

PC.DEL/988/05  
6 October 2005

ENGLISH  
Original: RUSSIAN

Permanent Delegation of the Republic of Belarus to the OSCE

**STATEMENT BY MR. ALEXANDER OPIMAKH,  
DEPUTY PERMANENT REPRESENTATIVE OF THE REPUBLIC OF  
BELARUS TO THE OSCE, AT THE MEETING OF THE OSCE  
PERMANENT COUNCIL**

6 October 2005

**Observation of the parliamentary elections in the Republic of Poland**

Mr. Chairman,

At the meeting of the OSCE Permanent Council on 14 July 2005, the Mission of Poland to the OSCE invited the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and participating States to observe the parliamentary elections to be held on 25 September 2005.

Taking advantage of the kind invitation of the Polish Government and also considering the fact that the ODIHR had decided not to observe these elections on account of "limited resources and a tight schedule", the Republic of Belarus established a group of observers from Belarus that included representatives of the National Assembly of the Republic of Belarus, the Central Commission of the Republic of Belarus on Elections and Republic-wide Referendums, the Ministry of Foreign Affairs of the Republic of Belarus and the Embassy of the Republic of Belarus in Poland.

In that connection, the Belarusian Embassy in Warsaw requested of the Polish Ministry of Foreign Affairs that the Belarusian representatives be accredited as international observers. However, referring to the fact that Polish electoral legislation makes no provision for international observers, the Polish authorities refused to grant official accreditation to the Belarusian observers and did not issue them with the appropriate documents.

However, the Polish Ministry of Foreign Affairs and the National Electoral Commission assured us that the Belarusian observers would be given unimpeded access to polling stations.

The Belarusian delegation monitored elections in the cities of Warsaw and Bialystok (Podlaskie province), where there is a concentration of members of the Belarusian ethnic minority in Poland. Election-day monitoring was organized in accordance with OSCE practices.

As part of the election monitoring, meetings were held between the Belarusian observers and the Director of the ODIHR, Mr. Christian Strohal, the Chairman of the

National Electoral Commission of Poland, Mr. Ferdynand Rymarz, the responsible official of the Polish Ministry of Foreign Affairs for elections and referendums, Mr. Witold Rybczynski, senior officials of Polish electoral bodies at various levels and also representatives of political parties and Polish press agencies.

The meetings held and the monitoring conducted at polling stations provided a fairly complete picture of Polish electoral laws and how they are actually applied.

In that connection, we should like to express our gratitude to the Polish Government for the assistance they provided the Belarusian representatives in carrying out their observations.

At the same time, we regret that, despite the assurances given by the Polish authorities, the Belarusian monitors encountered a number of difficulties in performing their functions. On the day of the elections, they were refused admittance to a number of polling stations. At not a single polling station where monitoring was carried out were the Belarusian observers allowed to witness the vote counting procedure.

We have already encountered this situation through our experiences with a number of other OSCE participating States, which invite observers but fail to provide them with appropriate conditions to carry out full-scale monitoring. We have seen the same thing during the recent elections in the United States of America and the United Kingdom. I am certain that we would encounter the same approach in a number of other countries with “mature democracies”.

It would seem that the absence in a number of OSCE participating States of legislative provisions recognizing international observers has the practical effect of violating the election transparency principle laid down in OSCE commitments. The ODIHR should pay particular attention to this matter.

We should also like to share with you a number of other observations made by the Belarusian monitors during the elections in Poland.

For example, against the background of what was generally an untroubled election process the observers came across a number of violations both of Polish laws and of international standards.

The most significant violations included such things as:

- Delayed opening of polling stations;
- Violation of the principle of secret balloting (at the majority of polling stations there were places set up for open voting, thus encouraging a breach of that important principle);
- Group or family voting in a single polling booth;
- The presence at the entrance to polling stations of campaign material;
- Failure to observe the practice of “no campaigning” on the eve of the elections.

Monitoring of the election campaign also brought to light other irregularities, such as unequal access for political parties to the media and numerous instances of forged signatures on candidate registration lists.

The observers also noted what might be referred to as an “administrative” approach to the way the election commissions were set up. In particular, the National Electoral Commission is appointed by the President, while the district commissions are formed by the executive commissions of the communities in question. On election day, there were a number of cases of election commissions receiving direct instructions from local authorities.

In the opinion of the Belarusian observers, Polish election laws do not ensure that citizens who for one or another objective reason are unable to get to the polling station on election day are able to exercise their right to vote.

What is more, at all the polling stations at which the observers had the opportunity to be present, there was a low turnout of voters — according to official figures no more than 40.57 per cent.

In the very near future, we shall be sending the Polish authorities and the ODIHR a detailed report on the findings of the election monitoring in Poland, setting out specific established facts. Once we have received any comments or remarks they may wish to make, we intend to circulate this report within the OSCE. We hope that the report will be carefully studied by the Polish authorities and that it will help to further improve the electoral process, including the balloting during the forthcoming presidential elections on 9 October.

Mr. Chairman,

We do not dispute the democratic nature of the elections held in Poland, although the facts I have mentioned are evidence of Poland’s clear violation of a number of its obligations with regard to the organization and conduct of elections, as contained in the OSCE Copenhagen Document of 1990.

At the same time, the monitoring of the parliamentary elections in the Republic of Poland has once again graphically confirmed for us the need, first, to conduct a comparative analysis of election laws in all OSCE participating States as to whether they are in conformity with OSCE criteria (this proposal has been repeatedly put forward by the Republic of Belarus and the Russian Federation, but has met with no support on the part of the so-called mature democracies) and, second, to apply within the OSCE single rather than double standards when assessing election processes in OSCE participating States.

It is in fact this difference in the ODIHR’s attitude towards the same facts in different countries, interpreting them in some cases as “significant violations” and in others as “insignificant shortcomings”, that is undermining confidence in the objectivity of the assessments made by this OSCE institution. We hope that as part of the process of reform we shall see real changes in this area. Unless there are improvements here, the ODIHR’s election monitoring work will lose its *raison d’être* — to help to improve the conduct of elections throughout the OSCE area.

Thank you, Mr. Chairman.