Elections* 2024. Analytical report on the formation of territorial and district election commissions

The expert election* 2024 observation mission was organized by the Belarusian Helsinki Committee and the Viasna Human Rights Center as part of the «Human Rights Defenders for Free Elections» campaign. The mission collects and analyzes information about the election campaign based on open sources and messages from voters from Belarus.

CONCLUSIONS

• The formation of the territorial election commissions (TEC) and district election commissions (DEC), which are an important mechanism of the electoral process, confirmed the trend towards absolute control over all stages of the elections* 2024 by the authorities;
  • in accordance with the updated legislation, observers were not able to attend meetings of the bodies that formed the TEC and DEC;
  • the stage of nomination to election commissions was accompanied by pressure from law enforcement agencies in the form of searches and inspections of people who were active during previous election campaigns, which only strengthened the climate of fear and was a kind of signal to potential participants in the election campaign about the possible consequences of taking part in the activities of the commissions;
  • the range of subjects that nominated their representatives to the TEC and DEC has been sharply limited (as a result of ongoing repression, the number of public associations has decreased drastically; after re-registration, only 4 pro-government political parties remained out of 16);
  • the majority of representatives to the DEC (74.3%) and a significant part to the TEC (47.1%) were nominated by pro-government public associations; 4 political parties nominated 2.83% of representatives to the TEC and 16.3% to the DEC;
  • poor informing of voters about the opportunity to participate in the formation of election commissions indicates the disinterest of the authorities and key actors, i.e. political parties and other public associations, in the active participation of voters in the activities of election commissions;
  • the process of holding meetings on the formation of territorial and district election commissions was characterized by a low degree of openness and transparency, did not provide sufficient information to citizens, was perfunctory and took place under strict administrative control of the authorities;
  • the share of representatives of political parties in the TEC and DEC remains insignificant (2.9% and 15.6%, respectively) compared with the share of representatives of public associations (44.5% and 57.8%, respectively);

1 The term "elections*" in relation to the 2024 election campaign is used with an asterisk by the Human Rights Defenders for Free Elections campaign to emphasize the perfunctory nature of this term, since any free and fair election campaign presupposes, first of all, conditions where rights and freedoms are fully realized, including freedom of speech, freedom of peaceful assembly and association, the right to take part in the conduct of public affairs, freedom from discrimination, which is currently practically absent in Belarus
• the main resource of the actors responsible for holding the elections*, as before, are the five largest public associations (Belarusian Republican Youth Union (BRSM), Belaya Rus², the Women's Union, the Association of Veterans, the Peace Foundation) and trade unions of the Federation of Trade Unions of Belarus, which (except for the Peace Foundation) have a legislatively established special relations with the state since 2023; the success rate of their nominated representatives to the commissions is 98.7% in the TEC and 99% in the DEC;
  • administrative control over the formation of commissions and the predetermination of decisions on the approval of their composition are confirmed by the ratio of nominated and elected members: 98.4%;
  • there are no representatives of “non-loyal” parties and independent public associations in all established election commissions;
  • gender imbalance persists: the share of women (81.7%) in the composition of commissions significantly exceeds the share of men (18.3%).

I. LEGAL FRAMEWORK

The preparation and conduct of elections are provided by the system of election commissions³. This system is headed by the Central Election Commission (CEC), which is the only permanent one of all⁴. The commissions subordinate to it ensure the conduct of a specific electoral campaign and are formed for it. The procedure for the formation of commissions and their composition is determined by the Electoral Code.

The commission system. With the exception of the CEC, territorial, district, and precinct election commissions are formed to conduct elections of deputies⁵.

The territorial election commissions (TEC) are established in the form of oblast, Minsk city, regional, city (in cities of oblast and regional subordination), settlement, and rural election commissions.

In addition to the territorial election commissions, district election commissions (DEC) are formed in accordance with the number of members of the lower house of parliament: 110 deputies⁶. Accordingly, 110 district election commissions should be formed in 110 single-mandate electoral districts.

Precinct election commissions (PEC) are formed at polling stations where voters directly come to vote⁷.

Formation of commissions. The TEC consisting of 9-13 members, are formed by the presidiums of the Councils of Deputies of oblasts and Minsk city and Minsk city Executive Committee.

The DEC also consisting of 9-13 members, is formed by the presidiums of the Councils of Deputies of oblasts and Minsk city Executive Committee.

PEC consisting, as a rule, of 5–19 members, are formed by regional and city executive committees, and in cities with district division by local administrations. Elections* 2024 of deputies to

² Here and further: there is a Belarusian party “Belaya Rus” and a republican public association Belaya Rus. The latter was the initiator of the creation of the party of the same name. More detailed information: https://partiya.by/aboutus
³ The Electoral Code of the Republic of Belarus, Article 25. The system of commissions for the preparation and conduct of elections, referendums, recall of deputies
⁴ The Electoral Code of the Republic of Belarus, Article 26. The Central Commission
⁵ The Electoral Code of the Republic of Belarus, Article 28. Election commissions for the election of deputies
⁶ The Constitution of the Republic of Belarus, Article 91
⁷ The Electoral Code of the Republic of Belarus, Article 28. Election commissions for the election of deputies
the lower house of parliament and local councils are held simultaneously, on a Single Voting Day, and therefore precinct commissions are common for elections of different levels.

**The time frame of formation of election commissions.** Territorial and district election commissions must be formed no later than 75 days before the election. Precinct election commissions must be formed no later than 30 days before the election.

**Formation of the composition of the commissions.** Article 34 of the Electoral Code regulates the procedure for the formation of commissions for the election of deputies.

Election commissions are formed from representatives of political parties, other public associations, labor collectives, as well as from representatives of citizens nominated to the commission by submitting an application.

The law officially provides for certain norms that should ensure the political participation of society. Thus, the bodies creating the commission, as a rule, form at least one third of its composition from representatives of political parties and other public associations. The commission must not include judges, prosecutors, heads of local executive and administrative bodies.

The Electoral Code enables the following subjects to nominate one representative to the TEC:
- the governing bodies of the organizational structures of political parties and other public associations registered at the same territorial level where the TEC is created;
- labor collectives of organizations or collectives of their structural divisions, which have at least 10 workers and are located in the territory of activity of the relevant TEC;
- citizens in a group of at least 10 persons who have the right to vote and live in the territory of activity of the relevant TEC.

Representatives to the Minsk city territorial election commission can be nominated by:
- the governing bodies of Minsk city organization structures of political parties and other public associations;
- labor collectives of organizations or collectives of their structural divisions which have at least 10 employees and are located on the territory of Minsk city;
- citizens in the group of at least 10 persons who have the right to vote and live in the territory of Minsk city.

Thus, the above-mentioned entities can nominate their representatives to election commissions only in those territories where they have registered organizational structures.

Joint decisions of the presidium of the relevant local Council of Deputies and the executive committee are adopted by a majority vote of their members. At least two thirds of the presidium of the local Council of Deputies and the executive committee must participate in a joint meeting of these bodies. Representatives of political parties, other public associations, labor collectives, and citizens who have nominated their representatives to the commission may attend the meeting of the bodies forming the commission.

The decision on the formation of commissions shall specify the surname, given name, patronymic (if any) of each member of the commission, the method of nomination to the commission, the location, and telephone numbers of the commission.

The decision of the bodies that formed the commission may be appealed within three days from the date of its adoption, respectively, to oblast, Minsk city, regional, city court by the subjects

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8 The Electoral Code of the Republic of Belarus, Article 34. Formation of commissions for the election of the President of the Republic of Belarus, deputies, for a referendum, for voting on the recall of a deputy
9 The Electoral Code of the Republic of Belarus, Article 34. Formation of commissions for the election of the President of the Republic of Belarus, deputies, for a referendum, for voting on the recall of a deputy
10 This provision does not apply to the formation of precinct commissions formed in military units, places of temporary residence of voters, referendum participants (in hospitals, resort houses, recreation centers, and other places of temporary residence).
who nominated their representatives to the commission. The appeal must be signed, respectively, by
the head of a political party (organizational structure), another public association (organizational
structure), the head of another organization (structural unit), citizens who nominated a representative
to the commission by submitting an application. The court considers an appeal within three days, and
its decision is final.

Since February 16, 2023, decisions on the formation of commissions are no longer published,
instead, only a message on the formation of commissions is published in the print media no later than
7 days after the formation of commissions. Thus, the names of the members of the commission have
ceased to be available, and there is access only to the information about the fact of formation and the
total number of members of the commission. The message on the formation of urban (cities of
regional subordination), settlement, rural commissions may be brought to the attention of citizens in
the same period in another way that is not specified by law.

In accordance with Paragraph 6 of the CEC Resolution No. 36 regulating the procedure for
the formation of election commissions, during a meeting of the bodies forming the election
commission, before making a decision on the formation of the election commission, professional and
personal qualities of persons nominated to the commission are discussed, and if the number of
applicants to the election commission exceeds the stipulated number of the members of the
commission, information on each candidate shall be heard and a personal vote shall be held.

The Electoral Code (EC) gives the right to attend the meeting of the bodies forming the
election commission to the representatives of political parties and other republican public
associations, which must be accredited to the CEC. To attend the meeting, it is necessary to show a
letter on sending a representative to the meeting (meetings) of the bodies forming the commission,
written on the letterhead of a political party or another republican public association and signed by its
head. In the new version of the EC, observers have been deprived of the right to attend these meetings
and to familiarize themselves with their decisions.

II. NOMINATION OF REPRESENTATIVES TO THE TEC AND DEC

The nomination of representatives to the DEC and TEC was held on time (no later than
December 5, 2023).

According to the CEC, 1,450 persons have been nominated by various entities to the DEC.
8,164 persons were nominated to the TEC (7 oblast commissions and one in Minsk city,
118 regional commissions, 10 urban commissions in cities of oblast subordination, 14 urban
commissions in cities of regional subordination, 8 settlement commissions, 1127 rural ones) (against
11167 candidates for the TEC on the eve of the elections of deputies to local Councils of
Deputies in 2017).

The ratio of subjects nominating for the DEC and oblast commissions (including the Minsk
city commission), regional and city commissions (in cities of oblast subordination) is similar: most of
the representatives (from 53.6% to 83.1%) are nominated by public associations, nomination by

11 Amendments to the Electoral Code of the Republic of Belarus were introduced by Law No. 252-Z. dated
02/16/2023.
12 Resolution of the Central Commission of the Republic of Belarus on Elections and Republican Referendums
"On clarifying the application of the provisions of the Electoral Code of the Republic of Belarus providing for
the procedure for the formation of election commissions during elections to local Councils of Deputies of the
Republic of Belarus of the twenty-eighth convocation" dated November 15, 2017 No. 36
13 Amendments to the EC were introduced by Law No. 252-Z. dated February 16, 2023.
17 Of the total number of nominees to the relevant commissions
citizens by submitting applications is on the second place (from 13.5% to 33.9%), a smaller part is nominated by labor collectives.

It is important to note that the overwhelming number of nominated candidates (73.4% for the DEC and 47.1% for the TEC) are mainly representatives of four re-registered parties promoting a pro-government agenda, as well as five traditionally active associations with a similar pro-state position (Belaya Rus, Belarusian Republican Youth Union, Belarusian Women's Union, Belarusian Peace Foundation, Belarusian Public Association of Veterans) and trade unions of the pro-government Federation of Trade Unions of Belarus.\textsuperscript{18}

Representatives to city (in cities of regional subordination), settlement and rural commissions were nominated mainly by citizens by submitting applications (from 44.8% to 49.7%) and public associations (from 39.6% to 49.0%). At the same time, none of the four political parties nominated their representatives to the commissions of cities of regional subordination and settlement commissions.

\textbf{THE NUMBER OF REPRESENTATIVES OF VARIOUS SUBJECTS NOMINATED TO DEC}

\begin{figure}[h]
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\includegraphics[width=\textwidth]{chart.png}
\end{figure}

\textsuperscript{18} For information on the repression of independent trade unions, see here, among other sources: https://www.lawtrend.org/freedom-of-association/situatsiya-so-svobodoj-assotsiatsij-i-organizatsiyami-grazhdanskogo-obshestva-respubliki-belarus-obzor-za-maj2023-g
Information support for this stage can be characterized as insufficient and unbalanced: on the one hand, pro-government political parties and public associations actively interacted with the population through various means, primarily through the websites of local authorities, regional state media, on the other hand, this interaction was not aimed at informing ordinary citizens in detail about their rights and opportunities. The events held at the promotion stage with the participation of these entities, publications in state media, information channels of such associations did not provide voters with accessible information on how to exercise the right to participate in the activities of the DEC and TEC.

The websites of state bodies either did not actually cover the stage of nominating representatives, mentioning meetings of the bodies forming the commission only after the event\(^{19}\), or left brief reference information about the time and place where the documents for the nomination of representatives to the commissions are accepted, often without mentioning which subjects can nominate their representatives and how they can do that\(^{20}\). This stage was covered in the state media in a similar way. **Such way of informing voters about an important stage of the elections* indicates the disinterest of the authorities and key actors, i.e. political parties and other public associations, in the active participation of voters in election commissions.** The target audience of

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19 For example, the website of the Homel Regional Executive Committee informs about the upcoming meeting not even as news with a separate headline, but in as an announcement of events of executive bodies and Councils of Deputies of the oblast for a week: https://gomel-region.by/ru/notice-ru/view/osnovnye-meropriiatija-ispolnitelnix-organov-i-sovetov-deputatof-gomelskoj-oblasti-s-11-po-17-dekabrja-48470-2023/
the information was mainly members of political parties, trade unions, and other associations, which subsequently nominated the majority of candidates\(^\text{21}\). At the same time, such associations openly declared their intentions to send their representatives to participate in the activities of commissions at all levels and having appropriate organizational resources\(^\text{22}\). Such conditions create unequal opportunities for ordinary citizens and members of relevant associations to participate in the activities of election commissions, and precondition commissions made up of persons who already have experience in such activities, which is confirmed by repeated statements\(^\text{23}\) that one of the most important criteria for the selection of representatives was the experience of previous work in the commission (see below).

Taking into account the current social and political situation, including the purge of the political field and repression against independent public associations\(^\text{24}\), candidates who did not represent any of the pro-government parties or organizations could be nominated to the commission only by collecting signatures of voters. There is no information about the nomination of such persons; isolated cases of refusal to accept documents are reported. In addition, the stage of nominating representatives was marked by pressure in the form of searches and inspections by law enforcement agencies against persons who were active during previous election campaigns, which only strengthened the climate of fear for potential candidates and deprived activists of the opportunity to participate in the activities of the commissions\(^\text{25}\).

### III. MEETINGS OF THE BODIES WHICH FORM COMMISSIONS

According to the calendar plan, no later than December 11, 2023, the presidium of the Councils of Deputies and the executive committees were to form the TEC and DEC.

The campaign “Human Rights Defenders for Free Elections” notes the administrative pressure on the actions and decisions of the assemblies which form commission. Assemblies which formed commissions often had a fictitious and perfunctory nature, without real discussion and evaluation of candidates for members of the commissions, which is confirmed by almost one hundred percent (98.4%) match of the lists of nominated candidates and elected members of the commissions.

In some cases, representatives of local governments attended meetings on the formation of commissions in a combined format (offline and online). Such a format, on the one hand, provides broader opportunities for participation, but, on the other hand, can be used as a tool to reduce engagement in the discussion and involvement in decision-making. For example, during the formation of the Brest oblast and district commission, most of the participants of the meeting were present online. It is reported that this had a negative impact on the involvement of participants in the meeting and strengthened its perfunctory nature.

The accessibility of information about the process of forming commissions, as well as the transparency of the procedure as a whole, should be characterized as low. In many cases, on the websites of local authorities responsible for the formation of commissions, there was no accessible and understandable information about the procedure and participants of meetings and about the decisions taken at the latter.


\(^{22}\) Among others, an example of one of the five active entities — public associations — the Belarusian Republican Youth Union: https://www.belta.by/society/view/brsm-sdelaet-aktsent-na-povyshenii-elektoralnoj-aktivnosti-molodezhi-600950-2023/


\(^{25}\) https://elections2024.spring96.org/be/news/113565
The names of the participants of meetings of local authorities responsible for the formation of election commissions was not published and was not available.

There are a number of cases when information about the meeting of local governing bodies for the formation of election commissions was not published.

In other cases, the publication of information about the place and time of meetings on the formation of commissions on the websites of local executive committees was more perfunctory than really aimed at attracting the attention of citizens. For example, on the website of the Minsk city Executive Committee, information about the meeting on the formation of election commissions was not posted on the main page of the site and was not included in the updated Current Information section.

Despite the fact that the coverage of the election campaign is carried out not only in national, but also in regional state media (there is Single Voting Day visual identity), the information on the formation of election commissions is rather scarce. In some cases, there was no information at all about the date, time, and place of the meeting.

For example, information about the meetings at which the Hrodna oblast election commission and district election commissions for the Hrodna oblast (electoral districts No. 48-60) were formed was not reported either on the website of the local state media Hrodzenskaya Prauda or on the local state TV channel BT 4 Hrodna. This information was also missing on the websites of 5 out of 18 local authorities in the Hrodna oblast (Vaŭkavysk, Zelva, Iŭje, Kareličy, and Lida regions).

Representatives of civil society and citizens had virtually no access to the process of forming election commissions. In addition, at the legislative level, observers were deprived of the opportunity to monitor this procedure. It is reported that during the formation of election commissions, in one case, the representative of the only non-pro-government candidate for the commission was denied the opportunity to attend the meeting on the grounds that his package of documents was not accepted.

Access to decisions taken following the meetings of local authorities on the formation of election commissions is also limited. Recent changes to the EC have removed the need to publish the names of election commissions members, therefore information on the composition of commissions is published as anonymized statistics. However, there are difficulties with access even to information about the decision of the meetings of the bodies forming the election commissions.

Thus, the process of holding meetings on the formation of territorial and district election commissions was characterized by a low degree of openness and transparency, did not provide sufficient information to citizens, was perfunctory and took place under strict administrative control of the authorities.

IV. THE COMPOSITION OF THE TEC AND DEC FORMED

In total, 1,394 territorial and district election commissions have been formed, to which 9,459 persons, or 98.4% of the nominated candidates, have been elected, which confirms administrative control and the predetermination of decisions on the formation of commissions.

26 News on the elections* 2024 on the website of Hrodzenskaya Prauda is available here: https://grodnonews.by/vybory.php.
Video recordings of the news broadcasts of the BT 4 Hrodna TV channel are available here: https://www.tvgrodno.by/news/.
28 Amendments to the EC were introduced by Law No. 252-Z. dated February 16, 2023. See also https://elections2024.spring96.org/ru/news/113581.
There is a serious gender imbalance: the share of women (81.7%) in the composition of commissions significantly exceeds the share of men (18.3%). This confirms the systemic trends in Belarus: clerks in the administrative apparatus at the oblast and local levels are mostly women.  

Representatives of political parties included in the commissions — 4.8%, other public associations — 46.5%, labor collectives — 7%, citizens — 41.8%.  

The share of representatives of political parties in the TEC and DEC remains low — 451 persons, or 4.8% of all those nominated, compared with the share of representatives of public associations — 4,395 persons, or 46.5%.  

Since all opposition political parties have been dissolved, only representatives of pro-government political parties have joined the TEC and DEC.

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30 The share of female civil servants is 70.1% http://gender.belstat.gov.by/social/162?type=ColumnChart&reg=(F):(T):(T); the share of women among the heads of rural, township, and urban (cities of regional subordination) executive committees and their deputies is 69.7% http://gender.belstat.gov.by/social/163?type=pieChart2&reg=(F); women are significantly ahead of men in terms of education: http://gender.belstat.gov.by/education/121?type=pieChart2&reg=(T/F/M):(T):(HE):(T)  
31 https://spring96.org/ru/news/112958
201 out of 451 party representatives (2.1% of the total composition of election commissions and 44% of all political parties) are members of the Belarusian party “Belaya Rus”, which was registered by the decision of the Ministry of Justice of the Republic of Belarus on May 2, 2023.

Most of the members of the TEC and DEC are traditionally represented by members of the largest pro-government public associations: the Belarusian Republican Youth Union (BRSM), Belaya Rus, the Belarusian Women's Union, the Belarusian Peace Foundation, the Belarusian Public Association of Veterans, trade unions of the Federation of Trade Unions of Belarus. All these five public associations (except the Peace Foundation), in accordance with the new law “On the Foundations of Civil Society”, are recognized by the decision of the Ministry of Justice as subjects of civil society “having the right to interact with state bodies (organizations) in special forms”, i.e. their subordination to the state is enshrined in law.

A. The composition of the DEC

1,414 persons, or 97.5% of those nominated, were elected to the 110 DEC. 1,450 representatives have been nominated to the commissions. This means that the DEC are formed in the maximum possible quantitative composition.

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33 https://minjust.gov.by/directions/compare_coverage/
For comparison, in the previous elections of deputies to the House of Representatives of the National Assembly of the Republic of Belarus of the seventh convocation (2019), 1,430 persons were elected, or 73% of those nominated.\(^\text{37}\)

The DEC includes representatives of:

a) citizens — 337 persons (23.8% of the DEC).

At the elections of deputies to the House of Representatives of the National Assembly of the Republic of Belarus of the seventh convocation in 2019, 494 persons (34.5% of the DEC) joined the DEC

b) labor collectives — 39 persons (2.8% of the DEC)

c) political parties — 221 persons (15.6% of the DEC)

96 out of 221 party representatives (43.4%) are members of the Belarusian party “Belaya Rus”. The second place is occupied by the Communist Party of Belarus — 61 persons (4.3% of the DEC). In the elections of deputies to the House of Representatives of the National Assembly of the Republic of Belarus of the seventh convocation in 2019, the largest percentage — 4.8% of the DEC — of representatives who joined the DEC is from the Communist Party of Belarus.

d) other public associations — 817 persons (57.8% of the DEC)

The majority of the DEC members were representatives of public associations — 817 persons or 57.8%.

The DEC includes 99% (766 persons, or 54.2% of the total DEC membership) of representatives of five pro-government public associations and trade unions from the total number nominated by these entities:

- Belaya Rus — 103 persons (7.3% of the DEC)
- Belarusian Republican Youth Union — 103 persons (7.3% of the DEC)
- Belarusian Women's Union — 103 persons (7.3% of the DEC)
- Belarusian Peace Foundation — 66 persons (4.7% of the DEC)
- Belarusian Public Association of Veterans — 91 persons (6.4% of the DEC)
- trade unions of the Federation of Trade Unions of Belarus — 300 persons (21.2% of the DEC)


B. The composition of the TEC

A total of 1,284 TEC were formed\(^39\), which included 8,045 members, including:

- 230 representatives of political parties (2.9% of the total number).  
  105 out of 230 party representatives (45.7%) are members of the Belarusian party “Belaya Rus”. At the republican referendum on amendments and additions to the Constitution of the Republic of Belarus in 2022, 80 out of 89 party representatives (90%) are members of the Communist Party of Belarus\(^40\), who in the 2020 presidential elections accounted for 58% of the members of the territorial commissions nominated by the parties.

- 3,578 representatives of other public associations and trade unions of the Federation of Trade Unions of Belarus made up the majority of the TEC members, namely 44.5% of the total composition of the commissions. 

  The TEC includes 98.7% of representatives of five pro-government public associations and trade unions from the total number nominated by these entities.

- 3,616 persons represent groups of citizens (44.9% of the total number),
- 621 representatives of labor collectives (7.7% of the total number).

\(^{40}\) [https://referendum2022.spring96.org/ru/news/106539]
TEC INCLUDE REPRESENTATIVES OF THE FOLLOWING SUBJECTS

- Citizens: 44.90%
- Public associations: 44.50%
- Political parties: 2.90%
- Labor collectives: 7.70%