
INTERIM REPORT No. 2
25 November – 5 December 2010

10 December 2010

I. EXECUTIVE SUMMARY

- The election campaign gathered momentum with scant evidence of campaigning across the country. Candidates have conducted campaign events unhindered in Minsk and the regions. The Central Election Commission (CEC) decided to issue a warning to two candidates for organizing an unsanctioned rally in Minsk.
- Election preparations are well underway and conducted in accordance with legal deadlines. Voter lists are displayed at Precinct Electoral Commissions (PECs) for public scrutiny. The CEC ordered the printing of 7,447,000 ballots for an estimated total of 7,094,000 eligible voters. At the training seminars for PEC members, counting procedures are at times insufficiently clarified.
- In a public session attended by the media, the CEC, including non-voting members nominated by candidates, adopted a resolution to allow voting for some citizens in detention and introduced additional security improvements for early voting.
- All candidates were allocated State funds for their campaign. The CEC published information on private financial contributions to candidates' campaign funds. With the exception of two candidates, none received any significant contribution.
- Two debates between candidates were broadcast live by State TV and Radio. The incumbent did not participate. State media complied with the legal obligation to allocate free air time for candidates' presentations. The period for the allocation of free airtime ended on 3 December.
- The OSCE/ODIHR Election Observation Mission (EOM) preliminary media monitoring findings indicate that State TV channels with nationwide coverage have not provided balanced information about the candidates' activities and platforms in news and information programmes. News coverage is dominated by extensive reporting on the President's activities while other candidates have received marginal news coverage.
- Five candidates reported difficulties with printing election-related materials. Some printing houses were reluctant to take up orders from these candidates, allegedly due to pressure from the State security service.
- Complaints submitted to PECs and Territorial Electoral Commissions (TECs) are predominantly reviewed by individual commission members. The legislation does not set out a clear procedure by which lower election commissions are to review complaints. In rare cases, at the discretion of the chairperson, complaints are considered in plenary session or by three commission members.

II. CAMPAIGN ENVIRONMENT

The election campaign gathered momentum with scant evidence of campaigning across the country. Eight out of nine opposition candidates organized meetings and public rallies unhindered in Minsk and the regions.¹ The CEC issued a warning to two candidates² for organizing an unsanctioned rally in Oktyabrskaya Square on 24 November in Minsk. Prominent campaign issues included reform of the electoral legislation, improvement of relations with the Russian Federation, intensified economic relations with the European Union, as well as reforms of the health care and pension system.

The President's official activities remain highly visible. While no campaign billboards or posters feature the incumbent, there are numerous billboards around Minsk, Brest and Gomel with the slogan "Together we are Belarus", which is also a key message of President Lukashenko's campaign manifesto.³

All opposition candidates expressed similar concerns about the composition of election commissions, limited and unequal access to the State media, misuse of administrative resources, early voting process and vote count. While candidates have acknowledged a certain improvement in the election environment thus far, they still profess a lack of confidence in the possibility of a democratic election.

A number of candidates complained about the unsuitability of some campaign venues and subsequently appealed the decisions of local executive committees; the majority of appeals were satisfied and alternative venues were granted. In some regions local government authorities⁴ have increased the number of places for displaying printed campaign materials as well as the number of indoor and outdoor campaign venues.

Five candidates⁵ reported difficulties with printing election-related materials. Some printing houses were reluctant to take up orders from these candidates, allegedly due to pressure from the State security service. Other printing houses processed orders in a slow manner.

All candidates were allocated State funds amounting to BYR 80.5 million, (approximately EUR 19,500). The CEC published information on private financial contributions to the candidates' campaign funds.⁶ With the exception of Mr. Vladimir Nekliaev and Mr. Andrei Sannikov, no candidate received significant private contributions. As of 30 November, four candidates had not received any.

¹ The exception is candidate Mr. Viktor Tereshchenko.

² Mr. Vital Rymasheuski and Mr. Nikolai Statkevich

³ *Sovetskaya Belorussia* newspaper No. 231 (23622) from 2 December 2010.

⁴ Baranovichy, Brest, Mozyr, Mogilev, Minsk East and South.

⁵ Mr. Ryhor Kastusiou, Mr. Vladimir Nekliaev, Mr. Yaroslav Romanchuk, Mr. Andrei Sannikov, Mr. Nikolai Statkevich.

⁶ <http://www.rec.gov.by/pdf/prb2010/inf2.pdf>.

III. ELECTION ADMINISTRATION

Election preparations are well underway and are conducted in accordance with the legal deadlines.

The CEC unanimously adopted several decisions related to election day procedures. The CEC specified the list of valid identification documents required to vote on election day. In addition to their passport, voters may also use other types of photo-IDs such as military, civil servant, pensioner and student identification documents. The CEC granted the right to vote to citizens in detention for minor or administrative offences. They will vote in detention centres using the mobile ballot box of the respective PEC.

The 2010 amendments provide a number of safeguards to be implemented during early voting. These include that ballot boxes are to be sealed overnight, observers have the right to be present at the daily sealing and opening of the boxes, a daily protocol containing the number of votes cast is to be displayed at the polling station and in the final results protocol, and the total number of early voters is to be reported as a separate figure.

On 30 November, the CEC decided to introduce further security measures to protect sensitive election materials during the five-day early voting period.⁷ The CEC regulated that during the break between morning and evening voting, ballot boxes should now be sealed and sensitive election materials, such as unused ballot papers and the voter list, should be stored in a sealed metal safe. The CEC refused, however, to permit observers to remain in polling stations overnight during the early voting period.

In line with the Electoral Code and according to the Rules of Procedure of the CEC, accredited observers, media as well as candidate representatives attended CEC sessions. On 30 November, for the first time during this election, non-voting members nominated by candidates attended the CEC session.⁸

According to the Electoral Code, local authorities provide technical support to the election administration, including the provision of election day equipment. In two cases (Brest and Mogilev regions) the local administration indicated it will provide the PECs with a number of transparent ballot boxes.

The CEC ordered the National Printing House to print a total of 7,447, 000 ballot papers for the estimated total of 7,094,000 eligible voters, including a maximum of five per cent reserve ballots which will be distributed to PECs.

Since 3 December, voter lists have been available for public scrutiny in PEC premises, which has been confirmed by OSCE/ODIHR LTOs. Voters have the right to check their entries and to request corrections or inclusions. Inclusion of a voter in the voter list is allowed upon presentation of a valid passport, up to the end of voting on election day.

⁷ Early voting will take place from 14 to 18 December, from 10:00 – 14:00 and from 16:00 – 19:00.

⁸ Representatives of Mr. Nekliaev, Mr. Romanchuk, Mr. Rymasheuski, Mr. Sannikov and Mr. Statkevich.

At the ongoing training seminars for PEC chairpersons, deputies and secretaries, observed by OSCE/ODIHR LTOs, counting procedures were at times insufficiently clarified.

IV. MEDIA

Since the official start of the campaign, coverage in the media has been limited, with broadcast media focusing on the procedural and technical aspects of the electoral process. The CEC and the authorities, including the incumbent in his official capacity, receive substantial coverage, while news coverage of other candidates is limited.

Debates between candidates were broadcast live by State TV and Radio on 4 and 5 December respectively. The incumbent did not participate in the debates. The nine other candidates refrained from criticizing each other, and focused instead on presenting their platforms, challenging the current establishment, and expressing their views about the current shortcomings in the country.

State TV and radio complied with the legal obligation to allocate free air time for candidates. The period for allocation of free airtime ended on 3 December. All candidates, but the incumbent, continued to use free airtime to present their respective platforms live on state broadcasters. They did so uninterrupted and uncensored, often sharply criticizing the authorities, including the President. Appearances were broadcast according to the agreed schedule by lottery. In their addresses, candidates were permitted to speak live but were not allowed to use video spots, songs or pictures.

As of 27 November, State-funded newspapers have allocated space free of charge for all candidates. Presentations were drafted by candidates and approved by the editors before printing. The incumbent's platform appeared on the front page while other candidates' platforms were published on the inside pages, in violation of the equal treatment provision stipulated in the Electoral Code.⁹ So far all candidates used the free space available in national print media.¹⁰ In their political and election-related coverage, State-funded newspapers have so far demonstrated a clear bias in favor of the incumbent.

The OSCE/ODIHR EOM preliminary media monitoring findings indicate that State TV channels with nationwide coverage have not provided balanced information about candidates' activities and platforms in news and information programmes. News coverage is dominated by extensive reporting on the President's activities, with a notable tendency to reflect positively on his work, while critical opinions and comments on his performance are generally absent. By contrast, other candidates have received marginal news coverage, often referred to as a group rather than as individual candidates, without their names being mentioned.

Since the beginning of the official campaign period,¹¹ the State TV's First Channel devoted some 86 per cent of its political and election-related news coverage to the President. The tone of the coverage was positive or neutral. In more than half of this news coverage, President Lukashenko was able to address viewers directly. By comparison, the other candidates received a combined total of 14 per cent of the coverage. The tone was

⁹ Article 46.2.

¹⁰ With the exception of Mr. Dmitri Uss in the newspaper *Sovetskaya Belarus*.

¹¹ Monitoring period: 18 November to 5 December.

overwhelmingly negative or neutral. Data gathered on the tone and allocation of coverage on State radio yielded similar results.

State-controlled TV Channels ONT and STV adopted a comparable approach, each devoting more than 90 per cent of their news coverage to President Lukashenko. While the tone of the President's coverage was positive or neutral, coverage of the other candidates was negative. On an irregular basis, ONT newscasts featured a five-minute editorial 'Kak Est' (*How it is*), that discredits opposition candidates.

On 22 November, candidate Mr. Vladimir Nekliaev brought to the attention of the CEC the unequal and insufficient coverage of the campaign by the State media and requested that the CEC oblige it to limit coverage of the President's activities. The CEC maintained that it is not authorized to interfere with the editorial policies of the media and noted that the President is entitled to receive airtime on national media upon demand.¹²

V. COMPLAINTS AND APPEALS

According to the CEC, two complaints were filed to PECs, 140 to TECs and 96 to local executive committees by 3 December. Most of the complaints lodged with TECs and local executive committees concern the composition of PECs and TECs, the conduct of the campaign and the accreditation of observers.

OSCE/ODIHR EOM LTOs reported that complaints submitted to PECs and TECs are predominantly reviewed by individual commission members. The legislation does not set out a clear procedure by which lower election commissions are to review complaints. In rare cases, at the discretion of the chairperson, complaints are considered in plenary session or by three members (chairperson, deputy and secretary).

To date, 124 complaints have been lodged directly with the CEC. The majority of them relates to the composition of PECs and TECs; the creation of initiative groups; the collection of signatures; the misuse of administrative resources; election campaign activities, including excessive restriction on the allocation of venues, and the accreditation and activities of domestic observers. Of all the 295 issues addressed to the CEC, including the 124 complaints as well as appeals, proposals or clarifications, only two have been reviewed collegially so far.¹³

The CEC has no authority to deal with appeals against decisions made by local executive committees but the CEC occasionally facilitated changes in the decisions of the executive committees, bypassing official channels.¹⁴ The CEC has acted inconsistently by refusing to consider similar appeals and citing its lack of authority.

¹² The Law on the President of the Republic of Belarus No 3602-XII, 21 February 1995, article 25.

¹³ The first case was a clarification regarding the authority of the CEC to interpret certain provisions of the Electoral Code and the right of observers which was reviewed on 5 November (CEC Resolution No. 93). The second case was a clarification about observers' rights to monitor the security of ballot boxes guarded by armed forces during early voting. Though the request was rejected, the CEC issued a resolution that clarified paragraph 4 of article 53 of the Electoral Code on ensuring safety of ballot boxes during early voting.

¹⁴ Some appeals on decisions of local executive committees regarding the composition of election commissions, e.g. CEC letter No.01-12/B-367, of 4 October 2010, and regarding campaign venues,

According to official documents available, CEC, TECs, PECs and executive committees have reviewed complaints within the legal deadline of three days after submission of complaint and in cases where additional investigations were necessary, within the mandatory ten days.

Additionally, any person, including foreign citizens and organizations, are entitled to lodge a complaint on violation of electoral legislation to one of the 156 prosecutor offices countrywide. To date a total of 64 such complaints, including 10 filed with the general prosecutor, have been lodged throughout the country.

VI. DOMESTIC AND INTERNATIONAL OBSERVATION

As of 29 November, the CEC had registered 9,587 observers from civil society organizations, and accredited 429 international observers including a group of ten observers from the Parliamentary Assembly of the Union State between Russia and Belarus and six representatives of foreign election management bodies. Every registered candidate is allowed to appoint 30 representatives to observe in any polling station. Observers nominated by political parties will supplement them to observe election day procedures.

VII. OSCE/ODIHR EOM ACTIVITIES

During the reporting period, the OSCE/ODIHR Election Observation Mission (EOM) continued its regular activities, meeting State officials, candidates and their proxies, the election administration, court officials, representatives of the media and civil society, as well as representatives of diplomatic missions to Belarus. The Head of the OSCE/ODIHR EOM met with nine candidates and the campaign manager of the incumbent. The 40 long-term observers deployed throughout the country continue to observe electoral preparations and the campaign in the regions while preparing for the deployment of approximately 330 short-term observers during the election week.

e.g. the decisions of Molodechno, Borisov and Slutsk district executive committees were revised after an intervention by the CEC.