

Swedish International Liberal Centre Observation Mission Post-Election Report on Short-Term Observation of Presidential Election Lithuania, 17 May 2009

Background

On 17 May 2009, Presidential election was held in Lithuania. It was the fifth Lithuanian Presidential election since Lithuania was recognized as an independent country in 1991. A group of observers accredited under the Swedish International Liberal Centre (SILC) observed 186 polling stations in Vilnius, Šiauliai, Telšiai, Utena, Klaipeda, Alytus, Kaunas, Marijampolė and Panevėžys areas.

SILC Election Observation Mission consisted of 76 observers from 3 countries, including 63 Belarusian, 8 Lithuanian and 5 Swedish nationals. The Mission was organized within the framework of the project "Election Observation: Theory and Practice," implemented in partnership by four organisations: the United Centre of Initiatives for Belarus (JuBIC), SILC, European Humanities University (EHU) and Belarusian Human Rights House in Vilnius (HRH). Previous project missions observed parliamentary elections in Norway (September 2007), Georgia (May 2008) and Lithuania (October 2008).

Election Process

The SILC short-term observation team observed the opening of the polling stations, the process of voting, the closing of polling stations and the vote count during the election day.

In general, the elections were well organized. The election board members were friendly towards observers as well as voters and necessary assistance was provided upon request. The chairpersons were experienced and familiar with the relevant laws and regulations. The overall performance of the commissions was assessed as good or very good.

The new design of voter rolls at the polling stations made voter names visible both to voters and registrars and there was no need to turn the rolls around. This made the voter registration process easier and more convenient.

The counting was conducted in a transparent manner in almost all of the observed polling stations. All authorized persons present were able to clearly follow the procedure. The results were recounted upon request and announced publicly. In most cases, observers were able to carry out their mission without restrictions.

However, there were several deviations that the mission considered to be an overall tendency.

First of all, the ballot secrecy was not always respected. This resulted in numerous cases of **open voting** when voters, either consciously or unconsciously, made their choice public. Most of the time, this happened because they failed to fold the ballot before putting it in the ballot box. Either the voters were not informed about the importance of the secrecy of voting or they did not understand how the ballot should be folded. Sometimes, the voters did not close the curtains of polling booths, which also resulted in situations when their choice was visible to others.

Another deviation observed was the presence of more than one person, usually family members, in the same booth during voting. Thus, there were doubts whether votes were cast individually.

One of the reasons for these deviations can be poor understanding of the secrecy principle by both voters and Commission members.

The lack of **unified rules for the organization of polling stations** led to significant shortcomings. The absence of clear rules regarding the organisation of polling booths resulted in a great variety of polling booth construction design. Consequently, the Commission in some cases failed to ensure the

secrecy of the ballot. Thus, in some of the observed polling stations, the polling booth was placed in front of the window which could create the possibilities for fraud. In some of the polling stations the curtains were almost transparent or not wide enough. This created potential for open voting and seriously undermined the principle of secret voting.

The absence of standards for ballot boxes and ballot box seals should also be addressed. Observed ballot boxes were made from different materials – mostly, they were transparent or wooden. In some of the polling stations, the secrecy of ballot could be challenged as the seal on the boxes was not firmly attached. The way the ballot boxes were sealed, using glue and a piece of paper, did not always guarantee that the boxes would not be opened during the election day. The seal could easily be broken and put back without any visible damage or substituted with no special effort. Although the possibilities to perform these actions during the election day were minimal, it is important to provide unified rules for ballot box design and ballot box seal to assure the safety of ballots.

The **identification** of voters was sometimes skipped or not properly done. The ID's were sometimes not requested by the members of Commission. In other cases, driver's licenses instead of passport were presented for voter identification. In rural areas, where the incidents with improper identification were mostly observed, the voters and the Commission members often knew each other. However, when it comes to such an important issue as elections, it is necessary to follow the law to ensure that everyone is treated equally.

Proper **storage of ballots** before the election day is a prerequisite for the integrity of ballots. However, in some of the observed polling stations this was not followed. The ballots were kept either at a polling station, without police supervision, or at Commission members' homes, mainly those of Chairpersons'. As to the storage of the ballots during the election day, there were several cases when the ballots were lying unattended within the reach of voters.

In many cases, the Commission members complained about the work of post officers **delivering voter certificates**. Commissions reported a high number of undelivered voter certificates that had to be returned to the polling stations. This could hamper the efficiency of the work of Commission during the election day.

Taking into account all the above mentioned, the SILC observation mission would like to present the following recommendations:

1. To reduce cases of open voting and ensure the secrecy of ballot:
 - It is necessary to provide better explanations of voting procedures to voters. This can be done by putting the relevant information inside all polling stations. Also, disseminating reminders among voters before the election day can help voters to get acquainted with voting procedures in advance.
 - The Commission should be properly instructed about the importance of secrecy of vote. It should be emphasized that the Commission can and must stop any instances of open voting whatever the reason for such behavior is.
 - Voters should be encouraged to fold the ballots. This can also be done by drawing a folding line on a ballot which will be a hint to voters to fold the ballot properly.
2. To improve the conduct of elections, standardized rules have to be established with a view to ensure equal possibilities for all voters at all polling stations. This should be done with due account to:
 - Construction of polling booths. Special attention should be paid to rules regarding the location of the booth itself and the curtains should be thick and wide enough.
 - Construction and proper sealing of ballot boxes. A unified outlook of the ballot boxes and rules concerning the sealing should be introduced. The seal on the ballot box should be secure enough to guarantee the safety of the ballots in the ballot box.
 - Proper storage of the ballots before and during the election day to ensure that there is no

possibility to manipulate with the ballots. A special place where the ballots should be stored has to be provided. During the election day, the ballots should be kept beyond the reach of voters.

3. To ensure better delivery of voter certificates

- It is important to reconcile postal and electoral constituencies
- A possibility of handing over the competence and responsibility for delivery of voter certificates to relevant election commissions should be considered. However, if the responsibility remains within the Post Office, a control and cooperation system should be introduced to make the process more effective.

4. To increase the overall efficiency of election process:

- Extensive training for all Commission members should be provided, focusing on all procedural issues related to the preparation for the election day and the election day itself. In addition, a memo with instructions concerning the issues that require special attention should be handed out to each member. To ensure that all members of the Commission know the procedures, each member can put his or her name and signature in a registry confirming that they were acquainted with the rules.
- A direct hotline with the Central Election Commission should be introduced for consultations on the Lithuanian legislation and voting procedures accessible to both voters and election commission members on all levels.
- Education of voters is necessary. The procedures should be clearly explained to them. To achieve that, instructions on the reverse side of the ballot and/or voter certificate can be spelled out. These instructions can also be announced via media or informational leaflets, which will not only contribute to better knowledge of election procedures but can also positively influence the turnout.
- It is necessary to increase the financing of the elections with due consideration of expenses on election materials, equipment, training of the Commission members and voter education.

Although several deviations were observed and addressed above, we conclude that the Presidential Election in Lithuania on 17 May 2009 generally met international standards and can be considered acceptable.

17 July 2009