



**Organization for Security and Co-operation in Europe
Office for Democratic Institutions and Human Rights**

INTERNATIONAL OBSERVER MISSION-RUSSIAN PRESIDENTIAL ELECTION

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**ELECTION FOR THE PRESIDENT OF THE RUSSIAN FEDERATION
FINAL STATEMENT OF THE OSCE/ODIHR OBSERVER MISSION
First Round of Voting**

INTRODUCTION

On 15th March 1996 Dr N T Ryabov, Chairman of the Central Electoral Commission of the Russian Federation, sent Ambassador Audrey Glover, the Director of the OSCE's Office for Democratic Institutions and Human Rights, the formal invitation to co-ordinate the international observers at the Presidential election. On 1st of April 1996 OSCE/ODIHR sent a Note Verbal to all the 54 participating States of the OSCE requesting them to send observers. Michael Meadowcroft was appointed to act as Co-ordinator and, from the end of April, the long-term observers began to take up their positions in the regions of Russia. OSCE/ODIHR has established six regional offices; in Irkutsk, Kazan, Khabarovsk, Novosibirsk, St. Petersburg and Stavropol. A central office was established in Moscow and, with assistance from the EU, logistical and information services were provided.

By polling day, some five hundred international observers had been deployed across the Russian Federation. Other observers also monitored the election, some of whom participated in the reporting back sessions which preceded this statement. Of the known international observers 181 were from EU countries, seventeen from Norway, 28 from Central and Eastern Europe, including CIS states, 80 from USA and Canada, five from Japan, five from Turkey, two from Croatia, 95 from Parliamentary groups and the balance from NGOs. These observers were deployed right across Russia, and though there were still a considerable number in and around Moscow and St. Petersburg, the geographical imbalance was less than at the previous two elections. A number of observers are still in Russia, observing the final stages of the vote tabulation and preparing to observe the second round of polling.

THE FRAMEWORK

We are satisfied that, given the scale and particular difficulties of the country, the electoral laws and the Commission's regulations were, in principle, sufficient to provide a secure legal framework for the conduct of the election. We are also satisfied that the structure of the electoral commissions, from polling stations, up to the Central Electoral Commission, via the territories and the subjects, each with the opportunity for registered groups and all candidates to have non-voting members, provided, in principle, an effective structure for the

administration of the election. With only a few exceptions, the commissions welcomed international observers and enabled them to carry out their observation.

THE MEDIA

The provisions of the electoral law with regard to free time on television and radio were carried out with scrupulous fairness but the same cannot be said of the news and comment programme coverage of the different candidates' campaigns. Not only was there a significant imbalance in candidate Yeltsin's favour in the amount of coverage but also his campaign was generally shown in positive terms, compared to other candidates, in particular candidate Zyuganov, who tended to be shown in negative terms. From a very early time the contest came to be regarded as virtually a two horse race and the media reflected - and accelerated - this perception with the result that there was hardly any coverage of the remaining candidates.

PRE-ELECTION OBSERVATION

There were some reported difficulties with registration of voters temporarily resident in an area, who, though entitled to vote, did not have the necessary documents.

Observers also noted that in a number of areas there was manifest support for candidate Yeltsin amongst the local electoral commission members with the consequence that, in such places, there was a tendency that aspects of the election organisation, such as the location of polling stations, were carried out in ways designed to assist candidate Yeltsin. Observers were concerned that in a number of areas members of the federal administration were actively promoting the candidature of candidate Yeltsin, including being official observers on behalf of President Yeltsin, apparently contrary to the provisions of Article 38(1) of the electoral law.

Also, no doubt as a consequence of the widespread existence of local authorities sympathetic to the incumbent President, observers noted that, on occasion, events were organised at public festivals, with public money, which clearly assisted candidate Yeltsin's campaign. In contrast it was reported to observers that, in some areas, other candidates were refused permission to use public buildings for meetings, contrary to the provisions of the electoral law.

Although the electoral law clearly states that an incumbent President, running for a second term "may not take advantage of his official standing for the term of election", it would be very difficult to accept that all President Yeltsin's highly publicised visits to different regions, often promising considerable sums of state funds for local projects were entirely in fulfilment of his Presidential duties as opposed to his candidature.

Observers noted with concern these aspects of the election campaign but are not in a position to judge whether or not they had any significant electoral effect.

POLLING DAY

On polling day itself numerous infringements of the electoral law and regulations were observed of varying seriousness. Although each of them in themselves are important it is the Observer's Mission's considered view that they did not materially affect the outcome of the first round of the election.

The most serious cause for concern was in Tatarstan where, in a number of the polling stations visited, supporters of President Yeltsin were observed inside the polling stations, in front of

the booths, openly appealing for voters to support Mr. Yeltsin. Moreover, in some cases these supporters entered the booths themselves. Individuals were also observed coming out of the booths carrying several ballot papers. In the same republic individuals presenting several passports were given a number of ballot papers and were occasionally observed to vote more than once. Observers in Tatarstan were concerned with the role played by local observers for President Yeltsin who also held influential positions in the local administration and who appeared to control the activities of the polling station commission chairmen. Observers were critical of the counting methods in Tatarstan, describing it as “chaotic”, including concern about the integrity of the tabulation at the Territorial Commission level.

Despite pre-election statements, no candidate had a complete coverage of polling stations with his Observers. Many polling stations were without any candidates’ Observers for long stretches of time. At others it was observed that the candidates’ Observers were on good terms with each other, which assisted the electoral process. It was noted that there were more candidate’s Observers present at the counts.

The use of electronic scanners was observed and their willing acceptance by the voters noted. However, Observers believe that, in order to ensure the secrecy of the ballot, the design be changed so that the ballot paper is inserted in the front of the machine, rather than at the top.

The Observer Mission noted that, in the main, the same election officials were in charge as at the Duma elections last December and that they were more relaxed with the administrative processes.

Although a few observers were refused entry to closed establishments which contained polling stations - such as the Zeleznio military establishment in Komsomolsk, and also at polling stations in Irkutsk and Tver - it was noted that many more of such establishments - prisons, or military barracks - were open to Observers than at last December’s Duma elections. Observers were also present at each level of Commission, including at the Central Electoral Commission, and were satisfied with the methods of vote tabulation. The speed of issuing provisional figures was regarded as a value aid to confidence in the election process.

The most widespread comment amongst Observers was the lack of secrecy when individuals voted. In some cases, in the St Petersburg Region there were no polling booths at all and many other polling stations needed additional booths. It was considered that a lead is necessary from polling station commissions to ensure that voters are instructed on the need for voting in the booths. The key principle is not that voters have a choice, but that an individual’s choice to vote in secret is only secure if everyone votes in secret. It may be necessary to reconsider whether a lower maximum figure of 3000 per polling station should be used in order to ameliorate this problem.

Observers were concerned that the Presidential candidates gave a bad example by appearing not to vote in secret when voting with the automatic scanner machine, with the problem listed above.

There were many instances of voting outside the booths, and of family members going into the booths together. Observers, whilst unhappy with such practices, did not get the impression that this necessary indicated undue influence.

At a polling station in the Jewish Autonomous Oblast three ballot boxes bore Communist Party symbols. At another, at Arsk, in Tatarstan, the Communist Party symbol was displayed on the wall behind the electoral commission's seats.

In a few cases concern was expressed as to the number of transferred voters, for instance, at a polling station in the Khabarovsk region a number of soldiers voted who were not listed on the original register, causing the electorate to increase from 502 to 1800. Observers were concerned that unless the provisions of Article 26 are carefully followed it would be possible to register on a number of registers.

In a number of cases Observers accompanied the mobile ballot box and in most cases were satisfied that this provision was not abused. However, in parts of the Tver region, some of 10% of votes were cast in the mobile box. There were also variations in the methods used for counting them.

Though in the main ballot boxes were properly shown to be empty, and then sealed, there were instances reported (in the Moscow suburb of Svenigorod) where the boxes were not sealed when observers arrived at 11 am. Instances were also reported of boxes being sealed in advance of 8 am, before the arrival of local or international Observers.

The late withdrawal of candidate Tulyeev was not always dealt with by crossing his name off the ballot papers. It was also noted that a few early voters would have lost their votes by voting for him before his withdrawal.

In regard to the count it was noted that there is no definition of how the ballot papers shall be actually counted. Some Commissions divided them into piles for each candidate, but others read each paper out and recorded the vote on sheets. Given the occasional problem of making the figures fit the provisions required by the results protocol, it would be worth instructing Commissions to verify the total number ballots in each box - checking this against the number issued - before separating them into candidates.

CONCLUSIONS

The OSCE/ODIHR Observer Mission is satisfied that the allegations in advance of the polling day that there would be widespread and substantial electoral fraud have not been fulfilled.

In the opinion of the OSCE/ODIHR Observers, the concerns listed above, though serious in themselves, did not materially affect the result of the ballot.

In general the election was well managed and effectively run.

The OSCE/ODIHR Observer Mission believes that the results so far declared accurately reflect the wishes of the voters on the day and that this election is a further consolidation of the democratic process in the Russian Federation.

RECOMMENDATIONS

Now that a second round of voting is confirmed, in which the outcome could conceivably be determined by a small number of votes, it is important that the shortcomings mentioned above

in the behaviour of the media, the conduct of the election campaign, and the polling day procedures be addressed as a matter of urgency. The Observer Mission also believes that the early official publication of the voting figures in polling stations would do much to enhance the transparency of the electoral process.

ACKNOWLEDGEMENTS

The OSCE/ODIHR Observer Mission would like to place on record its appreciation of the willing help and co-operation it has received from the Central Election Commission and from the Commissions in each of the regions in which it has worked.

Michael Meadowcroft
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