

Election Report 25 April 2010 Local Election in Belarus

According to the group of independent observers, participating in the project “Election Observation: Theory and Practice”, main violations in Belarusian elections are still lack of proper access to observation and vote count.

On 25 April a group of independent local observers followed the conduct of elections during the election day during the local election in Belarus, including the opening process, voting and counting. The observation took place mainly in Minsk as well as in some other cities (Brest, Slonim, Maryina Gorka,). Some of the observers also observed early voting – type of voting when the voters are allowed to vote prior to the election day. Based on the observations these are the things that are necessary to bring the attention to.

It is important to note that the Election Commission generally refuses to comment on any of its actions, making it difficult for observers to understand most of them. This is aggravated by the fact that observers are restricted from proper observation. This results in the lack of precisely fixed violations or fraud, which happens mainly because the right to observe per se is not secured. A number of facts noted by the independent observers of “Election Observation: Theory and Practice” and their possible interpretation are listed below.

Vote count is one of the most important procedures to establish the final election result in all countries. However, in Belarus the counting often happens with a lot of violations and fraud. The situation with local election in April is not the exception.

The observers are very often located at a considerable distance during the counting and it is not possible to observe all the aspects of counting. The counting usually happens silently; every commission member counts his/her own pile and passes it to the Chairperson after counting. The observers are ordered not to leave their seats allegedly in order not to interrupt the process and interfere with the work of respective commissions. According to one of the observers, after the vote count was finished the Chairperson took out a pile of packed, signed and sealed ballots from a locked box and added them to the ballots from the ballot box from election day. Similar incidents were observed at other polling stations.

At some polling stations the preparations for the counting are starting even before the voting has finished – the chairperson and the deputy are going around with protocols and other papers filling some numbers and counting the signatures in the list. The commission did not provide any explanations and interpretations of their actions which did not allow observers to objectively evaluate the commissions' acts. The possible purpose of these actions is to provide the final results as previously received instead of the actual results from the polling station.

A number of aspects of the counting cause particular concern and are detailed below.

Protocol. Procedures of compilation of the protocol and the copies of the protocol are not always clear and are not followed at all times. The practice differs from one polling station to the other. Thus, at one of the polling stations in Minsk, at first the copy of the protocol was signed and shown to observers and all present. After that the document was taken away and the commission started to fill in the original.

Unused ballots. According to the Belarusian electoral code, before opening the ballot box the number of unused ballots should be counted and announced. However,

usually the number of unused ballots is not counted. It is often announced after counting all used ballots, which gives reasons to think that the number of unused ballots is often “played up” to the number needed. At the polling station in the Sucharevskiy district of Minsk, the unused ballots were counted and packed, the number was included in the protocol. After counting the used ballots, the package with unused ballots was unsealed and another number twice as less was entered in the protocol. After that the ballots were sealed and signed again.

Separate counting of votes. The recent amendments to the Electoral Code of Belarus introduced a procedure of separate counting and announcement of the votes cast by different methods – early voting first, then mobile ballot boxes and the last - ballot box from the election day. This was often violated. Most of commissions were mostly unprepared for these changes and conducted separate counting only after the request from observers (though some officials at the polling stations refused to do it even after the request from observers). In other cases commissions were counting the votes in turn but did not announce the results separately.

Separate announcement of votes. The violation of the norms regarding announcement of the result was noted at almost every polling station. Instead of announcement the observers were allowed to check out the protocol upon request. As these examples clearly show, amendments to the Electoral Code do not work in reality and the commission members are usually not aware of them. Obviously there was not enough attempts or will or both from the side of Central Election Commission to interpret the norms and make them work in reality.

Announcement of the final results in the end of the counting. The announcement of the final results of voting is also not happening at many polling stations. The protocol is displayed on the wall, the observers are not asked whether they would like to get acquainted with it.

As for the protocol itself there are grounds to assume that the numbers for protocol were prepared in advance. In some polling stations the numbers didn't match the figures that had been announced before the protocol was compiled. At the other polling station the Chairperson and Deputy chair were going around with a calculator and a pencil all day trying to match the numbers. At one polling station there was also a situation that at a glance the piles for candidate were approximately of the same thickness however in the protocol the numbers differed in many times. In Maryina Gorka the protocols were signed long in advance, maybe not even in the day of elections, as the observers report.

Obviously, the preparations for the counting in most of the polling stations start some time ago before the counting actually takes place.

The limitation of access of observers to observation is the key issue in Belarus. Without this basic right one cannot judge about fidelity or fraud, about accordance of the procedures to the international standards. Unfortunately, it is not possible to say that all the observers have equal access to observation of procedures on election day. This can be seen in few things:

- Location of observers during voting. Most often the observers are assigned a certain place that they are not allowed to leave, ask any questions or approach the tables of commission. As some of the polling stations are located in spacious buildings or halls of the school these places might be on a big distance from the registration tables or ballot boxes or polling booths. Therefore, the places of observes couldn't allow them to fully observe all the procedures during election

day (issuing of ballots, list of voters, voters signatures, etc.).

- Refusal of Commissions to provide important information or essential documents – like protocols, list of voters at the polling station, list of voters voting at home, protocols of early voting. These refusals are often explained by the “interference into commission matters”.

- Location and treatment of observers during the vote count. Usually the observers are not allowed to stand up, walk, ask questions, etc. After counting is finished there is usually no chance to bring claims or ask for clarifications as the Commission leaves very quickly. All this hardly gives possibility to clarify or discuss some issues which leads to the situations when the observers have to themselves form the picture of how counting was held.

Local pro-governmental observers. The presence of the pro-governmental observers, who could officially been nominated as representatives from different political parties or organizations, did not improve the situation at the polling stations as their presence was only a formality: they did not followed the election day closely, did not ask any questions and never had arguments or discussions with the commissions. In reality the “observers” who were representatives of the structures loyal to the government had the function of ensuring that the elections were monitored and observers did not see anything extraordinary. Interestingly, but almost every time when independent observers lodged a complaint, there was a counter-document from the governmental observers with the opposite reaction on a situation. In general, the pro-governmental observers often behave like the commission members trying to hamper the real process of observation.

Early voting is a practice that is widely used in Belarus. In Belarusian reality the ballot boxes from the early voting are often used by the authorities to manipulate the voting results – and the practice of 25 April local election in Belarus proves that. One more indirect evidence that proves early voting to be the instrument for falsification is the fact that Belarusian citizens – mostly, students and employees of governmental sector, are forced to come to the polling stations earlier than the actual day of elections. At some polling stations there were incidents that voters who came to vote prior to the day of elections demanded a paper as a proof they had voted. In Rafievski district in Minsk the ballots from the ballot box were evenly put in a pile, with the same location and the exact same symbol in the square in the ballot. This is indirect proof that elections at this polling station were falsified by stuffing of ballots in the ballot box. In Brest in one of the polling station the official statistics showed that 85% of people registered at the polling station came to early voting.

Home voting also went with violations. Sometimes the number of people registered for home voting had not been revealed to observers until after the home voting was finished. Also, at one polling station a second ballot box for early voting was noticed. This ballot box stayed at the polling station at all times. As the observer claims, its the ballots from this ballot box that have been finally used for counting the results from home voting. In one of the polling stations the Chairperson asked the registrars to note down the names of people older than 80 years. As the commission claimed, they went to the homes of these elderly people where they have successfully voted. However, in reality it is quite hard to say whether this people actually voted or their votes were falsified and the commission officials themselves put the crosses for the right candidates.

Speaking about compliance with international principles they were also not always followed. For example, in one of the polling station in Zhydrovskii district all the family couples who wanted to vote together were not stopped by Commission members from doing so. In many European countries such practice is prohibited by the law as the men can influence their wives' choices.

Another principle that was violated was the secrecy of ballot. In one of the polling stations in Slonim independent observer reported that the Commission was asking voters not to fold ballots as that would hamper and lengthen the counting of ballots.

As for the ballots themselves, most often they come from the safe in the building of the polling station. It is a matter of concern that all the ballots come from the safe already signed by two commission members (as required by the law). However, absence of record of their storage and non-transparent access to these documents and safe gave no evidence of how many ballots had been signed and valid for voting.

Unauthorized persons were in some cases present at the polling station most of the time during voting. In one of the polling station in Rafievskii election district in Minsk a man was twice entering the polling station checking some numbers together with the Deputy chairperson. This man and the Chairperson were leaving to the other room. There were also cases when unknown people were seating at the registration desk and even have been present during the counting.

In general the account of all the above mentioned deviations as well as some other minor deviations that are not mentioned in this report can be the evidence that the elections are not paid proper attention to and there is no understanding of importance and value of elections as such. The Commission lacks knowledge about the procedures, treat observers in a bad way and do not try to stop violations. Alternatively, voters also do not have the proper understanding of elections as such and cannot bring violations to the attention of commission.

As a result, the group of independent EOTP observers can conclude that the main violations during elections in Belarus are still limited access to observation and the procedure of counting of votes.