

**INTERIM REPORT  
26 January – 13 February**

**I. EXECUTIVE SUMMARY**

- For the 4 March presidential election, the Central Election Commission (CEC) has registered five candidates. Of these, four candidates including the current Prime Minister, Vladimir Putin, were nominated by political parties. One candidate was self-nominated. Following constitutional amendments in December 2008, the president will be elected for a six-year term.
- The CEC rejected registration sought by eleven candidates for not meeting registration requirements. The CEC denied registration to two candidates following signature verification.
- The CEC has undertaken measures to increase transparency during the forthcoming election. Over 30 per cent of polling stations across the country will use transparent ballot boxes.
- In addition, the CEC plans to equip each polling station across the country with two web cameras. There is an ongoing public discussion whether the use of webcams can serve the stated purpose of increasing transparency and preventing fraud, in particular during counting.
- Voting with the use of ballot scanners and electronic touch-screen machines will take place at 5,566 polling stations, 411 more than during the 2011 State Duma elections.
- While the campaign started actively on television, Internet and in social media, OSCE/ODIHR EOM observers across the country were informed that active campaigning will commence only when campaign and party offices in the regions receive instructions and materials from their headquarters. All presidential candidates presented their election platforms on their campaign websites as well as in some print media.
- The legislation provides for equal access to mass media for registered candidates to conduct election campaigning. It also requires that no preferences be given to any candidate in news coverage in broadcast and print media, starting from candidates' registration with the CEC.
- The OSCE/ODIHR EOM is aware of two complaints filed with the CEC, alleging that documentaries broadcast by two TV channels, which presented the Prime Minister in a positive light, constituted campaigning and violated the requirement of equality of media access for all contestants. The CEC working group reviewed the case and opined that there was no violation; the CEC has not yet considered the working group's recommendation.
- Following allegations of irregularities during the 2011 State Duma elections, the beginning of the pre-electoral period was marked by demonstrations across the country. The latest large-scale demonstrations took place on 4 February, coinciding with the start of the presidential election campaign in the media. These included demonstrations both by various opposition forces and rallies in support of Vladimir Putin.
- Many new civil society platforms and a number of domestic election observer initiatives aimed at public oversight of the upcoming presidential election have been announced.

## II. INTRODUCTION

On 25 November 2011, the Federation Council, the upper chamber of the Russian parliament, called the presidential election for 4 March 2012. The Central Election Commission (CEC) invited the OSCE/ODIHR on 30 December 2011 to observe this election. The OSCE/ODIHR deployed an Election Observation Mission (EOM) led by Ambassador Heidi Tagliavini, comprising a core team of 15 experts and 40 seconded long-term observers deployed throughout the country. Local elections will be held concurrently with the presidential election in many regions and will be observed by the OSCE/ODIHR only to the extent that they impact upon the conduct of the latter.

## III. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected by the citizens in one federal district comprising the entire territory of the Russian Federation, including voters abroad. If no candidate receives more than 50 per cent of the valid votes, a second round takes place between the two candidates who gained the highest numbers of votes. A constitutional amendment of December 2008, which takes effect with the upcoming presidential election, extended the presidential term from four to six years. No person can serve as president for more than two consecutive terms.

The conduct of presidential elections is primarily regulated by the Constitution, the Law on Basic Guarantees of Electoral Rights, and the Law on the Election of the President of the Russian Federation (Presidential Election Law). The Law on Political Parties, the Code of Administrative Offences and the Law on Rallies, Meetings, Demonstrations, Marches and Picketing are also applicable, as are the instructions and decisions of the CEC and other election commissions.

The right to vote is granted to citizens 18 years of age or older. Citizens found incompetent by a court are not eligible to vote or participate in any electoral activities. Citizens must be at least 35 years old and have been permanently residing in the Russian Federation for the last ten years to stand as candidates. Those who have been sentenced to imprisonment for serious and extremism-related crimes and whose conviction is not expunged as well as those currently serving a prison sentence for any crime are not eligible to vote or stand for office.<sup>1</sup> Citizens who hold citizenship of another country or have a right to reside in another country permanently are also not allowed to run.

Candidates who hold elected federal or municipal positions are not required to step down from office to run for the presidency. However, they are prohibited from taking advantage of their office or official position when conducting their election campaign.

## IV. ELECTION ADMINISTRATION

The presidential election is administered by the Central Election Commission (CEC), 83 Subject Election Commissions (SEC), 2,746 Territorial Election Commissions (TEC) and some 94,300 Precinct Election Commissions (PEC). While the CEC, SECs and TECs are permanent bodies appointed for five years, PECs are appointed anew before each election.

In addition to regular polling stations, 384 polling stations will be opened abroad. Special polling stations will be organized in hospitals, sanatoriums, and other places of temporary residence (1,504), at railway stations (83), airports (31) and in detention centres (123). Early voting will begin 2 weeks before election day in 817 polling stations located in very remote areas. Voting with the use of ballot scanners and touch-screen machines will take place in 5,566 polling stations, 411 more than during the 2011 State Duma elections.

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<sup>1</sup> Those currently under administrative sanction for extremism-related offences are also ineligible.

The CEC meets three to four times a week, adopting administrative decisions and instructions. Most of the decisions concern formalities that are not debated. However, decisions regarding the registration of some presidential candidates as well as the adjudication of a few complaints related to local elections sparked lively discussions among CEC members. After the recent State Duma elections, there were also frequent yet unsuccessful attempts by a non-voting CEC member representing the Communist Party of the Russian Federation (KPRF)<sup>2</sup> to put the dismissal of the CEC chairperson on the CEC agenda for alleged violations during those elections.

The CEC has undertaken measures to increase transparency during the forthcoming election. Approximately 30 per cent of polling stations across the country will use transparent ballot boxes. In addition, the CEC plans that all polling stations across the country will be equipped with two web cameras each, posting live Internet broadcast of the voting process, which would be recorded and archived for one year. One webcam is to provide a general view of the polling station and the other will focus on the ballot box. Transmission will be stopped during the count to ensure that the results are not revealed before voting has ended throughout the country. However, the video of the counting process will be broadcast after this point. In order to access the webcam broadcast, one has to register online and indicate which polling stations s/he would like to monitor. There is an ongoing public discussion whether the costly introduction of webcams will serve the stated purpose of increasing transparency and preventing fraud as cameras cannot capture all the details of the voting process, in particular during counting.

On 9 February, TECs finalized PEC appointments. Leaders of the Moscow branches of several political parties addressed the CEC with a letter requesting it to ensure equal distribution of PEC leadership positions (chair, deputy chair, secretary) among all parties. However, initial reports from the OSCE/ODIHR EOM observers suggest that leadership positions in PECs were not distributed equally among parties in the areas observed.<sup>3</sup>

Voter lists were prepared by TECs based on citizens' residence information provided by local administration. From 13 February, voter lists have been displayed for public verification in polling stations. As of 1 January 2012, there were 109,947,323 voters, including 1,794,454 residing abroad. Voters who on election day will be away from their places of permanent residence can apply for 'Absentee Voting Certificates' with which they can vote at any polling station in the country.

## V. CANDIDATE REGISTRATION

Presidential candidates may be self-nominated or stand on behalf of a political party. Self-nomination needs to be supported by a group of not less than 500 citizens. In addition, self-nominated candidates, as well as nominees of non-parliamentary political parties, are required to collect 2 million signatures of voters in support of their candidacies.<sup>4</sup> The CEC conducts a verification of the validity of the submitted signatures.<sup>5</sup> According to the law, signatures can be considered invalid for a variety of reasons: mistakes or technical inaccuracies, omissions of a full

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<sup>2</sup> Abbreviations for political party names correspond to the Russian language abbreviations.

<sup>3</sup> Chairpersons of PECs are appointed by TECs.

<sup>4</sup> No more than 50,000 signatures may be submitted from one federal subject of the Russian Federation.

<sup>5</sup> A sample of at least 20 per cent of the required number of signatures should be verified. If five per cent or more of these are found to be invalid, verification of at least additional 10 per cent needs to be carried out. A candidate is denied registration if more than 5 per cent of the total number of signatures selected for verification are found invalid.

address of a signatory, omission of the form completion date, filling in the form in pencil, or making corrections to the form.<sup>6</sup>

The CEC registered five candidates, four of whom ran for president in previous elections. These include Vladimir Zhirinovskiy from the Liberal Democratic Party of Russia (LDPR), Gennady Zyuganov from KPRF, Sergey Mironov from Fair Russia (FR), and Vladimir Putin, the leader of the All-Russian Political Party “United Russia” and the current Prime Minister. Mikhail Prokhorov was registered as a self-nominated candidate and is competing in a presidential race for the first time. The current president, although eligible, is not standing for re-election.

Eleven other applicants were denied registration on the grounds of ineligibility or failure to comply with the registration requirements. Grounds for the denial of registration included the submission of an insufficient number of signatures, incompliance with the residency requirement, failure to have the self-nomination endorsed by a nomination group of 500 voters, as well as prior extremism-related activities as established by a court. Two applicants, self-nominated Dmitry Mezentsev and “Yabloko” party nominee Grigory Yavlinskiy, were denied registration following the verification of their support signatures.<sup>7</sup> Grigory Yavlinskiy appealed the CEC’s decision to the Supreme Court, which ruled against the complainant on 8 February 2012.

## VI. CAMPAIGN ENVIRONMENT

Following allegations of irregularities during the 2011 Duma elections, the start of the pre-electoral period was marked by countrywide demonstrations with broad participation. The latest demonstrations by various opposition forces took place across the country on 4 February, coinciding with the start of the presidential election campaign in the media. On the same day, rallies in support of Vladimir Putin were organized in many locations, including a large rally in Moscow.

The protest rallies and the organizers’ demands were discussed in the newly formed Duma.<sup>8</sup> After the Duma elections, the Presidential Council on the Development of Civil Society and Human Rights formed a working group to consider election-related complaints. The working group also made recommendations to state authorities for increased transparency of the electoral process during the presidential election.

The tone of the campaign has been significantly affected by civic discontent, which also contributed to increased civic participation in the political process. The campaign start was lively on television, Internet and social media. Televised debates introduced a new element of criticism of the ruling party and allegations by all candidates against their opponents. Thus far, campaign activities such as leafleting, posters and billboards were more visible in the capital than in the regional centres. While all candidates held small in-door meetings in the regions, the OSCE/ODIHR EOM observers were

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<sup>6</sup> Many OSCE/ODIHR interlocutors stated that the conditions for collecting and submitting signatures, as well as the invalidation criteria, render candidate registration excessively burdensome and that under such conditions, it is almost impossible to comply with all requirements in the short time prescribed by law.

<sup>7</sup> 2,006,793 signatures were submitted for candidate Mezentsev; the CEC selected 105,227 signatures for validation and of these, 15,680 (3.92 per cent of the total number of signatures selected) were recognized invalid. Thus, the CEC reported that 1,991,113 valid signatures had been submitted for this candidate, which was less than the required number. Candidate Yavlinskiy submitted 2,086,050 signatures and the CEC screened 600,000 of these. 153,938 signatures (25.66 per cent of the total number selected) were announced invalid. The total number of valid signatures was reported to be 1,932,112.

<sup>8</sup> On 27 January, the CEC chairperson reported on the conduct of the 2011 elections in the State Duma. The three presidential candidates, Gennady Zyuganov, Vladimir Zhirinovskiy, and Sergey Mironov, who are also members of the State Duma, did not comment on the CEC chairperson’s report, but discussed the protest rallies at length. These speeches were published on the State Duma’s website and have been discussed widely in the public domain.

informed that active campaigning would commence only once campaign and party offices in the regions had received instructions and materials from their headquarters.

All presidential candidates presented their platforms on their campaign websites as well as in some print media. They focus on long-term initiatives; in particular, the improvement of the social and economic situation or foreign policy. Some candidates referred in their campaign programs to topics such as interethnic relations, migration policies, cultural and linguistic diversity, formation of a state ethnicity policy, and the situation of ethnic Russians. Programmes of some of the contestants reflect the demands put forward during mass demonstrations, such as a rerun of the Duma elections, promulgation of new election laws, including the reintroduction of the election of governors, and the removal of all restrictions on political participation.

## VII. CAMPAIGN FINANCING

The maximum amount that each candidate is allowed to spend on the campaign is 400 million rubles (approximately 10,100,000 EUR). Each candidate must open a special bank account to cover all campaign-related expenses. The CEC has the right to monitor electoral accounts on a permanent basis. Donations to candidates are limited to contributions from candidates' own money, funds of the political parties that nominated them, and voluntary donations by individuals or legal entities.<sup>9</sup>

Candidates must submit two financial reports to the CEC: the first one at the time of submitting their registration documents and the second no later than 30 days after the publication of the final results. No less than once every two weeks, the CEC must submit information on incomes and expenditures of candidates to media outlets for publication.

## VIII. MEDIA

There are a large number of officially registered media outlets in the Russian Federation. The majority of them are founded, owned or controlled by the government or government-affiliated structures. Television is the primary source of political news. Tabloid newspapers dominate the print media market, while analytical print media have lower circulation. The Internet has become an important source of information and voter mobilization in urban centers.

The Presidential Election Law as well as the Law on Basic Guarantees provides for equal conditions of access to mass media for registered candidates to conduct election campaigning and requires that no preferences be given to any candidate in news coverage in broadcast and print media, including private, starting from candidates' registration with the CEC. At the same time, state-funded media are obliged to broadcast and publish official statements made by state authorities and to cover "important facts about the activities of the federal government."<sup>10</sup>

The campaign period in the media lasts from 4 February to 2 March. Candidates and political parties that nominated candidates are entitled to free airtime in state-funded broadcast media both at the national and regional levels, as well as to free space in the national state-funded print media. The total time provided by every national state-owned TV and radio station to the candidates free of charge will be one hour per registered candidate and one hour per political party that has nominated a candidate. Half of the allotted time is to be devoted to debates among election contestants, one third to political parties, and the rest to the candidates. National print media are required to allocate

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<sup>9</sup> Donations from the following sources are prohibited: foreign citizens, organizations and governments; Russian citizens under the age of 18; state institutions; military and law enforcement organizations; charitable and religious organizations; and anonymous sources.

<sup>10</sup> Article 35 of the Law on Mass Media and Articles 6 and 8 of the Law "Order of the State-Funded Media Coverage of the Activities of State Officials."

five per cent of the total weekly space for the purposes of free presentations. Half of the allotted space is to be distributed among candidates and the other half among the political parties. The order of appearance and debating partners were determined by a lottery organized by the CEC on 2 February for broadcast and on 31 January for print media.

If candidates decide to participate in debates in the national media, they are obliged to appear in person, except if they are sick or performing official duties. For regional media outlets, candidates are allowed to delegate the participation in debates to their representatives. On 12 January, the spokesperson of the Prime Minister announced that Vladimir Putin would not take part in debates due to his performance of official duties. In response, candidates Prokhorov and Mironov announced, that they would also not participate in person in debates not attended by Vladimir Putin.

Starting from 31 January, the OSCE/ODIHR EOM has been conducting a quantitative and qualitative media monitoring of campaign coverage daily from 18:00 to 24:00 on seven TV channels with national coverage and six newspapers.<sup>11</sup>

## IX. COMPLAINTS AND APPEALS

Any political party, candidate or voter can file a complaint with election commissions or courts concerning actions, inaction and decisions of election commissions, local or state government agencies or candidates and parties as long as they can show that their electoral rights were violated. Appeals can be filed with higher-level election commissions or with the relevant court. Appeals to CEC decisions are heard by the Supreme Court.

Election commissions are required to investigate the circumstances alleged in a formal complaint and answer in writing within five days, but no later than the day before election day. In case the resolution of the complaint requires further investigation, the period can be extended to ten days. The complainant must be notified and given an opportunity to respond. The CEC and the majority of lower-level election commissions have formed working groups to hold hearings on complaints and to provide advisory opinions.

Apart from the complaint filed by Grigory Yavlinskiy with the Supreme Court with regard to his non-registration, very few complaints have been filed regarding the presidential election to date. The OSCE/ODIHR EOM is aware of two complaints filed with the CEC, both by the KPRF, alleging that documentaries shown on *NTV* and *Channel 1*, which presented Vladimir Putin in a positive light constituted campaign materials and violated the provisions of the law that guarantee equal access of all candidates to mass media. The CEC working group discussed these complaints and found no violation of the law.<sup>12</sup>

Following two complaints filed by the KPRF, the SEC in Novosibirsk declared anonymously produced campaign material illegal for not containing the required information about who produced or paid for it. The SEC requested the Ministry of Interior to confiscate the material and to investigate the matter.

## X. DOMESTIC AND INTERNATIONAL OBSERVERS

The wave of protests after the recent Duma elections contributed to an increased public interest in the monitoring of the presidential elections. According to the law, domestic observers can be

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<sup>11</sup> The OSCE/ODIHR EOM media monitoring covers *First Channel*, *Russia 1*, *Russia 24*, *TV Center*, *NTV*, *Channel 5* and *Ren-TV*. Newspapers monitored include *Rossiyskaya Gazeta*, *Parlamentskaya Gazeta*, *Kommersant*, *Komsomolskaya Pravda*, *Novaya Gazeta* and *Argumenti i Fakti*.

<sup>12</sup> The working group submitted its findings to the CEC for consideration; the CEC has yet to consider the issue.

nominated only by candidates or by political parties nominating candidates. Any other groups and organizations, either governmental or non-governmental, are barred from nominating observers. As a result, a number of organizations and groups have stated their intention to observe this election by deploying monitors as media representatives. A number of monitoring initiatives have been announced by both public and non-governmental organizations.<sup>13</sup> In addition, most of the candidates also plan to recruit numerous observers.<sup>14</sup>

Plans for other forms of monitoring have also been announced, including hotlines to report on alleged violations via phone, text messages or e-mail for their further channelling to the election administration or adjudicators as complaints. Some groups have announced that they would observe the process of voting and counting through webcam broadcasts on the CEC's website.<sup>15</sup>

There have been reports of obstruction of monitoring activities of certain groups. In particular, the *Golos* NGO has reported consistent pressure from authorities, including investigations by tax offices of its local branches and a media campaign aimed at discrediting it. In addition, at least two SECs in Tomsk and Ivanovo have denied *Golos* journalists access to polling stations on election day in writing.<sup>16</sup>

Apart from the OSCE/ODIHR, several other international organizations have expressed their intention to deploy observers, including the Commonwealth of Independent States, the Parliamentary Assembly of the Council of Europe (PACE), and the Shanghai Organization for Co-operation.

## XI. OSCE/ODIHR EOM ACTIVITIES

The OSCE/ODIHR EOM commenced its work on 26 January 2012. The Head of the EOM met the chairperson of the CEC and representatives of the Ministry of Foreign Affairs. The EOM is grateful to the CEC for facilitating contacts with all the levels of the election administration. The EOM has also established contacts with representatives of all candidates contesting the elections, state officials, representatives of civil society and the media as well as other electoral stakeholders. Participating States have been requested to second 160 short-term observers to follow election day procedures. The OSCE/ODIHR will join efforts with the PACE delegation for election day observation.

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<sup>13</sup> These include the Citizen Observers, the Civil Control Association, the League of Voters, *Golos*, the Public Chamber, and the Russian Fund for Free Elections.

<sup>14</sup> For example, Mikhail Prokhorov is recruiting on his official campaign website, while Vladimir Putin has publicly made an official invitation to certain organizations, including the newly created League of Voters and the "Yabloko" party, to register observers on his behalf.

<sup>15</sup> For example, the Public Chamber has announced an intention to set up an information centre, similar to one in the CEC, to exercise ongoing monitoring of the elections through video recording of broadcasts.

<sup>16</sup> *Golos* observers were accused of "spread[ing] false information on election violations" through the Internet project "Karta Narusheniy" during the State Duma elections and of exceeding their authority as journalists.