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## INTERNATIONAL ELECTION OBSERVATION MISSION RUSSIAN FEDERATION - PRESIDENTIAL ELECTION 26 March 2000

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### STATEMENT OF PRELIMINARY FINDINGS & CONCLUSIONS

**Moscow, 27 March 2000** – The International Election Observation Mission (IEOM) for the 26 March 2000 election of the President of the Russian Federation issues this statement of preliminary findings and conclusions. The IEOM is a joint effort of the Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly, and the Parliamentary Assembly of the Council of Europe (PACE).

Ms. Helle Degn, President of the OSCE Parliamentary Assembly and OSCE Chairperson-in-Office's Special Representative for the observation of the Russian Federation presidential election, leads the OSCE Election Observation Mission. Ambassador Edouard Brunner leads the OSCE/ODIHR long-term Election Observation Mission. Mr. Björn von der Esch leads the PACE delegation.

This preliminary statement is issued before the final certification of the election results and before a complete analysis of the International Election Observation Mission's findings. The OSCE/ODIHR will issue a comprehensive report on the presidential election within a month after publication of the final results.

The International Election Observation Mission wishes to express appreciation to the Presidential Administration, the Ministry of Foreign Affairs, the State Duma, and the Central Election Commission of the Russian Federation for their assistance and cooperation during the course of the observation.

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### Preliminary Conclusions

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The 26 March 2000 election of the President marks further progress for the consolidation of democratic elections in the Russian Federation. The election takes place in a politically stable environment, in spite of a new lineup in the State Duma and the resignation of a long-standing President.

The election was held under a new law that is consistent with internationally recognized democratic principles. The law provides the framework for pluralist elections, for candidates to enter the political arena on an equal basis and a level playing field, and for a significantly high level of transparency in all phases of the electoral process. The Central Election Commission (CEC) administered the process professionally and independently. However, during the campaign some concerns emerged.

The CEC registered 12 candidates and, by election day, 11 remained on the ballot. In the end, the popularity of the acting President and the results during the 1999 State Duma election for a number of personalities, political parties and blocs limited the field of candidates. Notwithstanding the CEC effort to enforce the law vigorously, candidates, campaign organizations and supporters circumvented the law in some cases. Additionally, volunteer campaign activities of State and regional administration officials on leave of absence raise concerns.

While the media in the Russian Federation remain pluralistic and diverse, independent media have come under increasing pressure. Moreover, as during the State Duma election, important segments of the media, both State-controlled and private, failed to provide impartial information about the election campaign and candidates.

The CEC decided to conduct the presidential elections in 12 of Chechnya's 15 districts and prepared all technical requirements. However, standard conditions for elections and pre-electoral activities do not exist there due to ongoing military campaign in some areas and security conditions in others. In particular, election

campaign activities in the territory did not take place, the population had limited access to electronic and print media, they had limited freedom of movement, and the potential for intimidation and fear could not be ruled out. On election day, the IEOM did not observe the proceedings in Chechnya or the neighboring regions, though the CEC invited observers.

On election day, the 69% reported turnout was a confirmation of continued voter confidence in the electoral process. The polling in over 93,000 precincts was administered in accordance with the law. Observers rated their performance very high across the country. The performance of commissions during the counting of votes was rated lower as cumbersome procedural requirements were circumvented in order to expedite the process. The irregularities noted in the polling and the vote count did not appear to have an impact on the outcome of the election.

With less than a decade of democratic development in the Russian Federation, political parties and an environment for constructive political debate have yet to mature. Viewed in this context, the 26 March 2000 presidential election, while in general meeting the country's commitments as an OSCE participating State and as a member of the Council of Europe, revealed some weaknesses. Chief among these are pressure on the media and the decline of credible pluralism.

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## **Preliminary Findings**

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### **Constitutional and Legislative Framework**

The 26 March 2000 presidential election in the Russian Federation took place under a constitutional and legislative framework that is consistent with internationally recognized democratic principles, including those formulated in the OSCE Copenhagen Document of 1990. As during the 1999 State Duma election, the framework provides a sound basis for the conduct of orderly, free, fair, transparent, pluralist, and accountable elections.

The election law provides the setting for candidates to compete on an equal basis and on a level playing field, with complex and detailed provisions for independent election commissions, campaign financing, and media access. Moreover, the law provides for a significantly high level of transparency in all phases of the electoral process, particularly with regard to the rights of domestic observers. However, concerns remain as detailed in the following sections.

### **Electoral Campaign**

The legal framework allowed a broad spectrum of candidates to enter the political arena. A total of 33 candidates were nominated, 15 submitted the requisite application forms and petitions to the CEC, and ultimately 12 candidates were registered. The registration process was controversial as some candidates' application forms underwent investigations for omissions of property disclosure details resulting in contradictory court rulings. Other candidates' petition forms are still under review for allegedly falsified signatures, and the resolution of these cases is not expected until after the election. Such delays could result in challenges to the election, especially if votes cast for disqualified candidates are sufficient to impact the need for a possible second round.

In the end, 11 candidates remained on the ballot, after a withdrawal shortly before the deadline. However, the popularity of the acting President, the results during the Duma elections for a number of personalities, political parties and blocs, and the early election limited the field of candidates. Some of the opponents of the pro-Kremlin bloc during the Duma election, including regional leaders, shifted allegiance or declined to enter their candidacy in the presidential election. These patterns may be reason for concern, but also reflect the embryonic development of political parties in the short history of democracy in the Russian Federation.

Notwithstanding the CEC efforts in general to enforce the election law vigorously and most candidates' declarations that they would remain within the confines of the law, candidates, campaign organizations and supporters circumvented the law in some instances. The distribution of anonymous campaign material was one example. Also, a loophole in the law allowed certain non-governmental organizations that were in fact extensions of electoral campaign organizations to pose as non-partisan election observers. More worrying was

the involvement of regional administration personnel in campaign activities. In some regions, campaign material for one candidate was distributed to Territorial Election Commissions at the same time as election materials such as ballots and protocols. Senior staff of State and regional executives, including deputies to Governors, on leave of absence from their official positions served in large numbers as volunteers in the acting President's campaign organization. While this may be in conformity with the letter of the law, inevitably the spirit of the law may be violated through the intermingling of campaign activities and improper influence that these officials on leave may continue to exercise. In addition, such practice raises concern about potential abuses where subordinate State employees may feel compelled to "volunteer".

The Chechnya conflict undoubtedly provided the political backdrop for the election. With the exception of one candidate's opposition to the military campaign, the war in itself was not an issue during the electoral campaign. However, the conflict in Chechnya and its sub-text of antiterrorist and anticrime action continues to have high resonance with the population of the Russian Federation yearning for stability and relief from faltering social and economic conditions.

In general, the electoral campaign remained devoid of the challenging issues troubling the country. Voters were denied the benefit of full information as the leading candidate declined to participate in political debates with other candidates.

### **Media and the Election Campaign**

The media environment for the presidential election was substantially different from that observed during the 1999 Duma election. There was little intervention from State authorities to prevent a high level of slanderous attacks against candidates and political forces competing in the Duma election. During the presidential election campaign, the Ministry of Interior was vested with broader responsibilities to monitor the media for violations of campaign rules. In addition, media outlets were threatened with "asymmetrical" (disproportionate) measures for publishing or broadcasting critical or slanderous material against the administration. As a result, the negative campaign witnessed during the Duma election was considerably subdued during the presidential election until one candidate's ratings in opinion polls started to rise. Soon after and in the final days of the campaign, this candidate was subjected to the same negative campaigning on State-controlled media as during the Duma election.

There was evidence of "paid journalism". In at least one newspaper, articles appearing as news items were in fact paid for by a candidate's campaign organization. The leading candidate granted campaign interviews to RTR and Rossiskaya Gazeta, both State-controlled, prior to the official start of the campaign period. The CEC considered the violation "unintentional" and dropped charges.

The CEC decision adopted during the Duma election interpreting the law in such a way as to restrict the mass media itself from campaigning in favor of or against candidates remained in force. Though an attempt to neutralize political bias in the media, interpreted strictly and enforced consistently, the CEC decision would preclude any journalist from discussing the election in a meaningful way.

The media in the Russian Federation remain pluralistic and diverse. Politically powerful and wealthy owners have been key players in the electoral campaign, in particular, on television channels that dominate the field as the public's chief source of news and information. The main remaining independent broadcaster, NTV has come under increasing financial pressure to pay back more rapidly loans received in 1996 from Government banks. Moreover, NTV is threatened with the loss of privileges on Government transmitters across the country.

### **Election Day Findings**

On election day, the 69% reported turnout was a confirmation of continued voter confidence in the electoral process. About one million commission members administered the polling in over 93,000 precincts in accordance with the law and in an orderly manner. Observers rated their performance very high across the country. However, "family" voting and marking of ballots in public view were again common. Observers representing candidates were present in over 93% of polling stations visited.

The commissions' conduct for the vote count was rated lower. In half the polling stations visited, some of the cumbersome procedural requirements for the vote count were circumvented in order to expedite the process.

The irregularities noted in the polling and the vote count did not appear to have an impact on the outcome of the election.

### **Election in Chechnya**

The CEC decided to conduct the presidential elections in 12 of Chechnya's 15 districts for the estimated 460,000 voters there. On 20 March, the IEOM observed the challenging circumstances under which the CEC was preparing all technical requirements for elections in Chechnya. Voter registers in Chechnya are outdated, but citizens could register on the day of election. Also, special measures were in place for displaced persons to take part in the voting within Chechnya and in the neighboring regions. However, standard conditions for elections and pre-electoral activities do not exist in the territory as a whole due to the ongoing military campaign in some areas and security conditions in others. In particular, election campaign activities in the territory did not take place, although the acting President visited there. Moreover, the population in Chechnya had very limited access to electronic and print media, had limited freedom of movement, and the potential for intimidation and fear could not be ruled out.

On election day, the IEOM did not deploy observers to Chechnya or the neighboring regions, though the CEC invited observers.

*This statement is also available in Russian. However, the English text remains the only official version.*

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The preliminary statement is based on the findings of the OSCE/ODIHR Election Observation Mission established on 8 February 2000 in Moscow and 12 regions throughout the Russian Federation. Their findings include the pre-election preparations, the election campaign, and the media. The statement is also based on the election-day findings of the International Election Observation Mission's more than 380 short-term observers from 32 participating States, including more than 75 parliamentarians from the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe, who visited some 1,700 polling stations across the country.

### **For further information, please contact:**

- Mr. Guy Dufour of the PACE, in Strasbourg (+33.3.88.41.21.03);
- Mr. Jan Jooren, Press Counselor of the OSCE Parliamentary Assembly, in Moscow (+7.095.929.8520) or mobile (45.21.60.63.80);
- Ms. Helene Lloyd, Media Officer of the OSCE/ODIHR Election Observation Mission, in Moscow (+7.095.937.8206); or Mr. Nicolas Kaczorowski, ODIHR Election Officer, in Warsaw (+48.22.520.0600).

### **OSCE/ODIHR Election Observation Mission**

7<sup>th</sup> Floor Smolensky Passage  
Smolensky Square 3  
Moscow 121099  
Russian Federation  
Tel: +7 095 937 8305

Fax: +7 095 937 8328

7 095 937 8305  
7 095 937 8328  
? 121099  
e-mail: eom.admin@sovintel.ru