



# HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

## **Elections of deputies of the House of Representatives of the National Assembly of the Republic of Belarus of the seventh convocation**

### **Report on early voting**

*Observation of the elections to the House of Representatives of the National Assembly of Belarus is carried out by the Belarusian Helsinki Committee and the Human Rights Center “Viasna” in the framework of the campaign “Human Rights Defenders for Free Elections”.*

### **SUMMARY**

- the official turnout for early voting is reported at 35.77%, which is the record high for the parliamentary elections since 2008;
- observation of early voting was conducted by 160 observers of the campaign “Human Rights Defenders for Free Elections” at more than 94 polling stations throughout the country;
- as before, participation in early voting was encouraged by the authorities. Administrations of government-owned enterprises and institutions, as well as universities strongly advised voters to participate in early voting, maintained records of early voters and reported on the progress of early voting to local executive authorities;
- in some cases, the organization of participation of voters in early voting was characterized by coercion, under threats of reprisals for refusing to vote early. 30% of the observers reported facts of coercion in forcing the voters to come to the polls (as compared to 18% in 2016);
- the 32 PECs covered by the continuous monitoring of the campaign “Human Rights Defenders for Free Elections” revealed excessive official turnouts as compared to the observers’ calculations;
- for some PECs, the early voting turnout figures were two, three, five, and even eleven times greater than those reported by the observers;
- all the campaign’s observers were allowed to observe early voting, but some of them were faced with obstacles in the implementation of observation, most notably prohibition to take photographs or record videos, including bans on documenting the official PEC protocols on the daily results of early voting, the imposition of unjustified warnings by the PECs, etc. There were facts of observers from the opposition political parties being deprived of accreditation and expelled from the polling stations;
- the practice of early voting remains one of the systemic problems of the electoral process and creates opportunities for the use of administrative resources and other manipulations. In this connection, the OSCE ODIHR recommendations regarding changes to early voting procedures remain relevant.

## LEGAL FRAMEWORK

Early voting for the election of deputies of the House of Representatives of the National Assembly of the Republic of Belarus of the 7th convocation began on November 12 and ended on November 16, 2019.

According to Art. 53 of the Electoral Code, any voter who is unable to be present within their electoral district on voting day shall be entitled, not earlier than five days before the election, to come to the polling station and vote. No official confirmation is required for the reasons for the impossibility of the voter to come to the polling station on voting day.

Early voting is not conducted at the polling stations formed in sanatoriums, rest homes, hospitals and other health care organizations that provide inpatient medical care, for citizens serving sentences of detention, as well as citizens confined to the LTPs (labor and therapy profilactoria).

Early voting takes place in the presence of at least two members of the PEC from 10 a.m. to 2 p.m. and from 4 p.m. to 7 p.m. A separate ballot box is used for the organization of early voting, which shall be sealed on the first day of early voting before the start of voting under the rules established by para. 3, Art. 51 of the Electoral Code; the sealing may be attended by an observer.

Every day after the end of voting, the commission chairperson or deputy shall seal the slot in the ballot box with a sheet of paper and put their signatures on it. The slot is opened daily before the start of voting in the presence of commission chairperson or deputy; the opening may be attended by an observer. At the end of each day of early voting, the commission chairperson or deputy draw up a protocol, which specifies the number of ballots received by the election commission, the number of citizens who received ballots (on the last day of early voting — the total number of citizens who have received ballots), the number of spoiled ballots and the number of unused ballots. The protocol is signed by the chairperson or deputy and shall be publicly displayed in the premises of the polling station.

The storage of the ballot box shall be provided by the chairperson of the commission. After the closure of the polling station, the guarding of the polling station should be secured by the Ministry of Internal Affairs. The premises should be equipped with a burglar alarm controlled by the Ministry of Internal Affairs.

It should be noted that early voting is subject to constant criticism from electoral actors, in particular its aspects related to the storage of the ballots and voter lists outside the working hours of the PEC. Despite this, the issue is not yet resolved by either the provisions of the Electoral Code or the CEC decisions.

The only document that regulates these matters is a Toolkit for the PECs on the election of deputies to the House of Representatives of the National Assembly of the 7th convocation, approved by the Central Election Commission, according to which in the period from 7 p.m. to 10 a.m. and from 2 p.m. to 4 p.m. voter lists and ballots should be stored in safes or metal cabinets. The safe (metal cabinet) shall be sealed daily after the end of voting by the commission chairperson or deputy. The Toolkit does not provide for the rights of observers and the media to be present during the sealing and opening of previously sealed safes (cabinets) by the PEC members.

Moreover, the Toolkit fails to specify the procedure of locking the polling stations, if they are not equipped with a burglar alarm, nor does it name those responsible for the procedures from among the members of the PEC.

Thus, the procedures for the storage of ballot papers, ballot boxes, and voter lists at the stage of early voting are clearly not sufficient and do not contain safeguards against interference by unauthorized persons.

## **COERCION TO PARTICIPATE IN EARLY VOTING**

As during previous elections, participation in early voting was encouraged by the authorities.

Administrations of government-owned enterprises and institutions, as well as universities strongly advised voters to participate in the early voting, maintained records of early voters and reported on the progress of early voting to local executive authorities.

Participation in early voting was described as mandatory, or a “civic duty.” It was also announced that turnout was monitored either directly by the administrations of companies and universities or by representatives of other government agencies.

In some cases, observers of the campaign “Human Rights Defenders for Free Elections” received access to documents confirming that voters’ participation in early voting was organized and controlled by the administrations of state enterprises and local executive authorities.

In particular, the Polack district executive committee ordered the heads of local enterprises to report on a daily basis on the cumulative total number of employees of businesses that took part in early voting. The enterprises’ top managers were personally responsible for the timely submission of the information. The document signed by deputy chairman of the executive committee A. Kaladynski had an annexed a list of enterprises with the number of employees and schedules for reporting.

In a video posted on the website of Radio Free Europe/Radio Liberty’s Belarus service, professor Aksana Aniskevich of the Belarusian State Economic University was seen on November 13 talking to the students about the mandatory nature of participation in early voting.

The teacher insisted that the students voted early, otherwise, according to her, head of the department, the dean’s office and she personally would face consequences. Also, the educator supported her words by saying that “everything is tracked, which room voted from which dormitory.” Ms. Aniskevich said that she did not want to “be ranted at” if her students chose to “set her up.”

Following the incident, a complaint was filed in the Prosecutor’s Office of the Zavodski district of Minsk.

In some cases, the campaign’s observers said that voters were asked to report to their immediate superiors after they have cast their ballots early.

In particular, announcements seen in the dormitory of the Maladziečna Plant of Light-Gouge Construction advertised “active participation in the elections.” In addition, the voters were asked to check in with the concierge after casting their ballots.

In some cases, observers witnessed voters themselves requesting a document certifying their participation in early voting. The documents were reportedly requested by their employers.

An observer in Sviethlorsk, Alena Masliukova, reports that a woman came and wanted to vote at polling station No. 19. She said that she was sent by her boss, but forgot her ID and the commission refused to issue a ballot. Then the woman said that her boss would have a heart attack and asked to give her a certificate that she actually came to the polls.

On November 16, at polling station No. 59 in electoral district No. 87 in Mahilioŭ, a voter who was allowed to leave work early begged the commission secretary to give him a certificate to confirm the fact that he voted early, according to observer Barys Bukhel.

At polling station No. 21 in electoral district No. 78 in Babrujsk, a Belposhta employee requested a certificate to prove that she had voted, and then photographed the ballot box as evidence.

30% of the campaign’s observers who monitored early voting at 76 polling stations throughout the country reported facts of voter coercion to participate in early voting (as compared to 18% in 2016).

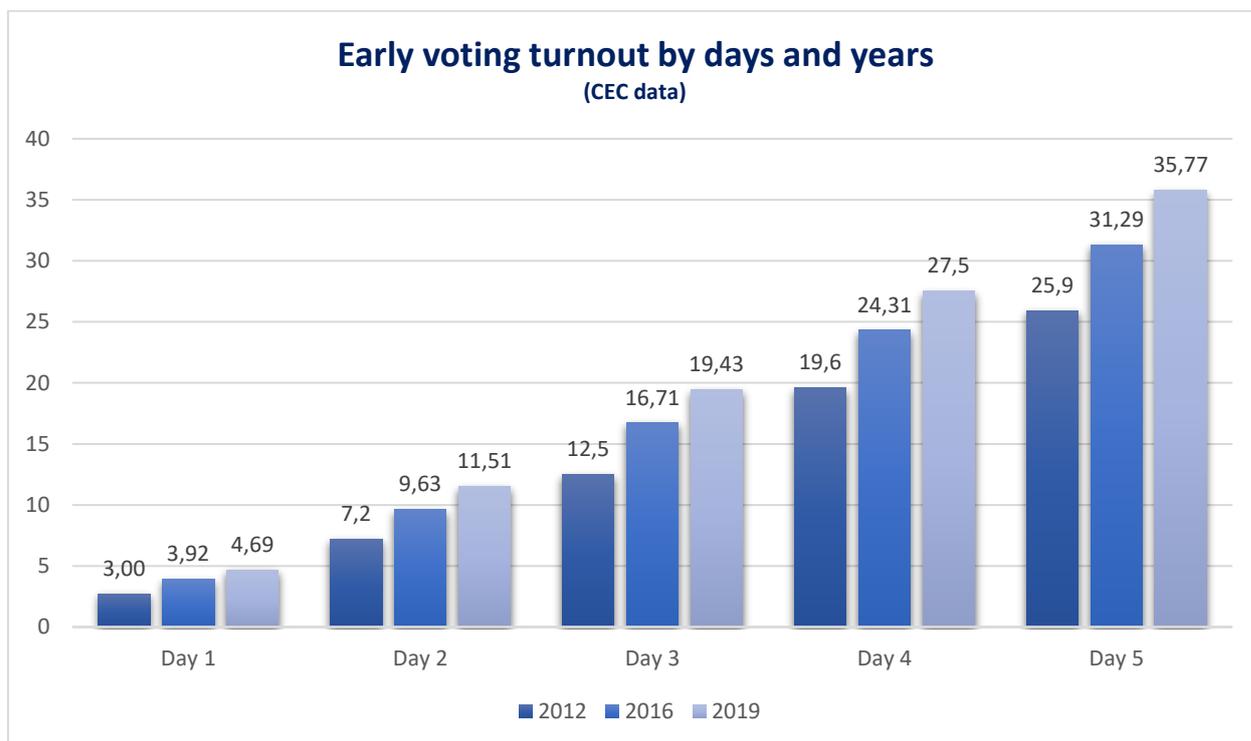
In some cases, voters were forced to vote under threat of negative consequences, e.g. eviction from dormitories, etc.

It should be noted that CEC chairperson Lidziya Yarmoshyna continued to ignore the forced participation of voters in early voting and the blatant abuse of administrative resources by the authorities.

According to Yarmoshyna, control over students’ participation in early voting is nothing but “emphatic invitation and education of the infantile younger generation.”<sup>1</sup>

## TURNOUT FOR EARLY VOTING

Official turnout for early voting was 35.77%, which is the highest turnout in the parliamentary elections held since 2008.



However, some observers documented even greater turnout. In particular, at polling station No. 21 in Minsk, the turnout was 42%; 45% voted early at polling station No. 6 in Rečyca.

<sup>1</sup> <https://news.tut.by/economics/661243.html>

At polling station No. 19 in electoral district No. 6 in Baranavičy, 1,542 persons, or 59%, voted early out of the total number of 2,625 voters.

The all-time record was documented at polling station No. 547 in electoral district No. 106, where 72.6% of voters came to the polls, mostly students living in the dormitories of the Belarusian National Technical University.

At 32 polling stations, observers of the campaign “Human Rights Defenders for Free Elections” carried out a continuous monitoring of early voting turnout. In all of them, the official turnout exceeded the data collected by the observers.

At some polling stations, the official figures were two, three, five, and even eleven times greater than the observers’ data.

In particular, according to a campaign’s observer, 11 voters voted at polling station No. 570 in electoral district No. 107 in Minsk on November 16, while the official turnout was reported at 121.

At polling station No. 390 in electoral district No. 102 in Minsk, according to the observer’s calculations, there were 116 voters on November 11, while the PEC protocol said there were 238 votes.

November 11. Polling station No. 295 in electoral district No. 99 in Minsk. Observer’s report — 49 voters. PEC protocol — 199.

November 11. Polling station No. 570 in electoral district No. 107 in Minsk. Observer’s report — 98 voters. PEC protocol — 613.

November 14. Polling station No. 295 in electoral district No. 99 in Minsk. Observer’s report — 50 voters. PEC protocol — 200.

November 14. Polling station No. 390 in electoral district No. 102 in Minsk. Observer’s report — 74. PEC protocol — 201.

Polling stations outside Minsk also demonstrated differences (although of a lesser extent) between the observers’ calculations and the PEC data.

November 15. Polling station No. 10 in electoral district No. 46 in Svietlahorsk. Observer’s report — 58 voters. PEC protocol — 105.

November 16. Polling station No. 46 in electoral district No. 6 in Baranavičy. Observer’s report — 133 voters. PEC protocol — 335.

November 15. Polling station No. 12 in electoral district No. 84 in Mahilioŭ. Observer’s report — 70 voters. PEC protocol — 271.

## **CONDITIONS FOR OBSERVATION**

All the campaign’s observers were allowed to observe early voting, but some of them faced with obstacles in the implementation of observation, most notably prohibition to take photographs or record video, including bans on documenting the official PEC protocols on the daily results of early voting, imposition of unjustified warnings by the PECs, etc. There were facts of observers from the opposition political parties being deprived of accreditation and expelled from the polling stations.

At polling station No. 24 in electoral district No. 6 in Baranavičy, the observer was placed in an inconvenient place away from the ballot boxes. The commission members did not respond to a request to change the location. At polling station No. 23 in electoral district No. 2 in Brest, members of the commission left for another room to discuss current issues; no observers were allowed in the room. On November 12, PEC No. 19 in electoral district No. 6 in Baranavičy allowed, after a lengthy discussion, to photograph the seal on the ballot box from the distance of 5 meters; after a dispute with the observer, the distance was reduced to three meters. Tatsiana Kavalenka, chairperson of PEC No. 2 in electoral district No. 2 in Brest, banned photographing copies of the protocol with information on daily turnout. Chairperson of PEC No. 51 in electoral district No. 3 in Hrodna prohibited the observers to approach the commission to directly observe the counting of votes. At 7 p.m., November 16, the last day of early voting, Halina Vasiokha, chairperson of PEC No. 28 in electoral district No. 2 Verchniadzvinsk, asked everyone to leave the room and the observer was not able to view the final protocol of early voting.

Observer Aliaksei Loika in Minsk (PEC No. 390) received warnings from the PEC and DEC No. 102 for photographing the protocol of early voting and the hallway outside the polling station.

Observer Yury Vashchenchuk in Brest was stripped of accreditation by the PEC for recording a video of an apparent attempt of ballot stuffing at polling station No. 37. The observer was unexpectedly criticized by chairperson of the Central Election Commission Lidziya Yarmoshyna, who demanded to cancel his accreditation.