. 21 candidates were nominated by means of collecting electors' signatures. The main problem the political parties faced during the nomination of their representatives to territorial commissions was the absence of officially registered territorial structures on the district and the city levels. The reason is that in the recent years many organizational structures of political parties have been liquidated on lawsuits of the Ministry of Justice, mainly because their legal addresses had been registered on residential premises. This circumstance influenced the ability of political parties to nominate their representatives to the corresponding TECs.

More than 1/3rd of candidates for TECs were nominated by public associations and trade unions. Meanwhile, as much as 79% of them were nominated by just five organizations: the public association «Belaya Rus», the public association «Belarusian National Youth Union», the Federation of Trade Unions of Belarus, the Belarusian Union of Women and the Belarusian public association of War Veterans:

Nomination of candidates from public associations and trade unions (except for parties), %



The average number of candidates nominated to a territorial commission was 17 per 13 seats. What concerns regional and Minsk city election commissions (7) — the average number of candidates was 32 per 13 seats, in city commissions (in cities of regional subordination) and city district commissions (30) the average number was 19-20 per 13 seats; in district commissions (118) — 15 candidates per 13 seats. Thus, the number of candidates inconsiderably exceeded the number of seats in TECs, and the average number of candidates directly depended on the level: the higher the commission — the greater the competition.

Another peculiarity during the formation of TECs was registered: if a representative of an opposition party was nominated to a commission, the number of candidates usually exceeded the maximal number of seats, whereas otherwise the number of nominees was almost equal to the maximum number of seats. It could be seen best in the 22 district territorial commissions of Minsk region, where the average number of candidates was 13.4 per 13 seats.

The nomination of candidates, which was conducted by political parties, public associations, labour collectives and groups of citizens, can be characterized as free. According to observers' reports, all parties managed to file documents on the nomination of candidates and were informed about the time and place of their reception. Observers registered just one case of a refusal to accept an application for the nomination to a territorial commission. It happened in the town of Mazyr in Homel region: Uladzimir Tseliapun was nominated to Mazyr territorial election commission by 13 citizens. On 25 September 2010, at 9.30—10 a.m. a representative of the group R. Kryvitski brought the application to Mazyr district executive committee. However, the document wasn't accepted in room №101 which works on so called «one window» principle, and the procedure of the registration of the document wasn't explained. The DEC guard also didn't let R. Kryvitski into the reception room of the executive committee, saying that no one was there.

Sittings on the formation of TECs

Quorum was observed at all sittings on the formation of commissions. However, the sittings were a mere formality and usually approved lists of commission members that had been composed by the local authorities in advance. The duration of such sittings was minimized in many cases. For instance, Hrodna district election commission, Masty district election commission and Skidzel district election commission in the Hrodna region were formed within 8 minutes, Svislach district election commission — within 13 minutes, Hrodna regional executive commission — 20 minutes. The commissions of Tsentralny, Savetski, Chyhunachny and Navabelitski districts of Homel were formed within 38 minutes (less than 10 minutes for each). It's worth noting that according to words of Iryna Abramtsava, Chair of the organizational and personnel department of Homel city executive committee, 119 candidates were nominated to the four district commissions of Homel, i.e. more than 2 candidates for the maximum of 52 seats.

The joint sitting of the presidium of Baranavichy city council and Baranavichy city executive committee on the formation of the city election commission lasted for 9 minutes. There were 19 candidates, two of whom represented the city branches of the Belarusian Leftist Party «Fair World» and the public association «The F. Skaryna Belarusian Language Society». There was no open discussion and voting on the candidacies: the executive committee and the city council officials just voted for the list of 13 persons which had been prepared in advance and didn't include activists of the «Fair World» and the BLS.

During the joint sitting of Orsha town executive committee and Orsha town council, Viktor Kalachou, Chair of the organizational and personnel department of Orsha TEC, read out a list of 13 people, and all the officials unanimously voted for it. It wasn't even said that some other candidates had been proposed for the commission, including five representatives of the opposition. None of them was included in the commission.

The sitting on the formation of Zhlobin district election commission was held in a similar way. Viktor Kastsiakou, Deputy Chair of Zhlobin district executive committee, announced that there were 26 candidates to the commission, from which there had been chosen 13 who were most suitable according to the opinion of the Presidium of Zhlobin district council and Zhlobin district executive committee. Only the names of the 13 proposed candidates were read out, after that the officials voted on the whole list at once. Other candidacies were neither announced, nor discussed, including the candidacy of a member of the United Civil Party (who wasn't included in the commission).

In some cases the names of all candidates were read, but this had little influence on the results. In particular, Aliaksei Rakhunak, Chair of the organizational and personnel department of Masty district executive committee read out the names of the nominees and the type of their nomination, and emphasized that the list recommended for adoption included all the nominees from parties, trade unions and other civil organizations. Aliaksei Shafarevich, Chair of Masty district executive committee, who presided at the sitting, proposed the sitting participants to vote on the whole list at once. The proposal was upheld, and the vote was unanimous.

As a rule, the candidates who were included in territorial election commissions in Skidzel, Svislach (Hrodna region), Smaliavichy (Minsk region), Mazyr (Homel region), Navapolatsk (Vitsebsk region), Babruisk (Mahiliou region), Pinsk (Brest region) and others weren't characterized. It was just said that all those who were proposed for the inclusion in commissions were regular members of election commissions and had «sufficient work experience».

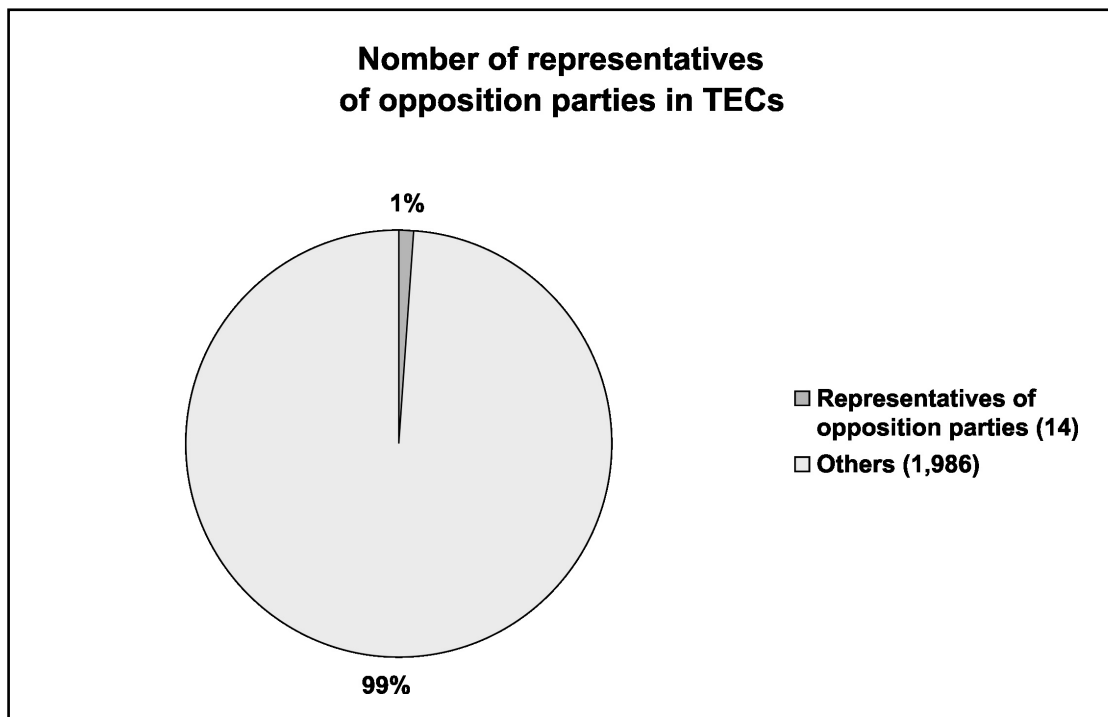
The absence of clear criteria allowed the local authorities to form TECs according to their needs. The officials who formed Svetlahorsk DEC refused to report the criteria according to which they had refused to include in the commission a representative of the initiative group of U.Niakliayeu. «The law doesn't oblige us to explain our decision», they said.

Composition of territorial election commissions

2,000 people were included in TECs. On 30 September, the CEC Secretary, Mikalai Lazavik, stated that «the activity of political parties at this stage wasn't high and they didn't nominate many people. Almost all candidates were included in commissions.» However, this statement is true only for the six parties which are loyal to the present authorities (The Communist Party of Belarus, the National Party of Labour and Justice, the Liberal Democratic Party, the Agrarian Party, the Republican Party and the Belarusian Social Sportive Party). 106 out of the 121 candidates nominated to TECs by these parties (87.6 %) were included. What concerns 92 representatives of the four opposition parties, just 14 of them (15%) were included in TECs.

Thus, the number of representatives of opposition parties who were included in TECs is 14, or 0.7% of the general number of members. Only 15% (14 out of 70) nominees of opposition parties were included in the commissions, compared to the inclusion of 74.6% of all candidates (2,000 out of 2,681), and 87.6% (106 out of 121) members of the political parties that are loyal to the authorities.

The bodies that formed election commissions showed an evidently biased attitude to opposition parties: an average of 3 out of 4 candidates was included in the commissions, whereas in the case of political parties this ratio is 1 to 7. At the same time, candidates of loyal political parties were included in commissions in 90% of cases. As a result, representatives of opposition parties were included only in 14 out of 155 commissions.



In some cases, observers noted a scheme of «democratic rejection» of opposition candidates nominated to TECs: a high-ranking official is nominated to the TEC, and the bodies which form the commission reject this official and an opposition candidate on equal terms. For example, five NGO representatives were included in Pinsk town TEC (from the Pinsk city organization of the Belarusian Trade Union of Workers of State and Other Institutions, Pinsk town office of the public association «Belarusian Society of the Disabled», Pinsk town office of the «Belarusian National Youth Union» («BRSM»), Pinsk town office of the «Union of Soviet-Afghan War Veterans» and Pinsk town office of «Belaya Rus»). It was announced that the quota for civil society organizations set forth by the law was met; therefore, representatives of the opposition Belarusian Leftist Party «Fair World» and of the pro-government Communist Party of Belarus (CPB) were rejected. The rejected candidate from the CPB was Aliaksandr Kaneuski, first Deputy Chair of Pinsk town executive committee. Thus, no candidates of the opposition were included in either commission.

Most TEC members (about 80%), regardless of how they were nominated, already had been members of TECs in previous local, parliamentary or presidential elections. For instance, at least 88 out of 117 members (75.2%) worked on election commissions during previous elections. In many TECs this ratio was 100%.

As a rule, commissions comprised 3-4 civil servants, including members of executive committees and Councils of Deputies, i.e. the bodies that formed the commissions. Others were representatives of pro-government civic organizations, government institutions (especially education and healthcare ones), as well as managers of state-owned (or state-controlled) enterprises.

In particular, 9 out of 13 members of Biaroza district election committee had worked on the commission during the local elections of 2010, 3 more worked in a constituency commission in regional councils elections. 4 of them were employees of Biaroza district election committee, and all others — administrators of different levels.

The composition of Homel regional election commission, 6 out of 13 members of which worked there during the previous elections to local councils, also reflects the tendency of «disguise» of civil servants and representatives of the state bodies that form the commissions as nominees of public associations, political parties and citizens because of the changes introduced in the Electoral Code. As a result of a close analysis of the personal composition of the commission it appeared that Marharyta Zhorava, Deputy Chair of the main justice department of Homel regional executive committee, a member of the Standing Committee on legislation and state-building of the Council of the Republic of the National Assembly, was included in it as a nominee of the public association Belarusian National Union of Lawyers. Mikhail Zhukevich was included in the commission as a nominee of the regional office of the Belarusian Trade Union of Culture Workers. His official position wasn't

announced, but till lately he has been Deputy Chair of the main department of ideological work of Homel regional executive committee, before which he had occupied the position of Chair of the Council on affairs of religions and nationalities. Nadzeya Kotava, rector of the institute of development of teachers' skills, was included in the commission as a representative of the public association «Belaya Rus». Stanislau Prakapenka, vice-rector of Homel Technical University, was included in the commission as a member of the Communist Party of Belarus. Halina Salanets, the chief part-time valeologist of the health care department of Homel regional executive committee, and Nina Zlydzenka, deputy editor-in-chief of the regional state-owned newspaper «Homelskaya Prawdа», were nominated to the commission as representatives of the public association «Belarusian Union of Women». Aliaksandr Usau, Deputy Chair of the organizational and personnel department of the regional executive committee, and Mikhail Karnadud, manager of the «Paudniovy» agrarian combine, were nominated to the commission by applications of citizens.

A similar scheme was used during the formation of Salihorsk district election commission. At first sight, its composition was quite democratic: among its 13 members there were representatives of labour collectives, public associations, trade unions and citizens. However, as a result of analyzing their jobs it became evident that it was just an outward pluralism: the commission included two officials of Salihorsk district executive committee: Vital Kokhan, Chair of the organizational and personnel department, was nominated by collecting citizens' signatures, and Sviatlana Radziuk, Chair of the management department, was nominated by the local branch of the Trade Union of Workers of State and Other Institutions. Lidziya Klishevich, Chair of Salihorsk District Council nominated by the public association «Belarusian Union of Women», became another representative of the presidential «vertical» on the commission.

The majority of key positions in TECs were occupied by officials of executive committees: their percentage on the commission was 40-70%, and the number of those who had worked on election commissions earlier — almost 100%. For instance, the administration of Mazyr district election commission didn't change as compared to the election to local councils: its Chair was Mikhail Pashynski, administrator of Mazyr district executive committee, Deputy Chair — principal of the medical college Yuliya Prykhozka, Secretary — Veranika Baikova, Chair of the department of organizational and personnel work of the executive committee. 21 TECs were formed in Brest region. Their chairs included 12 officials of executive committees, 7 heads (or top managers) of enterprises and government institutions, 1 chair of the regional trade union and 1 retired person. Deputy chairs included 6 officials of executive committees, 10 heads (or top managers) of enterprises and government institutions, 3 trade union representatives, 1 retired person and 1 individual entrepreneur. PEC secretaries included 14 officials of executive committees, 3 retired persons, 3 employees of enterprises and state institutions, and 1 representative of the BRSM regional branch.

Thus, the dependence of TECs on the executive authorities and the persistence of the traditions of their formation since previous elections were evident at this stage of the election.

According to the Schedule, the local authorities were to publish the lists of TEC members within 7 days after their formation. It was done in due time, but almost everywhere the state press published the lists of territorial commissions members without indicating the places of their work and office positions. This prevented observers from verifying the CEC information that there were 408 civil servants in TECs (20.4% of the total number of members). The Electoral Code prohibits forming election commissions with the number of civil servants exceeding 1/3 of the personnel. All attempts to find information about the places of work of TECs' members in order to check the CEC information were unsuccessful.

In particular, the Baranavichy human rights defenders Siarhei Housha and Karnei Piotrovich applied to Dz. Kastsiukevich, Deputy Chair of Baranavichy city executive committee, with a requirement to provide them with information about the places of work and the office positions of all the members of Baranavichy city election commission because of the impossibility to find out which of them were civil servants from the data published by the «Nash Krai» newspaper. The applicants also pointed out that they had asked the executive committee to inform them in the case it had decided not to publish this information. In its answer, Dz. Kastsiukevich refused to provide the required information and wrote that such demands exceeded the frames of the Electoral Code and weren't connected with the preparation and holding of the election. The human rights defenders appealed this refusal at Baranavichy City Prosecutor's Office and received an answer signed by the acting prosecutor, Mikhail Kvashnin, who didn't provide them with the re-

quired information, but stated that judges, prosecutors and heads of local executive bodies hadn't been included in the commission, that civil servants constituted 1/6 in it, and representatives of political parties comprised 2/3, which means that the composition of the city election commission fully corresponded to requirements of the Electoral Code of the Republic of Belarus. Justice advisor M. Kvashnin also added, that the Electoral Code didn't provide for the publication of information about the places of work and the office positions of commissioners. That's why the demand of Siarhei Housha and Karnei Piatrovich was qualified as groundless and wasn't granted.

Transparency during the formation of TECs

Observers were generally given very limited information about the time and place of sittings where TECs were formed, and had limited access to it. Observers of the «Human Rights Defenders for Free Elections» campaign had to address local authorities with inquiries⁵, but even after that they were often not admitted to sittings on the establishment of election commissions. The authorities motivated their refusals by stating that representatives of the public associations who observed the election didn't represent the parties that had nominated their representatives to the election commissions. Such refusals also concerned representatives of the Belarusian Helsinki Committee, though election monitoring is one of its statutory activities. It's worth noting that according to Article 20 of the Law «On public associations», public associations have the right to receive information concerning their activities without any obstacles. The formation of election commissions doubtlessly has a direct relation to the organization of elections and is an important stage of an election campaign. The formation of commissions must take place with a maximum transparency. The sittings of state bodies at which the commissions are formed must take place in the presence of all concerned parties including representatives of the public associations that conduct election monitoring.

Despite the fact that during this election the bodies that form TECs demonstrated a more attentive attitude to those who expressed their wish to attend the sittings as observers, and most of them were admitted to the sittings and timely informed about their place and time, a number of cases were registered when observers didn't manage to attend the sittings because of the reluctance of the authorities. Observers reported about different means used by state officials to prevent them from attending the sittings.

Most often observers were not informed about the time of the sittings in advance, therefore their presence became physically impossible. For instance, representatives of Orsha town executive committee informed a BHC observer Ihar Kazmerchak about the sitting an hour before its beginning and Orsha district executive committee informed a BHC observer Vasil Leuchankau 35 minutes before the beginning of the sitting. In Mazyr, official information about the sitting was only posted at the notice board in the building of the executive committee at 9 a.m. on 27 September, whereas the sitting was to take place at 10 a.m.

In some cases observers weren't informed about sittings at all, and they were held almost secretly. For instance, Maladechna observer Eduard Balanchuk, delegated by the Belarusian Helsinki Committee to monitor the sitting on the formation of Maladechna town election commission, wasn't informed about the sitting.

In some cases observers weren't admitted to sittings without any explanations. In particular, Siarhei Bitkin, Chair of the organizational and personnel work of Babruisk city executive committee, physically prevented BHC observer Ihar Khodzka from getting to the joint sitting of Babruisk city executive committee and the presidium of Babruisk City Council. The assistance of a police officer was used during an attempt to prevent observer Uladzimir Vialichkin from getting to the joint sitting of Brest regional executive committee and the presidium of Brest regional executive committee. However, he managed to get to the sitting. Natallia Hryhoryeva, Deputy Chair of the organizational and personnel department of Brest regional executive committee who was included in Brest regional election commission at this sitting, suggested that U. Vialichkin should mark his application asking for permission to attend the sitting with an remark that the sitting was conducted «openly, publicly and without any obstacles» and sign it.

⁵ There are some exceptions to this rule: for instance, an observer of the «Human Rights Defenders for Free Elections» received a special invitation to the joint sitting of Talachyn district executive committee and the presidium of Talachyn District Council on the formation of Talachyn district election commission, which was scheduled for 10 a.m., 27 September (representatives of opposition parties weren't nominated to the election commission).

A number of citizens applied for permissions to observe the process of the TECs' formation as citizens of the Republic of Belarus. All of them received refusals with reference to Article 13 of the Electoral Code, which, in the opinion of the bodies that form the commissions, doesn't allow ordinary citizens to be observers. Such situation was registered in Hrodna, Berastavitsa and Vaukavysk districts of Hrodna region. In particular, Alena Pryhara addressed Hrodna district executive committee with an oral request, asking for permission to attend the sitting on the TEC formation as an observer, but received a refusal from Valery Balashou, Chair of the organizational and personnel department, who stated that she couldn't do that as she didn't represent anyone. A. Pryhara's question whether there was a means allowing her to get to the sitting as an ordinary citizen was left unanswered. A similar refusal was received by Ivan Kurcheuski in Berastavitsa district. Observer Liavon Karpovich was denied the right to attend the sitting because «only representatives of the bodies whose representatives were nominated to the TEC could be observers» (according to S.Pradko, Chair of Vaukavysk District Council).

3.3. Polling station election commissions

According to Article 27 of the Electoral Code, polling station election commissions (PECs) are responsible for the preparation and holding of elections of President together with territorial election commissions (TECs). PECs organize the voting, the vote count and the establishment of the election results at polling stations, which makes them one of the key tools of the election process.

According to the Schedule of organizational measures for the preparation and holding of the election, the nomination of representatives to PECs and the presentation of the appropriate documents to the state bodies that were responsible for their establishment, were to take place not later than 31 October, and the formation of PECs — not later than 3 November.

According to the CEC, 6,390 PECs were formed, including 280 in stationary medical and prophylactic institutions, 52 — in military units and 44 — in the diplomatic missions of Belarus abroad.

Legal regulation

The right to nominate representatives to PECs belongs to political parties, public associations (the governing bodies of their structural branches), labour collectives and groups of at least 10 citizens (who have the right to vote and live on the territory of the corresponding PEC)⁶. PECs are formed by district and city executive committees, and also by city district committees in the cities with district subdivision, and can include 5 to 19 members.

The ability of parties and other public associations to nominate their representatives to PECs was still limited by the requirement to have registered branches located within the corresponding territory. Candidates for PECs can be nominated by the governing bodies of regional, Minsk city, district (in cities of regional subordination) and city district branches of political parties and other public associations. Thus, the national public associations which have no territorial branches were completely deprived of the opportunity to nominate their members to polling station election commissions.

Nomination to polling station election commissions

No refusals to accept documents for nomination to PECs were reported. All concerned parties were able to submit required documents and were informed about the time and place of accepting them. In particular, a number of websites of district executive committees of Homel region published announcements to inform where the appropriate documents were to be submitted. The best information in this respect was given by the website of Mazyr district executive committee: the advertisement contained the number of the room at the executive committee and its working hours. Moreover, information was published that the sitting of Mazyr district executive committee on the formation of the polling station election commissions for the election of President of the Republic of Belarus «would take place at 9 a.m. on 2 November 2010, in the small hall of the executive committee situated on the third floor.» The website of Zhytkavichy district executive committee informed

⁶ The order of the nomination of representatives to election commissions was also explained by the CEC Ruling №48 of 15 September 2010, «On explanation of the use of Part 2 of Article 35 of the Electoral Code of the Republic of Belarus, which provides for the nomination of representatives to commissions on the election of President of the Republic of Belarus in 2010».

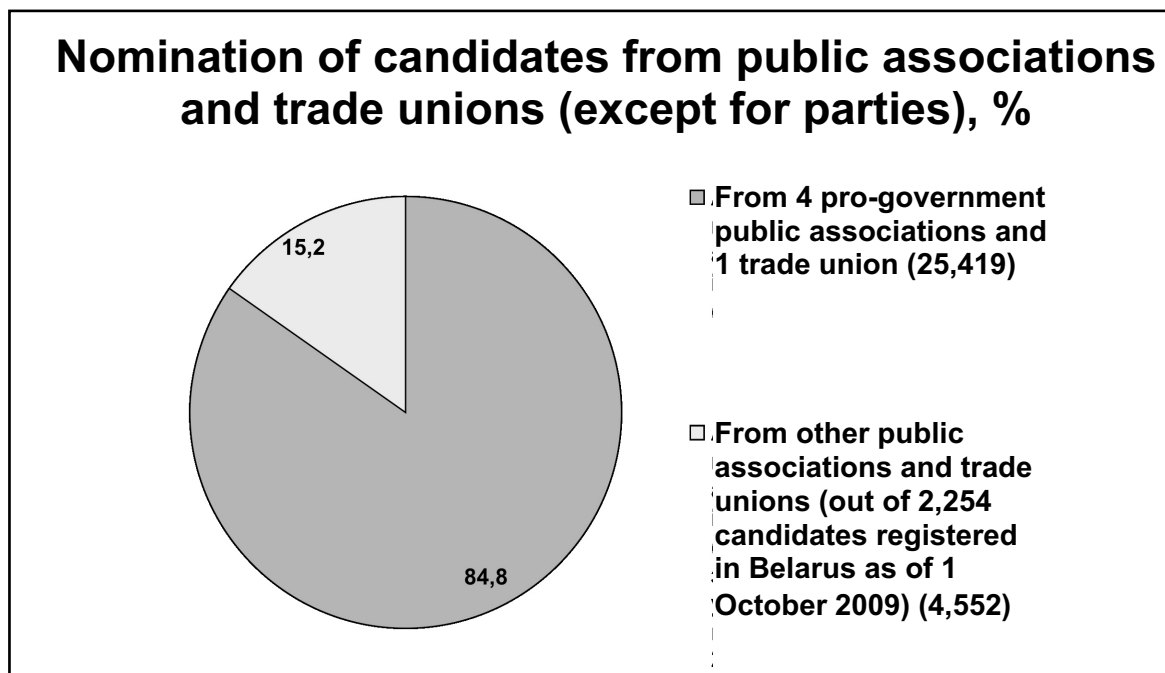
its readers that «a rotating schedule for the employees of the organizational and personnel department of the district executive committee was organized in connection with the advance of the end of the term provided by the Electoral Code for the nomination of representatives to polling station commissions for the election of President of the Republic of Belarus» and indicated the numbers where the appropriate documents could be submitted and their working hours. A similar advertisement was put on the website of Petrykau district executive committee — it mentioned the number of the room where the documents were accepted and its working hours. However, neither Zhytkavichy, nor Petrykau DEC published any information about the time and place of the sitting on the formation of election commissions.

At the same time, local officials were reluctant to provide information about the nominations that had been submitted, and often did not give any information at all.

Among 84,084 candidates nominated to PECs by political parties, public associations, labour collectives and citizen groups, only 1,073 persons were nominated by opposition political parties. The remaining candidates were nominated under the control of local authorities, who defined respective «quotas» for state enterprises and organizations and approved the offered candidates well before the end of the nomination process.

For instance, on 22 October observers found the «List of enterprises that nominate representatives to polling station election commissions» on the doors of the hall of Leninski district executive committee. The list enumerated the polling stations, their location and the enterprises and institutions which were to nominate representatives to the PECs, and set quotas for each of the enterprises. In particular, the staff of secondary school №35 of Mahiliou was to nominate 15 representatives to PEC №9, situated in this school. What concerns PEC №21, located in the dormitory of the closed joint-stock company «Mahiliou KSV», 5 candidates were to be nominated by DUKDBP «UM-106», 8 — by the «Mahiliou KSV», and 2 — by MDUKDVP «EMIS Factory». According to this document, all PECs were to consist of 15 members except for those that were formed in hospitals and military units. The quoted document didn't specify the way of nomination, which means that the solution of this question was left to the institutions and enterprises.

As a result, nominees of public associations and trade unions comprised more than 1/3 of all candidates for PECs. Five organizations — the public association «Belaya Rus», the public association «Belarusian National Youth Union», the Federation of Trade Unions of Belarus, the Belarusian Union of Women and the Belarusian public association of Veterans — nominated 84.8% of all the candidates from public associations and trade unions.



The information that was received by observers gives grounds for thinking that in some places the composition of PECs was adopted before the end of the term of the nomination of candidates (31 October). In particular, on 21 October, Mikalai Lisouski, Chair of Orsha town executive com-

mittee, at a sitting held at the executive committee, said that the commissions were ready at all polling stations. When observer Mikalai Petrushenka met with Mikalai Haurychenka, manager of the Kokhanava public utilities, on 14 October, the latter stated that he would chair PEC №24 in the town of Kokhanava (Talachyn district of Vitsebsk region). Before the end of the formation of PECs in Svetlahorsk several cases were registered when people who introduced themselves as representatives of polling station election commissions paid visits to private apartments, verifying electors' signatures.

Sittings on the formation of PECs

The sittings of election commissions and local administrations on the formation of PECs were held in line with the election schedule — till the evening of 3 November. As a rule, the information about their time and place was accessible. In particular, Baranavichy and Pinsk city executive committees (Brest region), Hrodna and Orsha district executive committees (Vitsebsk region), Leninski district executive committee of Hrodna and other timely uploaded the necessary information to their websites. However, the overwhelming majority of these sittings were extremely formal. In most cases they just approved — very quickly and on a non-alternative basis — the lists of commission members, drafted behind closed doors in advance of the sittings. Draft resolutions on the composition of PECs were prepared by special working groups». For instance, on 2 November a sitting on the formation of polling station election commissions of Mazyr district, presided by Uladzimir Dvornik, took place. It was attended by human rights defender Uladzimir Tseliapun. Veranika Baikova, Chair of the organizational and personnel department of Mazyr district executive committee and Secretary of Mazyr district election commission, stated that all the documents concerning the nomination of candidates to polling station election commissions had been considered and discussed by a «working group». According to her, this «working group» also prepared the decision of Mazyr district executive committee concerning the personnel of PECs in Mazyr district. That's why Uladzimir Tseliapun filed an application with Uladzimir Dvornik, Chair of Mazyr district executive committee, asking for permission to study the document regulating the establishment of the «working group», the decision about its composition, competence and powers. As it was found out, the «working group» was established according to Ruling №1202 of Mazyr district executive committee of 28 September 2010 «On preparing and holding election of President of the Republic of Belarus». Paragraph 5 of the ruling reads that the «working group» was established for «organizational, material and technical assistance to the activities of Mazyr district election commission», but didn't say anything about the powers of the group to determine the composition of the election commission or discuss the qualities of the nominated candidates. U. Tseliapun's addresses to the Prosecutor's Office, Chair of the Central Election Commission, Homel regional election commission, Chair of Homel regional executive committee and Homel regional justice department concerning the excess of powers by the «working group» during the formation of PECs didn't bring an adequate legal reaction.

In many cases the sittings took but a few minutes. In particular, the sitting of Tsentralny district executive committee of Homel lasted for 14 minutes; however, 626 of 1,124 candidates nominated to PECs were approved as members during the time. The sitting of Hrodna district executive committee lasted for 7 minutes, during which they managed to «consider» 485 candidates and approve 471 PEC members. The administration of Leninski district of Minsk formed all the PECs within 5 minutes (out of 1,101 candidates, 950 members of commissions were approved). 11 minutes was enough for Zhlobin town executive committee to vote for 69 polling station commissions. In Barysau district, the formation of 112 PECs took just 12 minutes. In Leninski district of Brest, 44 commissions were formed within 10 minutes — the sitting was conducted so hastily, that many of those present couldn't understand at once who was included in the commissions. In response to their claims, the district administration suggested that they should wait for the official publication of the lists of the PECs' members in the town press.

The majority of sittings of executive committees were conducted in a similar way, without the announcement or discussion of the composition of PECs or considering the candidacies proposed. It was only announced that all those proposed for inclusion into commissions were regular members of election commissions and had «enough experience». Then, the bodies usually voted for pre-compiled lists at once.

In particular, the sitting of Orsha town executive committee lasted for 5 minutes at most. It was presided by Mikalai Saksonau, Deputy Chair of the committee. He proposed the present officials of the executive committee to vote for a draft ruling on the adoption of the composition of 62 commissions, which had been printed and handed out in advance. The vote was unanimous. Not a single candidacy was announced at this sitting, there was no voting on any separate candidacies. There was even no information about the number of the candidates to the commissions and the ways of their nomination. It was also impossible to find out whether any representatives of the opposition were included in the commissions. Mikalai Dziamidau, first secretary of Orsha town office of the «Fair World» party was advised to receive this information from a local state-owned newspaper which was to publish the lists of members of the polling station election commissions.

In some cases the reasons for the non-inclusion of candidates to PECs were reported. First of all, it concerned candidates nominated by opposition political parties and independent public associations. In particular, officials of Pershamaiski and Leninski district executive committees of Babruisk refused to include 30 (!) representatives of the United Civil Party in PECs, referring to their inexperience. Rechytsa district executive committee stated its criteria for the choice of members for PECs: the experience of participation in previous election campaigns, the number of workers in the collective that nominated its representative and the business qualities of candidates. However, being asked about the reasons for the non-inclusion of a representative of the public association «Belarusian Popular Front «Adradzhenne» Mr. Shabetnik, who had worked on an election commission during the last parliamentary election, P. Shostak, Chair of Rechytsa district executive committee, said: «It is impossible to reach an agreement with him». Siarhei Marukovich, Chair of the organizational and personnel department of Zhlobin district executive committee, explained the non-inclusion of a representative of the «Fair World» Inesa Tubalets, stating that she «created a conflict situation during her work in the commission in the previous election — she voted against, demanded to state her personal opinion in the minutes». Ihar Haranovich, Chair of the organizational and personnel department of Maladechna district executive committee, who directly participated in the creation of the so-called «draft» composition of commissions, voiced the following criterion: members of commissions must be young and healthy first of all, but he was unable to explain why 47 members of the veterans' association were included in the commissions, whereas members of the Belarusian Popular Front Party and the public association «Belarusian Popular Front «Adradzhenne», including both young and experienced ones, were not.

Thus, the lack of clearly defined criteria for PEC membership allowed local authorities to form PECs solely at their own discretion.

Composition of polling station election commissions

The 6,346 PECs located in the territory of Belarus were staffed with 70,815 members (84.3% out of a total of 84,024 candidates). Out of 1,073 candidates from opposition parties, only 183 persons, or 17.1%, became commission members, whereas in case with the parties loyal to the authorities this figure was 87.7% (1,586 out of 1,808), and 93.2% (23,689 out of 25,419) — candidates from 4 major pro-governmental public associations and 1 trade union. Thus, members of the opposition constituted less than 0.25% of the total number of PECs' members and were represented only in 3% of PECs.

The discriminative approach of the bodies that formed the PECs to representatives of political parties is evident: only 1/6 of the nominees of these parties were included in the PECs, whereas 9 out of 10 representatives of pro-government parties and public association were included in the commissions.

Minsk region proved to be the most «non-alternative» one; out of 11,747 applicants, 11,253 persons became members of 1,085 PECs, i.e. 95.8% of all the applicants. The «passing rate» of the candidates from the «Belaya Rus» and the Belarusian Union of Women was 100% (808 out of 808, and 869 out of 869 respectively). However, out of 69 candidates nominated by four opposition parties only 7 persons (10.1%) became members of the PECs of Minsk region.

As a result, more than 99% of members of PECs were representatives of the present authorities, irrespective of the way of nomination. These were mainly officials of executive committees and other state bodies (first of all educational and health care ones), as well as representatives of pro-governmental public associations.

The tendency that was observed during the formation of TECs was also found during the analysis of the composition of PECs: a considerable number of state officials were nominated to PECs as representatives of public associations or groups of citizens in order to formally implement the requirement of the Electoral Code about the restriction of the ratio of civil servants by 1/3 and with the aim to imitate a «wide public representation». In particular, according to official information, civil servants comprised just 5.2% in the PECs of Homel region, which is considerably less than the legally established limit of 1/3. However, if we see who hides behind the title of «representatives of public association», there is a completely different situation. Of course, it was quite difficult to find information about the places of work of members of PECs, as the lists of their members were traditionally published without such information. However, the websites of district executive committees and state-owned newspapers, where the names of local officials were often mentioned, helped in it. In particular, thanks to the websites of the district state-owned newspaper «Loyeyski Krai» and Loyeu district executive committee it became possible to determine the number of civil servants disguised as «public representatives» in some polling station election commissions of Loyeu. For instance, Valiantsina Aniskova, Chair of the statistics department of the district executive committee, was nominated to Savetskaya polling station election commission №1 by the Trade Union of Workers of State and Other Institutions. Katsiaryna Kadoshchanka, principal of a musical school, was nominated by citizens. Sviatlana Karanushanka, Chair of a civil registry office, was nominated by the Belarusian Union of Women. Tatsiana Lahuta, leading specialist of the education department of the district executive committee, was nominated by the trade union of workers of education and science. Henadz Misachenka, Chair of the agriculture department of the district executive committee, was nominated by citizens, as well as Tamara Naumenka, manager of the district library. Her subordinate, librarian Aksana Sinila, was also nominated by citizens. Tatsiana Valokhina and Henadz Bliznets, nominated to Leninskaya polling station election commission №2 of Loyeu by citizens, are Deputy Chair of the district cooperative society and principal of a secondary school, respectively. Halina Vaitshashenka, nominated by a trade union, is manager of a children's library. Siarhei Karanushanka, nominated by citizens, is principle of a children's sports school. Viktar Kazulia, Chair of the work, employment and social defense department of the district executive committee, was nominated by a trade union. Natallia Lysianok, an official of Loyeu District Council, was nominated by citizens, and Sviatlana Matornaya, Chief Editor of the district newspaper — by the Belarusian Union of Women. Ala Matornaya, Chair of the curriculum department of a secondary school, was nominated by the public association «Belaya Rus». Andrei Navumenka, leading specialist of the economics department of the district executive committee, was nominated by the Belarusian National Youth Union (BRSM). Liudmila Chychkan, deputy principal of a kindergarten, was nominated by a trade union. Thus, 10 out of 13 members of the commission are civil servant, while it was impossible to find information about the places of work of the remaining three. A quick look at the PECs that were formed in Naroulia, gives a result similar to that in Loyeu. For instance, members of different PECs are civil servants, but are disguised as public representatives. In particular, the citizens nominated were Ivan Malinouski, manager of Naroulia branch of «Enerhazbyt» («Energy Trade»), Alena Haurylouskaya, Chair of Naroulia department of the region bureau of the Social Protection Fund and Yury Bahdanik, Chair of the district emergency department. Alena Kirhanava, Chair of the district education department, was nominated as a representative of the Belarusian Union of Women, and Marat Dziatsel, Chair of the housing and communal services department of Naroulia district executive committee — as a representatives of the public association «Belarusian Union of Military Officers».

Another persisting tendency of the formation of polling station election commissions registered by observers during the electoral campaigns of different levels and eloquently manifested during the formation of PECs for the election of President is the principle of the office subordination of members of these commissions. In particular, Pinsk PECs consisted mainly of members of labour collectives on the territory of whose enterprises the PECs were situated. For example, let's have a look at the list of members of polling station election commission №57. 12 out of 13 members of the commission are workers of different departments of Pinsk electricity networks, a branch of the national enterprise «Brestenerha», the remaining one is a nominee of the Belarusian National Youth Union, working at this enterprise. As a result, the commission is completely controllable by the enterprise administration.

Polling station commission №57 — administrative building of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»		
1.	Balashova, Natallia Ryhorauna	- nominated by the labour collective of the computer-based systems service of the bureau of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
2.	Yarmolenka, Aliaksandr Uladzimiravich	- nominated by the primary organization of Pinsk town office of the national public association «Belaya Rus» of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
3.	Yafremau, Aliaksei Viachaslavavich	- nominated by the Pinsk town office of the public association «Belarusian National Youth Union»
4.	Zubko, Vadzim Piatrovich	- nominated by the labour collective of the service of dispatching and technological control of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
5.	Klimovich, Yury Aliakseyevich	- nominated by the labour collective of the management service of the local office of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
6.	Kavalchuk, Ruslan Alehavich	- nominated by the labour collectives of the department of supervision over the operation, labour protection and fire safety and the production and technology department of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
7.	Kapyrkin, Barys Aliakseyevich	- nominated by the primary unit of Pinsk town office of the Belarusian public association of War Veterans of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
8.	Liukavets, Iryna Arsenyeuna	- nominated by the labour collective of the village district of electricity networks of the local branch of Pinsk electricity networks of the national unitary enterprise «Brestenerha»
9.	Liukavets, Valery Vasilyevich	- nominated by the labour collective of the relay protection and relay ladder logic systems of the local branch of Pinsk electricity networks of the national unitary enterprise «Brestenerha»
10.	Minich, Halina Mikalayeuna	- nominated by the labour collective of the current lines' service of the local branch Pinsk electricity networks of the national unitary enterprise «Brestenerha»
11.	Petrushenka, Hanna Yakauleuna	- nominated by the primary unit of Pinsk town office of the national public association «Belarusian Union of Women» of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
12.	Turau, Ryhor Ivolyevich,	- nominated by the primary office of the trade union of workers of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»
13.	Kharavets, Liudmila Vasilyeuna	- nominated by the labour collectives of the accounting department and chancellery of Pinsk electricity networks branch of the national unitary enterprise «Brestenerha»

The overwhelming majority of members of the newly formed PECs had at least once been members of such commissions in previous local, parliamentary or presidential elections. For instance, the following things were discovered as a result of comparison of the staff of PECs in Barysau and Barysau district during the presidential election with the election to local councils (held in April 2010): 80%-100% of the commission staff remained the same, the entire staff was changed just in one commission —

in the village of Ikany in Barysau district; in single instances the percent of changes is 42-45 and in the remaining commissions it is 65-75. The staff of the PECs of Brahın district remained almost the same as compared to the election to local councils: for instance, it seems that Navayolchanskaya PEC №13 hadn't stopped its work after the local election — all the old members were still on it during the presidential election; each of the following PECs replaced only one member for the presidential election: Kirauskaya №3, Asarevichskaya №4, Maleikauskaya №6, Sialetskaya №7, Krasnenskaya №12, Dublinskaya №15, Skuratouskaya №17, Khrakavichskaya №18 and Novahrablianskaya №19 PECs.

The analysis of the PECs that were formed in Salihorsk showed that the establishment of the «working groups» that «drafted» the lists of the PECs' members was a waste of time, because such work could be done even by a schoolboy capable of printing a document; for instance, the ruling of Salihorsk district executive committee of 10 March 2010 on the formation of PECs for the election to local councils. The matter is that the PECs for the election of President include the same people which worked in the PECs for the election to local councils and the rulings of the executive committee on the formation of the commissions during the local and the presidential elections are almost identical. In particular, 13 people were included in Praletarskaya PEC №1, but there was just one new member in it as compared to the elections to local councils. Internatsyianalnaya PEC №2: 11 out of 15 members had worked there during the local elections. Kamsamolskaya PEC №3 consisted of 15 people during the previous elections, all of them remained. However, 4 new members were added, as a result of which the number of members became 19. Pershamaiskaya PEC №4 consisted of 13 people during the local elections, 10 of which were still present in the commission. During the presidential election, the number of members was increased to 15. Budaunichaya PEC №5: 11 out of 15 members had worked in the commission during the local elections. Pushkinskaya PEC №6: 10 out of 11 members had worked during the local elections. Kastrychnitskaya PEC №7: 12 out of 13 members had worked during the local election. Yubileinaya PEC №8: 11 out of 13 members had worked in this commission during the local elections. Kirauskaya PEC №9 seems to have continued its work since the local elections, as there were no changes in its staff. Savetskaya PEC №10: 10 out of 13 members remained from the local elections. Paleskaya PEC №11: 10 out of 15 members of the commission had worked during the local elections, during which the commission consisted of 13 people. Maladziozhnaya PEC №12 consisted of 9 people during the local elections. Two new members were added to them for the presidential election. Chyrvonaarmeiskaya PEC №13: 8 out of 9 members had worked in it during the local elections. Satsyialistychnaya PEC №14: 11 out of 13 members had worked during the local elections. Piyanerskaya PEC №15: 16 out of 19 members had worked in it during the local elections.

Therefore, the process for the formation of TECs and PECs virtually did not differ from the process of their formation during the previous presidential (2006), parliamentary (2008) and local (2010) elections. While the process was conducted generally in line with national legislation and without significant violations, the resulting commissions cannot be viewed as impartial or unbiased.

Transparency of the formation of PECs

The sittings of executive committees and local administrations where PECs were formed were relatively open. In general, executive committees demonstrated more attention to the people who expressed their wish to attend the sittings on the formation of PECs as compared to the 2006 presidential election.

At the same time, there were cases when not only observers, but also representatives of the parties who had nominated their representatives to the PECs didn't manage to come to the sittings because of the reluctance of the authorities. In particular, representatives of opposition political parties who had nominated their representatives to PECs weren't informed about the sittings of executive committees in Krychau (Mahiliou region), Salihorsk (Minsk region), Biaroza (Brest region), etc. In Biaroza, Siarhei Rusetski wasn't informed about the sitting, which prevented him from attending it as a representative of the Belarusian Popular Front Party. Information about the sitting of Biaroza district executive committee on the formation of PECs appeared at its official website at 8.15 a.m. on 1 November, at the beginning of the sitting; there were no other ways to find out about its place and time. Officials of Salihorsk district executive committee refused to inform a representative of the United Civil Party, Larysa Nasanovich, about the time of the sitting: till noon they had stated that no sittings were planned, and in the afternoon they told her that the sitting had taken place in the morning.

It's worth mentioning that representatives of pro-government bodies who had nominated their representatives to PECs usually didn't attend the sittings, which confirms their confidence in the inclusion of their candidates in the commissions, as well as the fact that the lists of PECs' members had been compiled in advance, under instructions from above.

As a rule, representatives of the opposition political parties which nominated their candidates to PECs had no opportunity to ask any questions at the sittings, nor were they provided with the minutes for review. For instance, the conditions for holding the sitting created by Kastychnitski district executive committee of Mahiliou did not allow the representatives present to hear and see anything — they were placed in the back seats of a huge hall where no microphones were used. The PECs of Zhodzina, Leninski district of Mahiliou, Savetski district of Minsk, Pershamaiski and Leninski districts of Babruisk, were formed secretly. For instance, Halina Kharkaliouva, Chair of Leninski district executive committee of Babruisk, answered the application of a BHC observer with a reference to Article 34 of the Electoral Code of the Republic of Belarus and a statement that the presence of observers at sittings on the formation of PECs was not provided by the legislation. In this very answer she mentioned Article 13 of the Electoral Code, which guarantees the openness and publicity of the electoral process. In Zhodzina, Aliaksei Lapitski's request to be admitted to the sitting on the formation of PECs as a citizen of the Republic of Belarus was rejected, though the request to admit him to the sitting on the formation of Zhodzina town election commission was satisfied. Mikhail Amelianchuk, Chair of Zhodzina town executive committee, referred to Article 13 of the Electoral Code, which regulates observers' rights. In Salihorsk, a BHC observer was simply not informed about the time and place of the sitting, despite his written inquiry.

4. Candidate registration

A candidate for President must be a born citizen of the Republic of Belarus, at least 35 years old, possessing the right to vote and living permanently on the territory of Belarus for at least 10 years before the election. The person who is proposed for the nomination as a candidate for President can be nominated after the collection of at least 100,000 signatures of citizens of the Republic of Belarus. The people who cannot occupy state positions because of a previous conviction cannot be nominated as candidates for President.

Legal regulation

The registration of candidates for President is conducted by the Central Election Commission (CEC). The decision on the registration of a candidate can be taken only if the following documents have been submitted to the CEC before the beginning of the registration: the minutes of the regional and Minsk city commissions confirming that at least 100,000 signatures had been collected in support of the applicant, a statement by the applicant on his (or her) intention to run for President, his/her CV and income and assets declaration.

The registration denial can take place in the following cases:

1) if there is a serious inconsistency in the information provided in the income declaration of the contender or the close relatives who live together with him/her;

2) if more than 15% of signatures collected in his/her support in different parts of the country are invalid;

3) if the initiative groups of the applicant violate the requirement of Article 61 Par. 8, and Article 73 of the Electoral Code (EC): if organizations' administrations participated in the collection of signatures, electors were forced to put their signatures in support of the applicant or received a material reward for it; if direct subordinates or other people who are in employment dependence, were involved in the activities that facilitated the nomination of the candidacy during their working hours.

The CEC decision not to register a candidate can be appealed at the Supreme Court within three days since the time of its issue. The Supreme Court considers the appeal for three days, and its verdict is final.

The main changes in the EC concerning the procedure of the registration of candidates for President concerned the income and assets declarations that were to be presented by candidates to the CEC. During the previous elections, Article 68 of the EC made the registration of a candidate impossible in case of any inaccuracies in the registration documents presented to the CEC, including biographical data, whereas according to the new edition, registration denial can be issued only if the income and assets declarations filed by the applicant have grave inconsistencies. The CEC was given the powers to explain which inconsistencies in the declaration could be viewed as grave⁷.

Moreover, during the presidential elections that were held in 2001 and 2006, the filing of income and assets declarations by the applicants and other persons was regulated by Presidential Decree №20 of 26 December 2001. According to this document, such declarations were to be filed not only by the applicants, but also by their close relatives irrespective of the place of residence or location. As a result of amending Article 68 of the EC, such declarations are to be filed only by the applicants, their wives (husbands) and adult relatives only if they live together with the applicants and run a common household.

4.1. Registration of initiative groups

According to the legislation, the persons who intend to nominate their candidacies for President of the Republic of Belarus, need to apply to the CEC for the registration of their initiative groups and submit the lists of these groups not later than 85 days before the election, (in case of the presidential election of 2011 — not later than 24 September 2010). An initiative group must comprise at least 100 members.

⁷ According to CEC Ruling №83 of 14 October 2010, serious inconsistencies are: understatement of the yearly income by more than 20; failure to provide information about the owned estate (house, flat, garage, summer cottage or lot), vehicles, stock and shares in funds of legal entities.

The number of the documents filed varied during the whole time when they could be accepted: the majority of applicants submitted them during the last two days, 12 of them — during the last day. All in all, documents were submitted by 19 persons. The following list corresponds to the order in which the applicants submitted the documents, and the numbers in brackets indicate the number of members of the initiative groups at the time when the documents were filed:

1. Viktor Tsiarshchanka, Chair of the council of the Association of small and middle business (1,301);
2. Uladzimir Niakliayeu, leader of the civil campaign «Tell the Truth!» (2,575);
3. Uladzimir Pravalski, individual entrepreneur (202);
4. Natallia Starykava, nursing aide of the mud cure clinic of the private unitary enterprise «Chonki Health Resort» (30);
5. Yaraslau Ramanchuk, Deputy Chair of the United Civil Party (1,423);
6. Yury Hlushakou, first Deputy Chair of the Belarusian Green Party (244);
7. Siarhei Ryzhou, Chair of the external economic relations department of the open joint stock company «Vitsebsk Fruit and Vegetable Combine» (112);
8. Andrei Sannikau, leader of the civil campaign «European Belarus» (1,831);
9. Ales Mikhalevich, Chair of the organizing committee of the union «For Modernization» (1,778);
10. Dzmitry Uss, manager of the superadded liability association «Trivium» (1,325);
11. Ryhor Kastusiou, Deputy Chair of the Belarusian Popular Front Party (1,307);
12. Siarhei Haidukevich, leader of the Liberal Democratic Party (10,483);
13. Vital Rymasheuski, co-Chair of the organizing committee of the party «Belarusian Christian Democracy» (1,704);
14. Mikalai Statkevich, leader of the organizing committee of the Belarusian Social Democratic Party (Narodnaya Hramada) (1,517);
15. Illia Dabratvor, unemployed (1);
16. Siarhei Ivanou, temporarily unemployed (129);
17. Aliaksandr Lukashenka, the incumbent President (8,403);
18. Ivan Kulikou, Chair of the nuclear power systems of the United Institute for energetic and nuclear research «Sosny» of the National Academy of Sciences of Belarus (108);
19. Piatro Barysau, retired person (114).

As it can be seen from this list, not all potential candidates implemented the norm regulating the number of members of the initiative group. In particular, the initiative group of Natallia Starykava comprised just 30 people and the initiative group of Illia Dabratvor consisted of himself. The registration of such initiative groups was evidently impossible. According to Illia Dabratvor, he filed his documents in protest, as «other strange people, such as this nurse, filed documents». He didn't think that his application for the registration of the initiative group would be satisfied.

The applications for the registration of the initiative groups of the future candidates for President were considered by the CEC in the terms that were stated in the Schedule of the election. The initiative group of V. Tsiarshchanka was registered on 20 September and the applications for the registration of the initiative groups of other pretenders — on 27 September. The CEC refused to register the initiative groups of I. Dabratvor and N. Starykava which numbered fewer members than required by the legislation. Moreover, I. Dabratvor was younger than 35, which contradicts the requirements of the Constitution. Thus, certificates on registration of initiative groups were awarded to 17 citizens.

In considering the signature sheets of certain candidates, the CEC demonstrated extraordinary tolerance to the faults in submitted documents.

The process of submitting applications for registration of initiative groups by the future presidential candidates to the CEC, as well as the submission of lists of members of initiative groups, was held in accordance with the Electoral Code, but with the only exception: the application of the incumbent President was not submitted in person, as required by Article 61 of the Code, but by the head of his election headquarters — Minister of Education Aliaksandr Radzkou, whose appearance was also not seen by observers stationed outside.

The information that A. Lukashenka's documents were filed appeared at the news line of the BelTA information agency at 5.05 p.m. on 24 September, on the last day when the documents could be filed. Meanwhile, according to official information of the CEC, which was disseminated by information agencies, A. Lukashenka hadn't submitted documents as of 4.45 p.m. Moreover, journalists

and other persons didn't see A. Radzkou in the building of the CEC or outside it from 4 till 6 p.m., when there was a queue of applicants, as most of them submitted the documents at the last moment. The filing of documents by somebody else instead of A. Lukashenka, as well as the invisibility of this action, caused a number of logical questions about the legality of his actions. Soon the BelaPAN news agency disseminated a commentary by M. Lazavik, who explained that Radzkou «had an official attorney's authority for all notary actions... Lukashenka can delegate the power of attorney as a physical body, there is no violation»⁸. The CEC Chair Lidziya Yarmoshyna assured that A. Lukashenka «used a form which is used in our elections. He gave the power of attorney to the head of his initiative group, so that the latter could file the documents instead of him. On the basis of this power of attorney, the head of the initiative group submitted the application of the head of state with the CEC, together with a copy of the passport and the list of members of the initiative group on paper and in the electronic format — all was done in line with requirements of the ruling», referring to CEC Ruling №46 of 15 September 2010 on explaining Article 61 of the Constitution. According to the opinion voiced by L. Yarmoshyna in her interview to the «European Radio for Belarus», «there are different circumstances, and our practice formed in such a way that we provide the possibility to file the application not in person. For instance, the registration of the young Franak Viachorka took place with the use of the power of attorney, because he was serving in the army. Skrabet submitted his application for the registration of his initiative group with the help of head of the prison where he was held. That's why we provide for such a possibility: if the future candidate cannot or doesn't want to file documents in person, he/she can create the power of attorney.»⁹ It's worth noting that L. Yarmoshyna's reference to the registration of F. Viachorka's initiative group during the local election in 2010 is wrong, as according to Article 65 of the Electoral Code, persons who are nominated as candidates to local councils are not obliged to present their passports to the corresponding territorial or constituency commissions. At the same time, Article 61 of the Electoral Code directly demands that the person who intends to be nominated as a candidate for President must present the passport while submitting documents to the CEC.

4.2. Signature collection

Signatures were collected on 30 September — 29 October, in accordance with the Schedule of the election.

Legal regulation

Any citizen who has the right to vote and is at least 18 years old can sign the nomination of a future candidate¹⁰. The elector has the right to support several candidacies, but only one time for each one. The elector also has the right to revoke the signature by submitting an application to the corresponding election commission.

Name, patronymic and surname, date of birth, place of residence, series and number of passport of each signer must be filled in the signature sheet in handwriting. The elector must put his signature and date in his/her own hand.

The participation of organizations' administrations in the collection of signatures, as well as forcing to sign or providing reward for signing, is prohibited. Future candidates have no right to involve the people who are their subordinates or are in other employment dependence in any activities facilitating the nomination during working hours. Violation of these requirements may result in the denial of registration of a candidate for President.

20% of the signatures in support of each applicant which were passed to the corresponding commission are liable to verification. In case more than 15% of the verified signatures prove to be invalid, another 15% of the passed signatures are verified. If the total percent of invalid signatures constitutes more than 15% of the verified signatures, the verification is stopped and all signatures in the received signature sheets are ignored during the establishments of the results of the collection of signatures in the district, city or city district.

⁸ BelaPAN, 24 September 2010.

⁹ «European Radio for Belarus», 24 September 2010.

¹⁰ The persons, who were declared legally incapable by the court, are kept in penitentiary institutions on court verdict or who are kept in custody as personal restraint, don't take part in elections.

District, city and city district commissions submit information on the verification of signatures and the signature sheets to the regional and Minsk city election commissions, who also have the right to verify signatures within a five-day term. The regional election commissions and Minsk city election commission establish the number of electors who signed in support of the candidacy, sum up the results in the corresponding regions (or in the city of Minsk), draft the corresponding minutes and submit them to the Central Election Commission.

Positive amendments concerning the procedures of the collection and the verification of signatures were introduced to the Electoral Code as compared to the previous election of President:

1) a signature sheet must contain signatures of electors living on the territory of one city of regional subordination, or on the territory of one district of a city with the district subdivision (not on the territory of one settlement, as it was in the previous edition of the EC);

2) members of initiative groups don't need official permission to hold pickets for collecting signatures if the pickets are held in the places that aren't prohibited for picketing by the authorities;

3) signature sheets are certified by a member of the initiative group. The sealing of signature sheets by the heads of the local administrations on the territory of which the signatures were collected was abolished in the new edition of the EC;

4) if the signature sheets that were passed to a district, city or a city district commission, contain signatures of electors who live on the territory of other district, cities or city districts, only the signatures that are collected among the residents of the corresponding administrative division are verified and taken into account. All other signatures are ignored. In the previous edition of the EC, the signatures that were put by residents of other administrative divisions were found invalid.

Except for the EC, the order of the collection and the verification of signatures was explained in the Methodological Recommendations «Organizational and legal issues of the preparation and holding of elections», adopted by CEC Ruling №43 of 15 September, and two other Rulings, №47 of 15 September and №96 of 5 November 2010. According to experts of the campaign «Human Rights Defenders for Free Elections», certain provisions of these rulings don't correspond to Article 61 of the Electoral Code. In particular, paragraph 6 of the CEC Ruling №47 provides for the possibility of filling signature sheets not only by members of initiative groups and signers, but also by other persons (on request of electors), though Article 61 demands that signatures must be gathered solely by members of initiative groups and doesn't provide for the delegation of these powers to other persons. Article 61 also obliges electoral commissions to find invalid all signatures that were collected by a person who wasn't a member of the initiative group of the corresponding candidate. Moreover, in defiance of the resolute prohibition of the participation of administrations in the collection of signatures set forth in Article 61, the CEC allowed representatives of administrations of organizations to collect signatures during their time off (Methodological Recommendations).

Determination of the places that are banned for the collection of signatures

According to Article 61 of the Electoral Code, «the collection of signatures can take place in the form of picketing. There is no need to receive permission for holding a picket for this purpose if it is not held in the places where the collection of signatures was prohibited by the local executive and administrative bodies.» City and district authorities determined the places where it was prohibited to collect signatures in support of the nomination of candidates for President. It was done before 24 September, in conformity with the election schedule.

Such limitations were minimal in Minsk. However, in other cities the prohibition concerned objects of automobile, railway and water transport; territories within 50-200 meters from underground pedestrian crossings; TV- and radio centers, local representative and administrative bodies, courts and prosecuting authorities; the territories of the bodies responsible for the security and defense of the state and vital activities of the population — public transport, water, heat and energy supplies, hospitals, clinics, kindergartens, schools and gymnasiums (according to rulings of the districts executive committees of Homel, Hrodna and Mahiliou); territories within 50 meters from the central squares, enterprises, institutions, railway stations, administrative buildings (the district executive committees of Pastavy and Krychau), or any places «where the functioning of pickets will create obstacles to activities of enterprises, organizations, institutions or endanger the health and life of picketers» (the district executive committees of Mazyr, Homel, Karma, Buda-Kashaliova, Chachersk, Zhytkavichy, Petrykau and Brahin). The latter words give unlimited opportunities for «lawful» prohibition of signature-raising pickets anywhere.

The rulings of the executive committees were practically identical to the ones that were issued during the local election 2010. They considerably complicated the collection of signatures as compared to the 2006 presidential election, when there was no legal regulation of the collection of signatures in pickets and initiative groups of candidates could collect signatures in any place they wanted.

However, later on many executive committees adopted new rulings or made amendments to the old ones, which considerably increased the possibilities for the collection of signatures. In particular, such rulings were adopted in Brest, Biaroza, Pinsk (Brest region), Baran (Orsha district of Vitsebsk region), Salihorsk (Minsk region) and Rechytsa (Homel region). Amendments were made to the ruling of Mahiliou city executive committee. The executive committees of Baranavichy (Brest region), Orsha, Pastavy, Rasony (Vitsebsk region), Hrodna, Slutsk (Minsk region) and other towns and cities extended the number of places where it holding pickets was authorized. These tendencies were positive and were aimed at the improvement of the conditions for the collection of signatures by the initiative groups.

Conditions for signature collection

The collection of signatures at pickets was conducted without significant obstacles by the authorities and in relatively equal conditions for all candidates. According to Interior Minister Anatol Kuliashou, policemen were recommended not to hinder the collection of signatures even in cases of insignificant law violations. Nevertheless, there were cases when police officers created obstacles to the collection of signatures.

On 2 October policemen dispersed a picket which was held by entrepreneur Mikalai Charnavus at the central market of Baranavichy to collect signatures in support of Ryhor Kastusiou and Yaraslau Ramanchuk. Mr. Charnavus managed to collect only 8 signatures, when police officers came up to him and categorically demanded that he left the market. Mikalai Charnavus tried to explain that the ruling of Baranavichy city executive committee allowed collecting signatures there, but the policemen ignored his words and forced him to stop the picket. The following day Mikalai Charnavus, together with Viktor Syrytsa, picketed there again, collecting signatures in support of Andrei Sannikau and Mikalai Statkevich. The police didn't interfere.

On 27 October in Hrodna the members of the initiative group of Uladzimir Niakliayeu Zmitser Bandarchuk and Aleh Kalinkou hanged out a banner with the candidate's portrait on the bridge where they collected signatures. 15 minutes later there arrived five cars with policemen holding machine guns. They checked the activists' IDs and had a long telephone consultation with their chiefs. Finally, Uladzimir Khliabich, Chair of Kastychnitskaya district election commission of Hrodna, arrived there. He told the picketers that the informational stands hindered the movement of pedestrians. The picketers removed the legs of the stands from the pavement and continued collecting signatures.

On 28 October Andrei Tychyna, a member of the initiative group of Uladzimir Niakliayeu, was detained while holding a picket near the «Salihorsk» supermarket in the town of Salihorsk. He was taken to Salihorsk district police department. The police were enraged by the flag and the stand with the emblems of Uladzimir Niakliayeu's campaign. As a result, the policemen apologized to the activist and then took him back to the place of the picket.

There were also some situations when police officers were present at electoral pickets of alternative candidates. On 15 October the pickets of the initiative groups of Ryhor Kastusiou and Ales Mikhalevich in Liozna (Vitsebsk region) were surrounded by the police who talked loudly using their handheld transceivers, saying there was a «picket for the BPF». A plain-clothes person and a policeman watched the conversations of picketers with electors in the town of Hantsavichy (Brest region), which prevented the people from openly expressing their views. According to observers, Minsk police demonstrated a loyal attitude to participants of electoral pickets. What concerns the collection of signatures in support of A. Lukashenka, no cases of police-related interference were registered.

In general, the initiative groups of the candidates worked in unequal conditions as compared to the initiative group of the incumbent, whose members had the opportunity to collect signatures in the places that were inaccessible to other initiative groups. For instance, the initiative group of A. Lukashenka collected signatures in the building of Minsk railway station, whereas all other initiative groups were prohibited to do it by the administration of the railway station. It was also impossible for them to collect signatures on the territory of state enterprises and institutions, where signatures in support of the incumbent were collected on a mass scale. The administrations of students' and workers' dormitories didn't let any initiative groups (except for that of A. Lukashenka) to collect sig-

natures in the dormitories, referring to the absence of the appropriate permissions by the administrations of the enterprises and institutions to which they belonged. Meanwhile, according to paragraph 9 of the CEC Ruling №47 of 15 September 2010, members of initiative groups can collect signatures in dormitories, but must abide by the internal rules concerning visits of non-residents. Facts of non-admission of initiative groups of opposition candidates to dormitories were registered in Salihorsk (Minsk region), Polatsk (Vitebsk region), Minsk (the initiative group of U. Niakliayeu), Homel (the initiative group of V. Rymasheuski), etc.

In particular, on 5 October Andrei Tychyna came to the dormitory of Salihorsk Pedagogical College to collect signatures in support of the nomination of Uladzimir Niakliayeu. However, he was told that he needed to receive permission from the college administration to be let in. On 7 October he applied to L. Rumiantava, deputy principle and ideology official of the college, to receive permission. However, he received a denial with reference to the ban on the collection of signatures in educational institutions. Similar oral refusals were received on 6 and 7 October from Yu. M. Piskunou, principal of Salihorsk Vocational Lyceum №72 and S. V. Vyliazhanina, deputy principal on education and ideology of Salihorsk Mining and Chemical College.

On 23 October Tatsiana Tkharova, a member of the initiative group of Vital Rymasheuski, wasn't let in the dormitory of the open joint-stock company «Brest Household Chemistry Plant». The janitor explained that the administration instructed him to let collectors of signatures in the dormitory between 8.00 a.m. and 5 p.m. on working days (during the working hours).

The overall collection of signatures for the incumbent was managed by executive committees. In particular, Piatro Dauhuchyts, Deputy Chair for social issues and ideology of Slutsk district executive committee proposed just one discussion topic at the council of the district ideologists — the collection of signatures in support of the incumbent. In Babruisk, teachers of the district schools were gathered at Pershamaiski district executive committee and instructed to collect 300 signatures for A. Lukashenka. A similar order was given to school teachers in Baranavichy. On 7 October Maryna Svetlakova, Deputy Chair of the education department of Baranavichy city executive committee, conducted an urgent council with the teachers who were members of the initiative group of A. Lukashenka, and categorically demanded that they collected at least 200 signatures in his support.

There were registered cases when signatures in support of A. Lukashenka were collected in the public reception rooms which were established at the city and district executive committees with the aim to «improve the quality of education, the housing, social, sports and cultural spheres of public life». ¹¹ For instance, the collection of signatures was conducted at the public reception room of Chyhunachny district executive committee of Homel, located in Homel regional library. In addition, the reception rooms worked at 11.00 a.m. — 3.00 p.m. at weekends in October.

Administrative resources were broadly used for collecting signatures in support of Lukashenka. The most common forms included: participation of the administrations of state-owned institutions and enterprises in signature collection, who forced their subordinates to sign; signature collection by members of Lukashenka's initiative group during their working hours; and collection of signatures by persons who were not members of his initiative group (so-called «aides of initiative group members»).

The officials in charge of ideological work at institutions and enterprises and heads of departments of education gave instructions to their subordinates on how many signatures they should collect and criticized them for non-fulfillment of instructions. The plans ranged from 16 to 500 signatures for every teacher or other state employee involved in collecting signatures.

A typical example of the usage of administrative resource in favour of the incumbent was signature collection by teachers in Leninski district of Minsk. For two weeks, starting from 14 October, the department of education of the administration of Leninski district of Minsk was supervising the participation of employees of educational institutions in the picket for collecting signatures in support of Lukashenka near the «Serabranka» marketplace. Heads of district schools and kindergartens received a schedule of participation in the picket, which was compiled, according to Anzhela Naskova, head of ideological and educational work of the above department, with the advice and participation of a representative from Lukashenka's election headquarters. Naskova claimed that the labour collectives and individual employees of the institutions subordinated to the department could refuse to take part in the picket.

¹¹ <http://www.gorod.gomel.by/Main.aspx>

Just like in the 2006 election campaign, Lukashenka's initiative group conducted collection of signatures at state-owned institutions and enterprises (especially educational and health care institutions) with a broad and direct participation of their administrations, which is prohibited by the law. For instance, the head of the curriculum department of secondary school №12 in Vitsebsk, «proposed» people to come to school with their passports in order to put signatures in support of the incumbent President. In Homel, Larysa Shchyrankova saw Halina Chayankova, vice-rector of the Belarusian State University of Transport and head of the initiative group of A. Lukashenka in Chyhunachny District of Homel, collecting signatures among students. In Babruisk city polyclinics №7 signatures were collected during the reception in the fluorography room. According to information of dwellers of the 6th district of Babruisk, those who were ready to support A. Lukashenka were proposed a priority service. The medical officials of the «Polatskhaz» («Polatsk Gas») enterprise collected signatures after the medical examination before the working shift.

Members of the initiative group of A. Lukashenka often collected signatures during working hours. Sviatlana Miliokhina, Deputy Chair of the youth education department, collected signatures at Skaryna Homel State University between 8 a.m. and 6 p.m. during the weekdays and on Saturday mornings. In the town of Hlusk (Mahiliou region), a member of A. Lukashenka's initiative group A. Dziadziulia, deputy head of Hlusk district hospital, collected signatures in support of the incumbent head of the state during the working hours.

There were registered cases when people were allowed to sign for Lukashenka without presenting their passports; the necessary information about voters was put into signature sheets by information of personnel departments of enterprises and institutions. For instance, the administration of the «Masty Raisel'nostekhnika» («Masty District Agricultural Machines») enterprise, which collected signatures for A. Lukashenka during the working hours, also put the personal data of its workers in the signature sheets in advance.

Signatures in support of Lukashenka were collected both by the members and non-members of his initiative group. Collection of signatures in support of Lukashenka by non-members of his initiative group took place not only on the premises of state-owned institutions and enterprises, but also in street pickets.

Hanna Shakhnovich, Chair of Bokshytsy village executive committee, who wasn't a member of the initiative group of Aliaksandr Lukashenka, collected signatures in his support by paying visits to villages situated on the territory of Bokshytsy VEC. Janitor of dormitory №3 of «Minskablselbud» («Minsk Regional Village Building») in Slutsk demanded that its dwellers put signatures in support of the incumbent President, though she wasn't a member of the initiative group.

In Minsk, Mikita Krasnou registered many cases when collectors of signatures in support of A. Lukashenka weren't members of his initiative group (participants of 4 out of 6 pickets questioned by him). In all cases such pickets were held in central Minsk. This situation was observed near the House of Furniture (not far from the metro station «Yakub Kolas Square»), near the «Shopping Center in Niamiha», near the HUM (the central city supermarket) and so on. Having received a telephone call from the collectors of signatures who picketed near the House of Furniture, Aliaksandr Khmyl (according to the CEC, he was member №8,240 of A. Lukashenka's initiative group), arrived. The people who collected signatures without IDs of members of the initiative group outside the central city supermarket phoned Ryhor Piatrovich Atamanau (member №8,339 of Lukashenka's initiative group). On seeing Krasnou shooting the fuss of the signature collectors with his mobile phone camera, Ryhor Atamanau beat it out of his hands. He explained that non-members of the initiative group just filled signature sheets after which he signed them. Participants of the picket near the House of Furniture didn't hide the fact that most of them were just students who were made to collect signatures and who had no relation to the initiative group.

The administrations of Belarusian enterprises and institutions prohibited their subordinates from signing for and participating in the collection of signatures for someone other than the incumbent, under threat of dismissal or expulsion. Such ultimatums were publicly made by top managers. In many cases, when such managers became aware that their subordinates had signed for someone other than Lukashenka, they demanded them to withdraw their signatures as an ultimatum. For instance, Iryna Piatrovich, Chair of Slutsk Territorial Social Service Center and member of Slutsk district election commission, held a meeting at which she demanded that her subordinates signed only for A. Lukashenka. Vasil Buliankou, principal of evening school №1 of Polatsk, prohibited the teachers from signing for somebody else but Lukashenka under the threat of dismissal. The student council

of Baranavichy State University informed the students that grounds would be found to expel those who signed for the «wrong» candidate. Tamara Zhenzheuskaya, principal of Amhovichy secondary school (Slutsk district of Minsk region), Volha Birukova, principal of kindergarten №76 of Vitsebsk and others prohibited their subordinates from signing for anyone except for A. Lukashenka.

Observers noted separate cases of pressure on members of initiative groups in connection with the delivery of signatures. In Slutsk district (Minsk region), a member of the initiative group of Uladzimir Niakliayeu refused to submit his completed signature sheets to the district election commission because of pressure on him exerted by the principal of the secondary school where he worked as a teacher. In Baranavichy (Brest region), a member of the initiative groups of Mikalai Statkevich and Dzmitry Uss was telephoned by an unknown person who threatened that the collector would not be able to live peacefully in the country, in case signatures were submitted.

There were cases when TECs refused to accept the signatures that hadn't been collected personally by those who submitted them. For instance, Svislach district election commission (Hrodna region) refused to accept the signatures in support of Ryhor Kastusiou that were delivered by a member of his initiative group Anatol Valiuk, alleging that a part of the signatures had been collected by somebody else. The signatures were accepted only after A. Valiuk applied to the CEC.

The order of the reception of signature sheets by TECs is regulated by the Methodological Recommendations that were issued by the CEC¹². According to them, the number of signature sheets, not the number of signatures, was to be put in the register of the incoming documents: «the submitted signature sheets are counted by a commission member in order to make an entry in the register of the incoming documents. The Electoral Code doesn't provide for the issuance of any documents confirming the reception of signature sheets.» Thus, the existing procedure didn't eliminate the possibility of rigging the number of submitted signatures.

Signature verification

The TECs verified the submitted signatures for ten days after the end of the collection of signatures, on 5-15 November.

In the beginning of the verification of signatures, the CEC Chair Lidziya Yarmoshyna publicly expressed her doubt that many of the signature sheets corresponded to requirements of the electoral legislation: «Too many mistakes strike the eye <...> There are cleverer counterfeits, where a part of the title sheet is filled in handwriting, and there are crude ones, where everything is copied. A part of the signature sheets will be sent for an expertise.»¹³ However, at the end of the verification L. Yarmoshyna stated that 10 out of 11 candidates had «real chances to get registered as candidates.»¹⁴ Mikalai Lazavik, Secretary of the Central Election Commission, pointed: «Some of the future candidates have their own understanding of the liberal approach of the Central Election Committee to the collection of signatures. Some of them possibly used different databases of the Belarusian population to fill the signature sheets.»¹⁵ However, later he stated that the «strict approach to the registration», typical of the previous election campaigns, wouldn't be used during the current campaign.¹⁶

In fact, signatures in support of certain candidates were found invalid only by some district election commissions. For instance, on 8 September Salihorsk TEC voiced the information claiming that only signatures in support of 5 out of 9 candidates were found valid. As a result of two verifications, the commission found invalid 18.9% of the verified signatures in support of Ales Mikhalevich; 16% signatures in support of Uladzimir Niakliayeu; more than 20% - in support of Andrei Sannikau and more than 15% - in support of Dzmitry Uss, which means that all signatures collected in their support on the territory of Salihorsk TEC were found invalid.

There were also cases when commissions found signatures invalid, but then changed their mind. In particular, on 9 November representatives of the initiative group of Andrei Sannikau were invited to Leninski district election commission of Brest and told that the number of violations in the signature sheets of this candidate exceeded the legal limit. However, later the election commission abstained from the annulment of the signatures.

12 Methodological recommendations. Organizational and legal issues of the preparation and holding of elections. (Ruling of the Central Election Commission №43 of 15 September 2010).

13 <http://kp.by/daily/24584.5/754378/>

14 BelTA, 15 November 2010.

15 www.belta.by.

16 BelaPAN, 14 November 2011.

The members of Minsk city election commission Halina Siamdzianava, Yury Khadyka and Aliaksei Sihayeu pointed to the secrecy of the verification and counting of collected signatures by the TECs of Frunzenski and Tsentralny districts of Minsk. They informed other members of Minsk city election commission that the form of the acts of these commissions on the number of signatures that weren't liable for verification differed from the form adopted by the CEC. It was also noted that documents concerning the verification of signatures by the district commissions were accepted only by the deputy chair of Minsk city election commission and a representative of Minsk city executive committee T. Zhdanovich, who wasn't a member of the commission at all. Halina Siamdzianava wasn't informed about the location of these documents and got an opportunity to witness the process of the reception of signatures only after telephone calls to the CEC and the chair of Minsk city election commission. As a result, the indicated number of the signatures which were collected in support of each candidate was lower than the actual one. These district election commissions had to rewrite their acts and minutes, and the city election commission had to postpone its sitting. Halina Siamdzianava expressed her conviction that the city commission had a formal approach to the signature verification: the quantity of signatures that were to be verified wasn't determined. According to her, the verification of signatures at district commissions was conducted without addressing the future candidates, and without taking into account the principle of equality before the law. The use of the administrative resources and the use of copies instead of original sheets weren't checked. The cases when signatures were collected by non-members of initiative groups weren't considered either. Yu. Khadyka, A. Sihayeu and H. Siamdzianava were unable to check the numbers that had been provided by the district election commissions and therefore refused to sign the appropriate minutes of Minsk city election commission. Moreover, H. Siamdzianava attached to these minutes her personal opinion as a member of the commission.

An incident with signatures in support of U. Niakliayeu took place during the presentation of the documents necessary for the registration of candidates for President to the Central Election Commission. On 1 November L. Yarmoshyna, the CEC Chair, stated that 161,824 signatures were submitted in support of U. Niakliayeu. However, on 3 November she voiced another number, 193,829 signatures. According to the official version, it was a technical mistake (the column «Vitsebsk region» was left blank), but it revealed a significant flaw in the procedure of verification. The absence of the official information about the number of signatures received by the TECs considerably decreased the trust to the resulting numbers voiced by the CEC.¹⁷

Election commissions did not allow observers to be present during the signature verification process, explaining that under the Electoral Code observers may attend sittings of commissions, while verification of signatures took place outside such sittings. For instance, observers were unable to observe the verification of signatures in any of the election commissions of Hrodna region. Despite the repeated applications to Salihorsk district election commission (Minsk region), observer Leanid Markhotka and members of U. Niakliayeu's initiative group weren't allowed to do it. L. Markhotka was allowed to attend only the final sitting of the commission. The commission also refused to familiarize him with the documents concerning the verification of the signature sheets.

We can cite the words of Aliaksandr Nelipovich, Chair of Biaroza district election commission (Brest region), with reference to Article 13 of the EC, as a typical refusal: «You have the right to attend sittings of the district election commission, being a registered observer there. The verification of signatures for the nomination of candidates for President of the Republic of Belarus <...> is a working moment for the commission. Documents concerning the validity of the electors' signatures in the signature sheets are considered at sittings of the district commission». Vasil Barannik, Chair of Barysau city election commission, motivated his refusal to let observers watch the verification of signatures in a similar way: «Article 13 of the Election Code of the Republic of Belarus doesn't provide for the right of observers to watch the procedure of the verification of signatures of electors in the signature sheets that were submitted by members of initiative groups.» Leninski district election commission of Hrodna and Hrodna district election commission also answered with refusals, pointing that «the participation of observers in the verification of signatures of electors in the signature sheets by members of the district commission is not provided by the law».

17 Information on the number of electors' signatures in the signature sheets which were submitted to the Territorial Election Commissions by members of the initiative groups for the nomination of candidates for President of the Republic of Belarus. <http://www.rec.gov.by/elect/indexprb.htmlN@prb2010mess>.

It should be noted here that Article 13 contains an exhaustive enumeration of restrictions on the rights of observers. However, there is no prohibition on the observation of the procedure of the verification of signatures in territorial election commissions. Participants of the campaign «Human Rights Defenders for Free Elections» grounded their activities on the principle of the transparency of all stages of election campaign, including the procedure of the verification of signatures that was established by the EC. The lack of transparency in the process of signature verification provided serious grounds to question the objectivity of the results.

The most hidden phase was the selection of signature lists for verification. For example, at Mazyr district election commission (Homel region), 20% of signatures were selected previously by the secretary and handed over to the members of the commission for verification in a separate room without participation of the observer.

At the same time, in some cases, unlike previous election campaigns, observers could see some actions of commissions related to verification of authenticity of signatures. For example, the observer could not see the process of selecting signature sheets at Pershamaski district election commission of Minsk, but was able to observe the process of rejection of sheets, phone calls to voters, submissions of applications by the electors who hadn't put their signatures in the sheets, drafting of the acts of verification, etc.

4.3. Withdrawal of future candidates from electoral race

6 out of 17 potential candidates whose initiative groups had been registered by the CEC, withdrew from the electoral race on their own will.

The first of them was P. Barysau, who withdrew on 7 October with a statement that he adhered to Christian values and did it in favour of V. Rymasheuski.

On 8 October S. Haidukevich, who had taken part in the presidential elections of 2001 and 2006, also applied to the CEC with a statement about his withdrawal from the electoral race, which he explained by saying that «elections in Belarus are shows, the results of which are known to everyone in advance».

On 21 October S. Ryzhou refused to continue running for President, quoting the pressurization of some members of his initiative group by the authorities as one of the reasons.¹⁸

At the end of the stage of submitting electors' signatures to the territorial election commissions Yu. Hlushakou withdrew because of the impossibility to collect 100,000 signatures. Two more candidates, S. Ivanou and I. Kulikou, withdrew for the same reason after the end of this stage.

As a result, 11 candidates reported on submitting the necessary number of signatures to the territorial election commissions: R. Kastusiou, A. Lukashenka, A. Mikhalevich, U. Niakliayeu, U. Pravalski, Ya. Ramanchuk, V. Rymasheuski, A. Sannikau, M. Statkevich, Dz. Uss, and V. Tsiarshchanka.

4.4. The CEC sitting for the registration of presidential candidates

On 18 November 2010 the CEC held a sitting dedicated to the registration of candidates for President. All 12 members of the CEC, the potential candidates, their election agents, observers and journalists took part in the sitting.

Mikalai Lazavik, the CEC Secretary, reported on the results of the establishment of the number of electors who had signed in support of the people nominated as candidates for President. He stated that all the necessary conditions had been created for the unimpeded collection of signatures during the election campaign. According to him, police officers showed a loyal attitude to electoral pickets, some of which had traits of election campaigning. M. Lazavik emphasized that free and democratic conduct of the stage of the signature collecting allowed the potential candidates to collect the necessary number of signatures. It's worth noting that the numbers that were voiced by M. Lazavik had insignificant differences from the earlier information of the CEC¹⁹ about the number of received signatures:

¹⁸ It's worth mentioning that later S. Ryzhou was fired from work, allegedly for absence from work.

¹⁹ <http://www.rec.gov.by/pdf/prb2010/sved9.pdf>

Name and surname of the person, nominated as a candidate for President	The number of submitted signatures		The number of signatures which were found valid
	According to the preliminary information of the CEC	As stated at the sitting	
Ryhor Kastusiou	107,083	107,085	100,870
Aliaksandr Lukashenka	1,113,014	1,113,938	1,110,000
Aliaksei Mikhalevich	120,531	120,554	111,699
Uladzimir Niakliayeu	193,829	194,953	180,073
Yaraslau Ramanchuk	128,699	127,229	123,206
Vital Rymasheuski	105,318	107,493	102,817
Andrei Sannikau	150,168	151,558	142,023
Mikalai Statkevich	117,989	116,408	111,159
Dzmitry Uss	110,753	109,091	104,102
Viktar Tsiareshchanka	122,520	123,885	109,012

M. Lazavik emphasized the main violations by members of the initiative groups, which resulted in the invalidation of a part of the passed signatures: signatures on behalf of different persons put by one hand, signatures put by people who had no right to vote, and the absence of signatures of members of the initiative groups at the signatures sheets. Only one nominee had no remarks from the CEC — President Aliaksandr Lukashenka (1.1 million valid signatures)

Only 118 signatures, collected in Navapolatsk and Vitsebsk districts (Vitsebsk region) collected in support of Uladzimir Pravalski were found valid, though his initiative group had passed to the territorial commissions 6,798 signature sheets, signed by three members of his initiative groups. During the verification of the signatures the territorial commissions questioned the authenticity of the signature sheets. That's why these signature sheets were passed to Vitsebsk city police department. According to the results of the expertise held by the expert-criminalistic center, all signature sheets that had been passed for the expertise were copies. Pershamaiski district election commission of Vitsebsk filed the materials of the expertise to the Prosecutor's Office, asking to give a legal assessment to these facts. As a result, the CEC adopted a unanimous decision to deny U. Pravalski in registering as a candidate for President.

Remarks on the remaining 9 nominees, who collected more than 100,000 signatures — Ryhor Kastusiou, Ales Mikhalevich, Uladzimir Niakliayeu, Yaraslau Ramanchuk, Vital Rymasheuski, Andrei Sannikau, Mikalai Statkevich, Viktar Tsiareshchanka and Dzmitry Uss — dealt with violations during signature collection and inconsistencies in data about income and property. The CEC decided that these violations did not prevent registration and registered all of the above 9 nominees as presidential candidates.

* * *

In general, the registration of candidates took place without significant restrictions. At the same time, the non-transparent character of the signature verification process and check of documents presented by nominees for registration does not rule out opportunities for manipulation by election commissions and gives grounds to view the results of the registration as politically, rather than legally, motivated.

5. Voter lists

The right to vote is entitled to those citizens of Belarus who have reached the age of 18. Those citizens, who have been declared legally incapable by the court, sentenced to imprisonment by the court, and those who in accordance with the criminal procedure law are kept in pre-trial detention, cannot take part in the election. The registration of electors is provided by executive committees, which submit the lists of citizens of the Republic of Belarus who live on the territory of the corresponding constituencies and have the electoral rights to the appropriate polling station election commissions. Thus, there is no centralized list of voters in the country. Lists of citizens who have the right to vote are compiled at each polling station separately prior to each election. According to Article 44 of the Electoral Code, the updating of the lists of voters at polling stations and the familiarization of electors with them is a duty of polling station election commissions.

According to Article 21 of the Electoral Code, each citizen has the right to check whether he/she is included in the list of voters and his/her personal data has been shown there correctly. This legal provision has been interpreted by the election commissions in such a way that observers have virtually no chances to see voter lists. Only PEC members have access to them, and they are not posted for general information. Changes in voter lists can be made by the PECs nearly up to the start of the vote count. As a result, the final number of voters registered at the polling station is reflected only in the final minutes — after the end of voting.

In practice, these legal provisions prevented observers from analyzing the voter lists. Moreover, in some cases it resulted in the impossibility to verify the correspondence of the number of voters at an election constituency to provisions of Article 17, Par. 2 of the EC, according to which the number of voters at a polling station may vary between 20 and 3,000. The information on the territories of constituencies and the number of electors at them was published in the majority of regions during the formation of constituencies. However, in some cases no information about the number of electors was published, and all attempts of observers to find these numbers gave no result. For instance, on 15 October 2010 Salihorsk district executive committee adopted Ruling №1933 «On the establishment of constituencies for the election of President of the Republic of Belarus on the territory of Salihorsk district», which was posted on the official website of the executive committee and published in the «Shakhtsior» newspaper. According to this ruling, 68 constituencies were formed, but the number of electors wasn't indicated for any of them. As a result, it was impossible to determine whether these constituencies corresponded to requirements of Article 17 of the Electoral Code. L. Markhotka filed a written application to Salihorsk DEC, asking to provide him with information about the number of electors at each polling station in order to verify the correspondence of Ruling №1933 to requirements of Article 17 of the EC. He received a runaround reply: «We inform that Ruling №1933 of Salihorsk district executive committee... was adopted in line with requirements of the Electoral Code of the Republic of Belarus». The required numbers weren't mentioned.

In many cases true information about the number of electors in the voter lists weren't given even to members of polling station election commissions, especially if there were nominees from opposition parties and independent NGOs. It was noted in the personal opinion of the member of Minsk city election commission Halina Siamdzianava who refused to sign the final minutes on the election results in Minsk: «Having verified the voter lists and passed this information to the commissions, these members of the commissions usually didn't have any access to the voter lists anymore. Meanwhile, as noted by members of commissions who had been nominated by opposition parties, the voter lists at polling stations №67 of Savetski district and polling stations №33 and №86 of Zavodski district included people who had died 5-7 years ago, but didn't include some of those who had turned 18 5-6 years ago». Aliaksei Sihayeu, another member of Minsk city election commission, in his personal opinion, referred to an eloquent example of the approach of commissions to the verification of voter lists: «Houses №38 and №40 in Adeskaya Street (18 apartments, 46 electors) were omitted by polling station commission №36 of Zavodski district». He also pointed to cases when electors were included in voter lists at several polling stations at once.

The lack of transparency and the impossibility of public control over the formation of the lists of voters created the possibility for manipulation with both the voter lists and the total number of registered voters at polling stations.

According to the census of October 2009, the population of Belarus comprised 9,503,807 persons, including 7,609,438 persons of the age 18 and older. If this number is decreased by the number of citizens deprived of the rights to vote and the number of foreigners who were residents on the territory of Belarus permanently or temporarily, it can be estimated that in October 2009, 7.4-7.45 million persons with the right to vote were living in Belarus. During the period between October 2009 and December 2010 this number decreased insignificantly because of the general decrease of population. At the same time, the Central Election Commission cites a lower number of electors, 7,105,660, which means that 300,000-350,000 persons who have the right to vote might have been not included in the voter lists.

6. Pre-election campaigning

Legal regulation

According to Article 45 of the Electoral Code, citizens of the Republic of Belarus, political parties, other public associations, labour collectives, electioneering agents of candidates for President, and the initiative groups who campaign for the election of candidates are entitled to hold a free and all-sided discussion of the electoral programs of the candidates, their political, business and personal qualities, campaigning for or against candidates at assemblies, meetings, in the mass media and during electoral meetings.

Foreign citizens and persons without citizenship have no right to take part in campaigning.

Article 47 of the EC contains provisions concerning the inadmissibility to abuse the right to pre-electoral campaigning. For instance, it is stated that campaign materials and appearances at assemblies, meetings, in the press and on television mustn't contain war propaganda and calls for a violent overturn of the Constitutional system, violation of the territorial integrity of the Republic of Belarus, insult of civil servants of the Republic of Belarus and candidates for President. The propaganda of social, racial, national, religious or linguistic supremacy is banned, as well as the production and dissemination of any materials fomenting social, racial, national or religious enmity.

The candidates, their electioneering agents, organizations and persons who campaign for their election, have no right to award money, gifts and other material valuables, sell goods at lower costs, render any assistance or distribute any goods free of charge, except for the printed campaign materials which were produced for the electoral campaign in compliance with the law. During the pre-electoral campaigning, it is also prohibited to influence citizens with promises of awarding them with financial resources and material valuables.

In case of violation of requirements of Article 47 of the EC, necessary measures should be taken for the prevention of the abuse of the right to campaigning and the corresponding commissions have the right to annul the registration of a candidate.

Timing of pre-electoral campaigning

The presidential candidates were provided with one month for campaigning — from 18 November (day of registration of the candidates) till 18 December inclusive. Given the situation of limited access to state media for all candidates except for the incumbent President, and limitations related to campaign financing (see below), one month for the campaign was obviously insufficient for the voters to receive necessary information about the candidates and their programmes.

The last 5 days of the campaign (14-18) overlapped the first days of early voting, which is an evident flaw of the acting electoral legislation. During this period the incumbent President had considerably broader opportunities for direct and indirect campaigning than the other candidates. This included opportunities for him to urge voters to participate in early voting, which had been marred by widespread irregularities during the 2008 parliamentary and 2006 presidential elections.

Financing of pre-electoral campaigning

According to the EC, each candidate was entitled to about \$26,000 from the state budget for the production of printed campaign materials. There were no significant problems with the access to these resources, but the headquarters of almost all the candidates reported delays with their transfer.

In particular, presidential candidate Ryhor Kastusiou faced problems while signing the document allowing him to receive the money transferred to his account. Then there was a delay with the transfer of the money to the account of the printing house, which was done by an official of the Central Election Commission. Seven days were missed as a result of such «thorough» work — or even ten if one counts the time that was spent on printing of the campaign materials.

Uladzimir Kobets, electioneering agent of Andrei Sannikau, told about the situation which occurred during the signing of the agreement between the CEC, the candidate and the printing house: «Representatives of the printing house had to visit the CEC several times a day, putting more and

more demands of the CEC in the agreement. We received the certificate of a financial representative of the candidate for president only after 5 p.m. on 19 November, though the CEC decision on the approval of financial representatives had been adopted on 18 November»²⁰. As a result, the appropriate payments were made only on 22 November.

Apart from receiving resources from the state budget, the new edition of the EC entitled candidates to establish their own electoral funds to attract additional financing for their election campaigns. In particular, unlike in the elections of 2001 and 2006, political parties, other public associations and citizens were entitled to transfer financial resources to the electoral funds of candidates. Candidates received the opportunity to transfer their own financial resources to these funds. According to the law, the amount of the electoral fund couldn't exceed 3,000 basic units (\approx \$34,000) and could be used to pay for the air time or space in the printed media, the rent of buildings, equipment, transport, electronic communications, the printing of campaign materials, consultations, stationery and other expenditures.

According to information of the CEC, 9 candidates (all except for Dzmitry Uss), opened bank accounts to raise money for their electoral funds. 5 of the candidates used the collected money, but didn't spend all of them.

Candidate	The transferred sum in Belarusian rubles (US dollars)	The spent sum in Belarusian rubles (US dollars)
Ryhor Kastusiou	985,110 (\approx \$326)	0
Aliaksandr Lukashenka	125,707,687 (\approx \$41,625)	97,843,176 (\approx \$32,398)
Aliaksei Mikhalevich	2,610 (\approx \$1)	0
Uladzimir Niakliayeu	103,282,910 (\approx \$34,200)	102,845,890 (\approx \$34,055)
Yaraslau Ramanchuk	1,744,030 (\approx \$578)	1,200,000 (\approx \$397)
Vital Rymasheuski	2,057,620 (\approx \$681)	1,607,496 (\approx \$532)
Andrei Sannikau	17,254,950 (\approx \$5,713)	17,254,950 (\approx \$5,713)
Mikalai Statkevich	370,500 (\approx \$123)	0
Viktar Tsiareshchanka	28,240 (\approx \$9)	0

Thus, the establishment of funds didn't considerably increase the financing of the electoral campaigns of most candidates.

It's quite significant that Lukashenka's name was the first in the advertisements about the possibility to transfer money to the accounts of candidates for President that were hanged out in local branches of the Belarusian banks, though according to the legislation the names must be listed in the alphabetical order as soon as the appropriate information is received, whereas the account of the incumbent was opened later than those of all other candidates, on 30 November.

There were some cases of hindrance to the transfer of money to the candidates' funds. For instance, on 26 November elector Dzmitry Yaulanau tried to transfer money to a candidate's account in branch №633/11 of *Belarusbank* in Salihorsk (Minsk region), but received two refusals from the bank officials.

The EC prohibits the direct or indirect participation of foreign states and organizations, international organizations and foreign citizens in the financing and other material assistance during the preparation and holding of elections. The use of such means by candidates shall result in the annulment of their registration. At the same time, in an interview with the «Figaro» newspaper, the incumbent accused candidates Uladzimir Niakliayeu and Andrei Sannikau of the use of foreign resources. U. Niakliayeu, in turn, stated his intention to sue Aliaksandr Lukashenka unless the latter provided the facts that confirmed the accusation. The statement of the incumbent failed to be given a legal assessment, whereas the registration of the candidate wasn't cancelled, which allows considering A. Lukashenka's words as discredit of his rivals.

²⁰ <http://charter97.org>

Campaigning in electronic media

Each candidate was entitled to one hour on the First National TV Channel (two appearances of half an hour each), and one hour (two appearances of half an hour each) on the First National Channel of the Belarusian Radio. Appearances were scheduled for the period of 22 November — 3 December, on working days: from 6.10 a.m. till 7.10 a.m. on the radio, and from 19 p.m. till 20 p.m. on TV. According to a CEC decision, appearances were to be broadcast live. This is a positive development as compared to the election of 2006 when candidates' presentations on TV and radio were first recorded and then broadcast after having been censored.

The candidates' speeches on television and radio were not marked by significant obstacles. There were only a few instances when voters were deprived of the opportunity to hear the candidates. For example, during the broadcast of Uladzimir Niakliayeu's address in the district of Karani in Smarhon (Hrodna region) there was a sudden power outage.

On 9 December, the CEC considered requests of candidates Niakliayeu and Sannikau for additional free time on state TV, but dismissed them. According to the CEC secretary Mikalai Lazavik, the Central Election Commission's request to provide additional air time was dismissed by Belteleradiocompany, recommending the candidates to apply to other media and to receive additional air time at the expense of their electoral funds²¹.

Participation of the candidates and their authorized representatives in live TV and radio debates (1 hour each) was a new development as compared to the 2006 election. TV debates took place on 4 December (from 17 p.m. till 18 p.m.) on the First Channel of the Belarusian TV. All candidates except for Lukashenka participated. Belteleradiocompany didn't agree to the candidate for a host, proposed by the participants of the debate. The debate was hosted by the journalists known for their participation in programs aimed at discrediting the opposition. The content of some of the phrases by the hosts was meant to the display individual participants in the debate in a negative light. Radio debates took place on 5 December (from 17 p.m. till 18 p.m.) and were broadcast live on the First National Channel of the Belarusian Radio. Unlike the TV debates, the radio debates were moderated in a neutral manner.

Access of all candidates, except for the incumbent President, to the state broadcasting media was limited by the appearances and debates mentioned above. They were over on 5 December, and during 13 days before the election day all candidates except for Lukashenka were deprived of access to the state TV and radio.

Despite the fact that the incumbent President refused to benefit from the air time allocated to speak on radio and television as a candidate, his presence in the state media surpassed all other candidates combined. It was admitted by the CEC Chair Lidziya Yarmoshyna: «Candidate Lukashenka is in uneven conditions with other candidates. Candidate Lukashenka works as President, and due to his office he is constantly shown on television, and no one has repealed this situation.»²²

The TV and radio programmes dedicated to the election were characterized by «the positive positioning of the incumbent president and his explicit dominance... while the other candidates were marginalized»²³. In particular, Lukashenka highlighted his election programme during his speeches at the All-Belarus People's Meeting (held on 6—7 December), which lasted several hours and were widely broadcast by the national TV and radio channels, both live and recorded.

According to the final report of media monitoring by the Belarusian Association of Journalists «Coverage of the presidential election 2010 by the Belarusian mass media», major news programmes of the First National and ANT TV channels dedicated 62-66% of the time allocated to the election to Lukashenka, while the other candidates were dedicated only 1%.

Such unequal conditions of election campaigning did not cause concern of the Supervisory Board for Monitor the Compliance with Procedures and Rules of Election Campaigning in the Media.

Campaigning in the press

State-run media and the media, which are partly financed from the state budget or the founders of which are public authorities, are obliged to ensure equal opportunities for all candidates. However, in practice the equality guaranteed by law was not provided: according to the final report of media

21 www.belta.by

22 <http://www.interfax.by/news/belarus/82511>

23 Coverage of 2010 Presidential Election by the Belarusian Mass Media / Bulletin of the Belarusian Association of Journalists.

monitoring by the Belarusian Association of Journalists «Coverage of the presidential election 2010 by the Belarusian mass media», major «Sovetskaya Belorussiya» and «Respublika» state newspaper dedicated 50% of the space allocated to the election to the incumbent (and 10% — to the «authorities»), while the other candidates were given only a few percent (and 14% were given to the «opposition» which was presented either negatively or very negatively).

The candidates had the right to submit their pre-election programs of no more than five typewritten pages to four national newspapers and seven regional media: «Zvezda», «Sovetskaya Belorussia», «Narodnaya Hazeta», «Respublika», Minsk newspaper «Minski Kurier», regional newspaper «Zarya» (Brest), «Homelskaya Prauda», «Minskaya Prauda», «Mogilevskaya Pravda», «Hrodzenskaya Prauda» and «Vitsebski Rabochy».

Some candidates faced refusals from some newspaper editorial boards to print their election programmes in the original wording. For example, in Kastusiu's programme the words «Lukashism» and «Lukashenka's regime» were replaced by «one-man executive» and «authoritarian regime». The programme of Dz. Uss was criticized for comparing the current electoral system in Belarus with the electoral system in Germany in the 1930s. The CEC Chair Yarmoshyna commented on the situation as follows: «Editorial boards are doing this only when they [the programmes of candidates - Ed.] contain explicit violation of the law on mass media and electoral laws. For example, one of the candidates constantly tried to invite voters to an unsanctioned rally. The editorial board's request to exclude such appeals from his program was rejected. According to the law, editorial boards themselves cannot amend the electoral programmes of candidates.»²⁴

As a rule, Lukashenka's programme was printed on the first page, occupied it fully and was accompanied by large pictures of him. Programmes of the other candidates usually were printed on the inside pages, and often on the last page.

For example, «Vitsebski Rabochy» printed Aliaksandr Lukashenka's programme not only the first, but on the entire first page (on 27.11.2010), with a large colour photograph and using several different fonts to draw the attention of voters. The next issue of this local newspaper (on 30.11.2010) featured the programmes of two more candidates — Yaraslau Ramanchuk and Dzmitry Uss. They were printed briefly, on the same page, without using any illustrative tricks of newspaper layout — in a solid text. And not on the first page — it contained materials about accidents on the roads, the anniversary of Vitsebsk State University, and even sports scores. The inequality of conditions was also evidenced by the fact that district-level newspapers did not print the candidates' programmes, as the law does not oblige them to do so. Virtually all state regional and district newspapers printed an article entitled «Belarus Should Be Really Strong!» which in fact retells Lukashenka's election programme, while no similar materials of other candidates were printed.

A separate and very important place throughout the campaign was given to the All-Belarusian Assembly. This subject featured numerous reports on achievements in all fields that occurred, as the publications suggested, solely due to the policy of President Lukashenka. In most regions, newspaper did not work as the media, but solely as advocates of the incumbent's accomplishments.

The attitude of newspapers' editorial boards towards all candidates except for Lukashenka is well illustrated by the titles of the articles: «Phony People» («Mayak», newspaper of Biaroza district executive committee, Brest region), «Candidate, Why Did Not You Serve in Army?» («Vitsebski Rabochy»), «It is a Disaster when Cakes are Baked by a Shoemaker...» («Adzinstva», newspaper of Barysau district executive committee, Minsk region), «Train yourself... on Cats!» («Gomelskaya Pravda»), «Alternative Presidential Candidates Unduly Carried away by Fierce Criticism» («Kalinkavitskiya naviny»), «The Policy is done on the Squares?» («Nash Krai», the newspaper of Baranavichy town executive committee).

Titles and content of articles in support of Lukashenka had a different tone: «Everything for People and in the Name of People» («Ashmianski Vesnik», newspaper of Ashmiany district executive committee, Hrodna region), «During Election, One Should Bring People the Good» («Adzinstva»), «Conscious Choice» («Gomelskie Vedomosti», newspaper of Homel city executive committee), «We Elect a Person Whom We Know Well» («Gomelskaya Pravda»). «There are no Alternatives to Aliaksandr Lukashenka for President of Belarus Today», «Officers Express Confidence and Support for Lukashenka» («Kalinkavitskiya naviny»), «For a Strong and Prosperous Belarus», «Results Speak for Themselves» («Mayak», newspaper of Biaroza district executive committee,

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Brest region), «Towards a High Level and Quality of People's Lives», «Federation of Belarusian Trade Unions Supports Aliaksandr Lukashenka» («Ivatsevitski Vesnik»).

In addition to defamation of opponents of Lukashenka in the media, there was another trend: the total suppression of any information about other presidential candidates, their treatment as a faceless homogenous mass. During the campaign, many periodicals never published the names of alternative candidates for president or they were mentioned only in connection with registration. For example, the print version of the newspaper of Barysau district executive committee «Adzinstva» only once in the three months of the election campaign mentioned the names of nine alternative candidates — in the publication of the CEC's decision on registration of the candidates for presidency. The same edition regularly featured negative materials without specifying the names of those about whom they were written. Salihorsk newspaper «Shakhtsior» (№191-194) in an article entitled «Only the Statement of Facts» the author actively exposes the alternative candidates, without giving any names, calling Lukashenka's opponents «one of the candidates», «one of them». In its issue of 14 December, «Kalinkavitskiya Naviny» published an article «The Fate of Homeland Depends on Us», in which all the alternative candidates were called the enemy without specifying their names. Although the author does not mention the names of the presidential candidates, some of them can be recognized, for example: «Generally speaking, this candidate is an interesting guy. Shortly before the election his «bright» head was visited by the Almighty who appeared as an angel at night, and said that «only he can save people from dictatorship». That's why he urgently started creating a new party on Christian principles, personally usurping the title of co-chair. After all, there would be at least some post while meeting people, instead of a man without a definite occupation» — the information suggests that this article is about presidential candidate Vital Rymasheuski.

In the last month of the election campaign, the absolute majority of state-owned newspapers published surveys of voters, which contained only positive assessment of Aliaksandr Lukashenka and criticism of other candidates. The ordered character of these surveys is indicated by a letter of the main ideology department of Homel regional executive committee sent to the editorial boards of state-run newspapers with a proposal to carry out a regional survey on the presidential election, as reported by the independent media. Similar letters must have been sent to government periodicals in other regions, as such «surveys» were published across the country. In the above-mentioned letter, ideology officials not only proposed the survey questions, but also produced «ideologically correct» answers. For example, the question «Do you feel that the country has begun the election campaign?» was accompanied with an option answer: «No, I see nothing so far, I thought the candidates would be more active. The candidates' work is poor — I have almost never seen any posters or leaflets.» Apart from that, by order of ideology officials the respondents had to say that the alternative candidates «all look alike, and there was nothing clever or interesting, none of them knows how to run the country, everyone was talking in a bad and uncertain manner, they were not prepared, as if people from the street. The evening is spoiled, you'd better show a good movie.» As a result, state media across the country printed the same type of results of «polls». For example, in Brahın district newspaper «Mayak Palessia» the chief curator of the funds of Brahın Historical Museum with an art gallery Nadzeya Mialeshka answered the questions with the standard «right» answer: «Now I am watching the speeches of presidential candidates, but, unfortunately, none of them has caused a lively interest. One gets the impression that these are completely untrained and inexperienced people who do not have an accurate picture of the future path of the country's development. Much is limited to the criticism of the incumbent, and the promises to change everything, although it is not clear what they intend to «build» themselves.»

Campaigning through distribution of printed materials

The candidates has the right to produce campaign posters, slogans, statements, notices, leaflets, photographs (posters), which were to be covered from the funds allocated from the budget, or from their own campaign funds. Campaign materials should be manufactured in the territory of Belarus and mention the necessary printer's imprint, distribution of anonymous materials was prohibited.

There were cases when the headquarters of opposition candidates faced obstacles and difficulties in the production of campaign materials, such as refusals by printing firms or delays in the printing and shipping of materials ordered. For example, presidential candidate Yaraslau Ramanchuk encountered repeated delays of delivery of printed canvassing materials by printing firms without explana-

tion. The majority of printing houses refused to accept the candidate's orders at all, even though the money for them came from the official fund of the Central Election Commission. Siarhei Laputsin, activist of Uladzimir Niakliayeu's campaign team (Mahiliou), reported that even private printing houses of Mahiliou refused to produce campaign materials, citing the unwillingness «to deal with politics». At the same time, the CEC Chair Lidziya Yarmoshyna said that candidates «do not take the manufactured materials from the warehouses for weeks».²⁵

According to the Electoral Code, local executive and administrative authorities upon agreement with local commissions were to allocate venues within the polling stations that are most frequented by citizens, for placement of printed campaign materials. The Electoral Code also provides that the executive and administrative authorities may prohibit the placement of campaign materials in unauthorized locations. In some regions local authorities adopted rather liberal decisions concerning the definition of places to accommodate the campaign materials (e.g. Shklou district executive committee), but in most parts of the country these decisions were only liberalized after complaints by human rights defenders or election agents of presidential candidates. For example, Andrei Sannikau's Mazyr district campaign chief Ryhor Kryvitski appealed a decision by Mazyr district executive committee on the definition of places for campaigning, noting, inter alia, that in some parts of the town (Chyhunachny, Baraviki, Tselepuny, Savetskaya Street) the officials failed to identify locations for posting printed materials. It was difficult to place posters of candidates on the available information stands: they were plastered with posters of cinemas and houses of culture. As a result, on 30 November Mazyr district executive committee significantly increased the number of locations for election campaigning, amending its previous decision №1386 of 8 November. However, in practice it did not much change the situation, since some places for campaign materials were never put into proper order: a stand for placing campaign materials in the district of Maladziiozhny, a bulletin board in the shop «Rodnaya Storona» and others. In some regions, there were facts when institutions and organizations failed to execute the authorities' decisions on canvassing locations. Activist of presidential candidate Andrei Sannikau's campaign team Anatol Askerka lodged complaints with Barysau district executive committee, the territorial election commission and Barysau district prosecutor's office in connection with the fact that not all the districts of Barysau had specified locations for posters, in violation of an earlier decision by the town executive committee. Among many instances he mentioned: supermarket «Rodnaya Storona», where at first posters were posted and then removed by order of the management of the company, local teacher training college where the administration said it would have to consult with the ideological department of the executive committee before placing campaign materials. Other examples include: GOLHU «Barysau experimental forestry», supermarket «Paunochy», the City Palace of Culture, School №23, Gymnasium №1, JSC «Polimiz», «Ekran» Ltd., Barysau rubber products plant, JSC «Barysau Sewing Factory», Bus Depot №3. All these institutions and enterprises were included in the list of sites authorized for placement of campaign materials, as provided by Barysau district executive committee's decision №1359 of 11 November, 2010.

Observers noted some cases of obstacles to posting campaign posters of opposition candidates, as well as their illegal removal.

As an example, we are citing a situation that happened in Salihorsk (Minsk region) in Yubileynaya store in Lenina Street, a volunteer of Niakliayeu's team was not allowed placing a poster. A similar prohibition in the canteen in Zaslou Street was explained as follows: «We will vote for our President, and we will not post your poster». Placing of a canvassing poster and information about the meeting with Niakliayeu was banned at the store «Hermes» (belonging to «Budtrest №3»). Niakliayeu's programme was only placed in the central building of the JSC «Budtrest №3» after hours of negotiations, but at night it disappeared. A day later, after the volunteer's promise to call the representatives of the OSCE, the poster appeared again. Niakliayeu's campaign materials were also removed by «unknown» persons in a consumer services center in Lenin Street and in the main building of «Belaruskali». In Salihorsk department of «Belahraprambank» in Kazlou Street, Statkevich's representatives were categorically refused to place canvassing materials on the information board, with reference to the lack of free space. Proposals to find alternative locations were rejected by bank employees. At a gas station of «Gazpram Nafta» in Zaslou Street, the posting of Statkevich's election programme was also banned, as the employees claimed that «we are prohibited to do it without the bosses», however they also refused to speak with the management staff. In the sales point of mobile phones «Euraset» in Mir

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Avenue, activists of Statkevich's headquarters could not get permission for placing campaign products even after special consultation of the staff with the managers of Minsk trading network. Statkevich's representative had to spend more than 40 minutes to negotiate with the ideology officials of «Belaruskali» to put a poster of the candidate on the information board of the company's main building. In a large shop «Budmarket», the administration posted a canvassing poster of the opposition candidate only on the second day after the arrival of volunteers. A pre-election poster of Statkevich in «Kupalinka» Ltd. was posted on the information stand located in a hidden place. The campaign materials posted at the entrance to the company were, according to employees, removed by director personally. The store «Viasiolka» in Parkavaya Street allowed placing campaign materials after long negotiations, but soon after the departure of the volunteer the poster mysteriously disappeared. Posting of Statkevich's programme next to the official information about the election in a consumer services center in Mir Avenue was not allowed by the center's manager.

Similar problems were reported by the teams of the alternative presidential candidates across the country.

For example, Slonim activists of the BCD and the BPF were forced to file an application in Slonim police department and the district election commission, demanding control over the implementation of decision №967 by Slonim district executive committee of 22 November, 2010, relating to the allocation of places for campaign materials. They cited the following facts: on 7 December, the manager of the «Prestige» Shopping Center Halina Kazialetskaia removed the posters of Ryhor Kastusiou; head of pharmacy №5 in Chyrvonaarmeiskaya Street removed and threw away the posters of Ryhor Kastusiou; head of local children's clinic Liudmila Dziahel refused to post campaign materials of Vital Rymasheuski, saying that she had been banned to do so by deputy chief physician of the hospital Ihar Kalinichau, and she had to obey his orders; head of the central library of Slonim Larysa Repina failed to place posters of Vital Rymasheuski, leaving them in her office. Simultaneously, the campaign posters and newspaper cuts with the election programme of candidate Aliaksandr Lukashenka were freely posted on bulletin boards of organizations and enterprises and were not removed. Observers did not receive any complaints from Lukashenka's team about the difficulties and administrative obstacles in the placement of campaign materials in support of the candidate.

Despite a direct legal ban of damage of campaign posters, such cases were registered in different regions without adequate response by local election commissions and executive authorities. For example, in Mahiliou, Slutsk, Homel and Baranavichy unknown persons repeatedly removed campaign materials of A. Sannikau, Kastusiou — in Byaroza (Brest region) and Krasnapolle (Mahilyou region), Rymasheuski's posters were removed in Masty and Slonim (Hrodna region), and in many other places. On 9 December, near department store №32 in Bahdanovicha Street in Slutsk (Minsk region), Sannikau's authorized representative Uladzimir Lemesh bumped into two young men who were putting big advertising posters over Sannikau's posters «at the instruction of their bosses». In Homel's district of Navabelitski, the campaign posters of alternative candidates were regularly marred by Nazi symbols and offensive words. For example, a photo of Vital Rymasheuski located at bus-stop «Zharkouski Street» was «decorated» with an inscription «Down with the Pole!», although it is known that the candidate is Belarusian.

A negative campaigning background and groundless tension were created by frequent detentions of supporters of alternative candidates in the regions for posting the materials (manufactured in accordance with the requirements of the law) in permitted locations. On 2 December, volunteer of Andrei Sannikau's campaign Alesia Yasiuk was detained by transport police at the train station «Barysau», as she was posting a poster with a portrait of the candidate in a permitted place. After being taken to the police station located in the station, she was forced to provide explanations for about a half hour. A person on duty at the station was called for, who in turn contacted a representative of the administration. The administration official told the law enforcement agents that Mrs. Yasiuk had not done anything illegal, after that the volunteer was released. On 9 December, Andrei Tychyna, member of Uladzimir Niakliayeu's Salihorsk team, was arrested by the police and taken to the police station. The reason for this was a complaint by an employee of one of the outlets of the city, who considered unlawful the campaigner's actions when placing campaign materials at a bus stop. The young man was held at a police station for about 40 minutes. After providing written explanations, A. Tychyna was released. On 2 December, Braslaupolice officers arrested an activist of the BCD Kastus Shyital, who was distributing campaign leaflets of candidate Vital Rymasheuski. He was taken to the police station and charged with

illegal distribution of printed materials, which were seized by the police, but then the Braslau policemen sent a sample of the leaflet to the regional department of internal affairs by fax; as a result, they were later phoned and ordered the release the guy. After that the canvassing materials were returned to the owner. On 16 December, Uladz Shulzhytski posted a poster of Ryhor Kastusiou in Maladechna's mini-market «1000 Drobiaziau», after that he was arrested by the police with machine guns. While at the police station, the policemen began inquiring about the legality of U. Shulzhytski's campaign activities. After it became clear that the mini-market was authorized to accommodate campaign materials, as ordered by the local executive committee, the detainee was released. In total, supporters of the BPF presidential candidate were detained for three times during the campaign. In early December, Mikhail Kuzmiankou, member of the electoral headquarters of presidential candidate Andrei Sannikau, was detained by the police of Orsha for posting campaign materials in a location authorized by the town executive committee. Despite the fact that the campaigner showed his ID, as well as the text of the decision by the executive committee, he was arrested and taken to the town police department. Since the police authorities were unable to charge the activist, half an hour after being detained the activist was released.

On 5 December, Alena Davidovich, activist of Vital Rymasheuski's campaign team in Masty (Hrodna region), was harassed by an employee of a local shop, as she was posting campaign posters in the shop, accusing her of being in opposition to the current government; the police was called for. Having been taken to the police station, Alena Davidovich was forced to provide written explanations and after the policemen made sure she had been posting campaign materials at a location authorized by the executive committee, she was released. The following day, in the morning of 6 December, the apartment of Alena Davidovich was visited by the local policeman, who demanded an explanation — how and who delivered the campaign materials of presidential candidate Vital Rymasheuski to Masty. Unequally favourable conditions for the spread of campaign materials were provided to only one candidate for the President — Aliaksandr Lukashenka. In addition to the above-marked possibility of unhindered posting of materials and their free distribution, there were registered facts of using the powerful administrative resource.

For example, the experts of the «Human Rights Defenders for Free Elections» campaign received a document arguing that the employees of «Belposhta» nation-wide post system were ordered to put in the mailboxes of Belarusians 1 million campaign postcards of candidate Aliaksandr Lukashenka until 15 December. The document received by the human rights defenders is an order of 10 December, 2010, sent to the «Belposhta» office in Mazyr and signed by the organization's deputy chief Tatsiana Maskaliova. The header of the document has the inscription: «To everyone». «On Tuesday [14 December - Ed.] you will receive election leaflets, in compliance with assignment by Homel branch of RUE «Belposhta». The leaflets are to be spread among boxes on January 14-15 (no later) [there is a clear or deliberate error as for the month — December is being meant]» - reports the order. Further, very sternly: «Everybody take it very responsibly, so that they do not stay in the postbags or elsewhere.» The order says the chief postmasters of Mazyr district offices of RUE «Belposhta» should take it under their control and report on the phone to Tatsiana Maskaliova personally on 15 December («report back»). The order does not mention the name of the candidate (s) for the presidency, whose leaflets were to be spread by the postmen, but it were the postcards for Aliaksandr Lukashenka that were found in the postboxes on December 14-15, not only by the residents of Mazyr district, but throughout the country, too. The postcard was marked with the words «The Future is in our hands» and an autograph of Lukashenka, on the reverse side it read «Together we can make more». There were also registered cases of spreading campaign materials and printed materials from the election programme of Aliaksandr Lukashenka, produced in violation of the legal procedures, namely they did not have the printer's imprint. Meanwhile, the corresponding election commissions which received complaints of such violations, refused to give a legal assessment of the facts.

In particular, activists of the BRSM distributed election platform of presidential candidate Aliaksandr Lukashenka (without the required imprint) in Chyhunachny district of Homel from 1 December. Despite the apparent printing mode of producing the printed materials, the BRSM activists claimed that they had been printed with the help of a copying machine. In Brest, on 18 December, local activists of the republican public association «Belaya Rus» were spreading leaflets with the programme of presidential candidate Aliaksandr Lukashenka (with no output) outside the main market in Pushkinskaya Street. Similar leaflets were spread outside the market by representatives of the Belarusian Republican Youth Union (BRSM) on 17 December.

The administration of the educational institution of the Federation of Trade Unions of Belarus — the International Institute of Labour and Social Affairs — posted an address by members of the Council to the faculty, staff and students of the institute with a call «to come to the polls and vote for the representative of the masses, the incumbent of the country Aliaksandr Lukashenka, on the election day, 19 December, 2010», approving of the chosen course of the country's development. The address was marked by a phrase claiming that it had been «unanimously approved by the Institute on 10 December, 2010», but no output was specified.

We should note that according to Article 45 of the EC, the campaign posters of candidates produced for the budget funds, must contain the printer's imprint, i.e. the name and address of the organization (individual entrepreneur), which produced the printed materials, the license number of printing activities and date of its issue, the circulation and the order number. The Article prohibits distribution of anonymous printed campaign materials. Article 48 of the EC allows using the funds of organizations, public associations and citizens of the Republic of Belarus, but in this case, they do not themselves produce campaign materials, but «can donate their money to the off-budget fund, formed by the Central Commission for additional financing of costs for preparing and holding the elections». Political parties and other public associations, other organizations and citizens of the Republic of Belarus should not provide other material assistance, except for donating money to the off-budget fund and to the election funds of candidates provided by Paragraph 1 of Article 48. Violation of the requirements of this Article shall result in a refusal of the candidate's registration or cancellation of a decision on its registration. However, this provision failed to be working in respect to candidate Aliaksandr Lukashenka.

Meetings with voters and other public events

According to the Schedule, by 12 November, the executive and administrative authorities in consultation with the corresponding election commissions had to identify the premises for meetings of the presidential candidates and their election agents with voters and election meetings organized by the voters — such facilities are provided free of charge. Apart from that, presidential candidates have the right to rent buildings and facilities for holding meetings with voters at the expense of their own election funds. During the same period, locations for public events (outdoor meetings, rallies, pickets) for election campaigning purposes had to be identified. According to Art. 45.1 of the EC, holding of events in places determined by the decisions of local authorities are of declarative character. Events, held outside the authorized places, should be organized and conducted in accordance with the Law «On Mass Events».

Places for meetings with voters were decided upon by the executive committees in the terms established by the electoral legislation and the CEC. However, in most regions, except for Minsk, the identified locations were inconvenient (distant, uncomfortable) or small rooms and locations for public events. However, observers noted that the number of such venues is greater than during the 2006 election. At the same time, there were violations of Art. 45 of the EC, i.e. the definition of places by the executive committees without the consent of the corresponding election commissions. For example, Minsk city executive committee decided on the definition of places without the consent of Minsk city election commission. Likewise, decisions were made by Orsha district and town executive committees (Vitsebsk region).

Just like in the case of defining the locations for signature-collecting pickets, some decisions on allocation of places were partially changed and the number of places was increased. In the majority of cases, this was done under pressure or following complaints by human rights defenders and activists of candidates' campaign teams.

In particular, the activists of the «Human Rights Defenders for Free Elections» managed to make Hrodna city executive committee and Smarhon district executive committee (Hrodna region) change their decisions. As a result of appealing the decision on locations for campaigning, Homel city executive committee amended its decision of 5 November: instead of nine sites in the unfrequented areas, campaigning was allowed almost everywhere in the city. The three existing venues for events in Leninski district of Mahiliou were followed by nine more locations. The corresponding decision was adopted by the administration of Leninski district after 13 pro-democratic activists submitted complaints to a local court, arguing that the number of places for campaigning in the district was inadequate. After making changes to Salihorsk district executive committee's decision «On the definition of places for performing election campaigning by the presidential candidates», the candidates' oppor-

tunities for campaigning in the open areas of the town were significantly expanded. While holding of pickets was originally allowed only at the stadium «Budaunik» on the outskirts of the town, as well as on school playgrounds located in inconvenient house yards, campaigning was allowed on the grounds near the district shopping facilities. Apart from that, changes were made to the decision on the venues of meetings with the candidates: the authorized list featured assembly halls of educational institutions of Salihorsk and housing maintenance services.

There was no increasing of the number of locations for campaigning in Brest, although at the meeting of Brest city executive committee with the observers of the OSCE Mission, deputy chair of Brest city executive committee Viachaslau Khafizau gave a positive response to a question on the possible increasing of the number of places for meetings with voters and candidates in Leninski and Maskouski districts of Brest. The question had been mentioned in an inquiry lodged with the city executive committee by Brest human rights defenders. A written reply that the applicants received from V. Khafizau reported that the previously defined locations would only be allowed for campaigning.

We should note the government's relatively liberal approach to opposition candidates' meetings with voters and other election-related events as compared to previous presidential elections.

Meetings were held without considerable obstacles. However, some institutions refused to provide premises for the meetings. For example, Yaraslau Ramanchuk was not allowed holding a meeting with voters in Homel State Technical University, the Belarusian Trade and Economic University of Consumer Cooperatives (Homel) and the International Institute of Labour and Social Affairs; Niakliayeu — in Brest State University. Yury Klimovich, election agent of presidential candidate Vital Rymasheuski, received a sharp denial from the administration of the Homel regional house of technical and artistic creativity. According to Klimovich, director of the House for the first time heard from the agent that the institution was an authorized place for campaigning, and added that «no candidates will be allowed here!»

A. Sannikau encountered obstacles while organizing a meeting with voters on 29 November in Minsk State Linguistic University, which the politician graduated from. All the ads inviting to the meeting with the presidential candidate were removed within just a few days. On the day of the meeting, the university administration also prohibited to place the invitation on the bulletin board. The teaching staff of the university were warned that it was better not to go to the meeting with the opposition politician. Vice-rector for educational work Ihar Puchenia would not allow hanging a banner with a portrait of Sannikau and the words «History is made today» on the stage. The banner was hanged only after a phone call from the CEC. Despite all obstacles, the meeting with the candidate was attended by some 500 people.

In most regions, the meetings of the candidates and their election agents with voters occurred under conditions of limited information about their conduct. For example, information about the meeting of candidate Statkevich with the residents of Baranavichy (Brest Region) appeared in the local newspaper «Nash Krai» (on the last page in small type) and on the town executive committee's web-site only on 2 December, i.e. the day of the meeting. The announcement of a meeting with presidential candidate Yaraslau Ramanchuk was printed on the fifteenth page of «Maladzechanskaya Hazeta» among job vacancies. On 8 December, Dzmitry Shurkhai, Brest election agent of presidential candidate Vital Rymasheuski, signed a contract with the TV channel «Buh TV» to advertise the upcoming meeting of the candidate with the voters. It was expected that the advertisement would be placed in the information block of the channel, but in the morning of 9 December Dzmitry Shurkhai received a phone call from the «Buh TV» and was told that the contract was void as there was «no air time» for such an advertisement.

Brest local authorities obstructed the dissemination of information on the arrival of presidential candidate Yaraslau Ramanchuk. A number of attempts to advertise the visit in some of the media were unsuccessful (they referred to technical reasons and impossibility to distribute such information), nor could he advertise the meeting through announcements on market radios and in the city's central department store. The activists of his campaign team had to take to the streets with posters and stand along the roads, so that the people could learn of the upcoming meeting, they also distributed leaflets and made verbal invitations.

Orsha TV Company «Skif», which is owned by the «Telecom-Garant» Ltd., refused to accept the announcement of a meeting with presidential candidate Uladzimir Niakliayeu, which was scheduled for 27 November in the Cultural Society for the Visually Impaired. Despite the fact that the meeting had been agreed upon with the town executive committee and the city election commission, the broadcaster required to produce a written resolution of the city executive committee, which, in turn, refused to issue such a document.

At the same time, there were certain positive trends in some regions, as well: state-run periodicals and other media often did not refuse to inform the residents about the meetings with the alternative candidates. Biaroza local newspaper «Mayak» printed an announcement of the meeting of presidential candidate Rychor Kastusiu with voters on the first page on a coloured background. The meeting of the same candidate with the voters was advertised by the Navapolatsk local TV channels «Vektar» and «Lainer». On 25 November, Baranavichy state-run newspaper «Nash Krai» posted information about a meeting of voters with opposition presidential candidates Yaraslau Ramanchuk and Andrei Sannikau, which had been scheduled for 26 and 28 November. This information was also posted on the website of Baranavichy city executive committee.

Observers also noted a rather large interest of voters to meetings with alternative candidates in different regions. The arrival of presidential candidate Andrei Sannikau in Hrodna caused a real stir. The meeting, which took place in Hrodna Regional Philharmonic Society, was attended by some one thousand people, so the hall of the institution could not accommodate all who wanted to listen to the candidate, people were standing in the aisles and even in the lobby. The hall was full during Andrei Sannikau's meeting in Mahiliou Railway Cultural Palace: there were about 500 people who had come to listen and look at the opposition candidate — there were no empty seats in the hall, people were standing in the aisles. In Vitsebsk, a meeting with the candidate, which was held in the auditorium of the Centre for Children and Youth of Pershamaiski district, gathered more than 250 people — the largest number of voters present at such meetings in the regional center. On 9 December, Baranavichy City Palace of Officers hosted a meeting of voters with presidential candidate Uladzimir Niakliayeu, which gathered a full house of people, some were forced to stand in the aisles, while others had brought extra chairs. On 11 December, the hall of Hrodna «Radiokhvalia» Ltd. hosted a meeting with the candidate, which was attended by some 600 people. The Hall of the Hygiene and Epidemiology Center in Babruisk, where a meeting with presidential candidate Yaraslau Ramanchuk was held on 12 December, was overcrowded, the organizers had to bring more chairs to accommodate everyone. At a meeting with the same candidate in Pinsk there were about 300 voters. The Homel-based training-methodical center in Halavatski Street hosted a meeting of presidential candidates Mikalai Statkevich and Dzmitry Uss with the electorate on 14 December, which was visited by more than 350 people, while the hall could seat only 250 persons. On 10 December, the hall of the Town Palace of Culture of Salihorsk hosted a meeting of presidential candidates Mikalai Statkevich and Dmitry Uss with the town residents, which was attended by over 300 people.

At the same time, there were documented cases of intimidation of employees by the administrations of enterprises and institutions, so they would not participate in the meetings with alternative candidates and their election agents. For example, according to the election agent of Niakliayeu Piotr Mihurski, on the eve of Niakliayeu's meeting with voters in Shklou, which was held on 1 December, the management of some enterprises of the town under threat of dismissal banned their employees to participate in the meeting with the candidate. As a result, the House of Culture of Shklou was attended by only 60 persons.

In the overwhelming majority of cases, information on the meetings of alternative presidential candidates and their agents in the regions failed to reach the local media. For example, the 25 November Slonim meeting with Pavel Seviarynets, election agent of presidential candidate Vital Rymasheuski, was only reported by the independent weekly «Hazeta Slonimskaya». The local district newspaper «Slonimski Vesnik» did not advertise the event, though the meeting was attended by the newspaper's chief editor Kiryl Liashchanka, who filmed the entire meeting with a video camera. Journalists of the local TV channel «Slonim-TVS» also shot a report on the meeting, and it was prepared for broadcast. However, the TV channels' office was visited by an ideology official of Slonim district executive committee Ihar Lapikau, who copied the report to a flash drive and an hour later there appeared an order from the executive committee not to broadcast the report.

Campaigning in support of Lukashenka was carried out by representatives of local authorities and CEOs of state enterprises and institutions. They held meetings at enterprises and organizations and arranged meetings with election agents of Aliaksandr Lukashenka. Typically, these meetings took place during working hours and the voters were forced to turn up. For example, a meeting with Aliaksandr Lukashenka's election agent, rector of the Mahiliou State University of Food Viachaslau Sharshunou, was scheduled in Shklou (Mahiliou region) for 1 December, while the organizations and businesses of Shklou received an order on how many people they had to send to this meeting.

On 16 December, Vitold Pestsis, rector of Hrodna State Agrarian University and election agent of Aliaksandr Lukashenka, made a speech at the cinema «Mir». Most visitors were employees of the

district communication center that is located near the cinema; they were sent to the meeting during their lunch break.

On 9 December, Svislach Housing Department administration arranged a meeting with its employees. Chairman of Svislach district executive committee Aleh Tarhonski (who had just returned from the All-Belarusian Assembly), together with the chief physician of Svislach central hospital Illia Turok, were campaigning to vote for Aliaksandr Lukashenka in working hours. A week earlier, Svislach was visited by Vasil Raviaka, chairman of SPK «Prahres-Vertsialishki» and election agent of Aliaksandr Lukashenka, who campaigned for the incumbent in the building of the district House of Culture, where the voters were gathered in working time by order of local authorities.

Chief Manager of «Homselmash» Valery Zhmailik held meetings with the voters of Rahachou in working hours, acting as an election agent of candidate for the presidency Aliaksandr Lukashenka: he visited the employees of «Rahachouski MKK» Ltd., local bread factory, district gas department, regional transport enterprise. The meeting with the employees of «Rahachouski MKK», which was held by Valery Zhmailik, was also attended by the Chief Manager of the enterprise, chairman of Rahachou district executive committee, his deputy, deputy chair of district election commission and local ideology official.

On 2 December 2010, an enlarged sitting of the Ministry of Forestry board adopted a resolution which called for «casting votes for a decent candidate Aliaksandr Ryhoravich Lukashenka who would be a guarantor of implementation of the Programme of Social and Economic Development for 2011-2015».

On 2 December, the House of Culture of «BelAZ» hosted an unannounced propaganda meeting of chair of Minsk regional executive committee Barys Batura with the residents of Zhodzina. The high official acted as an election agent of candidate Aliaksandr Lukashenka. The event involved almost the entire administrative staff of the town, while the selected people from different companies and institutions were brought to the event in specially arranged buses: the hall of 419 seats was full. All this occurred during working hours. On 3 December, the web-site of the official periodical of the executive committee «Zhodzinskiya Naviny» published a large article on the meeting with Barys Batura, while the site failed to post a single report on the meetings with alternative candidates, which took place in Zhodzina. On the same day, Zhodzina TV channel «Sfera» promptly presented information about the meeting with the election agent of Aliaksandr Lukashenka.

There was not a single case when the use of administrative resources and irregularities in the conduct of meetings with the voters were followed by a legitimate reaction or legal assessment by the corresponding election commissions. A typical example is the CEC's response to a complaint by Barysau human rights defender Aleh Matskevich in connection with a meeting with voters held during working hours in the territory of «Ekran» Ltd. by an election agent of presidential candidate Aliaksandr Lukashenka, the general director of JSC «BATE» Anatol Kapski on 1 December. As the response by the CEC suggests, an inspection revealed that Anatol Kapski had applied to the general director of «Ekran» Ltd. Valery Kasperski for holding a meeting with voters in the meeting room of the company at 3 p.m. on 1 December. «The information submitted to the Central Electoral Commission suggests that the operation mode of the enterprise has two shifts. As explained by the chair of Barysau district election commission V. Barannikau, considering the working mode of the enterprise, the meeting was attended by those who had completed work on the first shift and those who had not started working on the second shift. In addition, the entrance to the premises of the conference room is available both from the territory of the enterprise and from the street. The meeting was not only attended by employees of the enterprise, but by voters who are not employees of «Ekran», as well. As for the general director of «BATE» Anatol Kapski, according to the response of the CEC, he was officially on a leave from 1 December. After receiving this response, Aleh Matskevich filed a complaint in Barysau district prosecutor's office, hoping that the prosecuting authorities would question the employees of «Ekran», who would tell that the first shift in the company is never over before 3.30 p.m. However, the prosecutor did not investigate into the legality of the meeting, but simply redirected the human rights defenders' complaint to Barysau TEC, whose chair had already provided explanations to the CEC on the case.

Mass events (primarily pickets) were a very common form of campaigning by presidential candidates and their supporters and, according to observers, they were characterized by a fairly liberal attitude. Campaign pickets were most common in the capital, regional centers and large cities: in some of them there were permanent pickets, while Minsk teams of candidates Sannikau and Niakliayeu

even organized 24-hour picketing. In many regions, the pickets were organized before or during the candidates' visits to these regions.

For example, from 23 November, Baranavichy activists of Andrei Sannikau's team organized a permanent information and canvassing picket in the city center — outside the central cinema «Kastrychnik». Starting from late November, Brest regularly hosted pickets in support of candidates Niakliayeu and Rymasheuski. The same regional center hosted information and canvassing pickets on the eve of candidate Mikalai Statkevich's visit to Brest on 3 December. There were two permanent pickets in support of Uladzimir Niakliayeu in Vitsebsk, one of which was staged on Lenin Square — the place was for the first time authorized for campaign purposes by the administration of Kastrychnitski district, the other proposed sites were far from the center — mainly in the sparsely populated outskirts and parks. In the major towns of Vitsebsk region — Orsha, Polatsk, Navapolatsk and Hlybokaye — campaign pickets in support of A. Sannikau, U. Niakliayeu, R. Kastusiou and V. Rymasheuski were held. Niakliayeu's campaign team activists were especially active in working with rural residents, for example, from 25 November, supporters of the candidate started holding pickets in agro-towns and villages of Bialynichy district, Mahiliou region (Vishou, Vialikaya Mashchanitsa, etc.)

The pickets enabled the voters to fairly easily obtain informational materials about the presidential candidates, study their programmes and ask questions. In some cases, campaigners used additional opportunities of attracting attention to their candidates. For example, in Polatsk on 27 November, activists of Sannikau's team managed to bring a TV-set to the picket site and continuously played their candidate's speech on national television. In Brest, campaigning for Niakliayeu was accompanied with audio recordings of his speech aired on the radio, as well as with playing of songs written to the poetry by the presidential candidate. In Biaroza on 10 December, after holding a meeting with voters, the election agents of Niakliayeu put up a New Year Tree in the city market and decorated it with toys and campaign leaflets of the candidate. At a campaigning picket in support of Niakliayeu in Minsk staged in a tent outside the railway station, there was a transparent ballot box with the inscription in the two official languages: «transparent elections». On 29 November, during a picket with participation of presidential candidate Ryhor Kastusiou outside the Summer Amphitheater in Vitebsk, local activists set up a stand with a portrait of the candidate and put up a white-red-white flag.

Some campaign teams of the presidential candidates practiced so-called «flying pickets»: campaigners staged pickets in various parts of the city throughout the day. In Hrodna, this form of pickets was most often used by representatives of the electoral headquarters of Yaraslau Ramanchuk. In Homel, Niakliayeu's campaign activists organized an «auto-rally» — a car with the politician's portrait and flags (white-red-white ones and those of the «Speak the Truth» campaign) was moving around the city. This practice of campaigning was used by Niakliayeu's team activists in another regional center — Brest.

In most cases, the pickets in all regions were not marked by obstructions and incidents; however, there were facts of pressure and other forms of influence on the organizers and participants of the campaign events. For example, in Vitsebsk the security staff of the shopping center «Evikom» repeatedly forced the activists of Mikhalevich's, Niakliayeu's and Rymasheuski's teams to leave the adjacent territory. In Ivanava (Brest region), on 6 December, the participants of a picket in support of A. Sannikau were approached by a group of policemen armed with machine guns; after that the law enforcement agents invited a district police chief to verify the documents of the picketers, but having found out that everything was legal, they soon left. On 7 December in Babruisk, the police ordered to produce passports and copied the data of the participants of a picket in support of A. Sannikau staged on a market square. On 28 November in Bialynichy (Mahiliou region), the police and representatives of the local executive committee blocked the car of candidate Ryhor Kastusiou during a picket with his participation. Apart from that, the police claimed there was a violation of the procedures of holding mass events; however, the official charges were not brought, and, accordingly, were not signed by Mr. Kastusiou. The candidate argued that the picket was held in a permitted place, while the local administration claimed that it should have been applied for two days before. Members of Babruisk TEC drew up an act of violation of the procedures of organizing a mass event by an election agent of candidate V. Rymasheuski — for allegedly holding a picket at an unauthorized location without notification of the city administration; similar charges were brought against presidential candidate R. Kastusiou after his meeting with voters in Drybin (Mahiliou region).

At the same time, the territorial election commission turned a blind eye on holding of campaign events in unauthorized places by the supporters of presidential candidate Aliaksandr Lukashenka, as it was, for example, in Maladechna, where pickets with distribution of leaflets were conducted

outside the central department store on 11 and 12 December (the list of allowed picketing sites did not mention the location). No proper legal assessment was given to deputy chair of Homel regional executive committee Piotr Kirychenka, who urged the city residents to support the policy of the government and vote for the incumbent during a concert «For a strong and prosperous Belarus» in Lenin Square in Mazyr on 4 December (the place was not among the number of allowed campaigning venues). We should note that the illegal campaigning event was appealed by human rights activist Uladzimir Tseliapun, who lodged a complaint with the district election commission, the district executive committee and the prosecutor's office.

On 30 November, the CEC issued warnings to candidates Rymasheuski and Statkevich for violation of the electoral legislation during an unsanctioned pre-election rally held on 14 November 2010 at Kastychnitskaya Square in Minsk (the meeting was not dispersed by police, no one was arrested). Before this event, on 23 and 24 November, the Prosecutor General issued official warnings to V. Rymasheuski and M. Statkevich about the inadmissibility of violation of legislation, which, according to the prosecutor, was expressed by the candidates' appeals during their TV speeches, calling to take part in an unauthorized mass event. The experts of the «Human Rights Defenders for Free Elections» campaign note that an appeal to participate in a meeting with voters in places prohibited by the authorities is indeed a formal violation of the law, but, at the same time, believe that the prohibition of any public events in Kastychnitskaya Square itself is an extreme restriction of freedom of peaceful assembly, as its location and size allow it to host peaceful protests without disrupting the public order and the rights of other citizens.

The most massive rally was organized on 6 December by presidential candidates Niakliayeu and Sannikau at the Railway Square in Minsk (which gathered, under various estimates, between one and two and a half thousand people.) The candidates called on all the Belarusians to ignore the early vote and invited them to the Square on 19 December, the day of the presidential election in Belarus.

Commenting on the meeting with voters, as well as the candidates' appeals to come to Kastychnitskaya Square on the election day, in an interview to the BelaPAN news agency²⁶, the secretary of the Central Election Commission Mikalai Lazavik said: «It is very sad that the presidential candidates instead of proving to be law-obedient citizens urge to violate the law. On 6 December, Uladzimir Niakliayeu and Andrei Sannikau met with voters at the Railway Station Square. There's enough room and they said what they wanted. Such meetings could also be held outside the Palace of Railwaymen, the Sports Palace — there are big plazas there». However, the presidential candidates urge voters to gather in Kastychnitskaya Square, which is banned for campaign events,» Lazavik said. «I guess it's their «gratitude» for the liberalization of the electoral law and tolerance of the election's organizers to the antics of the presidential candidates.» According to the CEC secretary, «it is ugly that the potential guarantors of the Constitution violate the law». Mikalai Lazavik was unable to answer what kind of reactions by the Central Election Commission might be caused by the presidential candidates' appeals to meet with voters in Kastychnitskaya Square on 19 December: «To begin with, law enforcement agencies have to give their legal assessment, for example, by notifying the candidates of possible liability for violation of the law.»

The reaction of the authorities was not long in coming: on 10 December, the Prosecutor General issued official warnings to five presidential candidates on possible liability for violating the law. The warnings were addressed to Uladzimir Niakliayeu, Vital Rymasheuski, Mikalai Statkevich, Yaraslau Ramanchuk and Andrei Sannikau. On the same day, in his interview to the Belarusian TV channels, the head of the department of supervision of the execution of legislation and legal instruments of the Prosecutor General's Office Pavel Radzionau said that in their speeches on TV and radio «some presidential candidates, in particular Sannikau, Niakliayeu, Ramanchuk, Rymasheuski and Statkevich» called on their voters to take part in a mass rally in Minsk at 8 p.m. 19 December. According to Radzionau, the holding of a mass event on 19 December is regulated by the law on mass events, because «there is no canvassing campaign any more». According to the law on mass events, «the organizers of mass events are required to submit an application to Minsk city executive committee at least 15 days prior to the event». «However, so far it has not been submitted to Minsk city executive committee», - said Radzionau. «Given this fact, the Prosecutor General's Office issued official warnings about the inadmissibility of violation of the law on mass events. Participation in unauthorized mass events can be prosecuted under the Code of Administrative Offences», - said the representative of the Prosecutor General's Office. - The goal of our formal warning is to prevent violation of the law, and we encourage citizens to comply strictly with applicable law».

26 http://naviny.by/rubrics/elections/2010/12/07/ic_news_623_356725/

7. Complaints and appeals during the pre-election period

According to the electoral legislation, decisions of election commissions and other actions related to the election can be appealed at higher-level election commissions and the prosecutor's office. The Electoral Code amended in January 2010 also allows challenging decisions related to formation of TECs and PECs in courts. Thus, in accordance with Par. 6 of Art. 34 of the Electoral Code, the decision by the bodies that created the commission may be appealed within three days after its adoption, respectively, at regional, Minsk city, district, municipal courts by the units who nominated their representatives to the commission. The complaint must be signed by the leader of a political party (its local office), other public association (its local office), the head of an organization (local office), the citizens who nominated a representative to the commission by submitting an application. The court shall consider the appeal within three days, its decision is final.

According to campaign observers' calculations, 240 complaints were filed during the entire pre-election period. 27 of them related to formation of the TECs. Most of these complaints concerned non-inclusion of the representatives of opposition political parties and non-governmental organizations into the commissions: 12 of these complaints were left unaddressed; none of the others was met. For example, Mahiliou Regional Court dismissed a complaint against the decision not to include Mahiliou representative of the Belarusian Party of the Left «Fair World» Anatol Zauyalau in the regional election commission. The same court dismissed a similar complaint by the regional office of the public association Belarusian Popular Front «Adradzhenne» against non-inclusion of its representative Siarhei Famin in the regional commission. Hrodna Regional Court dismissed a complaint against a decision by Hrodna regional executive committee not to include representative of the party «Fair World» Viktor Mikhalchyk in the regional committee. Similar decisions were made by the court of Baranavichy and Baranavichy district (Brest region), Vitsebsk regional court, court of Orsha district (Vitsebsk region), Smarhon district court (Hrodna region), courts of Svetlahorsk and Barysau districts (Minsk and Homel regions respectively).

The main reason for the courts' dismissals of appeals against non-inclusions in election commissions is the lack of certain selection criteria of candidates for the election commissions provided by the Electoral Code. The absence of such criteria suggests the futility of the provision of the Electoral Code, which gives the associations who nominated their representatives to election commissions the right to judicial review of the relevant decisions.

For example, the dismissal of Vintsuk Viachorka's complaint against his non-inclusion in the election commission was justified as follows: «The Commission of Tsentralny district of Minsk was formed consisting of a maximum of 13 members, in accordance with the requirements of the Electoral Code. In total, 14 citizens were nominated for the Commission. As the number of nominations for the commission exceeded the maximum size of the commission, the failure to include you in the above-mentioned commission cannot be regarded as a violation of the Electoral Code.» Thus, the court refused to consider the discriminatory exclusion of the opposition party representative from the election commission.

Courts also did not satisfy any of 85 complaints related to non-inclusion of 413 candidates to PECs (two of them remained unconsidered). The courts ignored arguments about the discriminatory attitude of executive committees towards representatives of opposition political parties and justified their refusals by the fact that all formal procedures of forming PECs had been followed.

The majority of court decisions argued that the PECs had been formed in strict accordance with Art. 34 of the EC, since the formed commissions by one-third were composed of representatives of parties and public associations and did not include judges, prosecutors, heads of local executive and administrative bodies. Meanwhile, in most cases the complaints did not deal with violations of the procedures for establishing PECs, but challenged the discriminatory treatment against members of opposition parties and public associations. The latter, in most cases had experience of work in election commissions of various levels, but were not included in PECs. At the same time, for example, PECs included numerous members of «The Belarusian Republican Youth Union», which had no such experience. The applicants' arguments on the discriminatory nature of PECs' formation were ignored by the courts. Moreover, in some cases, they were not considered by the courts at all. None

of the court rulings mentions the fact that complaints related to discrimination against members of certain political parties and public associations.

Typical is the decision of Tsentralny District Court of Minsk of 6 November, taken after the consideration of a complaint by the Minsk city office of the Belarusian Social Democratic Party (Hramada) against the administration of Tsentralny district of Minsk, who formed the local PEC. The court decision stated that «evaluation of the reasons of possible inclusion or non-inclusion of certain representatives of political parties and public organizations to election commissions is not within the competence of the court.» In its decision of 9 November on a claim by the Baranavichy city office of the Skaryna Belarusian Language Society against the discriminatory approach to its representatives in the formation of a local PEC, the court of Baranavichy district and Baranavichy (Brest region) said that «in accordance with the Electoral Code, the court does not consider the issue of advantage of one candidate over another».

Meanwhile, observers of the «Human Rights Defenders for Free Elections» campaign documented several cases when local executive committees favoured certain nominees for election commissions precisely because of their political affiliation and loyalty to the existing regime. For example, a member of the BPF Viktor Ivashkevich filed a complaint against the administration of Pershamaiski district of Minsk, which denied the representative of the BPF's Minsk city office Siarhei Shynkevich his right to be included in the composition of a PEC. The administration did not take into account that Mr. Shynkevich had experience of activities in electoral commissions, and that the PEC of Pershamaiski district did not include any of the nominees from the BPF. Mr. Ivashkevich unambiguously described the refusal as discriminatory in relation to the BPF, which had been fundamentally and sharply criticizing the current government.

In particular, a citizen's complaint on non-inclusion of their candidate Pavel Levinau²⁷ into the PEC №35 of Pershamaiski district of Vitsebsk was considered by the court. During the court hearing, numerous violations, which related to nomination of the candidates who became PEC members, were disclosed²⁸. In addition, during the court sitting the complainants drew the attention of the court and prosecutor to the forgery of signatures of citizens who nominated Deputy Director-General of RUP «Vitsebskhlēbpram» Andrei Markouski to the PEC. However, judge Volha Illyshonak refused to satisfy the complaint, and an appeal to higher court was also rejected. Only after application to the CEC and an inspection by the latter, the district administration was instructed to remove Markouski, who had already been elected PEC chair, from the PEC. However, Levinau was not included in the commission.

Lawyers of the «Human Rights Defenders for Free Elections» campaign registered a number of cases when decisions on various complaints were nearly identical, although being considered by different courts. For example, it was evident that the wording and the structure of the court ruling by Vitsebsk Kastychnitski District Court on the complaint by Vitsebsk regional office of the «Fair World» Leftist Party was identical with that by Vitsebsk Pershamaiski District Court on a different complaint of the same party, despite the fact that both decisions were taken on the same day, 9 November. One may then surely state that the patterns of the court rulings on complaints against non-inclusions to PECs were pre arranged.

On 20 September, a prominent lawyer Harry Pahanyaila addressed the Central Election Commission with a request to cancel the registration of President Lukashenka's initiative group. According to Mr. Pahanyaila, the initiation of the 2004 referendum (lifting the two-term limit on Lukashenka's period in office) was unconstitutional, and the referendum itself was accompanied by numerous vio-

27 Levinau was nominated by a group of 153 citizens. At the sitting of the district administration dedicated to PEC formation, head of organizational and human resources unit Pavel Silchanok explained to the administration head Mikalai Arlou that the proposed PEC composition is comprised of the citizens who successfully performed as election commission members during local elections earlier this year. Arlou did not propose to vote on the nominated candidates, but merely proposed to approve the prepared lists of PEC members (it is proved by the excerpt from the minutes of the sitting which does not have any indication that voting took place).

28 For instance, the minutes of the sitting of the local branch of «Belaya Rus» which nominated PEC member Chepikava did not mention her place of work; the minutes of the sitting of the BRSM local branch which nominated PEC member Mikhailau did not mention the number of branch members and results of the vote; local branch of the Belarusian Union of Women did not mention in the minutes the place of work and position of PEC member Shyenok; engineers and workers of production unit №2 of RUP «Vitsebskhlēbpram» nominated to the PEC a paramedic Aheeva who was not a member of their labour collective; book keeping unit of the same enterprise also nominated a PEC candidate Hrakhouskaya who was not a member of the unit's labour collective. The district administration presented in the court the minutes of nomination of Valiantsina Uladzimirauna Fok, while it was Alena Isakauna Fok who became the PEC member.

lations, which made its results legally invalid. Similar appeals were submitted by other individuals, all of them received run-around replies from the CEC. Harry Pahanyaila appealed the CEC's dismissal at Minsk Maskouski District Court, noting that «under the provisions of Par. 2 Art. 33 of the Electoral Code, the complaint should have been considered by the CEC on a collegial principal.» «However, in defiance of the current procedures, the issue was not brought to the agenda of the CEC sitting, while I received a run-around reply signed by chair of the Central Election Commission Mrs. Yarmoshyna. As it could be seen from the postal seals, my appeal was submitted to the Central Commission on 20 September 2010, while the reply was dated 21 September, i.e. long before the consideration of the registration of Lukashenka's initiative group, as it took place on 27 September 2010», — said the lawsuit lodged with Maskouski District Court. On 13 October, Harry Pahanyaila received a reply from Maskouski District Court that dismissed his appeal against the CEC chair. Of similar character were the developments concerning other complaints on the issue.

According to observers, 51 complaints were filed during the signature collection stage (three of them were satisfied). Most of these complaints concerned places for collecting signatures, while the majority of them dealt with electoral violations by members of Lukashenka's initiative group, involvement of officials of state-run organizations in collecting signatures for the nomination of Aliaksandr Lukashenka, as well as collection of signatures by individuals who were not members of his initiative group. The CEC and the Territorial Election Commission did not as a rule find any violations in the actions by Lukashenka's initiative group; sometimes they did not provide any legal assessment to such actions.

For example, on 27 October, the CEC considered a complaint by Valiantsin Stefanovich against a schedule of signature collection picket by Lukashenka's initiative group reportedly drafted and distributed among education institutions by executive officials of Minsk Leninski District. The schedule published by the web-site of the «European Radio for Belarus» mentioned the name of head of the ideology and education department of Leninski District Administration Mrs. Anzhela Naskova. The web-site also featured an interview with Mrs. Naskova, who admitted that she had sent the document to education institutions subordinate to the Department. According to Mrs. Naskova, the schedule was drafted by order of Lukashenka's election headquarters. According to the CEC (Document 1), the incident is merely a fact of abuse of power by Mrs. Naskova. As a result, the CEC addressed chair of Minsk Leninski District Administration with a request to consider the possible disciplinary action against Mrs. Naskova. Meanwhile, the CEC failed to consider the incident as violation of Art. 61 of the Electoral Code, as «Mrs. Naskova did not chair the education institutions mentioned in the schedule and was on a leave during the period; besides, the schedule mentioned only the members of the initiative group among signature collectors.» As a result, the CEC saw no grounds for addressing a warning to Aliaksandr Lukashenka's initiative group.

Mahiliou Leninski district election commission did not find any facts indicative of collecting signatures for the nomination of Lukashenka by non-members of his initiative group. According to the reply received by human rights defender Aliaksei Kolchyn, the person mentioned in the complaint was present at the picket location «for the purpose of providing technical assistance», which does not violate the election legislation.

A typical example of how election commissions considered complaints was consideration of the complaints of Viachaslau Dziyanau and Mikita Krasnou regarding the participation of students of the Belarusian State University of Informatics and Radio-Electronics (BSUIR) in the picket to collect signatures in support of Lukashenka near the shop «Furniture House» in Very Kharuzhai Street (Minsk) during school hours. These students were not members of the initiative group and «just helped» to collect voters' signatures for Mr. Khmyl, a member of the initiative group and Vice-Rector for Academic Affairs. During consideration of the complaint by the Minsk city election commission, Khmyl confirmed that BSUIR students took part in the picket, as well as the fact that at that moment he was not on a leave. However, the CEC did not find any violations of the electoral

legislation in this case. According to the CEC, Khmyl was not a direct subordinate of the person in support of whom he collected signatures and, thus, could «invite» students to participate in the picket. The CEC also noted that the class schedule may have had certain peculiarities, and they may have had days free from classes. However, the response to the complaints said nothing about whether particular students who participated in the picket were free from classes at the university on that day, or about Khmyl's participation in the picket during his working hours. The fact that signatures can be collected by non-members of initiative groups was explained by the CEC in the way that

signature lists can be filled in also by «aides (helpers) of members of initiative groups». This was publicly stated by Secretary of the Central Election Commission Mikalai Lazavik: «The compilation of signature sheets, including the name and passport data, can be done by aide to an initiative group member.» Thus, the CEC Secretary introduced an illegal notion of «aide to an initiative group member», vesting the person with authority that is not provided by the law. The treatment runs counter to the Electoral Code, which strictly prohibits the collection of signatures for the nomination of presidential candidates by persons other than members of initiative groups. The Electoral Code does not provide for delegating the authority of initiative group members in collecting signatures to other persons. Moreover, it orders the election commissions to consider invalid the signatures collected by non-members of initiative groups (Par. 8 Art. 16 of the Electoral Code).

The CEC has demonstrated unequal treatment of different candidates while handling complaints. On 14 October, the Central Election Commission considered the case of alleged election violation by Uladzimir Niakliayeu's initiative group. According to information announced by member of the CEC Mrs. Nadzeya Kisialiova, the CEC received information from the juvenile commission of Minsk Zavodski District Department of Internal Affairs, reporting on detention of four minors, who collected signatures for the candidate's nomination. The detainees had samples of signature sheets and guidelines for signature collectors, as well as filled and blank signature sheets. Apart from that, the minors had IDs of members of Uladzimir Niakliayeu's initiative group, issued to other persons, and 50 leaflets, which had been printed in Samara (Russia). They were reportedly hired to collect signatures by an unknown person. Uladzimir Niakliayeu's initiative group chief Andrei Dzmitryeu said the initiative group had nothing to do with the detained minors and they had not been authorized to collect signatures by Niakliayeu's headquarters. According to Mr. Dzmitryeu, a number of IDs of initiative group members had been lost and no printing of leaflets had been ordered in Russia. Mr. Dzmitryeu said all the allegations of electoral violations were a provocation. In turn, the CEC chair Mrs. Lidziya Yarmoshyna said that the facts are an evident violation of the electoral legislation: involvement of minors in the collection of signatures, loaning of IDs of initiative group members to third persons and collection of signatures by non-members of initiative groups, production of canvassing materials outside the territory of Belarus and its distribution before the start of the canvassing period. The CEC unanimously voted for addressing a warning to Uladzimir Niakliayeu's initiative group. Meanwhile, Mrs. Yarmoshyna said the decision was too mild, claiming that by taking it the CEC pursued the objective of making the election «pluralistic and competitive».

«The Human Rights Defenders for Free Elections» campaign believes that in case the facts mentioned by the CEC are true they should really be considered as violation of the electoral legislation by Uladzimir Niakliayeu's initiative group, as the explanations provided by its chief do not seem to be convincing. At the same time, the campaign's observers note that the majority of complaints against violations by Lukashenka's initiative group were not considered by the CEC at all, but redirected to subordinate TECs, instead, for «conducting an inspection and taking a decision on the merits» (e.g. a complaint by Mikita Krasnou submitted to the CEC was redirected to Minsk city election commission), which is an evidence of biased approach to the initiative groups by the CEC, as violations by Lukashenka's initiative group deserve equal legal evaluation.

Most typical of the election commissions' treatment of appeals against actions by Lukashenka's initiative group is the CEC's reply to Niakliayeu's complaint of 25 October. The appeal mentioned numerous facts of collecting signatures by unauthorized persons in unauthorized locations. However, the CEC said the information reported in the complaint «is either too general and cannot thus be confirmed, or failed to be confirmed as a result of check-ups.»

At the candidate registration stage only one complaint was filed — by Uladzimir Pravalski who was denied registration as a presidential candidate by the CEC. The complaint against the CEC resolution was submitted by Mr. Pravalski to the Supreme Court on 19 November, where he claimed that the CEC had not inspected the legality of his nomination, which, according to him, was a violation of the Electoral Code. Mr. Pravalski also informed the Supreme Court that the CEC had failed to send him its decision on registration denial, despite an oral appeal to the secretariat. Referring to Art. 68 of the Electoral Code, he demanded to reverse the CEC's resolution of 18 November. On 22 November, the Supreme Court dismissed the complaint.

The canvassing campaign was marked by a large number of complaints, a great part of which dealt with appealing decisions by local administrations on authorized canvassing locations, and these complaints were often met. Meanwhile, complaints dealing with canvassing violations (the use of admin-

istrative resources, holding meetings with voters in working hours, distributing campaign materials without the printer's imprint, produced in violation of legal procedures, etc.), did not as a rule receive proper legal assessment by the CEC, TECs and the prosecuting authorities, as the majority of these complaints dealt with violations while campaigning for Lukashenka. This once again emphasized the discriminative approach to various presidential candidates and the inequality of the incumbent and his supporters in adherence to law.

A striking example of the CEC's reluctance to provide legal assessment on violations of the Electoral Code was its reaction on a wide-scale campaign of canvassing for Aliaksandr Lukashenka by foreign nationals. On 24 November, human rights defender Valiantsin Stefanovich lodged a complaint with the CEC, where he said that «the publication by journalist Uladzimir Strelski «We Are for Batska!» posted on the web-site of the newspaper «Belaruskaya Niva» on 19 November reported on holding a motor rally under the slogan «We Are for Batska!» in Saint-Petersburg. The motor rally was organized by the Russian public associations «Slavic Brethren» and «AutoRadioClub». According to the publication, Russian citizens were going to visit 24 Belarusian cities and towns. It also announced that the participants were going to move in an organized convoy with flags and banners in support of the incumbent's candidacy. As I have been informed, the motor rally has already visited a number of Belarusian cities, e.g. on 20 November 2010 the rally's participants visited the town of Dubrouna, where they held a canvassing meeting. After that they stopped in the town of Slonim. As the photos taken in the town show, some of vehicles participating in the rally carried banners of support to the current President Aliaksandr Lukashenka. The photos, as well as an interview with one of the rally's organizers — Russian citizen, head of the «Slavic Brethren» public association and deputy of the State Duma Sergey Kharlantyev — were published on the «Moi Slonim» web-site. As the interview suggests, the rally's objective is expressing support to Lukashenka's policy. Therefore, according to Mr. Kharlantyev, the rally was entitled «We Are for Batska!» I believe that the information proves that the rally's objective is campaigning for one of the presidential candidates — the incumbent Aliaksandr Lukashenka. Meanwhile, Par. 10 Art. 48 of the Electoral Code prohibits direct or indirect involvement of foreign states, organizations and nationals in financing and other finance-related assistance in the preparation and conduct of elections. Under Par. 11 Art. 48 of the Electoral Code, the use of financial resources and other assistance by a presidential candidate in violation of the provisions of Par. 10 Art. 48 may result in the cancellation of his or her registration. Under Art. 49 of the Electoral Code, the persons who had been found guilty of illegal use of financial resources during the preparation and conduct of elections are subject to liability provided by the legislation of the Republic of Belarus. Meanwhile, administrative actions may be applied to foreign nationals in case they committed an offence on the territory of Belarus.» Considering this, the human rights defender demanded «to take measures to put an end to the illegal canvassing for presidential candidate Aliaksandr Lukashenka by the participants of the motor rally «We Are for Batska!»; to urge the officials of Slonim town executive committee to prosecute the rally participants under administrative procedures for reported electoral violations; to inform the heads of the town and regional executive committees, whose territories have been covered by the rally, of their obligation to implement the electoral legislation by the rally participants during their stay in Belarus». On 6 December, Mr. Stefanovich received a reply from the CEC signed by its chair Lidziya Yarmoshyna (Document 3). «Your appeal reporting on the holding of a motor rally «We Are for Batska!» by Russian nationals has been considered within the authority of the Central Election Commission. Since your appeal was submitted to the CEC after the end of the event, it is not possible to take measures to stop canvassing activities by foreign nationals». At the same time, the CEC noted that it had informed the subordinate election commissions about the inadmissibility of involvement of foreign nationals in election canvassing activities. Meanwhile, the CEC stressed that neither presidential candidate Lukashenka nor his election headquarters were guilty of violating Par. 4 Art. 45 of the Electoral Code: «We also found it necessary to inform that as a result of the consideration of your appeal it has been established that none of the election agents of presidential candidate Lukashenka was involved in the organization of the above-mentioned motor rally». Moreover, the CEC evaded assessing the actions by respective territorial commissions, whose negligence resulted in repeated violations of the election legislation, which was widely advertized by the state-run media.

Just like in previous election campaigns, the prosecutor's office in most cases avoided carrying out checks related to complaints from participants of the electoral process, and re-directed them to the election commissions. For example, this is how Brest Regional Prosecutor's Office reacted to a

complaint by human rights defender Uladzimir Malei, having redirected it to Brest regional election commission. The complaint dealt with the events of 21 November in Brest, when footballers opened the 33rd day of the Belarusian league accompanied by over 30 teenagers wearing T-shirts with Lukashenka's portrait and an inscription «Our President». In his complaint, Uladzimir Malei demanded to establish who the organizer of the mass canvassing event of support to Aliaksandr Lukashenka was, by whom, with whose resources and in what quantity the T-shirts carrying the President's portrait were produced, as well as to take prosecuting measures against the persons who reportedly made use of the candidate's extra-budget resources. The human rights defender also requested to explain whether the canvassing event's organizers had received permission from the teenagers' parents. The reply was signed by chair of the department of legal implementation supervision and legal acts eligibility Aliaksandr Kulich. As a result, neither the prosecuting authorities nor the TEC provided legal assessment to the actions by the organizers of the canvassing event, although it was established that it had been arranged by member of Brest City Council Heorhi Dabruashvili.

At the same time, the general prosecutor's office closely monitored the implementation of legislation by alternative candidates and issued warnings to several presidential candidates for their calls upon voters to take part in the rallies at Kastychnitskaya Square in Minsk, which the authorities had closed for any mass public events.

8 . International and national observers

According to the CEC, 1,036 international and 39,619 national observers were accredited during the election. Most international observers were part of the OSCE/ODIHR and CIS missions.

The majority of the national observers were representatives of the five biggest pro-governmental NGOs: «Belaya Rus», the Belarusian National Union of Youth (BRSM), the Belarusian Union of Women, the Belarusian Public Association of Pensioners, and the Federation of Trade Unions of Belarus — 20,715 persons, and 4,343 representatives of political parties loyal to the regime. Among 10,516 observers nominated by citizens and labour collectives, and among 3,051 observers nominated by other NGOs of the country (except for BHC), the absolute majority comprised observers nominated at the instruction of authorities. Their task was to interfere with activities of independent national observers and journalists²⁹.

Another evidence of the authorities' serious approach to the preparation of loyal observers was so called «Plan of organization and ideology maintenance of the Presidential Election of 19 December 2010 on the territory of Salihorsk district», adopted on 23 September 2010 by chair of the district executive committee Aliaksandr Rymasheuski. The document suggests that the executive committee engaged itself to provide «the organization of activities of observers representing organizations, political parties and public associations within the election commissions», thus investing itself with powers not provided by the electoral legislation.

Representatives of NGOs were deprived of actual opportunities to maintain observation during the election campaign. In particular, observer Vital Amialkovich of the Belarusian Helsinki Committee attended a sitting of Slutsk district election commission on 7 October, where he learned that besides him there were 5 other observers registered by the commission as of the date of the sitting: they represented the National Public Association «Belaya Rus», the Public Association «Belarusian Republican Youth Union», the Federation of Trade Unions of Belarus, the Public Association «The Belarusian Union of Women» and the Public Association «The Belarusian Union of Officers». Meanwhile, Mr. Amialkovich was the only one present at the sitting. The human rights defender says he only met the above-mentioned observers twice, although there were 11 persons registered as observers by Slutsk district election commission as of early December.

No information about any complaints lodged or observation reports released by such observers was available to «The Human Rights Defender for Free Elections» campaign.

National observation independent from the authorities was comprised of the campaign «Human Rights Defenders for Free Elections», campaign of party pollwatchers «For Fair Elections», observers of the «For Freedom» Movement and of the project «Election Observation: Theory and Practice». In addition, Belarusian Association of Journalists monitored coverage of the election in the mass media.

29 The training workshop for the PEC members of Maskouski district of Minsk held on 30 November 2010 showed for what kind of observation the pro-governmental observers were prepared. TEC deputy chair Aliaksandr Kudzermayeu requested PEC chairs to ensure presence of «brigades of our observers» of no less than 10 persons at each PEC, to be nominated by «Belaya Rus», BRSM and the Belarusian Union of Women. Kudzermayeu also announced that a training for the leaders («foremen») of these groups would be held on 2 December. The training was to deal with «what to do and how to behave in a deadlock situation at a polling station», i.e. how to counteract independent observers and journalists, and how to compile acts confirming correctness of the vote count in case PEC members representing opposition political parties refuse to sign final minutes or file dissenting opinions.

	Number of long-term observers	Number of short-term observers	Number of polling stations covered by observation*		
			Early voting	Election day	
				Voting	Vote count
<i>International observation**</i>					
OSCE/ODIHR Election Observation Mission	40	452***	860	960	162
CIS Election Observation Mission****	42	294	678	2,906	
<i>National observation independent from the authorities</i>					
Campaign «Human Rights Defenders for Free Elections»	80	600	300	300	
Campaign of party pollwatchers «For Fair Elections»	-	1,000	250	250	
Observation of «For Freedom» Movement	-	650	-	634	
Project «Election Observation: Theory and Practice»	-	94	-	55	

* The total number of polling stations covered by international and independent national observation is much less than the arithmetical sum of figures in the columns because at a considerable number of polling stations different national and international observers were present either permanently or temporarily.

** Other international observers included representatives of the CIS Inter-Parliamentary Assembly, foreign parliaments and election commission, diplomatic missions in Belarus, and individual foreign observers.

*** Including 63 observers of the OSCE Parliamentary Assembly.

**** Including 31 citizens of Belarus — staff of the CIS Secretariat

One of the first serious obstacles to the conduct of a nation-wide observation campaign was Resolution №49 by the Central Election Commission «On procedures of applying Par. 3 Art. 13 of the Electoral Code of the Republic of Belarus in the preparation and conduct of the presidential election in 2010», adopted on 15 September, which covered the procedures of delegating observers to attend the sittings of election commissions and polling stations. The essence of the issue dealt with the fact that unlike back in 2001 and 2006 when the governing bodies of national public associations and political parties could delegate their observers to the sittings of election commissions of all levels, as well as to polling stations, this time the CEC Resolution limited the right to delegating observers to the sittings of the Central Election Commission only. Meanwhile, the right of delegating observers to the sittings of territorial commissions (regional, city and district ones) and polling stations was given to the local offices of public associations and political parties representing the respective territorial level.

It should be observed that the Resolution was put on the CEC agenda by Secretary Lazavik, who stressed that the procedures of delegating observers had been considerably simplified, as it would be done by the governing bodies of political parties and public associations. The statement was advertised by the national TV and other media present at the sitting. However, Resolution №49 published by the CEC official web-site cited a different treatment of the delegating procedures, which considerably worsened the requirements as compared to the standards in use during the 2006 presidential election. The Belarusian Helsinki Committee, whose members maintained observation as part of the «Human Rights Defenders for Free Elections» campaign, had no right to delegate observers, lacking the required local offices.

The Belarusian Helsinki Committee appealed the Resolution, and the CEC adopted a different resolution (№94) on 5 November, which allowed the governing bodies of political parties and na-

tional public associations delegating their observers to election commission of all levels. Thus, it was due to the complaint by human rights defenders that the CEC lifted the groundless restrictions and reinforced the practice of delegating observers applied during the presidential elections of 2001 and 2006.

One of the few positive developments enforced by the CEC Resolution №49 dealt with the possibility of providing the delegating papers on the day of the sitting or the day of the observation. Before, the paper should have been submitted at least one day before the date of the sitting or voting.

On 5 November, the Central Election Commission considered six drafts of resolutions suggested by the «For Fair Election» observation campaign and five presidential hopefuls (Ryhor Kastusiou, Ales Mikhalevich, Uladzimir Niakliayeu, Vital Rymasheuski and Yaraslau Ramanchuk). The CEC acceded to only one of the proposals — «providing observers with an actual opportunity of maintaining observation under conditions that will secure the transparency of vote count». As a result, the CEC Resolution №95 amended the respective paragraph of the Observation Guidelines. Meanwhile, due to the absence of unambiguous procedures (i.e. manner) of vote count by election commissions, the provision could not guarantee a full-scale observation of the counting process.

On 30 November, the Central Election Commission considered a joint appeal by chair of the Belarusian Leftist Party «Fair World» Siarhei Kaliakin, deputy chair of the Human Rights Education Association «Movement For Freedom» Viktor Karniayenka and presidential candidates Ryhor Kastusiou, Ales Mikhalevich, Uladzimir Niakliayeu, Yaraslau Ramanchuk, Vital Rymasheuski, Andrei Sannikau and Mikalai Statkevich, calling for a greater transparency of election procedures and a lesser extent of rigging during voting, early vote, in particular. One of the proposals dealt with maintaining observation at polling stations, including at night, throughout the period of the early vote (14-18 December). The proposal was not met by the CEC. According to the CEC chair Lidziya Yarmoshyna, public order, as well as the safety of ballots within polling stations at night, should be maintained by «unbiased» police staff.

From the outset of the election, observers of the «Human Rights Defenders for Free Elections» campaign across the country reported more loyalty to their activities by the authorities as compared to previous elections, although facing certain challenges at each stage, primarily related to the availability of information, access to documents relating to elections, access to the sittings of commissions and others. One of the major obstacles was the seizure of materials for short-term observers. For example, at night of 26 November, activists of the campaign «Human Rights Defenders for Free Elections» Uladzimir Labkovich and Dzmitry Salauyou were detained for 5 hours by the Belarusian customs officials at the Belarusian-Lithuanian border. The officials, accompanied by the KGB officers, seized 115 copies of guidelines for short-term observers. The guidelines did not contain any information that could undermine the public or constitutional order of the country, and their content was aimed at providing transparent and unbiased electoral observation. A similar situation occurred on 30 November, when customs officers searched the personal belongings of Homel human rights defender Leanid Sudalenka and seized 10 copies of «Guidelines for Short-Term Observers in the Presidential Election in Belarus», as he was crossing the Belarusian-Lithuanian border in the town of Ashmiany.

The authorities initiated the separation of observers: those nominated by the «constructive forces» (i.e. by their own order) and «opposing ones», among which there were independent and international observers and journalists. On 14 December, the official website of Niasvizh district executive committee posted «Memo for Observers», consisting of fifteen questions, each of them suggesting a solution for «constructive forces» to follow in a particular situation. In particular, the Memo stated: «It is important to: - draw up acts of violations by observers representing the opposing forces; - prepare and leave feedback on the work of the election commission in writing; - in case an international observer should appear, communicate your position not only verbally, but also pass a written statement with an assessment of the election (possibly prepared in advance); - if a violation by an observer from the opposing forces is noticed, register it, without attracting undue attention, provided his removal from the premises is not required; - leave the polling station at extreme case only; - register (including exact time) the presence of observers from the opposing forces at the polling station, including international observers, indicating exactly when they arrived and departed.» Typical was the situation regarding the behavior of «constructive» observers in case international observers visited the polling station. The Memo said: «Question 2. An international observer has arrived at the polling station, introduced himself, presented documents showing his authority and status. Your actions?»

Answer: You should take a proactive stance, giving an objective assessment of the vote. It should be an active, calm and reasoned conversation. Negative assessments should be dismissed. It is recommended to engage in a friendly dialogue with foreign observers: to learn what country they come from, to say a few kind words about the state, to emphasize the need for the development of relations between our countries or praise the links that have already been established. Note that attention to our country and the political processes taking place in the country are very important to its citizens. We have always been very attentive to all the constructive comments and suggestions conducive to the development of democracy and civil society in our country.» After the media published information about this memo, it was removed from the site of the executive committee (which however was saved by experts of «Human Rights Defenders for Free Elections» and can be found in Appendix 1). In order to ensure the loyalty of international observers, the authorities had taken several steps to create «favourable» conditions for their activities, e.g. on 8 October Mazyr district executive committee issued Order № 267-P «On the establishment of a regional inter-ministerial working group for maintaining the visit of foreign (international) observers in Mazyr district during the preparation and conduct of elections of the President of the Republic of Belarus», which was first posted on the website of the district executive committee. The interagency group included two deputy chairs of the executive committee, chair of the local council, head of the administrative office, seven heads of departments: organizational and personnel work, ideology, cultural, financial, economic, emergency and internal affairs chiefs; chief doctor of the central town clinic of Mazyr, editor-in-chief of the state newspaper «Zhytstsiio Palessia», head of the TV channel «Mazyr», head of the KGB town department and the town prosecutor. The working group was to take the necessary measures «to create a favourable environment for the observers' activities»: accommodation, provision of transportation and communication facilities, medical services, cultural programmes, personal safety, information, etc. The Administrative Department of the executive committee was ordered to «provide the observers with transport», while the finance department had «to cover the Department's expenses of providing transportation, according to an estimate of costs». After the publication of an analysis of the Order of Mazyr district executive committee by the experts of the «Human Rights Defenders for Free Elections» campaign, the document disappeared from the official website, the link http://www.mozyrisp.gov.by/rus/vibori_2010/267/, where it had been posted redirected to a statement: «Sorry, the requested page was not found on the server».

9. Early voting

Under Article 53 of the Electoral Code, early voting should be started no earlier than five days before the election day. It is conducted on the premises of a polling station election commission (PEC) in attendance of at least two members of the commission between 10 a.m. — 2 p.m. and 4 p.m. — 7 p.m. No official certificate of inability to vote on the election day is required. On the first day of the early voting, ballot boxes should be sealed. The PEC should provide daily reports on the number of ballots received and the number of ballots issued to voters (on the last day — the total number for all days), the number of spoiled ballots and, separately, unused ballots. Coercion to vote early is prohibited.

Coercion to early voting

Since late November, there were numerous instances of abuse of state administrative resources aimed at providing high turnout of early voters. Local executive committees issued instructions for ideology departments of establishments and enterprises, the latter working with their subordinates. The administrations of many enterprises issued decisions on the number of persons obliged to take part in the early voting and demanded proof of that. During general meetings at some enterprises, the representatives of their administrations declared that early voting is obligatory for everyone.

The activists of the «Human Rights Defenders for Free Elections» campaign received several documentary evidence of administrations forcing their employees to take part in the early vote, with indication of exact figures on separate polling stations and voters. 78 per cent of employees of the financial settlements center of the housing department of Vitsebsk Pershamaiski District cast their ballots on the first day of the early vote campaign. According to a document apparently prepared for submission to a superior body, 14 out of 18 employees voted on 14 December. Moreover, it said that one of the four employees who failed to vote early was on a sick leave, i.e. having a good excuse for not casting a ballot on the day. The following document features the numbers of the polling stations, as well as the names and posts of the employees; and their polling stations. Thus, the employees of the organization were under total control that could not be escaped.

The administration of Maladetchna-based Minsk Furniture Center joint-stock company ordered all the heads of departments (heads of shops, craftsmen shifts) to take account of voters, distributing a memo «Procedure for providing information on the voting process to elect the President of the Republic of Belarus» and «Sample form of election results». All the employees who had voted were obliged to phone and inform their supervisors. The organization of the process was managed by deputy director for ideological work, head of the personnel and regime department, Mikalai Tsiurakin. It is worth noting that Mr. Tsiurakin was also member of the initiative group for the nomination of presidential candidate Aliaksandr Lukashenka and was involved in collecting signatures in support of the incumbent president in working hours. Vitsebsk activists sent the human rights defenders an audio briefing, held on the eve of early vote at the 103rd Separate mobile brigade by deputy commander for ideological work. In order to address «the most important tasks for December» the ideology official, in particular, ordered to suspend authorizing leaves for soldiers for the sake of «making arrangements for the early vote by the soldiers who are actually in need of going on leave for family reasons». Apart from that, the battalion commanders were ordered to provide the lists of all those who performed military service under the contract (officers, warrant officers and civilian staff), indicating their place of registration and polling stations where they should vote. The servicemen who had been registered outside of Vitsebsk had to be provided a day off, so that they could go home and vote. There was also another «more robust» option (as the ideology official was convinced that the soldiers «would come, but would not be mentioned in the list, avoiding the issue of their inclusion on the lists») — these soldiers were supposed to be managed by «Lieutenant Colonel Kavaliou, who was ordered to include them on a supplementary list and arrange their early voting». As the instructions suggested, «the early vote schedule will be sent to all the unit commanders». On 14 December, prisoners serving sentences in open-type penal colonies were escorted for early voting to polling station №122, located at secondary school №37 in Mahiliou. 50 prisoners were forced to vote before lunch-time and 45 persons in the afternoon. They were given their passports at the polling station only, so they could receive ballots, and the passports were taken back after the vote.

On 13 December, at a meeting of the management of Bioroza-based «Biarozabudmateryaly», its head, member of Brest Regional Council Mikalai Zhuk ordered his subordinates to escort workers to the polls. In pursuance of this order at 11.15 a.m. 14 December a bus with 10 employees of the enterprise arrived at the polling station №10, located in the gymnasium of «Biarozabudmateryaly». On the same day another group of «Biarozabudmateryaly» employees was taken to the polling station to vote. On 15 December, observers present at polling station №7 located in school №16 of the town of Barysau, witnessed an incident when a group of employees of the BATE plant who came to vote early asked the election official to issue certificates confirming the fact of early voting. When asked about the reasons of issuing the documents, the workers said that this was required by director of the enterprise Anatol Kapski. To ensure the total early vote, the administrations of enterprises and institutions often used pressure and threats of termination of employment contracts and bonus reduction, as well as public intimidation. On 15 December, one of the shops at the JSC «Mahilioukhimvalakno» hosted an information meeting, where the workers were addressed by the managers, who called for the plant workers to vote early. The main reason for taking part in early vote was the expected attacks and provocations of the opposition on the day of election, which could destabilize the country and derail the election process. The same argument in favor of early voting was used in the Hrodna-based state-owned institution «Ablspazhyusaiuz». On 13 December, Dzmitry Kryzhanouski, its deputy chief, and head of personnel department Liudmila Dzyiachenka gathered the staff and threatened them with statements that the main election day was very dangerous, because the government agencies had informed them of possible terrorist attacks, reportedly plotted by the opposition. At the same time, state media launched a campaign of open propaganda of early vote. Salihorsk TV channel named those who vote early «prudent Belarusians». On 16 December, the newspaper «Zarya», founded by Brest regional executive committee and Regional Council of Deputies, published an article «Early — So Convenient», which directly called on voters not to wait for 19 December to vote. The author of the publication Yauhen Litvinovich started his article with the following phrase: «How to use Sunday for personal purpose and at the same time fulfill one's civic duty? A convenient solution to the dilemma that often arises because of life circumstances is suggested to a conscientious voter by the right to vote early active not only in Belarus but in many other countries, too.»

The majority of cases of coercion to vote early concerned college and university students (by their professors and administration). This group of voters was subjected to measures of extreme character: a number of educational institutions promised extra days-off for early vote, while some students were under direct pressure.

On 10 December, Skaryna Homel State University hosted a meeting of Rector Aliaksandr Rahachou with students and professors of the university, where head of the university encouraged them to participate in early vote and offered to cancel classes on 18 December. Apart from that, the meeting was attended by chair of the Students' Union Siarhei Aziauchykau, who said that he had talked to the students and they did not mind early voting and the cancellation of classes. On 13 December, the National Technical University's Faculty of Economics dean promised to let the students go home till 20 December, in case they cast their ballots between 14 to 18 December. Thus, the most favourable offer was made for the students who opted to vote on 14 December: they could be free from classes for a week, and each day of delay in voting reduced the unplanned «vacation» by one day. The scheme was primarily designed to encourage non-resident students, as they were warned that the hostels would be closed at the weekend «due to the election» and the dissenting students, who came from the regions, would have nowhere to go. In many cases, the task of monitoring the implementation of early voting was delegated to group supervisors and heads of hostels for nonresident students. On 16 December, Mahiliou polling station №61, located in the Art College hostel, was visited by the hostel's official Natallia Mahnouskaya, who inquired about the residents of the hostel, who had not voted before. On the same day a woman came to the polling station, accompanied by two girls, who had not voted. She presented herself as a curator of the group. On 15 December, the administration of Slonim state vocational lyceum of textile workers organized a centralized transportation of its students to the polls. For those who were 18 years old, a special bus was provided, which took the students to the polling station. Monday was a day-off for those who voted early.

A high profile case was a video (sent to the «Human Rights Defenders for Free Elections» campaign), which recorded the coercion of students of Minsk State College of Technology by their su-

pervisor to vote early. It was broadly distributed through Internet. In their appeal to the human rights defenders, the students said: «Hello! The forced early voting affected Minsk State College of Technology. One week before early voting the supervisors notified the students living in dormitories that they were obliged to vote early on 18 December, but later it was reported that it had to be done earlier. On 14 December, we managed to make a video of the curator making the students going to vote early on the same day after classes. The next day we were also able to make a video of the curator already making a list of voters. On the list there were 18 people living in the hostel. Minsk students were nothing to fear, so there were no their names on the list.»

The author of the message cited the complete text of the conversation.

Video of 14.12.2010:

Curator: I once again remind you. You now have a passport with you?

Student: Yes.

Curator: You today will go after classes. Your classes are over at...

Students: At 5.20.

Curator: So, I already have a list of 18 people. Tomorrow I will come to you again during your classes, and tick the names of the persons who voted.

Students: We have plenty of time until Saturday, at any time to come.

Curator: The sooner the better.

Students: They do not know who you vote for?

Curator: No. You can vote for anyone, and do not talk to me in that manner.

Student: No, well, just...

Curator: I will also need to provide these lists. Every time I come and you are indignant every time! What is it?

Student: No, well, in fact, we do have time until Saturday.

Curator: You must vote early.

Student: Why must? Why? The election is on 19th.

Other students: Not you, it's only for hostel students.

Curator: I am not going to speak about it to you anymore. I will come today and tomorrow. I've come today and will come tomorrow ... That's it! Then you will go on your own and explain yourselves, what you can and what you can't, it is clear? That's it! I've said everything! All is clear? Good! What is it? I do not understand. Do I lead by the hand? Or will I be in the booth with you and put your finger where to tick? Are you here to study? So study!

Video of 15.12.2010:

«The curator asked us whether we have voted, beginning to call our names. Only one person did not vote, who is leaving the college. At the end of the conversation the curator says: «Well, everyone has voted, well done! I'll take the list, Shapavalava (Internet users specify: Natallia Shapavalava is deputy director for ideology and educational work) will approve it, if it is well done or not.»

On 19 December 2010, during the live broadcast of «Vybor» («Choice») talk-show, TV host Syarhei Darafeeu asked Lidziya Yarmoshyna whether this video means that there were violations during the election, the CEC chair did not answer and left the studio instead, having explained her departure by her unwillingness «to be too liberal». Later, Darafeeu himself was dismissed, and «Vybor» programme was discontinued.

Conditions for observation during early vote campaign

On 30 November, the Central Election Commission dismissed an application for 24-hour observation during the early voting period. Thus, the observers did not have any effective means of full-scale observation of ballot boxes and could not be confident that no manipulation took place. Apart from that observers reported other obstacles:

	14 December	15 December	16 December	17 December	18 December	Average
Number of polling stations from which observer data was available	282	281	294	306	335	300
1. Percentage of polling stations where cases of refusal of accreditation of independent observers took place	5.3%	1.8%	2.7%	0.3%	2.1%	2.4%
2. Percentage of polling stations where independent observers faced obstruction	8.9%	10.3%	8.2%	8.5%	5.7%	8.3%

1. Denials of accreditation to independent observers were registered at an average of 2.4% of polling stations covered by observation. The denials were basically due to trivial reasons — absence of a seal on a statement of nomination, absence of birthdates of citizens nominating the observer, etc.³⁰ The refusals were, as a rule, overcome after a declaration of intention to appeal them or after consultations of PEC chairs with higher election commissions and representatives of executive authorities.

2. Obstacles to activities of independent observers were registered at an average of 8.3% of polling stations. In general, the observers were allowed to maintain observation during working hours only. Meanwhile, the observers were required to maintain their activities from a certain distance chosen by election officials³¹. There were a number of cases when observers were prohibited to use mobile phones and cameras³². There were also some cases of obstacles in keeping count of early voters or speaking with them outside polling stations³³. At some polling stations observers faced psychological pressure and harassment³⁴.

30 At polling station №2 in Hlusk (Mahiliou region), observer Ihar Kiryn was rejected accreditation because his application lacked dates of birth of those voters who nominated him for observation. At polling station №24 in Abukhova village of Hrodna district (Hrodna region), observer Alena Rapekta was refused accreditation because a minutes concerning her nomination was lacking a stamp. At polling station №66 in Mahiliou, BHC representative Aliaksei Kazheka and Mahiliou Human Rights Centre representative Natallia Samakhvalava were refused registration. The refusal was explained by the limited space at the polling station at which 7 other observers had already been registered, and which could not accommodate more observers.

31 At polling station №12 of Zhodzina (Minsk region), observers were provided with room in the corridor, from which they could not see the voting. A similar situation occurred at polling station №44 of Chyhunachny district of Homel where observers could see neither the ballot boxes, nor how the voting was going.

32 At polling station №122 at Kastychnitski district of Mahiliou, the PEC chair did not allow observers access to the lists of voters and lists of accredited observers. At polling station №15 of Leninski district of Brest, the PEC chair did not allow observer Volha Maslouskaya to take photos, and even applied physical force to stop her photographing, having explained her action by saying that photos can be taken only with her permission. Similarly, observer Andrei Krechka was prohibited to take photos of the ballot box and PEC daily minutes at polling station №27 of Savetski district in Minsk.

33 At polling station №4 of Leninski district, Hrodna, PEC chair Leanid Valentsukevich warned observers Liudmila Stsiarnitskaya and Raman Baranouski (and compiled a relevant act) against written calculation of the number of persons who came to vote. Valentsukevich said they do not have right to do this. At polling station №57 of Pershamaiski district of Minsk, PEC chair Anatol Shabelnik prohibited observers from talking to voters outside the polling station and threatened to expel them from the station.

34 At polling station №24 in Abukhava village of Hrodna district (Hrodna region), observers Halina Dzerbysh and Alena Rapekta were questioned by the district executive committee staff Sviatlana Dabryian, who was inquiring who they are and for what reason they became observers. At polling station №67 of Frunzenski district of Minsk, PEC chair Robert Khmara reacted to observers' comments with threats to expel them from the station. Sviatlana Lapitskaya, observer at polling station №11 in Zhodzina (Minsk region), received telephone calls urging her to come to her workplace and evening visits to her home by her supervisor to urge her to abandon observation.

The observers did not have the opportunity to witness the sealing of ballot boxes at an average of 2.6% of polling stations. There were cases when ballot boxes were sealed before the start of voting and start of observation³⁵. One of the main issues of concern for the observers was poorly-sealed slots of ballot boxes during the early voting, registered at a large number of polling stations. For example, one of the ballot boxes at Baranavichy polling station №54 (Baranavichy dairy factory, 51, 50 Years of the BSSR Street) was very old and shabby, but what most impressed the observers was a large gap between the lid and the front wall: it was so large that you could not just throw in ballots, but also put your hand inside, despite the fact that the box was sealed. Other boxes at the polling station were although new, but held together with screws, which if necessary could very easily be unscrewed.

Violations observed during early vote

During the early voting stage, the observers registered numerous election violations. The overall statistics of the most typical reported abuses can be found below. The campaign observers lodged 125 complaints and statements against election violations with TECs and prosecuting authorities.

	14 December	15 December	16 December	17 December	18 December	Average
Number of polling stations from which data was available	282	281	294	306	335	300
1. Percentage of polling stations where cases of the PEC work outside official hours established by the Electoral Code (10.00—14.00 and 16.00—19.00) were observed	8.5%	6.8%	5.8%	3.6%	7.5%	6.4%
2. Percentage of polling stations where cases of interference by unauthorized persons with PEC work were observed	7.1%	8.9%	3.7%	5.6%	3.6%	5.8%
3. Percentage of polling stations where cases of coercion to vote early were observed	8.9%	14.2%	10.2%	12.4%	6.9%	10.5%
4. Percentage of polling stations where cases of issuing more than one ballot paper to one person were observed	3.2%	2.1%	1.4%	1.6%	1.5%	2.0%
5. Percentage of polling stations where minutes on the number of voters who voted were not posted outside for general information	2.5%	1.4%	0.3%	1.3%	0.9%	1.3%

³⁵ At polling station №4 of Leninski district in Brest, PEC chair did not allow observer Aliaksandr Meliashchenya to watch sealing of the ballot box. At polling station №11 of Navabelitski district in Homel the ballot box had been sealed before observers came, and PEC chair Sviatlana Shautsova was not able to explain when the box was sealed. At station №26 of Maladechna, Minsk region, PEC members brought the sealed ballot box from the office of the PEC chair Zoya Kokash (she is a school headmaster).

1. Maintaining activities by election commissions beyond working hours was registered at an average 6.4% of polling stations. The observers were allowed to observe voting procedures during working hours only. Meanwhile, they reported numerous cases when election commissioners remained on the premises before 10 a.m., between 2 and 4 p.m. and after 7 p.m., which were explained as «technical issues» or «preparation of premises for voting» by the election commissions, etc.

2. Interference of unauthorized persons with the activities of election commissions was registered at an average of 5.8% of polling stations. The unauthorized persons were generally representatives of local executive authorities or administrations of enterprises and institutions. There were numerous cases of direct control, including through verification of voter lists, by representatives of educational institutions, hostels and other establishments, of students' participation in the early voting. PECs regularly reported on the number of early voters to administrations of respective institutions and establishments.

3. Coercion to early voting was registered at an average of 10.5 % of polling stations. As during previous elections, the main victims of coercion were: students from other towns, residents of hostels, military persons, state employees, convicts, etc. The main traits of administrative coercion to early voting included: voters' requests to issue a certificate of participation in the early voting, transportation of voters to polling stations for participation in the early voting, election commissions' reporting on early voting results to representatives of administrations, etc.

4. Issuance of more than one ballot to a person was registered at an average of 2.0 % of polling stations. The majority of registered cases were issuance of ballots to voters' relatives.

5. Failure to post daily reports on early voting was registered at an average of 1.3 % of polling stations. The observers often had to remind the members of polling station election commissions about the necessity of publication of daily results of early voting.

Participation in early voting

Observers had particular difficulty accessing data on the number of voters registered in a polling station. This information was not accessible at an average of one-third of polling stations. There were also many cases of direct denials of information to observers.

Day	Number of polling stations where data on the number of voters were available	Number of voters registered at these polling stations	Number of voters who voted at these polling stations according to observers' calculations	Percentage of voters who voted early
14 December	186	335,014	9,569	2.82%
15 December	204	368,302	14,431	3.92%
16 December	210	379,677	16,583	4.37%
17 December	224	403,780	20,964	5.19%
18 December	238	435,822	27,092	6.22%
Total:				22.52%

In the majority of cases, the data on the number of voters who have cast their ballots provided by the observers coincided with the official figures (or slightly diverged) during each voting day. On average, the number of voters who cast their ballots, as counted by the observers, comprised 97.2% of the number of voters announced by PECs (at polling stations under observation).

At the same time, at some of the polling stations, there were cases of considerable deviations between the official figures and the data provided by the observers. For example, the number of voters on 16 December at Salihorsk polling station №9 (secondary school №3) as estimated by observers was 131 people, however the final minutes of the election commission claimed the figure was 179 votes, thus a difference of 48 people was registered (chair of the commission — the school director Anatol Samuilau). On 17 December, observers estimated the number of voters who cast their ballots at the polling station as 146, which is approximately equal to the average daily number of voters

in other urban polling stations covered by observation. Meanwhile, in its minutes of 17 December, the Commission stated a figure of 223 voters. The difference between this figure and the number provided by observers was already 77 voters or 53% of the actual number of votes on that day. Thus, at one polling station alone within just two days the overstating of the actual number of voters was 125 people.

The differences in the number of early voters were found between the data provided by observers and the official figures of election commissions in Orsha. In particular, according to observers, 101 people voted at polling station №42 located at school №13, on 17 December, while according to the electoral commission — 119. An even greater difference in numbers was registered at polling station №12 located in local school №16. The observers registered 304 votes in 4 days, the commission — 320. Quite a significant difference was registered at polling station №16 (school №5). According to observers there were 283 voters, according to the commission — 329.

On 18 December the election officials of polling station №92 of Leninski district of Hrodna located in secondary school №3, in the presence of observers Henadz Hryhalets and Raman Yurhel officially announced the number of early voters — 387 people. On the morning of 19 December the chair of the committee was trying to explain to observers that an error had occurred and the actual number was 487 voters, i.e. 100 persons more than before.

These facts, according to observers, indicated to a desire to overstate the number of early voters by a number of commissions.

10. Election day

According to the Resolution of the House of Representatives of the National Assembly of Belarus of 14 September 2010 «On the announcement of the election of the President of the Republic of Belarus» the election was to be held on 19 December, 2010. On this day, voters could vote both at polling stations, and through mobile voting.

Mobile voting

According to the Electoral Code, mobile voting shall take place exclusively following a written or an oral request of the voter who cannot come to the polling station. Despite the fact that Article 54 of the Electoral Code stipulates that «the polling station commission shall provide an opportunity to vote to voters, who for health or for other valid reasons cannot appear at the polling station on the election day», in practice no official excuses are required in case of failure to come to the polling station. The polling station election commission is to create a special list of voters who opted to vote at their residence, filling it with the data from the general list. In order to organize such voting, election commissions should have no more than three portable ballot boxes, which must be accompanied by at least two members of the PEC, who should receive in advance the number of ballots corresponding to the number of the voters on the special voter list.

Observing mobile voting was sometimes problematic as PEC members had their own transportation means, while the observers were not allowed to join PEC members in their vehicles for the reasons of «lack of space.» Often PEC members delegated to accompany the mobile box left the polling station secretly and without announcing their departure. Hence, observers were able to note violations relating to technical aspects of the mobile voting procedure only.

A considerable number of violations observed during mobile voting related to compiling of special voter lists. A high number of reports concerned the criteria for including voters into the list. As a rule, voters were added to the special voter list based on their age and the geographical distance from the polling station (especially in rural areas) rather than at the request of the voter³⁶. In many polling stations, the number of mobile voters was disproportionate, i.e. up to 30% (7.61% on average at the national level). PEC chairs often refused to allow observers access to the lists³⁷.

The practice of adding voters who did not request it to the list for mobile voting was widespread. Observers who were able to observe mobile voting noted a high number of cases when voters refused to vote or were surprised at the sudden arrival of PEC members at their homes. Observers noted incidents of violation of the principle of secrecy of the ballot, cases of coercion and multiple voting. Observers also reported cases when voters, having voted early, were offered another opportunity to vote at home on the election day³⁸.

Often there was no possibility to observe the handing over of ballots to the delegated PEC members, as ballots had been given either in advance or secretly, or in another room. Observers were also often denied information. At the same time, observers noted a high number of cases when a 'rounded-off' number of ballots had been given out (for example, 100) or ballots had been given in stacks without having been counted³⁹.

Observers reported incidents of violation of the requirements for storing ballot boxes in polling stations — ballot boxes were stored out of view of observers. However, these incidents were few in number as compared to the incidents of the violations of the law mentioned above.

36 At polling station №53 in Baran of Orsha district (Vitsebsk region), all voters of age of 70 and older were automatically included in the list for mobile voting. At station №45 of Vitsebsk, the list included all disabled persons and pensioners

37 For instance categorical refusal took place at polling stations №3 (chair Mishchuk) and №48 (chair Alena Furmanava) of Pinsk (Brest region), station №20 of Kastychnitski district of Vitsebsk (chair Naslednikava), station №5 of Hantsavichy (Brest region), and at many others.

38 For instance, at polling station №9 of Zhodzina (Minsk region) voter Zubra did not requested to participate in mobile voting. At station №7 of Salihorsk (Minsk region) voter Sharavarava was not even going to vote; however, she was included in the list. At station №16 of Pershamaiski district of Vitsebsk mother of voter Muratau voted early; however, on the election day, she was visited by PEC members and invited to vote again.

39 At polling station №66 of Leninski district of Mahiliou during the early voting period, it was reported to observers that 16 voters requested mobile voting. However, on the election day, three groups of PEC members left the station with lists for mobile voting which included 50 voters each. The PEC was not able to explain this situation.

Violations reported at 282 polling stations covered by observation

Question	Number of «Yes»	Number of «No»	Percentage «Yes»	Percentage «No»
1. Were all the observers who wanted to be present at the polling station on election day accredited?	274	8	97.16	2.84
2. Were the observers given the number of voters at the polling station?	52	230	18.44	81.56
3. Were the observers given the number of received ballot papers?	237	45	84.04	15.96
4. Could the observers see the procedure of handing out ballot papers to voters?	220	62	78.01	21.99
5. Have there been any cases of issuance of several ballot papers to one person?	231	51	81.91	18.09
6. Was the confidentiality of voting ensured?	34	248	12.06	87.94
7. Did unauthorized persons interfere with the PEC work?	8	274	2.84	97.16
8. Have there been any cases of direct or hidden campaigning at the polling station?	8	274	2.84	97.16
9. Have there been complaints lodged during voting?	262	20	92.91	7.09
10. Was the voting at the polling station held with significant violations in general?	49	233	17.38	82.62

Voting at polling stations

According to the Electoral Code, voting on the election day shall take place at polling stations from 8 a.m. to 8 p.m. Voting at closed polling stations may be completed earlier if all voters have cast their ballots. Voting shall take place in specially designated premises in polling booths or rooms for secret voting. Ballot boxes shall be examined, sealed and stamped before voting starts in the presence of not less than 2/3 of PEC members. A ballot shall be given to the voter upon producing a proper ID; the voter must certify the receipt of the ballot with a signature. Voters must vote individually.

In a number of polling stations, observers noted: group voting, family voting (upon the presentation of passports of family members), etc. PECs did not pay significant attention to such violations, according to the observers. Similar to the early voting, in some cases observers were denied figures relating to the number of voters on the voter list; mobile voters; and ballots received.

Violations reported at 300 polling stations covered by observation

Question	Number of «Yes»	Number of «No»	Percentage «Yes»	Percentage «No»
1. Were all the observers who wanted to be present at the polling station on election day accredited?	290	10	96.67	3.33
2. Were the observers given the number of voters at the polling station?	278	22	92.67	7.33
3. Were the observers given the number of received ballot papers?	278	22	92.67	7.33

4. Could the observers see the procedure of handing out ballot papers to voters?	257	43	85.67	14.33
5. Have there been any cases of issuance of several ballot papers to one person?	29	271	9.67	90.33
6. Was the confidentiality of voting ensured?	281	19	93.67	6.33
7. Did unauthorized persons interfere with the PEC work?	28	272	9.33	90.67
8. Have there been any cases of direct or hidden campaigning at the polling station?	22	278	7.33	92.67
9. Have there been complaints lodged during voting?	64	236	21.33	78.67
10. Was the voting at the polling station held with significant violations in general?	60	240	20.00	80.00

Vote count

A major principle to ensure accountability and transparency of the vote count is separate counting. It means that non-used ballots should be counted first, their number announced, and then they should be packed away. Then PEC members consequently open ballot boxes and count ballot papers.

Ballot papers from the box for early voting should be counted first, then — ballots from the box for mobile voting, and after it — ballots from the box for voting on the election day at the polling station. Results of the count should be announced by the PEC chair for each ballot box. The vote count should be conducted by PEC members personally without interruption until all ballots are counted.

On the basis of the voter list, the PEC determines the total number of voters at the polling station, and the number of voters who received ballot papers. On the basis of ballot papers contained in the ballot boxes, the PEC determines the number of voters who took part in the election, first separately for each box, then in total. This number is comprised of the number of voters who cast their ballots early; who voted during mobile voting; and who voted on the day of election at the polling station. The PEC determines the number of ballots cast for each presidential candidate, the number of ballots cast against all candidates, and the number of ballots declared invalid.

After the vote count is completed, the PEC conducts a sitting at which voting results are approved, the minutes on the voting results are compiled, and complaints and any dissenting opinions of PEC members are considered. The minutes are signed by all PEC members and passed to the TEC without delay, while a copy is posted outside the polling station for general information.

The lack of detailed prescriptions for the vote count in the Electoral Code remained one of the main problems of the legislation. Despite numerous proposals from different subjects of the electoral process, the CEC refused to detail the counting procedure by means of issuing new decisions or amending the Methodical Recommendations.

According to Article 13 of the Electoral Code, an observer has the right to watch the vote count, but the distance from which he/she can do it is not specified. CEC decision №95 amended the Methodological Recommendations so that they included a provision that observers should be provided with a real opportunity to watch the vote count. However, at a majority of polling stations covered by observation, such an opportunity was not provided to the observers.

In most cases observers were allowed to watch the vote count. However, a majority of observers reported that they could not effectively observe the vote count for two reasons. Firstly, in most cases the distance from which they were allowed to watch the vote count did not allow them to view the content of ballot papers. Secondly, the procedure for the vote count followed by the majority of PECs (joint and simultaneous counting of ballots by all PEC members) did not allow observers to view the content of all ballots and to conduct parallel counting, even in cases when the distance from the table at which counting was conducted was minimal, and PEC members did not interfere with observation. In many cases observers did not know the number of voters who requested to vote at place of their residence.

As a rule, each PEC member was counting only his/her stack of ballots and then silently reporting the result of the count written on a piece of paper to the PEC chair. With such an order of counting the final result was not known to each individual PEC member, nor to any of the observers present. The PEC members often stood tightly around the counting table and prevented observers from seeing the counting well. In some cases PEC members opened all ballot boxes simultaneously and counted ballots from these boxes simultaneously. In addition, at many polling stations where separate vote counting was conducted, its results were not announced.

The average duration of a vote count at PECs where observers were present was about 1.5 hours. The minimum duration was 18 minutes, and the maximum duration was 4 hours. In a majority of cases PECs posted minutes with voting results outside the polling station, but rarely verified (signed) copies made by observers⁴⁰.

Results of procession of reports from 300 polling stations covered by the campaign observation are below. These are answers of the observers to the questionnaire dedicated to vote count:

Question	Number of «Yes»	Number of «No»	Percentage «Yes»	Percentage «No»
1. Were all the accredited observers allowed to observe vote count?	294	15	95.15	4.85
2. Could you view the content of the ballots?	79	230	25.57	74.43
3. Have there been cases of observers being expelled from the polling station during the vote count?	5	304	1.62	98.38
4. Was there a procedure for counting votes so that all members of the PEC could see for whom each ballot was marked?*	108	201	34.95	65.05
5. Was there a separate vote count carried out for each different box (for early voting, mobile voting and regular voting)?	260	49	84.14	15.86
6. Were the results of counting votes from different ballot boxes announced?	162	147	52.43	47.57
7. Were there any complaints lodged concerning the vote count?	70	239	22.65	77.35
8. Were received complaints dealt with at a meeting of the PEC?	29	280	9.39	90.61
9. Did members of the PEC write any comments on the minutes?	4	305	1.29	98.71
10. Was the minutes with the results displayed for general information?	288	21	93.20	6.80
11. Did PEC members provide observers with a copy of the final minutes upon request?	78	229	25.41	74.59
12. Was the vote count held with significant violations in general?	151	158	48.87	51.13

* While answering this question most observers meant physical opportunity for each PEC member to see for whom each ballot was marked, but not the demonstration of the content of each ballot to all PEC members.

⁴⁰ Refusals to sign a copy of the final minutes were either not explained at all, or observers were told that PEC members are not obliged to do it, or that it is not stipulated by the Electoral Code.

11. Post-election complaints and appeals

During voting and the vote count, more than 250 complaints and appeals were lodged with polling stations covered by the «Human Rights Defenders for Free Elections» campaign observation alone. Most of them concerned violations during early vote. The most typical violations, which complaints were referring to, were the following:

- 1) refusal of accreditation to independent observers on various grounds;
- 2) prohibition to take photos of seals on the ballot boxes and of violations at the polling stations;
- 3) allocation of places for the observers which are not convenient for observation;
- 4) moving ballot boxes for early voting from the premises of polling stations to other locations;
- 5) absence of separate vote counts, and of announcement of vote count results;
- 6) inability for observers to properly watch the vote count;
- 7) prohibition to conduct observation of mobile voting.

In some cases observers were threatened with expulsion from the polling station and withdrawal of accreditation for lodging ungrounded, in the PEC's opinion, complaints and appeals.⁴¹

Most complaints were considered formally, and complainants received responses about the absence of any violations in PEC actions. Only few such complaints were satisfied. Some complaints were not considered at all.

During early voting, several observers nominated by the Belarusian Helsinki Committee, applied to a number of PEC chairs with written requests to ensure such an order of the vote count which allows all PEC members to see for whom each vote was given. Such an order, according to the observers, would have ensured proper transparency of the vote count both for the PEC members themselves, and for the observers.

None of these requests was satisfied. The most typical reason for rejection was that the vote count would last excessively long in case the order proposed by the observers was applied. For instance, «the commission decided that your proposal concerning the order of vote count is unreasonable. If your proposal is implemented, the vote count would last until morning. However, the commission is comprised of 13 members, and each of them will participate in the vote count. Members of the commission have to be at their working places at 7.40 a.m. of 20 December 2010»⁴². Practically all responses stated that the procedure for the vote count is clearly described in the Electoral Code. A similar response was also received from the CEC, which informed observer Vasil Chykin that «the procedure of the vote count stipulated by Article 55 of the Electoral Code is explained in sufficient detail in the Methodological Recommendations for polling station commissions», and that «polling station commissions act within their competence to determine the order of vote count».

41 For instance, PEC №48 of Pinsk (Brest region) issued a written warning to observer Tselekhan for ungrounded complaints to the commission: «the undersigned member of the polling station election commission make herewith a warning to observer S.V. Tselekhan for repeatedly putting forward ungrounded allegations and interference with commission's work, and inform him that in case of continued interference in commission work observer S. V. Tselekhan will be expelled from the premises of polling station №48»

42 Excerpt from the response of the chair of PEC № 3 of Pinsk (Brest region).

12. Election results

The first announcement of voting results was made by the CEC Chair Lidziya Yarmoshyna on Belarusian TV at 4.30 a.m. on 20 December. The same results — with some differences — were repeated at the press conference at 10 a.m. on 20 December and posted on the CEC web-site (“Preliminary data on voting results of the election of the President of the Republic of Belarus»). The CEC’s announcement of the official election results was adopted on 24 December and posted on the CEC web-site, together with «Data on voting during the election of the President of Belarus of 19 December 2010» which gave more details on the voting results.

	Initial voting results announced on TV (4.30 a.m., 20 December 2010)		«Preliminary data on voting results of the election of the President of the Republic of Belarus» (10 a.m., 20 December 2010)		“Data on voting during the election of the President of Belarus of 19 December 2010» (24 December 2010)	
	Number	%	Number	%	Number	%
Kastusiou	126,645	1.97	126,645	1.97	126,999	1.97
Lukashenka	5,122,866	79.67	5,122,866	79.67	5,130,557	79.65
Mikhalevich	65,598	1.02	65,598	1.02	65,748	1.02
Niakliayeu	113,747	1.77	113,747	1.77	114,581	1.78
Ramanchuk	126,986	1.97	126,986	1.97	127,281	1.98
Rymasheuski	70,433	1.1	70,433	1.10	70,515	1.09
Sannikau	«164 thousand»	2.56	155,386	2.42	156,419	2.43
Statkevich	«67 thousand»	1.04	67,036	1.04	67,583	1.05
Uss	«31 thousand»	0.48	31,009	0.48	25,117	0.39
Tsiareshchanka	69,653	1.08	69,653	1.08	76,764	1.19
Against all	Not announced	6.47	416,333	6.47	416,925	6.47
Invalid ballots	55,940*	0.87**	64,244***	1.00****	62,542	0.97
Voted	Not announced	100.00	6,429,936	100.00	6,441,031	100.00
Number of voters	Not announced		7,092,168		7,105,660	
Turnout	90.66%		90.66%		90.65%	

* Not announced; calculated on the basis of percentage.

** Not announced; calculated as a difference between 100% and the percentage cast for the candidates and «against all».

*** Not provided; calculated as a difference between total number of those who voted and number of votes cast for all candidates and «against all».

**** Not provided; calculated as a difference between 100% and percents cast for the candidates and «against all».

The difference between some figures announced by the CEC indicates to potential rigging with voting results at the CEC level: 1) decrease of the number of votes for Sannikau by more than 8,000, and increase of the number of invalid ballots by more than 8,000 in two variants of the initial voting results announced on 20 December, and 2) significant change in the number of votes for Uss (decrease from 31,009 to 25,177) and Tsiareshchanka (increase from 69,653 to 76,764) in the data on voting announced on 24 December as compared to the preliminary data on voting announced on 20 December. These differences cannot be explained simply by improvement of the data’s accuracy.

Early voting turnout

On 19 December at 10 a.m. Lidziya Yarmoshyna announced that 1,629,191 persons voted during 5 days of early voting (23.1% of the number of voters included on the voters' lists). The same data — with breakdown to the regions and Minsk — were posted on the CEC web-site («Data on early voting as of 18 December 2010»). In addition, at the press conference on 20 December, CEC member Aliaksandr Kaliada announced the number of those who voted early in Brest region — 18.8% of the total number of voters. On 22 December, chair of Hrodna regional election commission Valery Sauko announced at a press conference that more than 23% of the region's voters took part in the early voting. And on the same day, 22 December, chair of Mahiliou regional election commission Valery Berastau announced that 26.4% of voters voted early in the region. These percentages are the same as in the CEC data on early voting of 19 December.

However, according to the official election results announced by the CEC on 24 December, 1,798,075 persons voted early — an increase by 168,884 voters. The same figure is contained in the «Data on voting during the election of the President of Belarus of 19 December 2010» on the CEC website. The number and, accordingly, percentages of voters who voted early in the regions, which are given in this data, also considerably differ from the numbers and percentages announced by the CEC and chairs of regional election commissions on 19-22 December:

	«Data on early voting as of 18 December 2010» (19 December 2010)*		«Data on voting during the election of the President of Belarus of 19 December 2010» (24 December 2010)	
	Number	Percentage of the number of voters included in voters' lists	Number	Percentage of the number of voters included in voters' lists
Brest region	190,629	18.8	275,216	26.66
Vitsebsk region	309,022	34.6	308,762	34.41
Hrodna region	188,931	23.4	231,676	28.67
Homel region	266,649	23.4	272,806	24.60
Mahiliou region	218,409	26.4	218,235	26.16
Minsk region	224,472	20.4	247,027	22.37
Minsk city	231,079	17.7	244,353	18.51
Outside Belarus	2,478	28.2	-	-
Total	1,629,191	23.1	1,798,075	25.30

* Data for all 5 days of early voting.

The difference can indicate that the early voting turnout was falsified. The Belarusian Helsinki Committee applied to the CEC for explanations. In a reply of 23 February, 2011 (Document 4) the Central Election Commission said that the data announced in the morning of 19 December were rough, and reported as a rule by chairs of election commissions to higher commissions on the phone and it therefore did not rule out some inaccuracies in the final results. At the same time, the new data that became the official election results «are the result of summing up the corresponding data from the minutes of lower commissions». But even if one can agree with the CEC and consider the difference of 168,884 voters a «certain inaccuracy» and not to raise the question of why the data the subordinate commissions reported to the CEC are so inaccurate, while the CEC announced the data without any reference to their «roughness» and «informality», there is still one important question: why having signed the minutes, in which, according to the CEC, there were official data on voting in the regions, the chairs of regional executive committees and members of the CEC voiced inaccurate data on the number of early voters at press-conferences on 20-22 December? For example, on 21 December, chair of Hrodna regional election commission Mr. Sauka reported that the early voting

campaign in the region was attended by over 23% voters («Hrodzenskaya Prauda» of 22 December, 2010). Meanwhile, the data on early vote results retracted by the CEC on 19 December mentioned 23.4% of voters (i.e. «more than 23%»), and the information by the CEC of 20 December featured a different figure: 26.1% (difference in absolute values is 42,745 people). Where does it come from? And who can we believe: Mr. Sauka or the CEC? Assuming that the above-mentioned facts are indicative of early voting falsifications, in March 2011 the BHC urged the Prosecutor General to conduct an inspection of the facts. In late April, the BHC received a predictable response that «the Prosecutor General's Office does not possess any information that indicates a deliberate distortion of information about the number of citizens who voted early in the election of the President of the Republic of Belarus», and the conclusions contained in the BHC's appeal «are hypothetical».

Analysis of participation in early vote, mobile voting and at polling stations

According to the CEC data of 20 December, 1,629,191 persons voted early; in addition, 490,314 persons voted at the place of their residence. As a rule, at the polling stations covered by observation, the percentage of those who voted at the place of their residence was lower than at the other polling stations of the same administrative and territorial unit.

Polatsk, Vitsebsk region (polling stations №7, 12, 23, 28 and 32)*

Type of voting	5 polling stations covered by observation**	Entire Polatsk (TEC)	Vitsebsk region (CEC)
Percentage of voters who voted early	28.33	28.41	36.94
Percentage of voters who voted on the election day at polling stations	67.32	62.56	51.66
Percentage of voters who voted on the election day at places of their residence	4.35	9.03	11.41

* Official data of the election commissions.

** Vote count at these polling stations was non-transparent

At those polling stations where ballots from different boxes were counted separately (and results announced), the percentage of ballots for Lukashenka during early voting and mobile voting was considerably higher than in boxes for the voting at polling stations. As some stations it reached 100%. Accordingly, the percentage of ballots in support of other candidates was considerably lower.

Polatsk, Vitsebsk region (polling stations №7, 12, 23, 28 and 32)*

	Early voting		Voting at polling stations		Mobile voting		Total at 5 polling stations (PEC)**		Entire Polatsk (TEC)	
	Number	%	Number	%	Number	%	Number	%	Number	%
Kastusiou	8	0.39	24	0.49	0	0.00	32	0.44	250	0.5
Lukashenka	1,741	84.31	2,992	60.97	292	92.11	5,025	68.94	40,674	78.2
Mikhalevich	20	0.97	95	1.94	0	0.00	115	1.58	703	1.4
Niakliayeu	38	1.84	218	4.44	6	1.89	262	3.59	1,485	2.9
Ramanchuk	11	0.53	206	4.20	0	0.00	217	2.98	986	1.9
Rymasheuski	12	0.58	92	1.87	2	0.63	106	1.45	567	1.1

Sannikau	89	4.31	700	14.24	1	0.34	790	10.84	3,748	7.2
Statkevich	20	0.97	123	2.51	2	0.63	145	1.99	610	1.2
Uss	4	0.19	13	0.26	0	0.00	17	0.23	125	0.2
Tsiaresh-chanka	18	0.87	131	2.67	1	0.32	150	2.06	702	1.3
Against all	95	4.60	274	5.58	7	2.21	376	5.16	1,830	3.5
Invalid ballots	9	0.44	39	0.79	6	1.89	54	0.74	362	0.7
Total	2,065	100.00	4,907	100.00	317	100.00	7,289	100.00	52,042	100.00

* Official data of the election commissions.

** Vote count at these polling stations was non-transparent.

This difference could be explained by the argument that most voters who actively took part in early voting and mobile voting were Lukashenka's supporters, especially older voters. However, this explanation cannot be applied to voting results at closed polling stations, such as military units, hospitals and sanatoriums, where voters of all ages voted (67,937 persons, or 1.05% of the total number of those who voted). Lukashenka got 89.10% at such polling stations (compared to 79.65% at the national level), and his competitors — 1.5-2 times less than their national average.

These three types of voting had a common feature — the voting and storage of ballot boxes were non-transparent. It is impossible to say whether the ballots in the ballot boxes at the moment the vote count started were the same ballots that were cast by the voters themselves, because during early voting and mobile voting, election commissions members and unauthorized persons had access to ballot boxes in the absence of observers or other witnesses, and the way the ballot boxes were designed and sealed did not provide an adequate safeguard from potential manipulation. As regards the voting at closed polling stations, it was entirely open to potential manipulation during both voting and vote count. In total, about 2.2 million ballot papers (the number of voters who voted early, during mobile voting and at closed polling stations) were therefore in a «zone of high manipulation risk».

For instance, at polling station №57 of Pershamaiski district of Minsk which included hostels №15-17 of the Belarusian State Technical University, and at which observers witnessed mass early voting (1,952 persons voted on 14-18 December)⁴³, Lukashenka received 79.95%. There was no separate vote count at the station, and, apparently, most of votes for Lukashenka were contained in the ballot box for early voting (from what the observers could see). At polling station №14 in Salihorsk (Minsk region), in the morning of 18 December (last day of early voting) observers noted that the seal on the ballot box did not look like the seal on the box a day earlier, on 17 December. 776 persons voted early at this station. According to the PEC, Lukashenka received 761 votes (98.97%).

Indications of possible fraud at polling stations and territorial election commissions

Comparison of official PEC and TEC data and observer reports provides the basis to deduce that election commissions were prescribed to ensure a) desirable turnout, and b) percentages of the vote the candidates were to «receive». In case actual turnout during early voting and voting on the election day was lower than what was prescribed, PECs could use the following methods to increase it: during the early voting — to throw ballots in or add to the number of those who voted in the daily minutes; on the election day — to call (visit) voters to urge them to come to vote⁴⁴, to decrease the number of voters on the voter lists, and simply to increase the number of those who voted on paper. According to observers' calculations at 260 polling stations, the latter comprised 5% of the number

43 When observers tried to take photos of groups of students who came to vote early, the PEC chair threatened to expel them from the polling station.

44 For instance, at polling station №37 in Mazyr (Homel region) the number of voters during early voting was 2,163 (according to PEC), while in the final election minutes — 2,113.

of voters who voted on the election day at polling stations. Adding on paper the number of voters who voted on the election day at polling stations could amount to as many as 200,000 voters at the national level. If 168,884 votes, which were probably «added» to the number of persons who voted early (see above), are taken into account, it means that the real election turnout was 6.05-6.1 million voters, or 85-86% of persons included in the voter lists.

Biarozauka, Lida district, Hrodna region

Polling stations	Early voting		Voting on the election day at polling stations		Mobile voting	Number of voters who took part in the election	
	Observers	PEC*	Observers	PEC*	PEC*	Observers	PEC*
Nº69	323	385	932	1,288	36	1,291	1,709
Nº71	230	284	584	909	65	879	1,258
Total	553	669	1,516	2 197	101	2,170	2,967
Turnout, %**	17.66	21.36	48.40	70.15	3.22	69.28	94.73

* Official data.

** Total number of voters at two polling stations was 3,132.

Mahiliou

Polling stations*	Number of voters in voter lists (PEC)***	Number of voters who took part in voting**	
		Observers' calculations	PEC***
Nº60	1,725	1,144	1,583
Nº61	1,721	1,334	1,597
Nº66	657	410	555
Nº114	2,206	1,722	1,988
Nº122	2,471	2,194	2,249
Nº123	2,692	2,112	2,414
Total	11,472	8,916	10,386
Turnout, %	100.00	77.72	90.53****

* Vote count at these polling stations was non-transparent.

** Observers' calculations concerning the number of those who voted early matched the figures in PEC daily minutes of 14-18 December. Since vote count results by different boxes were not announced, it was impossible to determine whether extra votes were thrown into the boxes, or simply «added» on paper (it appears that both methods were applied).

*** Official data.

**** To compare: official turnout in Mahiliou was 91%.

At the majority of polling stations covered by observation, PECs were writing down the results, which the observers could not verify, and which often contradicted what observers could see (for instance, the height of piles of votes cast for different candidates). In some cases the figures announced by PECs during the vote count differed from the figures which were written down in the final election minutes⁴⁵. The exception was the polling stations at which vote counting was transparent (or partially transparent), and at which PEC were writing down figures which did not contradict to what observers saw. Considerable differences between voting results at polling stations within the same territorial and administrative units, or even within the same neighbourhoods, detected by the observers, allows estimating the scale of possible «re-distribution» of votes in favour of Lukashenka:

45 For instance, it happened at polling station Nº41 of Maskouski district of Minsk.

Minsk*

	10 polling stations in different districts of Minsk (PEC)**		Polling station №23 of Pershamaiski district (PEC)***		Polling station №110 of Frunzenski district (PEC)****		Minsk (CEC)
	Number	%	Number	%	Number	%	%
Kastusiou	98	0.82	52	3.31	51	3.25	3.47
Lukashenka	5,313	44.49	1,069	68.13	1,087	68.71	67.65
Mikhalevich	129	1.08	27	1.72	20	1.27	1.43
Niakliayeu	1,068	8.94	40	2.55	40	2.55	3.14
Ramanchuk	1,346	11.27	37	2.36	38	2.42	3.35
Rymasheuski	267	2.24	10	0.64	11	0.70	1.35
Sannikau	2,163	18.11	39	2.49	37	2.36	3.42
Statkevich	252	2.11	27	1.72	23	1.46	1.70
Uss	64	0.54	10	0.64	4	0.25	0.61
Tsiareshchanka	186	1.56	37	2.36	32	2.04	1.84
Against all	907	7.60	202	12.87	215	13.69	11.08
Invalid ballots	149	1.25	19	1.21	12	0.76	0.96
Total	11,942	100.00	1,569	100.00	1,570	100.00	100.00

* Official data of the election commissions

** Polling stations №1 and 27 of Savetski district, №6, 8 and 34 of Partyzanski district, №9 of Pershamaiski district, №57 of Kastrychnitski district, №18 and 49 of Leninski district, and №11 of Tsentralny district. Vote count at 5 of these polling stations was transparent, and at 5 of them — partially transparent.

*** Observers were at 4-5 meter distance from the place where votes were counted, because «the chairman and members of the commission did not allow observers to approach the table and asked them to stay behind columns». Observers could not see the content of ballots. The vote counting was conducted as follows: «ballots sorted into piles, each commission member counts separate pile, the data is written down on a paper sheet and is handed over to the chair». Vote count lasted about 2.5 hours. «At a sitting of the commission which took place after the vote count, all issues were discussed in whispers. After the vote count and sitting of the commission, chair Ruposau calculated something for 25 minutes. The minutes were posted outside only afterwards».

**** Observers were at 4-5 meter distance from the place where votes were counted. They could not see the content of ballots. «Members of the commission took their piles of ballots, sorted them and passed the data to the chair». According to observer's calculations, 905 persons voted on the election day at the polling station, while the commission announced that 1,231 persons voted. In addition, «the number of those who voted for Lukashenka was also changed: initially 315 were announced, later — 815».

The difference in voting results, depending on whether the vote count was transparent, is illustrated well by voting results at two stations in Hrodna which were located in the same building, secondary school №34, and where residents of the same streets (Kabiaka Str. and Kliatskova Ave.) voted:

Hrodna*

	Polling station №101 of Kastrychnitski district (PEC)**		Polling station №100 of Kastrychnitski district (PEC)***		66 polling stations of Kastrychnitski district (TEC)	Hrodna region (CEC)
	Number	%	Number	%	%	%
Kastusiou	14	0.73	24	1.07	0.7	1.03

Lukashenka	1,008	52.42	1,632	72.63	75.2	81.37
Mikhalevich	30	1.56	19	0.85	1.1	0.85
Niakliayeu	53	2.76	68	3.03	2.5	1.89
Ramanchuk	215	11.18	121	5.38	5.3	2.91
Rymasheuski	38	1.98	77	3.43	1.4	1.26
Sannikau	342	17.78	143	6.36	2.6	2.80
Statkevich	29	1.51	43	1.91	1.3	0.94
Uss	4	0.21	34	1.51	0.4	0.35
Tsiareshchanka	25	1.30	42	1.87	1.1	1.14
Against all	156	8.11	27	1.20	3.3	3.18
Invalid ballots	9	0.47	17	0.76	5.1	1.77
Total	1,923	100.00	2,247	100.00	100.0	100.00
Turnout, %	85.43		91.16		88.6	90.90

* Official data of the election commissions

** Observers could see the content of ballots. The order of vote count allowed all the PEC members to see for whom each ballot was cast. Ballots papers from different ballot boxes were counted separately, and results of the separate count were announced.

*** «The vote count was conducted in accordance with unclear principles. There was no sorting of ballots. After the «count,» ballot papers were immediately wrapped in paper and sealed. The request to show which number of ballots was cast for each candidate was rejected. Any other requests were not satisfied, and police was ready to attack anyone who would try to come closer than 5 meters from the table. After the ballot papers were sealed, the prolonged vote «count» started».

Babruisk, Mahiliou region*

	Polling station №35 of Leninski district (PEC)**		Polling station №14 of Leninski district (PEC)***		Leninski dis- trict of Babruisk (TEC)	Mahilyou region (CEC)
	Number	%	Number	%	%	%
Kastusiou	6	0.38	2	0.20	0.4	0,93
Lukashenka	1,091	69.45	821	80.97	87.2	84.98
Mikhalevich	20	1.27	4	0.39	0.6	0.79
Niakliayeu	70	4.46	17	1.68	1.5	1.89
Ramanchuk	88	5.60	31	3.06	1.9	1.49
Rymasheuski	24	1.53	6	0.59	1.1	0.93
Sannikau	116	7.38	22	2.17	2.4	2.69
Statkevich	21	1.34	6	0.59	0.8	0.95
Uss	5	0.32	4	0.39	0.2	0.24
Tsiareshchanka	24	1.53	16	1.58	0.8	1.13
Against all	86	5.47	82	8.09	2.2	3.22
Invalid ballots	20	1.27	3	0.30	0.9	0.78
Total	1,571	100.00	1,014	100.00	100.0	100.00
Turnout, %		68.42		91.85	93.4****	93.71

* Official data of the election commissions.

** Observers could see the content of ballots. The order of vote count allowed all the PEC members to see for whom each ballot was cast. Ballots papers from different ballot boxes were counted separately, and results of the separate count were announced.

*** Observers were at a 10-meter distance from the place where votes were counted. Ballots from different ballot boxes were not counted separately. «Each of those who were counting ballots, was counting for him(her)self, and names of the candidates were not announced — only their numbers, and then some figures were handed over to the secretary, who was collecting them from counting tables. The Secretary passed figures to the chair. Members and chair of the commission, and all observers except for me, were staff of the school №26. Ballots were silently counted for 30 minutes, and all the figures were written down on sheets of paper... Chair was working (counting) longer than anybody. She personally wrote down all figures to the minutes».

**** Entire Babruisk.

It appears that even in cases when PECs produced «desired» figures, they were often «corrected» in TECs. Figures, which were announced at those polling stations where «Human Rights Defenders for Free Elections» observers were present, often differed considerably from the district averages — even in cases when the vote count was not transparent. In the case of Maladechna district TEC, the correction was so radical that Sannikau received fewer ballots in the whole district (1,606) than at 12 stations in Maladechna and Radashkovichy (1,937):

Maladechna district, Minsk region*

	11 polling stations in Maladechna** and station №76 in Radashkovichy (PEC) ***		Maladechna district (TEC)		Minsk region (CEC)
	Number	%	Number	%	%
Kastusiou	204	0.99	784	0.83	1.58
Lukashenka	13,529	65.85	73,736	78.06	80.71
Mikhalevich	318	1.55	1,247	1.32	1.03
Niakliayeu	901	4.39	1,228	1.30	1.22
Ramanchuk	730	3.55	1,417	1.50	1.68
Rymasheuski	452	2.20	1,606	1.70	0.90
Sannikau	1,937	9.43	1,606	1.70	1.51
Statkevich	406	1.98	1,464	1.55	0.93
Uss	73	0.36	274	0.29	0.34
Tsiareshchanka	340	1.65	1,256	1.33	1.16
Against all	1,446****	7.04	9,276	9.82	7.23
Invalid ballots	208****	1.01	567	0.60	0.90
Total	20,544	100.00	94,461	100.00	100.00

* Official data of the election commissions.

** Polling stations №4, 8, 10, 21, 23, 25, 26, 27, 29, 32, 36.

*** At only 4 of these polling stations vote count was either transparent or partially transparent

**** Without polling station №25.

Minsk city*

	50 polling stations at which observers were present and where ballots were counted separately (PEC)		Minsk city (CEC)
	Number	%	%
Kastusiou	1,132	1.50	3.47
Lukashenka	47,619	63.05	67.65
Mikhalevich	948	1.26	1.43

Niakliayeu	3,806	5.04	3.14
Ramanchuk	4,001	5.30	3.35
Rymasheuski	1,088	1.44	1.35
Sannikau	7,097	9.40	3.42
Statkevich	1,200	1.59	1.70
Uss	473	0.63	0.61
Tsiareshchanka	1,205	1.60	1.84
Against all	6,343	8.40	11.08
Invalid ballots	609	0.81	0.96
Total	75,521	100.00	100.00

* Official data of the election commissions.

Slutsk and Smaliavichy, Minsk region*

	Polling stations №4, 5, 9, 12, 16 of Slutsk (PEC)**		Entire Slutsk district (TEC)		Polling stations №2, 3, 5, 6 of Smaliavichy (PEC)**		Entire Smaliavichy district (TEC)		Minsk region (CEC)
	Number	%	Number	%	Number	%	Number	%	%
Kastusiou	25	0.33	451	0.7	33	0.76	445	1.4	1.58
Lukashenka	5,678	75.22	53,708	81.0	3,144	72.58	24,983	79.6	80.71
Mikhalevich	80	1.06	597	0.9	38	0.88	327	1.0	1.03
Niakliayeu	246	3.26	1,131	1.7	114	2.63	329	1.0	1.22
Ramanchuk	215	2.85	1,242	1.9	130	3.00	596	1.9	1.68
Rymasheuski	97	1.28	768	1.2	58	1.34	345	1.1	0.90
Sannikau	591	7.83	1,122	1.7	409	9.44	804	2.6	1.51
Statkevich	108	1.43	945	1.4	60	1.39	390	1.2	0.93
Uss	16	0.21	260	0.4	14	0.32	79	0.3	0.34
Tsiareshchanka	84	1.11	733	1.1	48	1.11	426	1.4	1.16
Against all	338	4.48	4,674	7.05	255	5.89	1,435	4.6	7.23
Invalid ballots	71	0.94	230	0.35	29	0.67	1,237	3.9	0.90
Total	7,549	100.00	66,334	100.00	4,332	100.00	31,396	100.00	100.00
Turnout, %	82.58***		90.7		77.91****		91.6		90.96

* Official data of the election commissions.

** None of these polling stations had transparent vote counts.

*** Total number of voters at 5 polling stations was 9,141.

**** Total number of voters at 4 polling stations was 5,560.

Thus, analysis of the PEC, TEC and CEC official data and their comparison with reports of the campaign's short-term observers indicates that during the vote count and tabulation of voting results alone at least 20-25% of votes in Minsk and 10-15% of votes in the regions were apparently «re-distributed» in favour of the incumbent. Most likely, this was done at those polling stations where results of counting ballots by PEC members did not correspond to the figures desired by the authori-

ties⁴⁶, and were «corrected» by PEC chairs. Most probably, ultimate «elaboration» of voting results was conducted at the TEC level — in those cases where simple summing up of figures from PEC minutes did not produce desired figures.

The real number of votes cast for the candidates is impossible to determine because determination of election results was not transparent, and manipulation with ballots and figures could take place at all stages of voting, vote count and tabulation of election results so that they «overlapped» each other. Obviously, the figures announced by the CEC do not reflect the will of the voters.

46 During the press conference for the Russian journalists on 1 October 2010, Lukashenka said the following: “I’d like two thirds to vote for me — it is a constitutional majority and an expression of the highest degree of trust, some 70-75 per cent». «More than 90 per cent, like it was last time, is not needed», he said.

13. Post-election developments

A mass demonstration called by opposition candidates to protest against unfair elections was conducted in the evening of 19 December and was an exclusively peaceful assembly. Most candidates invited citizens to join the meeting in their pre-election presentations on state TV.

A week before the event, the state mass media, as well as top Ministry of Interior and KGB officials, publicly warned against provocations and terrorist attacks prepared by the opposition for the demonstration. On 17 and 18 December, preventive detentions of opposition activists and authorized representatives of the candidates started. Kiryl Semianchuk was detained in Hrodna, and Yury Klimovich, Valery Sliapun and Yury Zakharanka were detained in Homel (later they were sentenced to administrative arrests for violation of public order). Activists of the «Young Front» group registered in the Czech Republic Dzmitry Dashkevich, Dzianis Lazar and Eduard Lobau were detained on the eve of the election day. Later, Dashkevich and Lobau were charged under paragraph 3 of Article 339 of the Criminal Code (malicious hooliganism).

On the election day, presidential candidates Uladzimir Niakliayeu, Ryhor Kastusiou, Vital Rymasheuski, Ales Mikhalevich and Yaraslau Ramanchuk reiterated their intention to conduct the demonstration in an exclusively peaceful manner. At 4 p.m., they handed over an appeal to the Prosecutor General in which they urged him to stop preventive detentions and requested him to personally come to Kastychnitskaya Square to assess actions of law enforcement officials and demonstrators.

At 7.10 p.m., a group of Niakliayeu's supporters moving towards Kastychnitskaya Square was attacked by plainclothes special forces who used stun grenades. All journalists accompanying the column were knocked down with their faces in the snow, and their cameras were deliberately damaged. The candidate was beaten and badly injured. He was brought to the Minsk City Emergency Hospital, but later was taken from there by unidentified persons in plain clothes. The sound equipment, which was planned to be used at the square, was seized. This was the first signal that actions by the special forces were planned and that they were ready to act illegally, violently and provocatively. The rationale for such a development can be found in Lukashenka's words in the day time of 19 December: «I do not want to have dealings with bandits and subversives».

The protest on Kastychnitskaya Square which was attended, according to different estimates, by 20,000-40,000 persons, started as it was planned (at 8 p.m.) and was exclusively peaceful. Police officials did not interfere with it. The police also did not interfere with demonstrators' action when the latter blocked Nezalezhnastsi Avenue. When the column of demonstrators moved towards Nezalezhnastsi Square, they chanted slogans, waved flags and posters, and did not have any items in their hands that would indicate any aggressive intentions. On Nezalezhnastsi Square, near the House of Government, none of speakers called for takeover of the governmental building. They spoke about negotiations with the authorities and continuation of the action on 20 December on the same square. At the same time, at 10 p.m., despite the high concentration of police around the square, unidentified persons started breaking the windows and doors of the House of Government. They did it for half an hour, but the police did not try to stop this illegal action or isolate these persons from the rest of demonstrators. Such behavior can be considered as evidence of the planned and orchestrated character of this provocation aimed at justifying the resulting violent action against participants of the mass protest.

According to activists of the Human Rights Centre «Viasna» and the Belarusian Helsinki Committee who monitored the gathering at Nezalezhnastsi Square, the violent police action to disperse the rally was obviously disproportionate. Riot police applied physical force against the peaceful demonstrators, including women, minors and older people, some of whom were beaten by rubber truncheons. A large number of protestors were injured, and dozens of them had to seek medical assistance. Most of those detained were detained after the rally was dispersed, and at a considerable distance from the square. Detention of persons who had no relation to the rally was also reported.

During the violent dispersal of the rally, presidential candidates Vital Rymasheuski, Andrei Sanikau and Ryhor Kastusiou were beaten and detained. In total, about 700 rally participants were detained. During the night of 19-20 December, four presidential candidates, Uladzimir Niakliayeu, Mikalai Statkevich, Ales Mikhalevich and Dzmitry Uss, were also detained. The police also detained BHC chair Aleh Hulak who monitored the rally and was going to take part in the final press conference of the «Human Rights Defenders for Free Elections» campaign scheduled for 20 December.

Later that night, the office of the Human Rights Centre «Viasna», co-sponsor of the campaign, was raided by the KGB and ten staff members of the centre were detained for a short period, including coordinators of the campaign Uladzimir Labkovich and Valiantsin Stefanovich.

Almost all detainees were charged with administrative violations under Article 23.34 of the Code on Administrative Offences. As a result, more than 600 persons were sentenced to 5-15 days of administrative arrest. Observers noted the formal character of court sittings. Courts did not try to consider cases objectively and comprehensively, did not call witnesses, did not explain detainees their rights, and did not take measures to guarantee the right to legal protection. Written testimonies of policemen, who in fact were not able to identify the participation of persons in the protest rally, against whom they testified, served as the only proof of guilt, and the content of all police reports was uniform. The sittings took 5-10 minutes, and all court decisions appeared uniform. Human rights defenders note evidence of unjustified violence against detainees and other kinds of cruel and inhumane treatment.

Following the events of 19 December, a criminal case was initiated under Par. 1 and 2 of Art. 293 of the Criminal Code (mass riot). The charges in this criminal case were brought against 43 people, including six presidential candidates (Andrei Sannikau, Ales Mikhalevich, Uladzimir Niakliayeu, Mikalai Statkevich, Dzmitry Uss, Vital Rymasheuski), another presidential candidate Ryhor Kastusiu was a suspect in the case. 12 more participants of the post-election protest were suspects in the mass riots criminal case. In March-April 2011, the indictment against 10 defendants in the criminal case (including presidential candidates Uladzimir Niakliayeu and Vital Rymasheuski) was redefined under Par. 1 Art. 342 of the Criminal Code (“organization and preparation of activities that breach public order or active participation in them”).

The criminal case was used by the authorities of Belarus as a formal pretext for starting a campaign of harassment and pressure against opposition structures, civil society and independent mass media. Hundreds of activists were searched and interrogated. In particular, the KGB searched BHC and Viasna offices (the latter — three times, as well as at the organization’s local offices). Private apartments of their heads, Aleh Hulak and Ales Bialiatski, were also searched.

The next day, Lukashenka said that the events at Nezalezhnastsi Square were nothing else but an attempt to change the constitutional order, and that «all of us could have woken up in a different country». Several times Lukashenka called it a plot arranged by foreign governments. For instance, on 27 January 2011, speaking at the opening of the session of the House of Representatives, Lukashenka blamed the West for creating a «fifth column» inside Belarus. «This column was created near Warsaw, Berlin and Brussels», he said.

Official interpretation of the event was continued by «Sovetskaya Belorussiya» newspaper, which, in accordance with Lukashenka’s personal instruction, started to print declassified materials of the criminal case. According to the newspaper, the event of 19 December was nothing else but an attempted coup d’etat with participation of Germany, Poland and Western intelligence. The same interpretation was suggested by the Belarusian TV in its documentary «The Square. Iron on Glass». On 26 January 2011, Minister of Internal Affairs Kuliashou said at a press conference that «My subordinates and I did everything we could in order to prevent takeover of a governmental institution, to prevent a violent coup d’etat».

14. Post-election complaints and appeals

In accordance with the Electoral Code, a presidential election can be invalidated in general or in selected constituencies, districts, towns, districts in towns, regions and in Minsk city, in case violations of the Code during the election or vote count impacted the overall results of the election. A decision on nvalidation of the election can be taken by the CEC. Only presidential candidates can lodge such complaints with the CEC, and they must do so no later than three days after the election. The decision of the CEC can be appealed at the Supreme Court within 10 days.

Only one presidential candidate, Ryhor Kastusiou, appealed the election results (also on behalf of arrested candidates). He requested that the CEC should invalidate the election because of mass violations during the election.

The complaint was considered at the CEC sitting of 24 December 2010. The CEC refused to satisfy it because «results of verification of observers' accounts of violations perpetrated during the election, which were attached to the complaint, proved that the allegations they contain have no grounds. It is confirmed by explanations given by chairs of election commissions and acts of other observers. Many acts attached to the complaint contain information that does not indicate violations of electoral legislation, such as guarding of polling station premises by police officials; refusal to allow observers to sign the paper sheet which was sealing the slot in the ballot boxes during early voting; placement of samples of filled ballot papers at polling stations; absence of bands over the ballot boxes signed by all members of election commissions, etc. In some acts information about violations of electoral legislation is hypothetical or not specific enough; it does not allow giving them proper legal assessment».

At the same time, the CEC acknowledged certain formal violations during the vote count. In particular, the CEC decision says that «at some polling stations, provisions of part 2 of Article 55 of the Electoral Code, concerning announcement of the results of the vote count by chairs of the election commissions, were not followed. In some cases chairs of the election commissions limited themselves to announcing the general result of the vote count and posting outside a copy of the election commission minutes. In several cases other violations of the electoral legislation took place: simultaneous presence of two voters in the voting booth; late notification of the time and place of voting to the voters; improper keeping of voter lists. A case of issuing a ballot paper to a citizen who was in the voter list, but showed a passport that belonged to another citizen, was confirmed. However, the mentioned violations of the electoral legislation have a procedural nature, do not distort the will of voters and do not influence the overall election results in the country».

Kastusiou appealed the CEC decision at the Supreme Court, but on 11 January 2011, the Court's judge Zhukouskaya refused to initiate the case on the basis of his complaint because «there were no grounds» for it.

The Belarusian Helsinki Committee also requested that the CEC invalidated the election. It supported its right to lodge a complaint with Article 40 of the Constitution, which guarantees the right for NGOs to submit applications and complaints to any state organs. The BHC was referring to the fact that preparation of the election and the election process dramatically deviated from democratic principles and standards, and that the vote count and tabulation of voting results were accompanied by widespread violation of the law. The complaint enlisted numerous violations of the Electoral Code during the election.

At the CEC sitting which was held on 24 December 2010, Lidziya Yarmoshyna said that the Electoral Code does not stipulate the consideration of NGO complaints on invalidation of the election. On 30 December, the BHC received a similar written response, and appealed at to the Supreme Court, but the appeal was given no consideration.

15. Recommendations

Changes to the Electoral Code in January 2010 did not implement most of the OSCE and Venice Commission recommendations that followed monitoring of previous elections, including the presidential elections in 2001 and 2006. Most of these recommendations remain valid after the 2010 elections. In addition, the election showed that without detailed regulation of formation of election commissions, and of voting and vote count procedures, it is impossible to ensure that the electoral process meets international standards for free and fair elections, in particular the election-related commitments specified in the OSCE Copenhagen Document of 1990. The election campaign also emphasized the need to provide for real equality in the candidates' access to mass media, and for expanding the rights of observers.

Changes in the election legislation proposed below would bring elections closer to international standards, and increase trust in election results among both citizens of Belarus and the international community.

Election administration

The Electoral Code needs to be amended to better guarantee presence of representatives of political parties in the election commissions. The Code should guarantee that if a political party takes part in an election, including a presidential election, it has the right to delegate one of its representatives to each of the territorial, district and polling station election commissions, and only in case it fails to do so, the local authorities can fill the vacant seats in the commissions at their discretion. In addition, it is necessary to introduce selection criteria for candidates to the election commissions (such as nomination by a political party, education, professional experience), which would decrease the arbitrary nature of the selection process and could be referred to in courts when relevant complaints are considered.

Candidate registration

It is necessary to exclude opportunities for the use of administrative resources during collection of signatures, in particular, to prohibit collection of signature by persons who are not members of a candidate's initiative group. In addition, it is necessary to stipulate the right of observers to watch the verification of signatures collected in support of the candidates.

Voter registration

To increase transparency and accountability in the voter registration process, a centralized national list of voters should be created. Citizens and observers (including authorized representatives of the candidates, journalists and international observers) should be proactively provided full access to voter lists. Each citizen should have to acquaint him(her)self with the voter list before the voting starts. In addition, observers should be allowed access to the voter lists during the voting. The number of voters registered at the polling station should be announced by the election commissions prior and after to the election.

Campaign financing

The use of election funds established by presidential candidates during this election showed the need to allow them to be set up in well in advance of the registration of candidates. It is necessary to allow persons who intend to run for the presidency, and political parties that decide to nominate their candidates for parliamentary elections, to begin setting up relevant election funds from the moment the election is announced. In case a candidate is not registered, donations would be returned to donors. It also would be reasonable to increase the ceiling for funds that can be accumulated in an election fund.

Election campaign

Current election legislation provides for no more than one month for pre-election campaigning. Such a brief length for the pre-election campaign limits both candidates — in opportunities to

communicate their messages to voters, and voters — in opportunities to receive fuller information about candidates and their programmes. Thus, it is proposed to extend the pre-election campaign period to two months. In addition, it is necessary to guarantee that entities which disseminate political advertising on behalf of political parties and candidates are not held legally responsible for its content.

Challenging election-related decisions in courts

The Electoral Code includes a limited number of grounds for an application to the court on election-related issues. That is why it is necessary to stipulate an opportunity to legally challenge in courts any decisions of the election commissions and other decisions of state bodies which relate to elections. First of all, it is necessary to provide an opportunity to challenge the CEC decisions related to election results in courts.

Early voting

The procedure for early voting in its current state allows the authorities to perpetrate manipulation of different kinds. For this reason, it is proposed to consider the option of abolishing the early voting as such. In case the early voting is not abolished, the following changes to the procedure are proposed:

It is proposed to introduce objective criteria that a voter has to meet to vote early. Such criteria should be reasons that unequivocally prove that a voter cannot vote on the election day, such as departure abroad or leaving the territory of the election constituency, leaving for medical treatment or other documented evidence of inability to vote on the day of election.

It is necessary to detail in the legislation the procedure of storing ballot boxes during early voting, and sealing of premises where ballot boxes are stored. The presence of unauthorized persons, including police, in the premises where voting is conducted and where ballot boxes, ballot papers and other election-related materials are stored should be prohibited. The rights of observers to be present in premises of polling stations outside working hours of election commissions (lunch break, hours after voting is closed) should be included, in case members of election commissions stay there as well.

Finally, all PECs should be provided with transparent and secure ballot boxes with plastic bands for their sealing (marked by numbers of polling stations), and the possibility for a political party's or a candidate's representatives to also place a seal on the box.

Mobile voting

It is proposed to require that voters wishing to vote at their residences provide a written application to the polling station election commission explaining their inability to vote at the polling station (to be received by the PEC before the election day).

Vote count

The current procedure for the vote count is not transparent. One of the reasons for this is the absence of detailed regulation of the vote count in the Electoral Code. For this reason it is necessary to supplement the Code with the following provisions:

The vote count shall be conducted openly in the presence of observers who have the right to watch and verify the accuracy of calculating each ballot, i.e. to see the content of each ballot paper. The vote count is conducted by one member of the election commission who announces the content of each ballot paper and shows them to all commission members and observers.

The vote count is conducted separately for each ballot box, and results of this separate counting shall be reflected in the final minutes. A stamped copy of the final minutes, signed by the chair and secretary of the commission, shall be issued to observers at their request.

It is also proposed to ensure the right of observers accredited at the territorial election commissions and authorized representatives of the presidential candidates to be present and witness the delivery of ballot papers and minutes with election results from polling stations to higher level territorial election commissions.

Election observation

To strengthen public confidence in Belarusian elections, it is necessary to broaden the rights of observers that are stipulated in the Electoral Code. Observers should have the right, without obstacles, to review those documents of election commissions that relate to their composition, nomination of candidates to the commissions, voter lists, and the storage of ballot papers and ballot boxes during early voting.



CEC Chair Lidziya Yarmoshyna and Deputy Chair Mikalai Lazavik,
18 November 2010.

CEC sitting to register presidential candidates, Minsk,
18 November 2010.





Campaigning for Uladzimir Niakliayeu's nomination outside the HUM department store in Minsk



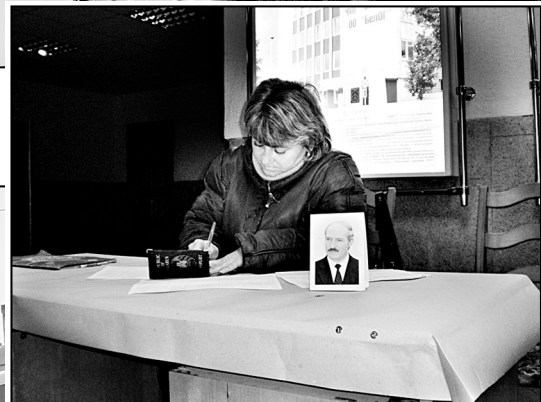
**CEC Chair
Lidziya Yarmoshyna,
Minsk, 14 October 2010.**

Activists of the "Belaya Rus" public association campaigning for the nomination of Aliaksandr Lukashenka as a presidential candidate outside Brest central department store..





Campaigning for R. Kastusiu's nomination in Babruisk.



Collecting signatures for Aliaksandr Lukashenka during working hours at the Homel-based "Vipra" enterprise of the Deaf People Society.



Campaigning for A. Lukashenka's nomination in Slonim.



**Andrei Sannikau
at a signature-collecting
event in Hronda.**



**Presidential hopeful
Yaraslau Ramanchuk
joins a nomination picket
in Slonim
on 20 October 2010**



Collecting signatures for U. Niakliayeu and V. Rymasheuski at one of the first pickets in Brest.

Ales Mikhalevich visiting a picket outside the "Kantynent" trade center in Vitsebsk on 23 October 2010





**Vital Rymasheuski
on his visit to Brest on
26 October. Collecting
of signatures.**



**Presidential hopeful
Uladzimir Niakliayeu
on his visit
to Mahiliou
on 26 October 2010.**



Door-to-door canvassing in Slutsk.



Policeman checking the documents of campaigner for Kastusiou and Ramanchuk in Baranavichy..

Andrei Sannikau's initiative group staging a signature-collecting picket outside the Slutsk department store on 24 October 2010.





Joint picket of presidential hopefuls in downtown Minsk on 29 October: Uladzimir Niakliayeu (right) and Vital Rymasheuski (left).

Uladzimir Niakliayeu and Andrei Sannikau announce cooperation and coordination of activities at a press-conference in Minsk on 12 November 2010.



Joint picket of presidential hopefuls in downtown Minsk on 29 October: Uladzimir Niakliayeu (left) and Ryhor Kastusiou (right).





Lidziya Yarmoshyna and Aliaksandr Radzkou, head of Aliaksandr Lukashenka's campaign, at a CEC sitting on the registration of presidential hopefuls on 18 November 2010.



"Most invisible presidential hopeful" Viktar Tsiarshchanka receiving a candidate's ID at a CEC sitting on 18 November 2010.



Sitting of the Central Election Commission on 18 November 2010: Uladzimir Pravalski, denied registration as a presidential candidate.



Presidential candidates Mikalai Statkevich and Dzmitry Uss visiting Hrodna on 16 December 2010. Types of meetings with voters: meeting, demonstration, assembly.

Voters' meeting with presidential candidate Yaraslau Ramanchuk in Minsk on 13 December 2010.



Ryhor Kastusiou at a canvassing meeting with voters in Vitsebsk on 29 November 2010.





Ales Mikhalevich meeting with voters at Vitsebsk local history museum on 17 December 2010.



Uladzimir Niakliayeu's meeting with voters in Mahiliou on 5 November 2010.

Full house at a meeting with Andrei Sannikau in Slonim on 12 December 2010.





Portraits of pro-democratic candidates marred with Nazi insignia in Homel.



Election campaigning in Minsk on 16 December 2010..



Torn colour campaign poster of presidential candidate A. Sannikau in Baranavichy.



Auto-picket with Uladzimir Niakliayeu's portrait and flags (white-red-white and "Speak the Truth" campaign flags) in Homel on 25 November 2010.



21 November, Brest. Some 30 children and teenagers wearing T-shirts with Lukashenka's portrait and an inscription "Our President" at a football match "Dynamo Brest vs. Belshyna Babruisk". The action was initiated by member of Brest City Council Heorhi Darubashvili.

Canvassing auto-rally "We Are for Batska!"; held by Russian nationals in Belarus' regions





**Early voting in Minsk
on 15 December 2010.**



**Early voting at a mili-
tary unit on
14 December 2010.**



Poor conditions of work for observers at polling station №31 in Baranavichy.



Observers using binoculars in Brest.

Observer forced to leave the premises during early voting at a polling station in Zhodzina.





Voting at a polling station in Minsk on the Election Day, 19 December 2010..

**Ballot box at polling station №54 in Baranavichy:
the gap is so large that one can put a hand inside.**



**Presidential candidate
Andrei Sannikau and his family cast-
ing a ballot at a polling station
in Minsk on 19 December 2010.**



**Beating and detention
of presidential
candidate
Andrei Sannikau
and his wife
Iryna Khalip.**





Presidential candidate U
ladzimir Niakliayeu casting a ballot
at a polling station in Minsk
on 19 December 2010.

Uladzimir Niakliayeu
beaten up ahead
of the election end.



Presidential candidate Vital Rymasheuski receives a trauma in the post-election protest.





Presidential candidates Mikalai Statkevich, Yaraslau Ramanchuk, Ryhor Kastusiou and Vital Rymasheuski in Kastychnitskaya Square in Minsk on 19 December 2010

Protest against election rigging in Nezalezhnastsi Avenue in Minsk on 19 December 2010.





Riot police dispersing protesters in Nezalezhnastsi Square in Minsk on 19 December.

Beating and detention of protesters in Nezalezhnastsi Square in Minsk on 19 December.



**The CEC reply to V. Stefanovich
on violations of signature collection procedures**

**CENTRAL COMMISSION
OF THE REPUBLIC OF BELARUS
ON ELECTIONS AND HOLDING
REPUBLICAN REFERENDUMS**

vul. Savetskaya, 11, 220010, Minsk
House of Government
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27.10.2010
№01.12/C-479

To Stefanovich V.K.
vul. Dauhabrodskaya, 5-1-19, Minsk

Dear Valiantsin Kanstantsinavich!

We are informing you that following your appeal on the actions by head of the ideology and education department of the Education Department of the administration of Leninski District of Minsk A.N. Naskova an inspection was carried out by an employee of the Central Commission. According to you, the actions by A.N. Naskova mentioned in your appeal are evidence of abuse of power. Considering this, the Central Commission addressed the head of the administration of Leninski District of Minsk with a request to consider the possibility of taking disciplinary actions against A.N. Naskova.

We cannot agree to your conclusion on violation of Par. 8 Art. 61 of the Electoral Code of the Republic of Belarus by N.A. Naskova. The above-mentioned provision establishes a ban on the involvement of the administrations in collecting signatures, as well as coercion during collecting of signatures and providing payment for a signature. None of the above-mentioned violations could be found in A.N. Naskova, who compiled a list of involvement of employees of a number of secondary schools and pre-school institutions of Leninski District in a picket for collecting voters' signatures in support of nominating A.R. Lukashenka as a candidate for the President of the Republic of Belarus. Firstly, A.N. Naskova does not chair the education institutions mentioned in the schedule and was on a leave during the period, secondly, among representatives of the initiative group who conducted the picket for collecting signatures the schedule mentions the names of the initiative group members only. Apart from that, your appeal does not cite any facts of coercion during collecting of signatures or providing payment for voters' signatures.

Considering the aforesaid, the Central Commission has no grounds for taking any measures.

Chair of the Commission

L.M. Yarmoshyna

Decision by Minsk city commission on the statement by M. Krasnou and V. Dziyanau on violations of signature collection procedures

DECISION

of Minsk city commission for the Elections of the President of the Republic of Belarus

23 October 2010, minutes №3

On the statement by M.A. Krasnou and V.R. Dziyanau

On 14 October 2010, Minsk city commission for the Elections of the President of the Republic of Belarus received a statement (incoming №5) by Mikita Aliaksandravich Krasnou and Viachaslau Rafaelavich Dziyanau from the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums, who request to recognize invalid all the signatures collected by members of the initiative group for the nomination of A.R. Lukashenka as a candidate for the President of the Republic of Belarus H.P. Atamanau and A.A. Khmyl and take actions against the initiative group, since none of the participants of the pickets staged outside the Furniture House in V. Kharuzhaya Street at 4 p.m. and outside HUM at 5 p.m. on 6 October had IDs on them.

Having considered the statement by M.A. Krasnou and V.R. Dziyanau with their participation, having studied the submitted video materials and having listened to the explanations by H.P. Atamanau and A.A. Khmyl, Minsk city commission for the Elections of the President of the Republic of Belarus notes the following.

H.P. Atamanau (ID №8339) and A.A. Khmyl (ID №8240) are members of the initiative group for the nomination of A.R. Lukashenka as a candidate for the President of the Republic of Belarus. They admit that on 6 October there were other persons with them at the pickets outside the Furniture House in V. Kharuzhaya Street at 4 p.m. and outside HUM at 5 p.m., who at the request of voters filled in signature sheets. H.P. Atamanau and A.A. Khmyl were present at the pickets; however, they admit that they could leave for short period of time.

In its Resolution \$47 of 15 September 2010, the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums clarified the application of the provisions of Art. 61 of the Electoral Code, which provide for the procedures of collecting voters' signatures in support of the persons proposed for nominating as a candidate for the President of the Republic of Belarus in 2010. In particular, the Resolution states that the data on the voter provided in sections 1-5 of the signature sheet may be filled in by the voter himself or by other persons at his request, or by a member of the initiative group engaged in collecting of signatures. The voter should sign the signature sheet and state the date in his own hand (sections 6 and 7 of the signature sheet).

The submitted video materials cannot directly suggest when the scene was shot, as well as that the collecting of signatures was carried out by non-members of the initiative group. No video materials on the picket outside the House of Furniture were submitted.

The Commission takes into consideration the fact that the verification of the signature sheets by the district commissions of Minsk will be held from 30 October 2010, as well as the right of the members of the initiative group for collecting signatures in support of a certain candidate for the President of the Republic of Belarus to independently determine which of the signature sheets and in what quantity are to be submitted to the commission for the verification of their validity.

Considering the aforesaid and guided by Art. 61 of the Electoral Code of the Republic of Belarus and Resolution \$47 by the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums of 15 September 2010, Minsk city commission for the Elections of the President of the Republic of Belarus **DECIDES to:**

1. inform the district commissions for the elections of the President of the Republic of Belarus of Minsk about the information mentioned in the statement by M.A. Krasnou and V.R. Dziyanau, as well as the materials of the consideration of the statement by the city commission for its application during the verification of signatures in the signature sheets collected by the members of the initiative group for collecting signatures in support of nominating A.R. Lukashenka as a candidate for the President of the Republic of Belarus H.P. Atamanau and A.A. Khmyl.

2. inform the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums about the results of the consideration of the statement by citizens Mikita Aliksandravich Krasnou and Viachaslau Rafekavich Dziyanau.

Chairman of the Commission

I.V. Karpenka

Secretary of the Commission

T.M. Dubinina

**The CEC reply to V. Stefanovich on legal violations
during election campaigning**

**CENTRAL COMMISSION
OF THE REPUBLIC OF BELARUS
ON ELECTIONS AND HOLDING
REPUBLICAN REFERENDUMS**

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01.12.2010
№01.12/C-690

To Stefanovich V.K.
vul. Dauhabrodskaya, 5-1-19, Minsk

Dear Valiantsin Kanstantsinavich!

Your appeal reporting on the holding of a motor rally «We Are for Batska!» by Russian nationals has been considered within the authority of the Central Election Commission.

Since your appeal was submitted to the CEC after the end of the event, it is not possible to take measures to stop canvassing activities by foreign nationals. Meanwhile, the Central Commission has reminded the subordinate commissions about the compliance with the requirements of the Electoral Code, which prohibit the involvement of foreign nationals and stateless persons in election campaigning activities.

We also find it necessary to inform that during the consideration of your appeal it was established that none of the election agents of candidate for the President of the Republic of Belarus A.R. Lukashenka took part in the organization of the auto-rally mentioned by you.

Chair of the Commission

L.M. Yarmoshyna

The CEC reply to the statement by the Belarusian Helsinki Committee on discrepancy in early voting turnout

**CENTRAL COMMISSION
OF THE REPUBLIC OF BELARUS
ON ELECTIONS AND HOLDING
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23.02.2011
№01.08/G-31

To the Republican Human
Rights Public Association
«Belarusian Helsinki Committee»

We are informing you that the Central Commission has considered Appeal №01-14/16 of 14 February 2011.

We are noting that the law does not provide public associations with a right to demand copies of the Central Commission's Resolution «On the results of the Elections of the President of the Republic of Belarus» and the minutes on the establishment of the results of the aforesaid elections. The Electoral Code of the Republic of Belarus (Par. 7 Art. 79) specifies the means and form of announcement of the results of the Elections of the President of the Republic of Belarus. The Central Commission has implemented the requirements: on 24 December 2010, after the signing of the minutes on the voting results, a message on the election results was sent to the mass media. Apart from that, the aforesaid message was posted on the web-site of the Central Commission. We find it appropriate to note that the observers accredited at the Central Commission, including the observers from the BHC, had every opportunity to attend the announcement of the election results and signing of the respective minutes.

We are informing you that the Central Commissions' minutes on the establishment of the results of the Elections established the number of voters who took part in early voting by summing up the data mentioned in the minutes of the regional and Minsk city commissions. These data are, in turn, the result of summing up the respective data from the minutes of the subordinate commissions. The methods of collecting data on the progress of early voting differs from the official statistics on the number of citizens, since it is based on the minutes on the progress of early voting made up by the chairman of the polling station commission. We note that this document is rough. As a rule, the data mentioned in it are reported to the superior commissions by phone, which does not rule out certain irregularities in the final results. The statistics allow monitoring the dynamics and trends of early voting. When organizing future election campaigns, the Central Commission will improve the procedures for collecting data on the progress of early voting.

Chair of the Commission

L.M. Yarmoshyna

«Memo for Observers» was prepared and published at the web-site of Niasvzh district executive committee ahead of the election

MEMO FOR OBSERVERS

GENERAL REQUIREMENTS

Main objective — conducting the upcoming presidential election on a high organizational level, not allowing the forces aiming at destabilizing the society the slightest reason to derail the electoral process or not to recognize the election results.

Your personal challenge — making every effort to ensure at the polling station the atmosphere of lack of conflict, kindness, maximum comfort for voters, with commitment to the necessary principles.

Basic principles of behaviour:

- activity;
- communication skills;
- openness to dialogue;
- politeness;
- commitment to principles;
- conflict-free atmosphere;
- calm measured approach.

It is important to:

- report acts of violations by observers from the opposing forces;
- draw up and leave comments on the election commission's work in writing;
- in case an international observer should appear, communicate your position not only verbally, but also pass a written statement with an assessment of the election (possibly prepared in advance);
- if a violation by an observer from the opposing forces is noticed, register it, without attracting undue attention, provided his removal from the premises is not required;
- leave the polling station at extreme case only; register (including exact time) the presence of observers from the opposing forces at the polling station, including international observers, indicating exactly when they arrived and departed.

POSSIBLE PROBLEM SITUATION

(FAQ)

Question 1. On the primary election day, the polling station is visited by a voter who is not sure that it is his polling station. Seeing a long queue, he decides to come up to one of the observers to check if he is in the list of voters. How do you react?

Answer: You should send the voter to a representative of the election commission, without interfering with his work. If the observer from the opposing forces assists the voter, register the breach on his part.

Question 2. The polling station is visited by an international observer, who introduces himself, presents documents confirming his authority and status. Your actions?

Answer: You should take a proactive stance, giving an objective assessment of the vote. It should be an active, calm and reasoned conversation. Negative assessments should be dismissed. It is recommended to engage in a friendly dialogue with foreign observers: to learn what country they come from, to say a few kind words about the state, to emphasize the need for the development of relations between our countries or praise the links that have already been established. Note that attention to our country and the political processes taking place in the country are very important to its citizens. We have always been very attentive to all the constructive comments and suggestions conducive to the development of democracy and civil society in our country.

Questions that may arise during the dialogue with the opposing observers:

1. How do you feel about the fact that the President of the Republic of Belarus Aliaksandr Lukashenka is running for the President for a fourth term in office?

This is allowed by the Constitution of the Republic of Belarus (Article 81), following the changes to the Constitution enforced by a national referendum on October 17, 2004. Running for the presidency for more than two times is not forbidden in some other countries (e.g. France).

It is important to know. Many prominent Western politicians held the post of head of state or government for more than two consecutive terms. In particular, one of the greatest U.S. presidents Franklin Delano Roosevelt was elected four times (from 1932 to 1944), four times the federal government of Germany was headed by Chancellor Helmut Kohl (1982 to 1998). Different practices in this regard are known in the world.

2. Why are not transparent ballot boxes used in Belarus?

The types of boxes are determined by the rulings of the Central Election Commission. In addition, the polling station is equipped at the expense of the organization on whose territory it is located. Most of these are education, health and social services. They are not so well-off to purchase transparent ballot boxes en masse.

The openness and transparency of the elections in Belarus are not provided by some formal external features, such as transparent ballot boxes, but by the principles of the electoral procedures, in particular through the work of domestic election observers, nominated not only by parties and public associations, but also by enterprises, as well as by citizens in the community.

Abroad, particularly in a number of EU countries (e.g. UK), absentee voting is practiced (by mail, including e-mail). In many U.S. states voting using appropriate electronic machines is applied. There are no disputes on the boxes, transparent or not, in general. They are not there. Nevertheless, these countries face no claims from the international community. In some European countries (e.g. Hungary, Sweden), cardboard boxes are used instead of ballot boxes. Why, then, apply double standards in Belarus?

3. How do you feel about the proposal by Uladzimir Niakliayeu to equip all polling stations with transparent ballot boxes?

We see this as an element of the campaign. It is not aimed at improving the electoral process in Belarus but at the self-promotion of one of the presidential candidates. This is how the proposal should be evaluated.

4. Why is early voting used in Belarus? Does it not affect the final results of the elections?

Early voting is a worldwide practice. It is used in many European countries (e.g. Germany, Sweden) and the U.S. In particular, the early voting in U.S. midterm congressional elections began 45 days before the elections. In the presidential elections in the United States eight years ago, 15% of Americans voted early, 4 years ago — 20%, in the midterm elections in 2006 — nearly a quarter of all voters.

5. How do you assess the electoral law in Belarus? Do you feel any change for the better?

The work is being done in a normal environment. The legislation is not worse than in other European countries. You feel it by the respect of the election commission, the mood of the electorate and the activity of your fellow observers.

It is important to know. The positive changes in electoral law and its application are emphasized by the following facts. In the elections to local councils of deputies, held this year, 513 candidates from political parties were running, which is three times more than in 2007. All in all, these elections involved 12 political parties, instead of 7 in 2007. The deputies were 306 representatives of political parties, representing 1.5% of their total number. Even greater activity is expressed by political parties during the current presidential election. In particular, in 2006, the election commissions involved 7.5 thousand representatives of political parties and NGOs (about 10% of total), in 2010 — 29.6 thousand (42%), i.e. their number increased by 4 times. In the past elections, the commissions included 122 representatives of political parties, and now — 1,760 (14.5 times). Of these, 183 are representative of the opposition.

To an independent observer nominated by collecting of signatures: a question can follow «Who exactly do you represent? Can you speak on behalf of all people?» Answer: We have discussed in detail all the matters relating to elections, when the local citizens nominated me as an observer. I received a mandate to see to it that the electoral legislation is implemented.

Question 3. The observer from the opposing forces you to speak with him, inviting you to retreat to the bar, calls for a frank conversation.

Answer: You should maintain a constructive dialogue. In any case, do not evade the conversation, no need to make sharp remarks. However, you must refrain from discussing specific topics. Warning: Any information may be used to discredit you personally and the electoral process in general.

Question 4. On the day of voting, the polling station is visited by an observer, who turns on his video camera and starts shooting everything that happens at the station. The request of the chairman of the commission to hide the camera, he says that in case violations are detected, he can easily prove it. The chairman insists that the camera should be removed. How do observers from the constructive forces behave?

Answer: In general, these actions do not violate the law. However, they can be interpreted as pressure on election officials and voters on the election day. In addition, if the observer represents one of the candidates for the President, his actions could be interpreted as prohibited campaigning on the election day. This behavior can be (depending on the situation) registered as a violation, which may result in the removal of the observer from the polling station.

Question 5. The observer from the opposing forces provokes an open conflict with the election commission, draws up protocols, makes unreasonable demands, shouts. Your actions?

Answer: You should take a proactive stance. Warn the observer. Referring to the election law, specify that such actions are unacceptable. In case of aggravation of the conflict, speak as loudly as your opponent. Your task is to avoid discrediting the electoral process, to ensure conflict-free environment at the polling station. So it is better to let both of you be removed from the station, than allow the opposing observer disrupting the elections at the station.

It is important to know. The intervention of the persons mentioned in Par. 3 Art. 13 of the Electoral Code (national observers, foreign (international) observers, members of the House of Representatives, members of the Council of the Republic, deputies of local councils (within their administrative and territorial units), agents of the presidential candidates, media representatives, members of election commissions and electors), with the work of the commission shall result in their removal from the meetings and the premises for voting by order of the respective commissions.

Question 6. At one of the polling stations, a local and an international observer start discussing their observations of the election campaign. The chairman of the commission comes up to them and demands to stop the discussion, because background noise distracts the commission members. Your actions?

Answer: You should come to them and in the correct form ask to move a little farther away, without speaking to the chairman of the election commission. In this case you must also tell the international observer that you possess objective information about the election.

Question 7. The observer from the opposing forces is assisting the persons who conduct exit-polls. How should you behave?

Answer: These steps can be seen as campaigning on the election day, because the answers are heard by other voters, arriving at the polling station, and as violation of the authority of the observer, as well as creating conditions that impede the normal operation of the commission. You should make a remark to both the observer and those conducting the survey, register the violation, if necessary, raise the question of removing the observer from the opposing forces.

Question 8. A foreign observer takes the observer from the opposing forces away to talk to him face to face. Your actions?

Answer: That is his right — to conduct a survey of local observers in person, without interference from other persons. But you have to invite the international observer for a confidential conversation, when you can outline your vision of the elections at the station.

Question 9. The polling station is visited by one of the presidential candidates, who asks for permission to observe the voting. Your actions?

Answer: According to law, he has a right to be present at polling stations during the vote count. However, he should not talk to voters and, especially, interfere with the work of the commission. To avoid conflict, the chairman of the commission may inform the presidential candidate on the interim election results, and explain that his long stay at the station is a violation of the law.

Question 10. The polling station is visited by a member of the local council, who does not represent this specific administrative-territorial unit, and asks for an opportunity to observe the election. Your actions?

Answer: If he is not election agent of one of the presidential candidates, you should demand his removal from the station, because, in accordance with the law, observation of the elections can be only maintained by deputies of local councils within this administrative unit.

Question 11. On the day of voting, a problem situation appears at the polling station. The chairman of the commission asks the observer to help resolve the situation in a way that would comply with all applicable laws. How do you react?

Answer: According to law, the observer has no right to interfere with the work of the election commissions, including giving them advice, unless requested to do so. If such a request would come from members of the commission, the observer has the right to express his point of view.

Question 12. The polling station is visited by a diplomat (or a representative of the party, public association), who asks for permission to monitor the elections. How should you behave?

Answer: They have a right to be present at the polling station only if they have the required relevant documents on them. For a foreign observer, it is an accreditation by the CEC, for a representative of the party (public association) — the minutes of his delegation by the political party (public association) or an extract from the minutes of the governing body of the political party (public association), the primary organization meeting. If they do not have these documents on them, then neither a diplomat nor a representative of the party (public association) can participate in the observation.

Question 13. After the closing of the polling station, the commission members open the ballot boxes and begin to count votes. At the same time, the chairman insists that the observers do not approach the table for vote count for a distance closer than 3 meters. How should you behave?

Answer: During the counting of votes at the polling station, observers should be given a real opportunity to observe in conditions providing visibility of ballot counting procedures. So you have the right to get closer, however, if this distance provides visibility, you should say so, to eliminate possible conflict with observers from the opposing forces.

Question 14. The observer from the opposing forces demands that the election commission issues a copy of the minutes on voting results.

Answer: The observer may make a copy of the minutes of the commission, but only by his own forces and means.

Question 15. The observer from the opposing forces or international observers demands to take him into the car for delivery of ballots and minutes of the commission to the territorial election commission after the vote.

Answer: The decision is taken by the chairman of the electoral commission. However, in this case, you must insist that you also had the opportunity to accompany the delivery of ballots.

Coverage of the 2010 Presidential Election in the Belarusian Media. Extracts from a media monitoring by the Belarusian Association of Journalists

Belarusian Association of Journalists

MEDIA MONITORING

Coverage of the 2010 Presidential Election in the Belarusian Media (Final Report)

(extracts)

2. Summary of Findings

Just like during the previous elections, the state-owned media were clearly ideologically engaged, providing information support for the incumbent.

Although this media became more accessible to the candidates, as compared to the previous elections, the basic model of the election coverage remained unchanged, which means that the state-owned media:

- focused their attention on one candidate, i.e. the incumbent;
- presented subjects that actually performed technical functions, such as regional election commissions or local authorities, as the main actors of the election;
- actively marginalized the opposition candidates and their actions, as well as the opposition parties, both by negative assessment they received and their minimal presence in the country's information space;
- against the background of inadequate representation of the alternative candidates created the impression that there was nobody to choose from or, to be more precise, that the only option was to vote for the incumbent;
- downgraded the importance of the election by giving it low-key coverage, when sports, the Junior Eurovision show and the All-Belarusian National Assembly were featured more prominently than the election;
- by citing the findings of opinion polls quite often without mentioning the institutions that conducted them, created an impression that the outcome of the voting was predetermined;
- finally, instead of offering a wide range of voters' opinions, aired only opposite assessments, i.e. positive or highly positive of the incumbent, on the one hand, and negative or extremely negative of the alternative candidates, on the other.

- As for the independent press, in comparison with the state-owned media, it presented a much wider picture of the election, the presidential runners being featured as its key actors throughout the whole election process. Besides, in terms of the space given to each subjects, not only did the incumbent get as much coverage as the alternative candidates, but he was even a clear leader in some cases. The assessment of the candidates' actions and their agendas was mainly balanced. The independent press, unlike the state-owned media, showed no instances of insulting the candidates or manifestly promoting one of them.
- After the election the state-owned media highlighted positive assessment of the election and the voting outcome given by the re-elected president. They presented the opinion of the ODIHR OSCE Mission mainly in the version of Head of the CIS Observer Mission Mr. Lebedev, who had recognized the election as transparent and legitimate.
- The independent papers above all drew their readers' attention to the fact that the ODIHR OSCE Mission had given negative assessment to the election and had not recognized the voting outcome.
- Compared to the previous elections, this time the state-owned media did not actually publish any triumphant contributions by their journalists. For the most part, they cited positive assessments of the election and its outcome given by the incumbent, the Head of the CIS Observer Mission or CEC representatives.

6. Conclusions

By focusing their attention on one candidate, i.e. the incumbent, and giving him positive coverage while negatively assessing his opponents the state-owned media violated the principle of equal opportunities and equal access to the media.

Giving biased coverage to the alternative candidates' agendas, they did not offer them a chance to rebut. In the same fashion, citing only negative opinions about them and negative assessments of their agendas, the state-owned media in fact censored the public opinion, depriving the alternative candidates' supporters of their voice. Thus, during the election the state-owned media did not reflect the interests of all social groups. In fact, they actively demonstrated their loyalty to the incumbent by acting as an instrument of power and an ideological tool.

Improved direct access to the state-owned media did not make any noticeable changes in the general practices of the election coverage. Moreover, it was actually annulled by the fact that when the alternative candidates' TV and radio addresses were over, they did not have their own voice in the state-owned media for about two weeks before the voting day. The election coverage according to the old model that the state-run media had been widely employing for quite a long time was aimed at counteracting the effect their addresses made.

Just like at the previous elections, by keeping to a low-key approach to the election and marginalizing the contestants of the current regime, the state-owned media contributed to undermining political competition and the contest of ideas. In this way, they actually excluded or at least diverted voters from political competition, which is typical of the so-called phenomenon of 'low-key' elections Belarusian style.

Multiple media effects recorded in the state-run media show that the contributions containing such effects did not meet the professional standards. Nor do the authors of such contributions keep to ethical principles in journalism.

Although the independent press offered a varied picture of the election, their limited circulation prevented them from becoming a competitive information source. For the same reason, they could not efficiently oppose the practice of ignoring the opponents of the government or their negative representation in the state-owned media.

Notification of the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums on the results of the Election of the President of the Republic of Belarus

NOTIFICATION

Of the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums on the results of the Election of the President of the Republic of Belarus

On 24 December 2010, the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums, having considered at its sitting the minutes of the regional and Minsk city commissions on the Elections of the President of the Republic of Belarus on voting results, established the following results of the Election of the President of the Republic of Belarus.

The overall number of voters in the Republic of Belarus equals to **7,105,660**; the ballots were received by **6,444,776** voters.

Under Par. 3 Art. 79 of the Electoral Code of the Republic of Belarus, the election has been recognized as valid, since the voting involved **6,441,031** voters, which constituted 90.65 per cent of the overall number of voters.

Under Par. 4 Art. 79 of the Electoral Code, **Aliaksandr Ryhoravich Lukashenka** has been elected President of the Republic of Belarus, whose candidacy was voted for by 5,130,557 votes, which constituted 79.65 per cent, i.e. over a half of the citizens of the Republic of Belarus, who have taken part in the voting.

The other candidates were voted for by:

Ryhor Andreyevich Kastusiou — **126,999** votes, or 1.97 per cent of total turnout;
Aliaksei Anatolyevich Mikhalevich — **65,748** votes, or 1.02 per cent of the total turnout;
Uladzimir Prakofievich Niakliayeu — **114,581** votes, or 1.78 of the total turnout;
Yaraslau Cheslavavich Ramanchuk — **127,281** votes, or 1.98 per cent of the total turnout;
Vital Anatolyevich Rymasheuski — **70,515** votes, or 1.09 of the total turnout;
Andrei Alehavich Sannikau — **156,419** votes, or 2.43 of the total turnout;
Mikalai Viktaravich Statkevich — **67,583** votes, or 1.05 of the total turnout;
Viktar Ivanavich Tsiareshchanka — **76,764** votes, or 1.19 per cent of the total turnout;
Dzmitry Ivanavich Uss — **25,117** votes, or 0.39 of the total turnout.

None of the candidates was supported by **416,925** votes, or **6.47** of the total turnout.

62,542 ballots, or **0.97** per cent of the total turnout, were recognized invalid.

Data on voting results (according to official information by the CEC)

Republic of Belarus

DATA
On the voting results in the election
of the President of the Republic of Belarus
on 19 December 2010

	Brest region	Vitebsk region	Homel region	Hronda region	Minsk region	Mahiliou region	City of Minsk	Republic of Belarus
Total number of voters,	1,032,311	897,407	1,109,170	808,028	1,104,422	834,242	1,320,080	7,105,660
including the number of voters included in the lists on the election day	7,502	4,204	2,133	2,191	7,255	6,200	3,798	33,283
The number of voters who received the ballots	939,879	836,276	1,034,301	734,555	1,004,703	782,180	1,112,882	6,441,776
The number of voters who took part in the voting (total number and percentage),	939,680	835,933	1,034,197	734,503	1,004,594	781,765	1,110,359	6,441,031
including:	91.03 %	93.15 %	93.24 %	90.90 %	90.96 %	93.71 %	84.11 %	90.65 %
the number of voters who took part in the early voting	275, 216	308,762	272,806	231,676	247,027	218,235	244,353	1,798,075
the number of voters who took part in the mobile voting	62,756	95,363	51,980	78,458	106,574	64,765	30,418	490,314
the number of voters who took part in the voting at the polling station on the election day	601,708	431,808	709,411	424,369	650,993	498,765	835,588	4,152,642
The number of ballots cast against all candidates	45,398	33,791	83,994	25,713	79,829	25,159	123,041	416,925
The number of ballots recognized invalid	7,922	6,542	7,058	14,296	9,921	6,112	10,691	62,542

Surname, initials of the candidates for the President of the Republic of Belarus, who were voted for on the election day	Brest region	Vitebsk region	Hornela region	Minsk region	Mahiliou region	City of Minsk	Republic of Belarus	
								The number of ballots cast for the candidate for the President of the Republic of Belarus (total number and percentage)
Kastusiou R.A.	13,500	13,863	30,416	7,534	15,902	7,286	38,498	126,999
	1.44 %	1.66 %	2.94%	1.03 %	1.58 %	0.93 %	3.47 %	1.97 %
Lukashenka A.R.	766,059	689,407	851,127	597,667	810,825	664,314	751,158	5,130,557
	81.52 %	82.47 %	82.30 %	81.37 %	80.71 %	84.98 %	67.65 %	79.65 %
Mikhalevich A.A.	11,632	8,038	7,462	6,241	10,375	6,165	15,835	65,748
	1.24 %	0.96 %	0.72 %	0.85 %	1.03 %	0.79 %	1.43 %	1.02 %
Niakliayeu U.P.	14,779	14,585	9,359	13,910	12,277	14,797	34,874	114,581
	1.57 %	1.74 %	0.90 %	1.89 %	1.22 %	1.89 %	3.14 %	1.78 %
Ramanchuk Y.C.	17,631	13,091	9,495	21,397	16,858	11,611	37,198	127,281
	1.88 %	1.57 %	0.92 %	2.91 %	1.68 %	1.49 %	3.35 %	1.98 %
Rymasheuski V.A.	12,800	9,253	7,879	9,283	9,010	7,245	15,045	70,515
	1.36 %	1.11 %	0.76 %	1.26 %	0.90 %	0.93 %	1.35 %	1.09 %
Sannikau A.A.	25,778	25,717	10,157	20,570	15,198	21,004	37,995	156,419
	2.74 %	3.08 %	0.98 %	2.80 %	1.51 %	2.69 %	3.42 %	2.43 %
Statkevich M.V.	9,555	8,527	7,043	6,928	9,314	7,394	18,822	67,583
	1.02 %	1.02 %	0.68 %	0.94 %	0.93 %	0.95 %	1.70 %	1.05 %
Tsiarashchanka V.I.	10,072	9,950	7,453	8,389	11,690	8,802	20,408	76,764
	1.07 %	1.19 %	0.72 %	1.14 %	1.16 %	1.13 %	1.84 %	1.19 %
Uss D.I.	4,554	3,169	2,754	2,575	3,395	1,876	6,794	25,117
	0.48 %	0.38 %	0.27 %	0.35 %	0.34 %	0.24 %	0.61 %	0.39 %

The CEC Resolution on the complaint by R.A. Kastusiou on recognizing the election invalid

RESOLUTION № 174
24.12.2010
Minsk

On the complaint by R.A. Kastusiou
on recognizing the election of the President
of the Republic of Belarus invalid for the whole country

Having considered the complaint by Kastusiou Ryhor Andreyevich on recognizing the election of the President of the Republic of Belarus invalid for the whole country, the Central Commission of Belarus on Elections and Holding National Referendums (hereinafter - the Central Commission) notes the following.

In accordance with Par. 6 Art. 79 of the Electoral Code of the Republic of Belarus, Elections of the President of the Republic of Belarus may be declared invalid for the whole country or individual polling stations, districts, cities, districts within cities, regions, city of Minsk, because of violations of requirements of the Electoral Code made in the course of the election or during the counting of votes, if they affected the outcome of the elections for the whole Republic.

In support of the claim, R.A. Kastusiou reported on the election campaign, which assessed the legislative base of the election, and examined all stages of the electoral process, starting from the formation of commissions on Elections of the President of the Republic of Belarus and ending with the establishment of the voting results. The Central Commission has considered specific appeals on the matters specified in the said information, and their senders have been replied in due course or relevant resolutions have been adopted by the Central Commission. There are no reasons for their re-examination.

The annex to the complaint contains the copies of 363 acts of observers, including the text of 16 acts that are not readable, 11 of them have no indication to a particular scene, some acts are duplicated.

The results of the check of the attached acts of observers have shown that the vast majority of the information contained therein on violations of the electoral legislation is unfounded, as evidenced by explanations of the chairmen of election commissions and acts of other observers. Many of the acts contain information that are not evidence of violations of electoral laws: guarding of polling stations by officers of the Interior, refusals to grant the observer a right to put his signature under the seal over the slot in the ballot box during early voting period, posting a sample ballot at the polling station, absence of the tape with the signatures of members of the election commission on the ballot box etc. In some acts, information about acts of violations of the election laws is of vague or hypothetical nature, which does not allow giving them proper legal assessment.

A check conducted by the Central Commission for verification of the complaint by R.A. Kastusiou showed that some polling stations did not comply with the requirements of Par. 2 Art. 55 of the Electoral Code on the announcement of vote count results by the chairman of the election commission. Sometimes the chairmen of election commissions limited themselves to announcing the overall result of vote count and posting of copies of the minutes of the polling station commission. In some cases, there were also other violations of electoral laws: simultaneous presence of two voters in the voting booth during filling of the ballot, failure to timely inform voters about the time and place of voting, improper compilation of voter lists.

The confirmed the issuance of a ballot to a citizen included in the list of voters, upon presentation of a passport belonging to another citizen. However, these violations of electoral laws are procedural in nature, do not distort the will of the voters and do not affect the outcome of the elections in the whole Republic.

Following a statement by observer V. Chmel on the recount of votes at polling station number 1 of Leninski district of Brest attached to the complaint a separate resolution of the Central Commission was adopted, as observer personally appealed to the Commission on this issue. The statement by V. Chmel was dismissed due to lack of sufficient reasons for this.

Thus, the complaint R.A. Kastusiou does not provide any facts of violation of the Electoral Code, which could serve as grounds for declaring the Election of the President of the Republic of Belarus invalid for the whole country.

Considering the aforesaid and guided by Art. 33 and 79 of the Electoral Code of Belarus, the Central Commission RULES to:

dismiss the complaint by R.A. Kastusiou on recognizing the Election of the President of the Republic of Belarus invalid for the whole country.

Chair of the Commission

L.M. Yarmoshyna

Secretary of the Commission

M.I. Lazavik

Statement of preliminary findings and conclusions. OSCE/ODIHR and OSCE PA International Observation Mission. Republic of Belarus — Presidential Election, 19 December 2010.



INTERNATIONAL ELECTION OBSERVATION Republic of Belarus — Presidential Election, 19 December 2010

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Minsk, 20 December 2010 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the OSCE Parliamentary Assembly (OSCE PA).

The assessment was made to determine whether the election complied with the OSCE commitments, as well as with legislation of the Republic of Belarus. This statement of preliminary findings and conclusions is delivered prior to the completion of the election process. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the election process, including the tabulation and announcement of results, and the handling of possible post-election day complaints and appeals. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the election process. The OSCE PA will present its report at its Winter Meeting in Vienna on 24 - 25 February 2011.

PRELIMINARY CONCLUSIONS

The presidential election indicated that Belarus still has a considerable way to go in meeting its OSCE commitments, although some specific improvements were made. Election night was marred by detentions of most presidential candidates, and hundreds of activists, journalists and civil society representatives.

While the overall voting process was assessed as good, the process deteriorated significantly during the vote count undermining the steps taken to improve the election. Observers assessed the vote count as bad and very bad in almost half of all observed polling stations. The count was largely conducted in a non-transparent manner, generally in silence, which undermined its credibility. In many cases, observers were restricted and did not have a real opportunity to observe the counting. In some cases the figures recorded in the results of polling station protocols were different upon arrival at the Territorial Election Commissions (TEC).

A range of candidates contested the election. Free airtime was provided in an uncensored format, although it was limited in scope and time. For the first time, two live debates gave candidates the opportunity to address the electorate directly. However, the incumbent chose not to participate. Most candidates opposing the incumbent had no trust in the integrity of the election administration or the electoral process.

The broadcast news programmes monitored by OSCE/ODIHR EOM gave some 89 per cent of the political and election-related news to the incumbent; even recognizing the advantages of incumbency, this is high. The tone of President Lukashenko's coverage was exclusively positive or neutral, while the tone of coverage of the other candidates was mostly negative and in some cases neutral. The lack of diversity in the media sphere reduced the possibility for voters to make an informed choice during the election campaign. On election day, a number of major Internet websites were blocked, as were some social networking channels and opposition websites.

Despite some positive steps which amended the Electoral Code, the legal framework still does not adequately guarantee the conduct of elections in line with OSCE commitments. The legal

framework leaves important aspects of the election process not fully regulated. Particularly, necessary safeguards to ensure the integrity of early voting and the vote count are missing.

The Central Election Commission (CEC) administered the technical aspects of the electoral process well. Sessions were open and attended by observers and media. However, the CEC lacked impartiality. Eight candidates nominated representatives to the CEC, but they were not entitled to vote on decisions. The CEC issued resolutions in an attempt to specify existing legal provisions on observers' rights and early voting but failed to provide sufficient clarification.

The nomination of at least one third of TEC and Precinct Election Commission (PEC) members by political parties and public associations could have been a positive step. The absence, however, of formal criteria in selecting commission members and the lack of detailed procedures reduced the effectiveness of this provision. Nominees were rejected without proper explanation and justification. In practice, only 0.26 per cent of all PEC members and 0.70 per cent of TEC members were nominated by political parties considered in opposition.

All presidential candidates acknowledged that initiative group registration and signature collection took place under improved conditions. The CEC registered ten presidential candidates in an inclusive process.

Candidates were able to convey their messages to the electorate in an unhindered manner. A welcome development saw changes in the legal framework which meant that candidates no longer had to seek permission to hold meetings with voters. The campaign, however, was characterized by the lack of a level playing field. OSCE/ODIHR noted cases of misuse of administrative resources to promote the incumbent. Ultimately, the current president and a field of nine other contenders competed on unequal terms.

Despite the 2010 amendments, the existing legal framework does not provide for an effective complaints and appeals mechanism. It grants the CEC powers to consider electoral disputes in an inconsistent and non-transparent manner. Without clear regulations, PECs and TECs improvised procedures, implementing them in an incoherent manner. Moreover, the legal framework does not have provisions for challenging the election results.

PRELIMINARY FINDINGS

Background

The 19 December 2010 election, called by the House of Representatives on 14 September, was the fourth presidential election since the dissolution of the Soviet Union in 1991. A new constitution, adopted in 1994, has been amended twice by referendum: first in 1996, increasing the power of the presidency and establishing a bicameral parliamentary system and again, in 2004, abolishing the two-term presidential limit. This has allowed the incumbent, President Lukashenko, to continue to stand for office.¹ In the two previous elections observed, the presidential election 2006 and the

¹ The Council of Europe's European Commission for Democracy through Law (Venice Commission) stated at the time that "the question concerning the possibility for Mr. Lukashenko to again be candidate in the forthcoming election is in direct and clear contravention of this law (the constitution). It can therefore not be decided by referendum." See Venice Commission 'Opinion on the Referendum of 17 October 2004 in Belarus', adopted by the Venice Commission at its 60th Plenary session, Sec. 7, [http://www.venice.coe.int/docs/2004/CDL-AD\(2004\)029-e.asp](http://www.venice.coe.int/docs/2004/CDL-AD(2004)029-e.asp). OSCE/ODIHR observed the 2004 parliamentary elections that were held concurrently with the referendum, but did not observe the referendum.

parliamentary election 2008, international observers concluded that OSCE commitments for democratic elections were not met.²

The presidency enjoys extensive powers, with the executive exercising significant authority over other State branches. According to the Constitution of the Republic of Belarus the president has the right to appoint six judges, including the chief justice, and to dismiss all judges of the Constitutional Court, as well as to appoint and dismiss all judges, including the chief justices of the Supreme Court and all other courts of Belarus. The extensive powers of the president are inconsistent with the principle of separation of powers enshrined in article 6 of the Constitution as they put in question the independence and the impartiality of judges and the public judicial service, challenging paragraph 5.12 of the Copenhagen Document.

The political system is characterized by weak political party structures that have eroded over the course of the past decade. There are no deputies from the opposition in the current parliament and 103 of 110 mandates in 2008 were won by independent candidates. The presidential election, thus, took place in a political environment marked by a lack of political pluralism and open debate in the public sphere.

Election System and Legal Framework

The president is elected for a five-year term in a two-round majoritarian contest in a single nationwide constituency. Over 50 per cent of all registered voters must take part in the election for it to be valid. If a single candidate does not succeed in obtaining more than 50 per cent of all votes cast in the first round, a second round is to be held within two weeks between the two candidates with the most votes.

The presidential election is regulated primarily by the Constitution of the Republic of Belarus and the Electoral Code (last amended in 2010). The legal framework also includes the Law on Mass Media, the Law on Mass Events, relevant provisions of the Criminal Code, the Code of Administrative Offences, the Civil Procedure Code, as well as resolutions of the CEC.

Although recent amendments in January 2010 to the Electoral Code addressed some longstanding OSCE/ODIHR recommendations, the legislative framework continues not to guarantee the conduct of elections in line with OSCE commitments.³ Positive change included the replacement of a permission-based system, to stage a public assembly with a two-day notification procedure for candidates and proxies, as well as a provision allowing broadcast debates between candidates in the State media. The amendments also contained some regulation of early voting procedures including the introduction of a requirement to complete a protocol at the end of each day during the five-day early voting period.⁴

² Previous OSCE/ODIHR election observation mission reports for Belarus are available at: <http://www.osce.org/odihr-elections/14353.html>.

³ Especially paragraphs 5.1; 5.4; 5.10; 6; 7.4; 7.7; 7.8 of the Copenhagen Document and paragraph 26 of the Istanbul OSCE Summit Declaration 1999. Belarus is further a signatory of the International Covenant on Civic and Political Rights since 1968 and ratified it in 1973. See also Joint Opinion on the Amendments to the Electoral Code of the Republic of Belarus of the OSCE/ODIHR and the Venice Commission of the Council of Europe, 4 June 2010: http://www.osce.org/documents/odihr/2010/06/44755_en.pdf.

⁴ Other positive changes included that political parties and public associations were given the right to nominate at least one third of the members of the TECs and PECs; the option to appeal decisions relating to the appointment of lower-level election commission members to a court at the corresponding level; the possibility to appeal certain CEC decisions to the Supreme Court; introduction of individual campaign funds.

Despite these improvements, however, the legal framework continues not to address important previous OSCE/ODIHR recommendations. Examples of these shortcomings include the excessive role of the president in appointing Central Election Commission (CEC) members, the lack of clear rules concerning the appointment of Territorial Election Commission (TEC) and Precinct Election Commission (PEC) members, the absence of a detailed procedure for ballot counting or a requirement to publish preliminary and final disaggregated vote results promptly.⁵ The legal framework also leaves many aspects of the election process inadequately regulated. This led to discrepancies in the interpretation and application of the law by TECs and PECs. In an attempt to clarify existing Electoral Code provisions on observers' rights and early voting, the CEC issued resolutions, but they failed to provide sufficient clarification.⁶

Election Administration

This election was administered by three levels of election commission: the CEC, 155 TECs and 6,390 PECs, including 44 PECs at diplomatic missions abroad for out of country voting.

The CEC is a permanent, 12-member body with a five-year mandate.⁷ Six CEC members, including the chairperson, are appointed by the president and six by the indirectly elected Council of the Republic (upper house). The CEC adopted all resolutions required by the Electoral Code within legal deadlines and administered the technical aspects of the electoral process well. The CEC and lower electoral commissions, however, lacked impartiality vis-à-vis the executive branch.⁸ Eight candidates nominated representatives to the CEC, but they were not entitled to vote on decisions. Thus, this attempt at increased transparency did not effectively broaden the involvement of political parties in the electoral process. With few exceptions, the 126 CEC resolutions on elections were approved unanimously and no dissenting opinions were recorded.

The nomination, for the first time, of at least one third of TEC and PEC members by political parties and public associations could have been a positive step. The absence, however, of formal criteria in selecting commission members and the lack of detailed procedures reduced the effectiveness of this provision. In practice, only 0.26 per cent of all PEC members and 0.70 per cent of TEC members were nominated by political parties considered in opposition.⁹

TECs organized training seminars on election day procedures for PEC chairpersons, deputies and secretaries. OSCE/ODIHR observers reported that training in vote counting procedures lacked uniformity. A CEC resolution instructed PEC chairpersons "to provide observers with a real possibility to observe the counting procedures". The new provision was not coherently

⁵ Also a clear description of observers' rights is missing.

⁶ CEC Resolutions no. 49 and no. 50 (15 September 2010), no. 95 (5 November 2010), no. 99 (5 November 2010) and no. 150 (30 November 2010). As an example, resolution no. 95 states that "observers shall be given a real opportunity to observe the vote count in polling stations". While trying to address a concrete shortcoming, this provision remained vague and requires further detail on the rights of observers during the vote count on election day.

⁷ The term of the current CEC expires in 2012.

⁸ In its 9 November 2010 session on complaints, the CEC showed outright support for the incumbent. The CEC Chairperson repeatedly publicly stated her admiration for President Lukashenko. European Radio for Belarus interview: <http://euroradio.by/ru/1098/reports/43037/?autofresh=1>.

⁹ Local authorities appointed 2,000 TEC and some 70,000 PEC members without formal criteria. Nearly all nominees from pro-presidential organizations were approved; of 781 at TEC level, 729 were appointed (93 per cent). In stark contrast, organizations considered to be in opposition nominated 72 people, but only 14 (20 per cent) were appointed, totalling 0.7 per cent of all TEC members. A similar pattern was observed in PECs. Of 25,492 nominees from pro-presidential organizations, 23,689 members were appointed (93 per cent). Of 1,073 nominations from organizations considered to be in opposition, 183 members were appointed (17 per cent), representing 0.26 per cent of all PEC members.

communicated since this new regulation was ignored in one out of four training sessions observed.¹⁰

Voter Registration

Citizens with permanent or temporary residence aged 18 or over on election day have the right to vote in the precinct they are registered. The Electoral Code establishes that those declared legally incapable by a court, those sentenced to prison and those in pre-trial detention are not eligible to vote. This is contrary to article 7.3 of the Copenhagen Document which guarantees universal and equal suffrage to adult citizens. According to a recent CEC regulation citizens convicted to prison for minor or administrative offences were entitled to vote by mobile box at the PEC responsible for that penal institution.

There is no centralized voter register and voter lists are compiled by local administrations at precinct level. OSCE/ODIHR observers confirmed that voters were able to check their entries at the PECs. Few appeared to do so as the Electoral Code allows voters to be added to the voter lists as late as the end of polling. Though inclusive, such an arrangement is not in line with international good practice standards.¹¹ No national cross checks or other safeguards exist against the multiple registration of voters.

Nomination and Registration of Candidates

The registration of candidates took place in an inclusive manner. A candidate could be nominated by an initiative group of no less than 100 voters, and 100,000 valid voter signatures had to be submitted to support the nomination. Signature collection started on 30 September and ended on 29 October. Of the 17 initiative groups initially registered, 11 submitted signatures to the CEC. Amendments to the Electoral Code provided more opportunities to collect signatures.¹² All presidential candidates acknowledged that initiative group registration and signature collection took place under improved conditions.

TECs scrutinized support signatures for authenticity within ten days after their submission, in accordance with procedures set out in the Electoral Code and CEC guidelines. Some candidates stated that the process of signature verification was not transparent. Observers were not permitted to monitor all stages of the verification process.

On 18 November, the CEC registered ten candidates: Ryhor Kastusiou, Alexander Lukashenko, Alexei Mikhailevich, Vladimir Nekliaev, Yaroslav Romanchuk, Vital Rymasheuski, Andrei Sannikov, Nikolai Statkevich, Viktor Tereshchenko, and Dmitri Uss. The CEC did not register Vladimir Provalski because of the quantity of invalid signatures.

¹⁰ Resolution 95 amended resolution 45 which outlines PEC guidelines. The OSCE/ODIHR observed 40 training sessions.

¹¹ The code of good practices in electoral matters of the Venice Commission, 2002 recommends that "In any event polling stations should not be permitted to register voters on election day itself", p.1.2. iv. [http://www.venice.coe.int/docs/2002/CDL-AD\(2002\)023rev-e.asp?PrintVersion=True](http://www.venice.coe.int/docs/2002/CDL-AD(2002)023rev-e.asp?PrintVersion=True)

¹² Picketing for signature collection occurred in many of those locations that have previously been prohibited by local executives and administrative bodies. See Electoral Code article 45.

The Campaign Environment

The campaign period started on 18 November and was generally barely visible. It was characterized by the lack of a level-playing field and an unequal contest between the current president and a field of nine contenders.

Small-to-medium sized rallies and meetings took place, together with door-to-door canvassing and, to a limited extent, use of printed campaign material. Candidates were restricted by meager campaign funds¹³ and also faced other problems. Five candidates, for instance, reported difficulties with printing election-related materials, stating that some printing houses refused to accept print orders, due to pressure from the State security services. Other printing houses reportedly processed orders in an unduly slow manner. Observers noted cases of opposition campaign event announcements and posters being removed, defaced or plastered over.

All candidates toured the country and were able to convey their messages to the electorate in an unhindered manner. A few incidents, however, marred the campaign environment. For instance, on 24 November, an opposition activist was beaten in Minsk while posting Mr. Sannikov's leaflets. The leader of the unregistered civil society organization *Young Front* was detained twice and campaign material for Mr. Statkevich was seized by police.

Some candidates complained about the unsuitability of certain campaign venues allocated by local authorities. In the majority of cases, they successfully challenged the decision. OSCE/ODIHR EOM observed that in rural areas, local authorities applied a more restrictive approach than in the regional centres and in Minsk.

OSCE/ODIHR EOM noted cases of misuse of administrative resources to promote the incumbent. President Lukashenko's campaign, carried out to a large extent through the Fourth All-Belarusian People's Assembly,¹⁴ was the most visible of the ten candidates. In all regions, President Lukashenko's campaign used the offices of *Belaya Rus*, which were generally located in public administrative buildings as his campaign offices.¹⁵ Members of government administration often served on the president's local campaign teams. This practice challenges paragraph 5.4 of the 1990 OSCE Copenhagen Document.¹⁶ Opposition candidates, to the contrary, lacked established structures in the regions and used private facilities for campaign offices.

¹³ Each candidate is allocated state funding of 2,300 "basic units", approximately 19,500 Euro, which is to be used for printed materials. Additionally candidates are entitled to open an individual campaign fund limited to 3,000 "basic units", approximately 25,300 Euro. With the exception of three candidates none received significant contributions.

¹⁴ On 13 October, President Lukashenko signed a decree to convene the Fourth All-Belarusian People's Assembly on 6 and 7 December. The Assembly is a general meeting of the Belarusian government with officials from every sector of the government and industry leaders. The Assembly was designed to provide the president with a forum to report on the achievements since 2006 through 2010, and develop plans for the next five years. Some 2,500 delegates attended the Assembly.

¹⁵ *Belaya Rus* is a Belarusian public association founded on 17 November 2007. Among other things, the program of *Belaya Rus* is designed to "provide consistent assistance to the leadership of the country in prevention, exposure and overcoming of shortcomings in the activities of the state-run authorities." The Minister of Education, currently on leave, is the campaign manager of the incumbent and chairperson of *Belaya Rus*.

¹⁶ Paragraph 5.4 of the Copenhagen Document stipulates a clear separation between State and political parties. On 29 November 2010 the meeting of the incumbent with his proxies held in a governmental building during working hours was broadcasted in the news on *ONT TV*. It was challenged to the CEC as the violation of the Article 73 of the Electoral Code providing for the equal rights of candidates for campaign. However, the CEC did not assess this activity as campaigning (Resolutions no. 158 and no.159, 9 December 2010).

OSCE/ODIHR EOM observed campaign events for the incumbent, which were attended by students, teachers and employees of large enterprises who were, reportedly, encouraged to participate.¹⁷ In several cases, attendees confirmed to OSCE/ODIHR EOM that they were encouraged by their university teachers, directors or heads of ideology departments of enterprises to attend campaign events by the incumbent in exchange for paid time-off. Some attendees also confirmed to have been pressured to cast their vote in favour of the incumbent and to participate in early voting. This practice runs contrary to paragraph 7.7 of the 1990 OSCE Copenhagen Document.¹⁸

As the campaign developed, some opposition candidates called on voters to gather on Oktyabrskaya Square in central Minsk on the evening of election day. On 9 December, the Prosecutor General's Office gave five opposition candidates (Messrs. Nekliaev, Sannikov, Romanchuk, Rymasheuski, and Statkevich) a warning.¹⁹ Two of these candidates were already warned once by the CEC.²⁰ A late statement from the presidential administration that associated opposition and civil society groups with instigating violence on election day was perceived as intimidation by opposition candidates. Before election day the president, the police and the KGB issued similar statements threatening possible protesters.²¹

The Media

The diversity of opinion expressed in the media is limited by state control over nationwide broadcast media and the print media distribution networks. Freedom of expression is guaranteed by the Constitution and a high number of media outlets exist. The expression of alternative views on political developments, however, is limited to a few remaining private newspapers and the Internet.²² The lack of diversity in the media sphere reduced the possibility for voters to make an informed choice during the election campaign. This challenges the provisions of paragraph 7.8 of the 1990 OSCE Copenhagen Document.²³

The Electoral Code guarantees free airtime to candidates on State TV and radio and free space in the state-funded print media. A CEC resolution on media coverage of the election granted one hour of free airtime and five typed pages (one A3 newspaper page) in four national and seven regional newspapers to each candidate.²⁴ One televised debate and one radio debate was aired live for the first time since 1994. The incumbent did not participate in the debates.²⁵

¹⁷ The majority of State employees are employed on one year contract basis.

¹⁸ Paragraph 7.7 stipulates that participating States permit campaigning to be conducted in a fair and free atmosphere and ensure voters cast their vote free of fear of retribution.

¹⁹ The Public Prosecutor based its warning on the fact that the venue has been prohibited for campaigning.

²⁰ On 30 November, the CEC issued a warning to Messrs. Rymasheuski and Statkevich "for violating the order of conducting mass events during election campaign." On 24 November, Messrs. Rymasheuski and Statkevich conducted an unsanctioned rally on the Oktyabrskaya square in Minsk.

²¹ Statement by the incumbent on 16 December 2010.

²² For internet usage in Belarus, identification is required. The recently passed presidential decree no. 60 regulating Internet had, so far, limited impact on the media environment. The estimated number of frequent Internet users varies according to source between 10 and 40 per cent of the population. Some official sources consider the access to internet as high as four million.

²³ Paragraph 7.8 of the Copenhagen Document ensures unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process.

²⁴ CEC Resolution no. 82 of 14 October 2010.

²⁵ Contrary to the provisions of the Electoral Code, however, the two debates were not aired during primetime scheduling. The Electoral Code requires free time and debates to broadcast in the period when TV and radio programmes have the greatest audience. The one hour debate on State TV on 4 December and the one hour debate on State radio on 5 December took place between 17:00 and 18:00. A Novak survey on diary basis of

Some candidates used their limited allocation of free airtime to present their platforms and most criticized the president. Three requests for additional airtime by opposition candidates were denied by the CEC. On 6 and 7 December, the broadcast media aired President Lukashenko's live addresses at the Fourth All-Belarus People's Assembly. *ONT*, *First Channel* and *STV* aired the three-hour speech, with only minor edits, during the evening primetime news.

All candidates, including the incumbent, used their freely allocated space in the print media, but while the incumbent's presentation appeared on the front page of most widely read newspapers, the opposition candidates' platforms were published on inside pages. This practice is in violation of the equal treatment provision stipulated in the Electoral Code.

The results of OSCE/ODIHR EOM media monitoring show that all major TV stations with nationwide coverage demonstrated a clear bias in favour of the incumbent, devoting some 89 per cent of primetime news coverage to his campaign activities and official duties; even recognizing the advantages of incumbency a high figure. Other candidates tended to be mentioned as a group, their names mentioned infrequently, and generally portrayed negatively.

State-owned TV *ONT* devoted some 8 hours and 17 minutes (94 per cent) of news coverage to the president's official activities; all other candidates, together, received a total of 32 minutes. The tone of the incumbent's coverage did not contain any negative reference, while the tone of coverage for other candidates was mostly negative and in some cases neutral. On an irregular basis, *ONT* newscasts featured a five-minute editorial, *Kak Est* (How it is), that discredited opposition candidates. The coverage of the campaign on state-controlled *First Channel*, *Stolichnoe TV (STV)* and *State Radio 1* yielded similar results, with some 89 to 98 per cent for the incumbent in news coverage.

All four state-funded newspapers monitored by OSCE/ODIHR EOM demonstrated clear bias in the president's favour. Notably, *Sovietskaya Belorussia*, the newspaper with the highest daily circulation in the country, devoted 91 per cent of its political and election-related coverage to the incumbent. Private print media coverage varied; *Komsomolskaya Pravda v Belorussii* provided more diverse coverage, *Narodnaya Volia* and *Nasha Niva* gave greater coverage to opposition candidates and sharply criticized the president.²⁶

Participation of Women

The Constitution and the Electoral Code provide for equal gender participation in electoral processes.²⁷ Gender issues did not feature in any of the candidates' manifestos and were not raised during the course of the campaign. No women stood as candidates in this election. Women are, however, well-represented in the electoral administration; the CEC chairperson, 25.8 per cent of TEC chairpersons and 54.6 per cent of PECs chairpersons are women.

April 2009 indicates the greatest audience between 19:00 and 21:00 on weekends. All the free airtime presentations on TV took place between 19:00 and 20:00.

²⁶ While *Sovietskaya Belorussia* has an official daily circulation of 400,000 copies, *Narodnaya Volia* is published twice a week with 23,000 copies and the weekly *Nasha Niva* has a circulation of 6,500 copies.

²⁷ In 2004, the Committee on the Elimination of Discrimination against Women (CEDAW) expressed a concern that the Constitution did not contain a prohibition of discrimination on the basis of sex or an explicit provision on gender equality and that Belarus had not yet adopted a law on gender equality. See: Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1; Working Group on the Universal Periodic Review, Eight Session, Geneva, 3 – 14 May 2010.

Complaints and Appeals

No legal provisions exist for regulating complaints and appeals in a comprehensive manner. Any complainant²⁸ can file complaints with any or all of the following institutions: the election administration, the prosecutor's office, and executive committees. Although timely delivered, complaints were generally not satisfied.²⁹ Altogether, the mechanism for reviewing complaints and appeals fails to ensure proper legal redress, challenging paragraph 5.10 of the Copenhagen Document which was further elaborated in paragraphs 18.2-18.4 of the Moscow Document 1991.³⁰

Before election day, the CEC received 421, the TECs 152 and the PECs 95 complaints, appeals, proposals or requests for clarification. The wording of the Electoral Code allows the CEC to consider electoral disputes in an inconsistent and non-transparent manner. The prosecutor's offices throughout the country received 120 election-related complaints and requests for clarification. In some instances, the prosecutor's offices gave explanation of the electoral legislation or referred complainants to other institutions. In no instance was the complaint satisfied.

The Electoral Code envisages collegiality as a basic principle in reviewing complaints and appeals. The code allows only the CEC chairperson to consider electoral complaints individually but also TEC and PEC chairpersons followed this practice. Few instances were observed by OSCE/ODIHR EOM in which decisions were taken in open plenary sessions, either at the level of the CEC or with lower-level election commissions. Until election day, the CEC only reviewed six cases collegially, while in PECs and TECs, there was variable application of this principle of collegiality.

The Electoral Code unduly restricts the types of decisions that can be appealed to court. CEC decisions can be appealed to the Supreme Court as the court of first instance in only four cases.³¹ The Supreme Court received and reviewed one such appeal on the denial of registration of a candidate, which was dismissed by the court. The legal framework does not have provisions for challenging the election results.

Domestic and International Observers

The Electoral Code provides for domestic and international observation. Representatives of public associations, political parties, citizens' groups, labour collectives, and media outlets have the right to accredit observers, to attend commission sessions and to observe election day proceedings. A CEC decision eased the accreditation of domestic observers to be present at PECs without prior notice.

As of 16 December a total of 27,000 domestic observers registered with CEC, TECs and PECs. The most widely-known domestic election observer organization, *Human Rights Defenders for Free Elections*, deployed a total of 680 observers. Most observers were nominated by non-governmental

²⁸ The Electoral Code recognizes the right of voters, observers, public associations, political parties, as well as candidates, their proxies, and hopefuls to file complaints and appeals to election commissions.

²⁹ All complaints regarding nominations to TECs and PECs were dismissed while few requests regarding campaign venues were granted.

³⁰ Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, 10 September - 4 October 1991. Article 5.10 of the Copenhagen Document establishes that everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.

³¹ Denial of registration of a candidate; denial of registration of an initiative group; recognition of the withdrawal by a candidate for the position of the President without valid causes; and recognition of the election as invalid.

organizations supporting the incumbent.³² The CEC accredited a total of 1,032 international observers including those from the OSCE/ODIHR, the OSCE PA, the CIS and the CIS PA.

Early Voting

The Electoral Code foresees a five day Early Voting period. Recent amendments to the Electoral Code introduced a requirement to complete and display a voting protocol at the end of each day of Early Voting at the polling station (PS). In addition to the overnight sealing of ballot boxes, the CEC decided that ballot boxes should be sealed during the two hour break between the two daily voting sessions. However, a proposal to allow observers to remain at polling stations over night with the designated police guards was rejected by the CEC.

Prior to the Early Voting period, OSCE/ODIHR EOM observers reported cases of senior officials urging their subordinates, in many cases students, to vote early in exchange for time off.³³

The CEC reported that a total of 23.1 per cent of the estimated number of voters cast their vote during the Early Voting. The OSCE/ODIHR EOM observed the last three days of this process in a systematic manner throughout the country. In total, 2,235 report forms were recorded. In general, the early voting was conducted in an orderly manner with at least two PEC members present (minimum required by law). Largely, PEC members co-operated with OSCE/ODIHR observers. However, in 9.7 per cent of observed polling stations, observers were restricted in monitoring the procedures. In 6.8 per cent of observed polling stations, unauthorized persons were present and in some cases, interfered in the work of PECs.

OSCE/ODIHR observers reported that PEC members did not have a clear understanding of how to fill out the early voting protocols. Some inserted cumulative figures of votes cast, while others inserted the figures by each day. Almost all OSCE/ODIHR observers noted the poor quality of ballot boxes, which varied in format. The bad quality of seals and the lack of special security features on ballot papers were reported. In some cases, ballot boxes were not properly sealed or the seal was not intact.

Election Day

Polling stations opened on time without major procedural shortcomings. While the voting process was assessed as good to very good in 94.2 per cent of observed PSs, observers evaluated the transparency of the process as average to very bad in 11.2 per cent. International observers were restricted in their observations in 9.3 per cent of observed PSs. In some cases, PEC members were not fully co-operative.

Things changed during the vote count, with observers assessing the overall conduct of counting as bad to very bad in 46 per cent of observed PSs. The count was largely conducted in a non transparent manner, generally in silence, which undermined its credibility. Observers did not have a real opportunity to observe the counting in 32 per cent of the observed PSs and they were restricted in 66 per cent of PSs. In some cases, unauthorised persons directed the count and official results

³² Of the 39,096 domestic observers accredited until 19 December a total of 20,715 were nominated by non-governmental organizations supporting the incumbent (Federation of Trade Unions of Belarus, Belarusian National Youth Union, Belaya Rus, Belarusian Public Association of Veterans, Belarusian Union of Women).

³³ OSCE/ODIHR observers reported cases when the heads of ideological departments of relevant institutions urged employees and students to vote during Early Voting period and to vote in favour of the incumbent. For instance, in Mogilev region, Slutsk, Rechitsa and Minsk.

protocols were pre-signed by PEC members. Observers noted indications of ballot stuffing in 14 cases. The observed procedures did not ensure a transparent and accountable vote count and were not in line with paragraph 7.4 of the OSCE Copenhagen document.

The tabulation of results at TECs was well organized, but some observers were restricted in their observation and did not have a clear view of the process. In some cases, observers reported that the figures recorded in the results protocol at the PEC were different upon arrival at the TEC.

During the course of election day and night, OSCE/ODIHR EOM received credible reports on an increasing number of detentions and arrests throughout the country. Some 400 people, were detained on different charges across the country, among them candidates, activists, journalists and civil society representatives. Some presidential candidates were beaten up and the whereabouts of some are unknown. The events following election called into question the government's adherence to the fundamental principle of freedom of assembly which constitutes an integral international election standard as stipulated in paragraph 9.2 of the OSCE 1990 Copenhagen Document.³⁴ A number of prominent international websites including *Gmail*, *Hotmail*, etc. as well as several Belarusian websites including *charter 97.org*, *euroradio.by*, *gazetaby.com*, *zapraudu.info* were not accessible in Belarus during election day.

***The English version is the only official document.
However, this statement is also available in Russian and Belarusian.***

MISSION INFORMATION & ACKNOWLEDGEMENTS

The OSCE/ODIHR Election Observation Mission opened in Minsk on 15 November with 14 experts in the capital and 40 long-term observers deployed throughout Belarus. On election day, 452 observers were deployed, including a 63 member delegation from the OSCE PA. In total, there were observers from 44 OSCE participating States. The process of early voting, which commences five days prior to election day, was observed in 860 polling stations. On election day, voting was observed in over 960 polling stations out of a total of 6,390. Counting was observed in 162 polling stations, while the tabulation process was observed in all 155 TECs.

Mr. Tony Lloyd (United Kingdom), Head of the OSCE PA Delegation, appointed by the OSCE Chairman-in-Office as Special Co-ordinator, led the short-term observer mission. Ambassador Geert-Hinrich Ahrens (Germany) is the Head of the OSCE/ODIHR Election Observation Mission.

The observers wish to thank the Minister of Foreign Affairs of the Republic of Belarus for the timely invitation to observe the election, the Central Election Commission for its co-operation and for providing accreditation documents, and other State and local authorities for their assistance during the course of the observation. The observers also wish to express their appreciation to the OSCE Office in Minsk and to embassies and international organizations accredited in Belarus for their co-operation and support.

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³⁴ CEC stated that as of 20:00 the Law on Mass Events rather than the Electoral Code applied and that prior permission for such meetings was necessary.

Statement by the Observers' Mission of the Commonwealth of Independent States on the results of monitoring of the preparation and conduct of the Elections of the President of the Republic of Belarus

Statement by the Observers' Mission of the Commonwealth of Independent States on the results of monitoring of the preparation and conduct of the Elections of the President of the Republic of Belarus

Organization of monitoring and conditions for its implementation

The mission of observers from the Commonwealth of Independent States (hereinafter - the Mission) monitored the preparation and conduct of the Elections of the President of the Republic of Belarus (hereinafter - the Elections), held on December 19, 2010.

The timely invitation allowed forming the optimal composition of the mission composed of 336 people and starting monitoring of the election campaign on October 20, 2010.

The Mission was represented by 9 member states of the Commonwealth, the Interparliamentary Assembly of Member States of the CIS, the Parliamentary Assembly of the Belarus-Russia Union, the Standing Committee of the Union State, the Commission of the Customs Union, the CIS Executive Committee. The Mission also included members of national parliaments, representatives of the diplomatic corps, election commission of member states of the CIS.

The city of Minsk hosted the Mission Headquarters to coordinate the work of observers from the CIS, while the cities of Brest, Vitsebsk, Homel, Hrodna and Mahiliou hosted the branches of the Central Headquarters. The long-term monitoring of the preparations for the elections was carried out by 42 observers. The mission provided independent assessment of the progress of the campaign, but with due respect for the election laws of the Republic of Belarus.

In performing its functions the long-term observers were able to monitor all stages of the campaign, discuss the preparation and conduct of elections with the leadership of the Central Commission for Elections and National Referendums (hereinafter - the Central Commission, the CC), the Ministry of Foreign Affairs of the Republic of Belarus, the candidates for the President and their election agents.

The observers from the CIS were granted unfettered access to polling stations, free communication with the participants of the electoral process, political parties and other associations, bodies of the executive power.

Interaction of the CIS observers' mission and the ODIHR mission was continued. On the election day, the Head of Mission of Observers from the CIS S. Lebedev met with the Head of the ODIHR OSCE Mission G. Ahrens.

The CIS mission states that the country had created the necessary conditions for international election observation, which is evidence of the democratic, open and transparent electoral process.

The legal framework for elections

The Elections were held on the basis of the Constitution, the Electoral Code of Belarus (hereinafter - the Code), other legislative acts of the Republic of Belarus, as well as decisions of the Central Commission.

In order to further democratize the electoral system, in January 2010 the Parliament of the Republic of Belarus adopted amendments to the Code, which in particular:

- introduced the institution of a member of the Central Committee with an advisory authority;
- specified the procedure for the formation of territorial and polling station election commissions, providing opportunity to appeal in court the decisions on their formation;
- simplified the procedure for collecting signatures in support of the person proposed for nomination as a candidate for President;
- clarified the rights of observers;
- provides opportunity to create individual presidential candidates campaign funds for additional financing of the campaign;
- established the notifying principle (for candidates and their agents) of holding election campaigning public events in the places determined by the local executive and administrative bodies;
- provided opportunity for holding debates of the presidential candidates within the time allocated for the campaign on television and radio;
- enhanced the rules governing the procedure for early voting, as well as rules on vote counting;
- clarified the order and timing of consideration of appeals on the abuse of the electoral legislation.

The mission notes that the changes made to the Code are aimed at providing a greater implementation and additional protection of the electoral rights of citizens. The established legislative framework is a sufficient legal basis for holding free, transparent and democratic elections.

Formation of commissions for the Elections of the President of the Republic of Belarus and their activities

The maintenance of the election campaign was provided by the Central Commission, territorial and polling station election commissions for the Elections of President of the Republic of Belarus.

The Central Commission is composed of 12 citizens of the Republic of Belarus, having, as a rule, a law degree and experience in the electoral sphere, for a period of 5 years.

Six members of the Central Commission are appointed by the President of the Republic of Belarus, six more members are elected by the Council of the Republic of the National Assembly of Belarus out of the candidates recommended by the Presidiums of the Regional and Minsk City Councils of Deputies and the respective executive committees.

The territorial commissions are formed by the Presidiums of Local Councils of Deputies and the respective executive committees composed of 9-13 members, and polling station election commissions — by local executive bodies to consist of 5-19 members.

Within the period established by the Code, 155 territorial and 6,390 polling station election commissions were formed, including 44 abroad.

The commissions of all levels are well represented by political parties, other public associations and labor groups. Meanwhile, the commissions included more representatives from opposition parties than in the previous election campaigns.

The mission notes that the formation of commissions met the requirement of the Code on that usually not less than one third of their members must be members of political parties and public associations, and government officials - less than 1/3 of the commission.

The long-term observers from the CIS, having visited over forty districts and cities in the country, noted that the formation of territorial commissions was held in accordance with the Code. Applicants for the inclusion into these commissions had the opportunity to attend the meetings of the organs that made up the commissions.

The mission notes that the meetings of the Central Commission were based on collegiality, free and open discussion of issues relating to its competence. The meetings, which were reported previously, were attended by representatives of political parties and other public associations, journalists, international observers. The outcome of the meetings was reported in the media.

The candidates for the President were given the opportunity to send a representative to the Central Commission as its member in an advisory capacity, and this advantage was used by eight candidates.

In order to improve the professionalism of members of election commissions, better organization of the election process, the territorial election commissions on behalf of the Central Committee held trainings for members of election commissions.

To help the territorial and polling station commissions to ensure the uniform application of the Code and proper handling of election documents the Central Commission issued Guidelines.

According to the Mission, the Central Commission, territorial and polling station election commissions have taken all the necessary steps to prepare and conduct the Elections at the highest organizational level in order to ensure the free expression of voters' will.

Lists of voters

The lists of citizens eligible to vote, in accordance with the Code, were compiled for each polling station by local authorities and handed over to the polling station commissions.

Members of election commissions specified these lists by visiting voters at their homes and sending requests to the bodies of the OCS, military commissariats, housing maintenance organizations, offices of Citizenship and Migration of the Interior.

According to the Central Commission, the number of voters on the election day was about 7 million 54 thousand people.

Voters could see the lists 15 days before the election on the premises of polling station commissions. Every citizen had the right to appeal omission, incorrect listing or exclusion from the list.

The citizens who had the right to vote, but settled on the territory of the polling station after the provision of the list for reference, as well as citizens for any reason not included in the list, were additionally included in the lists of polling station commissions on the basis of documents confirming the identity and residence in this constituency.

The Mission believes that the procedure of compiling the voters' lists in the Republic of Belarus guarantees the implementation of the principle of universal suffrage.

Nomination and registration of candidates for President of the Republic of Belarus

Nomination of candidates for President of the Republic of Belarus was carried out by initiative groups of voters composed of not less than 100 people. At least 100 000 signatures had to be collected in support of the nomination of a presidential candidate.

The Central Commission registered 17 initiative groups of voters for the presidential nomination.

The initiative groups collected signatures in support of the person proposed for nomination as a candidate for President, by visiting the apartments, and used the form of street picketing that does not require permission of local executive and administrative bodies.

The observers conclude that most of the initiative groups were working to collect signatures in accordance with the requirements of the Code. At the same time, the Central Commission issued a warning to the initiative group of Niakliayeu for involvement of minors in the collection of signatures, transfer of certificates of the initiative group members to others and gathering signatures by citizens who did not belong to the initiative group.

The observers were present at the meetings of more than 40 territorial commissions during the verification of signatures. According to representatives of the Mission, the approach to all the candidates was similar and compliant with the requirements of the Code. Any doubts were interpreted in favor of potential presidential candidates.

6 candidates refused to run in the Election: 3 — by sending a formal application to the Central Commission, 3 — having not passed the signature sheets for review.

At a meeting of the Central Commission on November 18, 2010 10 candidates for President of the Republic of Belarus were registered: R.A. Kastusiou, A.R. Lukashenka, A.A. Mikhalevich, U.P. Niakliayeu, Y.C. Ramanchuk, V.A. Rymasheuski, A.A. Sannikau, M.V. Statkevich, V.I. Tsiarshchanka, D.I. Uss. The Central Commission refused to register U.A. Pravaliski because of a large number of invalid signatures. The appeal against the denial of registration submitted by him to the Supreme Court of the Republic of Belarus was not granted.

The Mission notes that the procedures for nomination and registration of presidential candidates had been greatly simplified, and were open.

The election campaigning and media coverage of the election campaign

The stage of election campaigning started on 18 November, the day of registration by the Central Commission of the presidential candidates and was held in accordance with the Code.

The Mission believes that the presidential candidates were given the necessary opportunities for campaigning.

According to the Decision of the Central Committee «On the procedure of using the media in preparing and conducting the Elections of the President of the Republic of Belarus in 2010» the candidates could published free-of-charge election programmes in the nation-wide («Sovetskaya Belorussia», «Respublika», «Narodnaya Gazeta», «Zvezda») and regional («Minsk Courier», «Zarya» (Brest region), «Vitsebski rabochy», «Homelskaya prauda», «Hrodzenskaya prauda», «Minskaya prauda», «Mahiliouskaya prauda») newspapers.

On November 18, 2010, the Central Commission approved the distribution schedule of free airtime for speeches of the presidential candidates: on weekdays from 22 November to 3 December 2010 on television, from 19.00 to 20.00, on the radio - from 6.10 to 7.10. Each candidate had the opportunity to speak live twice (no more than 30 minutes for each speech) on the television «Channel One» and twice in the air of “the First National Channel of the Belarusian Radio” of the National State TV and Radio Company of Belarus, and in record at the request of the candidate.

For the first time there were debates of the presidential candidates on television and radio broadcast live on 4 and 5 December 2010.

The speeches and the candidates' debates were also broadcast online on the portal TUT.BY.

In addition, for the sake of campaigning the presidential candidates could buy airtime and print space in the media at the expense of their own campaign funds.

The Central Commission established a supervisory board to monitor compliance with procedures and rules of election campaigning in the media, which examined four statements by the presidential candidates and their agents.

For the period of the campaign, local executive and administrative bodies in consultation with the relevant election commissions identified the places where presidential candidates could hold public events. The number of such places was significantly increased as compared to previous election campaigns. Open spaces was allocated, rooms in the palaces and houses of culture, assembly halls of educational institutions and businesses were provided free of charge.

During the campaign, most of the candidates for President devoted a considerable time of their time to meetings with voters in the regions, agents of the presidential candidates visited the apartments of citizens,

had meetings with voters in the streets. The candidates and their staffs were active in campaigning on the Internet, distributed leaflets and other campaign materials in the mailboxes of citizens and placed posters in designated areas.

In general, noting the smooth running of the campaign, the Mission states that certain violations of the conduct of the campaign were made.

Campaign leaflets of presidential candidate Y. Ramanchuk, printed outside the Republic of Belarus, were distributed at the town market of Smaliavichy, which is a violation of the Code.

The General Prosecutor of the Republic of Belarus issued official warnings to candidates for the President — V. Rymasheuski and M. Statkevich — for violating the law in calling for the voters to come to a meeting with the presidential candidates in October Square in Minsk on November 24, a place removed from the list of places for election campaigning by Minsk city executive committee's decision. These actions by Rymasheuski and Statkevich were also the subject of consideration by the Central Commission, which warned the above-mentioned candidates for violating the order of holding mass events during the campaign on November 30, 2010.

In meetings with the voters, presidential candidates M. Statkevich, V. Rymasheuski, U. Niakliayeu, Y. Ramanchuk and A. Sannikau called for a mass protest in the evening of December 19 in October Square in Minsk. In this regard, on December 9 the General Prosecutor's Office issued official warnings to these persons about the inadmissibility of violation of the law on mass events.

In Belarus efforts were made to inform people about the upcoming election. The media published decisions of local executive and administrative bodies on the limits of constituencies. The voters received notices with the date of the election, time and place of voting. Information posters, streamers and banners were hanged in the towns and villages. By order of the Central Commission TV channels broadcast an information video about the day of elections, voting time and the procedure for filling in the ballots. The website of the Central Commission provided complete information regarding the election campaign.

Working with complaints and statements

In monitoring the election campaign, the Mission's headquarters co-worked with the national bodies authorized to receive complaints and appeals related to violations of election laws.

As of December 17, 2010 the Mission's headquarters received the following information on complaints and statements.

As noted by the General Prosecutor of the Republic of Belarus, the prosecutor's office received 92 appeals on issues of violations of the electoral legislation.

According to the Supreme Court of the Republic of Belarus, the courts received 123 appeals against decisions of bodies that formed the election commission, which were considered in a timely manner.

The Ministry of Internal Affairs provided information on 92 cases of offenses related to the election campaign. The offenders were charged with administrative violations, the information was sent to the territorial election commissions. One criminal case was instituted.

The Central Commission received 558 complaints by citizens, of whom 156 were not associated with the preparation and conduct of the Elections, 206 were procedural in nature or contained a request for clarification of the electoral law.

The CIS observers conclude that the process of considering appeals against irregularities during the election campaign was carried out in accordance with the laws of the Republic of Belarus.

Observation of voting and vote counting

In accordance with the Code, the voters who had no opportunity to be at the place of their residence on the election day, could vote early in the premises of the polling station commission from 10.00 to 14.00 and from 16.00 to 19.00 between 14 and 18 December in the presence of at least two members of the commission.

The Code was amended to increase the security of the process of early voting and the preservation of ballots. In particular, on the first day of early voting the ballot boxes should be sealed in the presence of at least two thirds of the commission.

In addition, the Central Commission decided that ballot boxes slots had to be sealed for the breaks and after closing of the polling stations.

The Mission representatives had the opportunity to observe early voting at 678 polling stations and have to state that it was conducted in accordance with the Code, in the presence of domestic observers.

On the election day, according to the Central Commission, the observation of voting was maintained by more than 39,000 national and over 1,000 international observers.

The mission visited 2,906 polling stations in all cities and regions of the country.

At the polling stations visited by the Mission, voting was conducted in a calm atmosphere in the presence of international and national observers, agents of the presidential candidates, political parties and other public associations. All the polling stations were provided with informational materials, necessary equipment and communication devices.

Some shortcomings of a technical nature were immediately eliminated by members of election commissions following remarks of the observers.

For prompt informing of the media and international observers on the vote progress and the preliminary results of the election, an information center was set by the Central Commission.

The press conferences of the Central Commission were posted online at the sites of the Central Commission, the National Press Centre, the «BelTA» news agency, «Beltelecom». Video conferences with representatives of regional and Minsk city election commissions were broadcast.

The members of the CIS Mission observed the counting of votes and noted that this procedure was carried out openly. The observers were given a genuine opportunity to maintain observation under conditions that secure visibility of ballot counting procedures.

Findings

According to the CIS observers, the commissions of all levels for the Elections of the President of the Republic of Belarus provided the implementation and protection of electoral rights of citizens. Individual violations and shortcomings during the election campaign were not systematic and massive, and did not influence the outcome of elections.

The Mission notes the important work of electoral bodies in the preparation and conduct of the Elections and did not find any facts that cast doubt on the legitimacy of the Elections of the President of the Republic of Belarus.

The mission of observers from the Commonwealth of Independent States:

assesses the December 19, 2010 Elections as compliant with the electoral legislation of the Republic of Belarus and the universally recognized democratic standards;

believes that the Elections were free and open, and ensured the free will of citizens of the Republic of Belarus.