**Elections of deputies
to Local Councils of Deputies
of the Republic of Belarus
of the 27th Convocation**

**Monitoring Report on the stage of election campaigning**

*The observation is carried out by activists of the* [*Belarusian Helsinki Committee*](http://belhelcom.org/en) *and the* [*Human Rights Center "Viasna"*](http://spring96.org/en) *within the frames of the campaign "Human Rights Defenders for Free Elections". 29 long-term observers of the campaign "Human Rights Defenders for Free Elections" are involved in the observation.*

**I. Key findings**

According to the amendments to the Electoral Code of 2013, candidates for local councils are entitled to use their own campaign funds for election campaigning. All expenses for campaign materials shall be covered solely from the election funds established by the candidates.

The maximum size of the election funds of candidates for deputies of local councils by far exceeds the amount of funds previously allocated from the state budget for campaigning in local council elections (the Regional Councils and the Minsk City Council – 30 base units versus 8 base units earlier). However, these funds are not sufficient to organize a complete and visible campaign: printing of political programs, payment for advertising in the media, rental of premises for meetings with voters etc.

In general, the changes in the EC affecting the procedure for election campaigning failed to contribute to a greater publicity of the current campaign and voters’ awareness. Information on candidates prepared by the election commissions were uninformative and often did not reach citizens. Observers of the campaign "Human Rights Defenders for Free Elections" report a generally passive nature of campaigning carried out by the candidates. Together, these factors have had a significant adverse effect on the ability to obtain sufficient information about the candidates and their platforms.

There were cases of censorship of the opposition candidates’ printed materials and their performances on the radio, as well as instances of deprivation of registration of candidates for violations during the campaign. Observers recorded several cases of distortion of information about the biographies (convictions) of candidates, which testifies of a selective approach of election commissions to candidates.

There were facts of seizures by law enforcement officials of printed campaigning materials of opposition candidates, as well as creating obstacles in conducting campaign pickets by the candidates.

Arrests of opposition parties’ representatives running in the elections created a very negative political background against which the elections took place.

**II. Legal regulation**

The legal basis for election campaigning was the recent version of the EC of November 25, 2013, which significantly changed the approach to campaigning and its financing.

The new version of Art. 47 of the EC prohibits calls that encourage or aim at supporting the disruption or cancellation or postponement of the elections or referendums appointed in accordance with the laws of the Republic of Belarus. These calls are equated with war propaganda, calls for violent change of the constitutional system and violation of the territorial integrity of the Republic of Belarus. Earlier, calls for a boycott of the election were a form of election campaigning provided by the EC, and were prohibited only on election day. The ban on calls for a boycott of the elections at the legislative level returns the jurisprudence that existed in Belarus before the introduction of the Electoral Code in 2000.

The Code improved rules of placing campaign materials in places other than designated by the local authorities. This can be done with the permission of the head of the organization in charge. If the head of the organization allows placement of printed campaign materials in the territory of the organization by one candidate, he or she cannot ban another candidate’s printed materials under the same conditions (Part 13, Art. 45 of the EC).

Under the new regulations of the Code, budget funds shall be used by election commissions for the production of general posters with biographical data and information materials about the candidates to be sent to the voters. According to Part 3, Art. 13 of the EC, the amount of information about each candidate provided by these materials should be approximately the same. District and territorial election commissions shall not later than on the fourth day after the registration of candidates send a message on registration to the press. This should mention each candidate’s name, date of birth, occupation, place of work and residence, party membership, as well as information on income and assets to the extent determined by the Central Commission. If a candidate for deputies previously had a conviction, this information should also be indicated (Part 14, Art. 68 of the EC).

The polling station commissions shall send to voters the information about candidates submitted to the district and territorial election commissions. The EC does not specify the period during which these information materials should be sent to voters. Mikalai Lazavik, Secretary of the Central Commission for Elections and Referendums, assured that the polling station commissions would prepare information materials for all candidates who are running in the constituency, and, together with the invitation to the polls, were expected to pass this information to voters.[[1]](#footnote-1)

The new rules provided the candidates to local councils with an opportunity to independently (at the expense of their own election funds) rent premises for meetings with voters (Part 8, Article 45 of the Code) and to produce campaign materials.

The updated version of Article 48.1 of the Code granted a right to form election funds to finance the election campaigning to the candidates of all levels. The maximum amount of all expenditures from the electoral fund of a candidate for the Regional Council and the Minsk City Council may not exceed 30 base units, of a candidate for the District Council, the City Council (city of regional and district subordination), the Settlement Council and the Village Council – 10 base units. It also set the limits on the size of donations of citizens and legal persons to the funds of candidates for local councils (2 and 5 base units, respectively). The Code failed to settle the issue of transparency of the formation of election funds of candidates for observers.

A candidate for deputy (except candidates for deputies of rural councils) is entitled to one free speech on an equal footing on local public radio.

On January 21, 2014, the CEC approved the Regulations on the use of media in the preparation and conduct of elections of deputies of local councils of deputies and repeat elections of deputies of the National Assembly of the Republic of Belarus of the twenty-fifth convocation in Homel-Navabelitskaya constituency No. 36.

Pre-election speeches of candidates for deputies are broadcast on delay, the duration of a candidate’s address is no more than five minutes.

**III. Election campaigning**

*1. Campaigning in the media*

Candidates mostly used the possibility of speaking on public radio, which is guaranteed by the existing electoral law. Observers of the campaign "Human Rights Defenders for Free Elections" recorded facts of pressure on candidates and of censorship of their radio recordings.

The address to voters by a nominee to local councils representing the Belarusian Party of the Left "Fair World" in Brest city constituency No. 13, Liudmila Dzenisenka, was censored to remove the words on the need for truly democratic elections in the country. The speech of an independent candidate in Brest city constituency No. 11, Vasil Burak, was cut to censor his appeal to the citizens not to participate in early voting.

Editor of the Baranavichy state newspaper “Nash Krai” ("Our Land") refused to publish the election program of a candidate for the Regional Council, Mikalai Charnavus, demanding that the candidate changed the text radically. The candidate did not agree to do so. As a result, Chairperson of the District Election Commission of Baranavichy Zakhodniaya constituency No. 21 Larysa Antonava told Mikalai Charnavus that his speech had been submitted to the CEC for examination, after which the candidate might face criminal charges.[[2]](#footnote-2)

Aliaksei Haurutsikau, an activist of the organizing committee of the Belarusian Social Democratic Party "Narodnaya Hramada", was not allowed to have his program and biographical information published in the Dubrouna-based newspaper “Dniaprouskaya Prauda” ("The Dnieper Pravda"). The ban referred to the fact that, according to the editor, the program featured a "hidden call to change the constitutional order and regime".[[3]](#footnote-3) In response to a complaint by Aliaksei Haurutsikau, the CEC says that the electoral law regulates only the monetary relationship between the candidate and the media, and, according to the media law, no one can force a periodical print materials rejected by the editor.

The candidates stress that the maximum size of election funds, as defined by the existing legislation, does not allow to carry out a full election campaign (printing of political programs and advertising in the media, rental of premises for additional meetings with voters).

*2. Campaign events and meetings with voters*

According to Art. 45 of the Electoral Code, local executive and administrative bodies in coordination with the relevant election commissions shall determine premises for meetings with the candidates, as well as for pre-election meetings organized by the voters. The candidates have the right at the expense of their own election funds to rent buildings and premises for meetings with voters. All facilities for this purpose are available on equal terms.

Art. 45.1 of the Code provides for arranging election campaigning events by the candidates and their agents in a simplified manner. Local authorities in consultation with the relevant election commissions shall determine the places where candidates and their proxies may hold public events.

Observers of the campaign "Human Rights Defenders for Free Elections" note that in Minsk, Mahiliou, Vitsebsk, Homel and Brest additional facilities for campaigning activities were appropriate: plazas outside shopping centers, educational institutions and cultural establishments, grounds in residential areas of cities and others. However, in Hrodna and in some district centers, such places were poorly populated or areas rarely visited by adults: in Hrodna – sports grounds, stadiums and Kalozha Park; in Salihorsk – the Stadium “Budaunik”, stadiums of the town schools, the Maladosts Park; in Starobin – the “Sluch” Stadium; in Baranavichy – the 30th anniversary of the Komsomol recreation park; the Peacekeepers Memorial Park, the “Lakamatyu” Stadium; in Barysau – sports grounds of enterprises located on the outskirts of the city, a dance pavilion in the city park of culture and others.

*3. Production and distribution of printed campaign materials*

Observers of the campaign "Human Rights Defenders for Free Elections" note that opposition candidates often faced obstacles and delays in printing their campaign materials, which prevented them from carrying out campaigning in full.

Representatives of a printing house in Orsha told local BPF member Ihar Kazmerchak that his leaflets would be printed only after permission of the Executive Committee. Ihar Kazmerchak, along with four other independent candidates, complained to the district election commission. The commission Chairman Mikalai Davydovich told the activists that the issue would be resolved "today" (March 7). Later, however, the period of printing the leaflets was extended by a week. Only after transferring money to a printing company, an activist of the Movement "For Freedom", Valiantsina Ihnatsenka, learned that her campaign leaflets would be published in the best case 7 days before the election. Some candidates in Orsha were told by employees of a local printing house that the company might not have time to print their leaflets before the elections.[[4]](#footnote-4)

An independent trade union activist, Aliaksei Paulouski, filed a complaint to tell that the leaflets distributed by the election commission omitted several jobs in his biography, also indicating that he was "unemployed", instead of "temporarily not working". Election officials also removed information on Aliaksei Paulouski’s membership in an independent trade union and his previous running in the parliamentary elections of 2012. The official leaflet also fail to mention that Aliaksei Paulouski is growing vegetables to earn his living.[[5]](#footnote-5) After the complaint was considered, the election officials decided to print a new edition of the pro-democratic candidate’s leaflets.[[6]](#footnote-6)

The general poster of candidates for deputies of the Vitsebsk Regional Council running in Bileuskaya constituency No. 60 failed to provide the photos and information about the candidates in alphabetical order. The top part was occupied by a pro-government candidate, V. Sazon, and lower parts by S. Klimiankou (Liberal Democratic Party) and V. Kuzmin (Fair World).

The biographical information of Vadzim Kuzmin, a member of the "Fair World" Left Party, running for the Vitsebsk City and Regional councils were approved for printing by the Regional Election Commission. However, the text was edited by the City Commission. As a result, the poster had no information on the three orders the candidate’s was awarded for his work to combat the aftermath of the Chernobyl accident, as well as five medals. At the same time, it still said that he was retired, a member of the "Fair World" Party, and that he had a previous conviction. When publishing a biography of the candidate, the city newspaper "Vitsbichy" mixed the facts and failed to indicate that Vadzim Kuzmin’s conviction had been removed from official records.[[7]](#footnote-7)

Many informational materials about pro-government candidates provide details on their medals and diplomas, while alternative candidates were only "awarded with state awards".

The Shklou-based district newspaper "Udarny Front" (“Chock Front”) failed to report on the pro-government candidates’ level of income over the past year, as well as their convictions. In particular, it did not mention the conviction of the current Chairman of the District Council of Deputies of Shklou Mikhail Paulovich and his salary. In response to an appeal to the Prosecutor’s Office of Shklou district sent by Deputy Chairman of the Belarusian Popular Front Ryhor Kastusiou to report on electoral violations, Chairman of the district election commission A. Hurynau said that "the criminal records of candidates for deputies to the Shklou District Council of Deputies will be published in the local newspaper "Udarny Front" on March 12, 2014". However, on March 12, these data were not published.[[8]](#footnote-8) Information about previous convictions of the candidate Mikhail Paulovich later appeared in its information leaflets.

The district election commission deprived Mikalai Ulasevich, a candidate for the Varniany Rural Council running in constituency No. 4, of a candidate’s status for allegedly calling in his leaflet to boycott the elections. Mikalai Ulasevich argues that there were no calls for a boycott in its leaflets, but slogans and calls: "Stop Nuclear Power Plant Construction", "Bring Corrupt Officials to Justice", "Give us Small Border Traffic", "Varniany will have a Public Sauna" and "Fair Elections and Change of Power". The election commission also accused Ulasevich of distributing his flyers outside his constituency.[[9]](#footnote-9)

The campaign observers witnessed a very passive nature of campaigning through distribution of printed materials. The main source of informing voters about the candidates who are running in the constituency are information messages by the district election commissions. It should be noted that the CEC failed to settle the rules and timing limits of informing voters about the candidates, not did it approve a unified sample for such communications. In this regard, the polling station commissions informed the voters in different ways: placing information on the candidates on invitations to the elections, sending leaflets etc. At the same time, there were recorded cases when voters did not received adequate information from the polling station election commissions.

*4. Obstacles in campaigning and pressure on candidates*

An example of how the election commissions and authorities created illegal obstacles to opposition candidates were the registration and the campaign activities of a BPF candidate Illia Dabratvor. Earlier, the polling station commission unlawfully refused to register him as a candidate for the Minsk City Council. The Minsk City Commission endorsed the decision. As a result, the candidate was forced to go to court. The court recognized the decisions of commissions illegal and ruled to register Illia Dabratvor as a candidate. On 14 March, he was detained by the police and his leaflets were seized without following any formal procedures. These leaflets were printed at the expense of the candidate’s fund and met the approved sample requirements. On 16 March, police officers once again seized some 200 leaflets during an election picket Illia Dabratvor staged in Minsk. As of 17 March, the website of the administration of Minsk’s Zavodski district of Minsk, which provided information about candidates for the Minsk City Council, had no biographical information about Illia Dabratvor.[[10]](#footnote-10) On 21 March, it was reported that the district election commission issued a warning to the candidate, as his campaign materials showed signs of incitement to ethnic hatred. Also, the commission was not satisfied with the information about political prisoners and their illegal imprisonment, which was viewed as slandering officials of the Republic of Belarus who passed sentences in these criminal cases.[[11]](#footnote-11)

On 7 February, an election rally of UCP candidates was staged in the center of Hrodna. The picket was attended by the party leader Anatol Liabedzka. Later, the picketers were charged with administrative offenses for campaigning against the introduction of a new car tax, along with election campaigning of UCP members. As a result, on 12 February, the UCP members were sentenced to heavy fines (from 1.3 to 1.95 million rubles).

On 1 March, Yauhen Rybakou, a BPF’s candidate for the Minsk City Council BPF, was detained during a picket outside the Minsk Philharmonic in Yakub Kolas Square. Mr. Rybakou was displaying a white-red- white flag.

A candidate for the Luninets District Council, Leanid Dubanosau, was planning to hold pickets on 15-16 March at officially authorized locations, of which he notified the Mikashevichy Town Executive Committee. The 15 March picket was banned without explanation. As a result of the reluctance of local authorities, the picket scheduled for 16 March outside a local recreation center "Granit" was not held, either. Earlier, the Executive Committee Chairman Anatol Davydovich banned Leanid Dubanosau’s meeting with voters in the only authorized premises in the town, local House of Culture.[[12]](#footnote-12)

On 15 March, UCP activists picketed in Homel to display posters with such slogans as "We Demand Fair Elections", "We Want Elections Back", "On March 23 – Another Non-Election". After the picket was over, police officers detained one of the participants, a UCP member Uladzimir Shytsikau, who was holding posters "Putin's Russia, You're Crazy" and "Glitter of Residences Won’t Save the Dictator".[[13]](#footnote-13) Judge Siarhei Sheustruk of Homel’s Savetski District Court found the UCP member guilty of violating the rules of organizing mass events and punished him with 10 days of arrest.

An indicative case was the detention of participants of a campaign picket held on March 16, 2014 by the United Civil Party at a plaza outside the Kamarouski Market in Minsk. The event was violently suppressed by the police, and ten people, including journalists and the Chairman of the United Civil Party Anatol Liabedzka, who was the organizer of the election rally and proxy of one of the UCP candidates, were detained. On 17 March, the Court of Minsk’s Savetski district convicted the picketers under Art. 23.34 of the Administrative Code, sentencing Anatol Liabedzka to 15 days of arrest, and five more campaigners to ten days of arrest each.

The sentencing was based on posters with images of political prisoners displayed by the election rally participants. Meanwhile, demands for the release of political prisoners are part of the electoral program of the party and its candidates. Arrests of representatives of the party, which has been taking an active part in the election process, create a negative background of the election campaign.

1. Local elections: new funding and more. "Zviazda", December 18, 2013. [↑](#footnote-ref-1)
2. http://spring96.org/en/news/69642 [↑](#footnote-ref-2)
3. http://spring96.org/en/news/69692 [↑](#footnote-ref-3)
4. http://spring96.org/en/news/69691 [↑](#footnote-ref-4)
5. http://spring96.org/en/news/69687 [↑](#footnote-ref-5)
6. http://spring96.org/be/news/69742 [↑](#footnote-ref-6)
7. http://spring96.org/be/news/69683 [↑](#footnote-ref-7)
8. http://spring96.org/en/news/69771 [↑](#footnote-ref-8)
9. http://spring96.org/en/news/69859 [↑](#footnote-ref-9)
10. http://spring96.org/be/news/69837 [↑](#footnote-ref-10)
11. http://spring96.org/en/news/70001 [↑](#footnote-ref-11)
12. http://spring96.org/en/news/69856 [↑](#footnote-ref-12)
13. http://spring96.org/en/news/69825 [↑](#footnote-ref-13)