

Delegation of the Russian Federation

**CONTRIBUTION BY THE
CENTRAL ELECTION COMMISSION OF THE
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Working Session I: Structure of electoral management bodies

**1. Structure and composition of electoral management bodies in the
Russian Federation**

The following election commissions (referendum commissions) operate in the Russian Federation: Central Election Commission of the Russian Federation; election commissions of the republics and territories of the Russian Federation (subject election commissions); election commissions of the municipalities; district election commissions; territorial including regional, urban and other election commissions; and precinct election commissions.

In legal practice, the system can vary at different levels of the electoral process (federal, regional, municipal) and individual elements can be absent – district election commissions at the federal level, for example. At the same time, the basic election commission system (Central Election Commission of the Russian Federation, election commissions of the republics and territories of the Russian Federation, territorial election commissions) remains unchanged. These commissions are the permanent State bodies at the corresponding levels. Precinct election commissions are also required during election and referendum campaigns. They are basically responsible for organizing the voting and counting the votes cast by the voters or participants in referendums.

Thus, preparations for the presidential elections in the Russian Federation in 2008 were carried out by 86 election commissions of the republics and territories of the Russian Federation, 2,750 territorial election commissions (including two commissions set up to oversee the operation of precinct commissions outside the borders of the Russian Federation) and more than 96,000 precinct election commissions.

This unified system of election commissions ensures the necessary centralization of electoral activities at the various levels during the election campaign, notably through supervision by higher bodies of the activities of subordinate commissions. Outside the electoral campaign, co-ordination and monitoring within the system are at the level necessary for the routine development of the electoral system, in particular organizing and improving

the vote-counting procedures, legal instruction and other aspects. The construction of the election commission system in the Russian Federation makes it possible to take account of the particular structural features of the electoral process at the different election levels.

The Central Election Commission of the Russian Federation ensures observation of the electoral rights of citizens, manages elections and the development of the electoral system of the Russian Federation, legal instruction for voters, the professional training of members of the election commissions and others involved in organizing elections, provides assistance to election commissions in legal matters, methodology, information, organization and technical aspects and has a number of other powers. The election commissions of the republics and territories of the Russian Federation and the territorial election commissions also co-operate with relevant subordinate commissions, co-ordinate their activities and offer them assistance.

2. Safeguarding the independence of the election commissions and political balance in their composition

The Federal Law on Elections and Referendums sets down a number of core principles regarding the activities of election commissions. Mention should be made first and foremost of the principle of independence and impartiality.

The Russian election legislation prohibits interference in the work of the election commissions by State or local self-government authorities, organizations, officials or citizens. The decisions and other acts by the election commissions that they are mandated to adopt are binding for federal and regional executive authorities, State institutions, local self-government authorities and participants in electoral activities. State and local self-government authorities are obliged to assist the election commissions in their work.

Apart from formally anchoring this principle, the election legislation contains a number of guarantees to ensure that it is observed. The formation of the election commissions at all levels is an example of co-operation between the State authorities at the federal and regional levels, representatives of the municipalities, political parties and other public associations. The interests of the political powers, the federal structure and the proposals of the head of State representing Russia's multi-ethnic population are balanced by giving the 15 members of the Central Election Commission of the Russian Federation an equal vote. The appointment is made by the President of the Russian Federation, the State Duma and the Council of Federation of the Federal Assembly of the Russian Federation. The election commissions of the republics and territories of the Russian Federation consist of the heads of the executive authorities and legislative (representative) bodies of the State authorities. The appointment of members of election commissions at all levels with equal voting rights is carried out in particular on the basis of proposals by political parties entitled to seats in the State Duma of the Federal Assembly of the Russian Federation, the legislative (representative) bodies of the State authorities of the republics and territories of the Russian Federation, and the representative bodies of the municipalities, respectively.

The election authorities are supplemented by members of the commissions in a consultative role appointed by the candidate and the electoral association putting up a list of candidates, which also allows the political forces to be balanced.

Only one representative of each political party, electoral association or other public association may be appointed to the election commission.

Apart from the specific legal safeguards, other principles help ensure the independence of the election committees: competence invested in them by the law, co-operation in the adoption of decisions, transparency and openness.

Observers, representatives of the mass media, candidates, their agents and other participants in the electoral process are entitled to attend the meetings of the commissions and the election activities carried out by them (including organization of voting, determining the results and establishing the outcome of elections and referendums). This also ensures the independence of the election commissions and their balanced political composition.

To ensure the transparency of the work of the commissions, the observance of the principle of equality of candidates and electoral associations and as an additional balance among the political forces, the candidates and electoral associations are entitled to appoint members of the commissions in a consultative capacity with fairly wide-ranging powers including the possibility of placing items on the agenda, discussing these items and obtaining the necessary documents.

The system of election commissions – independent co-operative bodies responsible for election management – may be regarded as an important legal guarantee of the electoral rights of citizens and also the principles of free, democratic, binding and regular elections.

Under Russian law, the election bodies are independent of State and local self-government authorities within their areas of authority.

A whole series of reasons may be cited to confirm this assertion. Appropriate provisions are enshrined in Russian election legislation:

- Definition of principles for the formation of election commissions (the binding nature of their decisions for a defined set of bodies and persons);
- Establishment of legal liability of persons violating election and referendum legislation;
- Legal assurance of standards of public control through national and international election observers;
- Legal assurance of access to information on the national electoral process for representatives of the mass media.

The accountability of the election commissions can be seen by the way they inform the State authorities of the voting and results of the elections: the Central Election Commission of the Russian Federation regularly informs the members of the State Duma and the head of State in a report on the conduct, voting and results of federal and regional electoral campaigns, and progress in the development and improvement of the electoral process and election legislation. The election commissions of the republics and territories of the Russian Federation also provide information in the form of reports to deputies of the legislative (representative) bodies of the State authorities and senior officials of the republics

and territories of the Russian Federation on the voting and results of regional and municipal elections and referendums.

The Central Election Commission of the Russian Federation, the election commissions of the republics and territories of the Russian Federation, the election commissions of the municipalities and the territorial election commissions present accounts of the use of budget resources earmarked for their activities and the conduct of elections and referendums as specified in the laws of the Russian Federation.

At the same time, the decisions taken by the higher commission within its mandate are binding for the subordinate commissions. This is not a question of the accountability of the commission but of ensuring consistent application of election legislation and verifying that the electoral rights of citizens of the Russian Federation and their right to take part in referendums are observed. Programmes and plans are also elaborated for implementation at the federal and regional levels, for example to increase the legal information available to voters, to train election organizers and to improve and develop election technologies.

3. Increasing the level of professional training of persons recruited to work in electoral bodies

One of the main tasks of the Central Election Commission of the Russian Federation and the election commissions of the republics and territories of the Russian Federation is to improve the qualifications and professional skills of members of election commissions by offering professional training, regular refresher courses and performance reviews. A high level of professionalism by the organizers of elections and referendums is a prerequisite for improving the quality of the work of the election commissions and ensuring more effectively that election legislation is complied with and the electoral rights of citizens protected.

Ways in which the professional competence of election commission members is increased include competitive selection and regular performance reviews of government workers. In view of the need for qualified staff, the Central Election Commission of the Russian Federation systematically organizes the training of new staff for the election commissions. In co-operation with the Ministry of Education and Science and a number of institutes of higher education in the Russian Federation, courses and advanced training for young members of election commissions are being elaborated in the form of professional training and refresher programmes and postgraduate professional studies.

A multilevel training system for election commission workers has been developed within the Russian electoral system from the federal to the local level. One of the key elements of this system is the Russian Centre for Election Technology Studies within the Central Election Commission of the Russian Federation, whose main task is to organize and co-ordinate efforts to increase professional qualifications and training and refresher courses for participants in the electoral process and election commission employees.

At the regional level, the qualifications of members of territorial and precinct election commissions are improved by means of model training programmes devised by the Central Election Commission of the Russian Federation, the Russian Centre for Election Technology Studies within the Central Election Commission and the election commissions of the republics and territories of the Russian Federation. The training is organized by the election

commissions of the republics and territories of the Russian Federation and the territorial election commissions.

The Central Election Commission of the Russian Federation organizes courses in the election commissions of the republics and territories of the Russian Federation to improve the qualifications of election commission heads. As well as learning about the work of the election commissions in the region, participants in these field courses are involved in direct training in the form of simulations, round tables, training sessions and master classes. There has also been an increase in tele-learning.