



## **Human Rights Defenders – for Free Elections!**

### **Election of the President of Belarus 2010: Weekly Analytical Review (October 4-10)**

#### GENERAL CONCLUSIONS

1. During the reporting period, signature collection for presidential candidates continued ahead of the 29 October deadline. Long-term observers' reports continue to identify cases of intimidation and the use of state administrative resources in the signature collection supporting Alyaksandr Lukashenka. His initiative group, supported by the local executives, has arranged the collection of signatures at educational and healthcare establishments, universities and enterprises. CEOs of state enterprises and institutions recommend strongly against their subordinates providing signatures for candidates other than Lukashenka.

2. In a positive development, a number of regional and district executive committees have decreased the number of places where pickets for collecting signatures in support of candidates are prohibited. This effectively expanded opportunities for collection of signatures. In the same time, only Alyaksandr Lukashenka's initiative group has effective access to the territory of the state enterprises and institutions.

3. More comprehensive data about the composition of Territorial Election Commissions (TECs) indicates that approximately 80% of TEC members served during previous elections (for leadership roles the number is nearly 100%), despite the serious violations identified during those elections. At the same time, the share of local executive staff in the top TEC positions is 40-70%, demonstrating the strong dependence on the executive.

4. No single complaint about non-inclusion in a TEC from representatives of political parties, NGOs and citizens was satisfied, calling into question the effectiveness of the appeals process.

5. The number of prospective candidates decreased from 17 to 15, with Syarhey Haidukevich, a former presidential candidate in 2001 and 2006, pulling out along with relative unknown Pyotr Barysau. Haidukevich explained that he decided to withdraw because the "election in Belarus is a theatrical performance with the result known in advance".

#### I. COMPOSITION AND ACTIVITIES OF TERRITORIAL ELECTION COMMISSIONS

According to the Schedule of Organizational Measures for Preparing and Holding Presidential Election, by October 6 the local authorities should have disclosed data on the membership of Territorial Election Commissions (TECs). This was done, but almost everywhere the state-owned press published lists of TEC members without indicating their place of work and positions. It

makes it impossible to verify the official figures of the Central Election Commission (CEC) that the commissions include 408 civil servants (20.4 percent of the overall total of 2,000 TEC members; the Electoral Code permits "no more than a third" of civil servants in the commissions).

The available data confirms the preliminary conclusion of the election monitoring that the commissions include mostly those who had already worked there in previous years. For example, out of 117 members of district TECs in Minsk at least 88 persons (75.2 percent) worked there at previous elections. In many TECs this figure is 100 percent.

During the week, the newly-formed TECs held their first sittings, where they elected their chairs, deputy chairs and executive secretaries, and discussed certain aspects of organizing the election. Observers note the closed character of TECs. For example, many commissions work without indicating the location of their offices with signs or displaying opening hours. There were sittings held without prior notifications placed in local media and on official web pages of executive committees. In some cases, observers were unable to find the time and place of the sitting of the respective TEC by calling the commissions and relevant officials. Observers also note that TECs are not publishing promptly the outcomes of their first sittings. Many commissions did it very late or have not done it at all so far (for example, the Orsha District and City TECs).

According to observers' preliminary estimates, the share of officials from executive committees taking key positions in respective TECs is 40-70 percent and the share of those, who have earlier been a member of a TEC (and most often – in the top position there), is almost 100 percent. In most cases, commissions sit right in the premises of executive committees, although there are some exceptions – for example, the Lenin and Kastychnitsky District TECs in Grodna. However, first sittings of these commissions were still held at executive committees.

Thus, the dependence of the work of the TECs on the executive power, as well as the continuity of traditional recruiting of TECs from among members engaged at previous elections, are obvious at the current stage of the election campaign.

## II. DEFINITION OF PLACES PROHIBITED FOR PICKETS TO COLLECT SIGNATURES

During the week, a trend was observed where local executive authorities made new decision on the places prohibited for picketing in order to collect signatures, or amended their previously made relevant decisions. As a result, in many regions, opportunities to collect signatures by picketing were greatly expanded. Such decisions, in particular, were made in Brest, Byaroza and Pinsk (Brest Region), Baran (Orsha District, Vitebsk Region), Salihorsk (Minsk Region) and Rechytsa (Hemel Region); while the decision of the Mahiliou City Executive Committee was amended. This trend is positive in nature and aimed at better conditions for collecting signatures by initiative groups.

## III. OBSTACLES FOR COLLECTING SIGNATURES

No obstacles from the Ministry of Internal Affairs (MIA) have impeded the work of the pickets for collecting signatures. Besides, the Interior Minister Anatoly Kulyashou said that MIA offi-

cers had been ordered not to impede the signature collection process, even if some slight violation of the law happens.

However, as during previous election campaigns, administrations of students' and workers' hostels do not allow members of initiative groups of opposition candidates to collect signatures there, referring to the absence of relevant permits from the heads of those bodies that manage the hostels. At the same time, in accordance with point 9 of CEC's Decision No. 47 of September 15, 2010, when collecting signatures at hostels, the only rule that members of initiative groups shall follow is to observe the internal regulations of such hostels, in this case the procedure of visiting hostels by persons who do not live there. Long-term observers recorded cases of non-admission of members of initiative group of some opposition candidates to hostels in Salihorsk (Minsk Region), Polatsk (Vitebsk Region), Minsk (initiative group of U. Neklyaeu) and Gomel (initiative group of V. Rymasheusky).

Similarly, initiative groups of all the candidates, except for Alexander Lukashenka, are in fact deprived of the right to collect signatures at state-owned enterprises and institutions.

#### IV. SIGNATURE COLLECTION FOR NOMINATING A. LUKASHENKA

Observers note broad participation of administrations of state-owned institutions in collecting signatures for nominating Alyaksandr Lukashenka as a presidential candidate, as well as numerous cases of collecting signatures for him by persons who are not members of his initiative group. Also, observers have recorded cases when signature collection was organized by administrations of educational and healthcare institutions and enterprises. This repeats the practice of signature collection for Alyaksandr Lukashenka's nomination at the 2006 election and contradicts Article 61 of the Electoral Code, which states that no participation of administrations in signature collection, as well as no coercion in the signature collection process, shall be allowed.

As during the previous presidential campaigns, signatures for Lukashenka are collected right at workplaces. As reported by long-term observers, the demand of bosses that workers come to work with their passports is widespread. For example, at Secondary School No. 12 of Vitsebsk, the head teacher requested to come to work with passports in order to sign for the incumbent president. Passport data are often written down from words (without presenting a passport) or taken from the personnel files of employees.

Collecting signatures by members of the initiative group of Alyaksandr Lukashenka during their working hours is a widespread practice. At the F. Skaryna Gomel State University, signatures are collected by Svyatlana Milyokhina, Deputy Head of the Department for Youth Education, from 8:00 a.m. to 6:00 p.m. on weekdays, and until noon on Saturdays.

The overall management of the process of signature collection for Lukashenka is conducted by executive committees. For example, Pyotr Dauhuchyts, deputy chair of the Slutsk District Executive Committee for social and ideological work, offered only one topic for discussion at a sitting of the district's ideological workers: the process of collecting signatures at enterprises in

support of the incumbent president. In the city of Babruisk, school teachers of the district were invited to a sitting held at the administration of the Pershamaisky District. Every teacher was presented with an "assignment" of 300 signatures to be "organized" for Lukashenka. A similar plan was announced also for the teachers of Baranavichy. On October 7, Marya Svetlakova, Deputy Head of the Department for Education of the Baranavichy City Executive Committee, held an extraordinary meeting with the teacher-members of Lukashenka's initiative group, where she categorically demanded from the teachers to bag at least 200 signatures each for the incumbent president.

Heads of state-owned institutions and enterprises also instruct employees not to sign in support of anyone but Lukashenka. Thus, Irina Pyatrovich, director of the territorial centre for communal servicing of the population of the city of Slutsk, who is also a member of the Slutsk District TEC, held a meeting where she demanded from her subordinates to sign only for Lukashenka. Syarhey Petukhou, chief physician of the Glubokoe central district hospital, and his deputy Syarhey Matsiesky hold propaganda talks telling their subordinates that they shall vote only for the incumbent president. Vasily Bulenkou, director of Polatsk evening school No. 1, forbade his teachers to sign for anyone but Lukashenka under threat of dismissal. At the Baranavichy State University, the student board announced that for all who sign "not for the proper one" a reason would be found for expulsion from the university.

#### V. DECISIONS TO WITHDRAW FROM THE ELECTION

During the reporting period, two candidates withdrew their candidacies for the presidential election. The first one to do it (on October 7) was Pyotr Barysau, who pulled out in favour of V. Rymasheusky. On October 8, a withdrawal statement was submitted to the CEC by Syarhey Haidukevich, who ran for president also in 2001 and 2006. He said, explaining his decision, that "elections in Belarus are a performance, the results of which have been long known to everybody." Thus, as of October 10, 15 initiative groups continued signature collection.

#### VI. COMPLAINTS AND APPEALS RELATING TO THE ELECTION

According to the CEC, as of October 6, out of 27 complaints lodged with the courts against decisions on formation of territorial electoral commissions, 12 were left without consideration. None of the complaints about non-inclusion of representatives of political parties, public associations and citizens into election commissions was satisfied. Thus, the Mahiliou District Court rejected the complaint against the decision of the Mahiliou Regional Executive Committee not to include Anatol Zauyalau, a representative of the Belarusian Left-Wing Party "Fair World" into the regional election commission. The same court dismissed a similar complaint lodged by the regional organization of the Public Association of the Belarusian National Front "Adradzhenne" against non-inclusion of its representative Syarhey Famin. The Hrodna Regional Court dismissed the complaint against the Hrodna Regional Executive Committee on non-inclusion of Victar Mikhalchyk, representative of the Party "Fair World" into the regional commission. Similar decisions were made by the courts of Baranavichy and Baranavichy District (Brest Region), Vitsebsk Regional Court and Orsha District Court (Vitsebsk Region), Smarhon District Court (Hrodna Region), and courts of the Barysau and Svetahorsk Districts (Minsk Region).

For example, the rejection of Vintsuk Vyachorka's complaint against his non-inclusion into the election commission was explained by the CEC as follows: "The commission of the Tsentralny District of the city of Minsk was formed with the maximum staff of 13 members in accordance with the requirements of the Electoral Code. In total, 14 citizens were nominated to the commission. Because the number of nominees to the commission exceeded the maximum possible number, your non-inclusion into the said commission cannot be regarded as a violation of the Electoral Code." Thus, the court refused to consider the discriminatory non-inclusion of the oppositionist into the election commission.

The main reason why courts refuse to satisfy complaints against non-inclusion into election commissions is the absence in the Electoral Code of clear selection criteria. The absence of such criteria stresses the futility of the Electoral Code provision that gives the subjects who have nominated their representatives to election commissions the right to appeal against the respective decisions in court.

## VII. MASS MEDIA

The information about the election placed in state-run mass media is still characterized by biased and one-sided approaches in favour of the incumbent president.

The Baranavichy-based newspaper "Nash Krai" (Brest Region) reported, in its No. 117 of October 5, about the active work in signature collection by members of the pro-presidential Republic's Public Association "Belaya Rus" at all the major enterprises in the city. The newspaper said nothing about other initiative groups of other candidates. This aspect of the election was also completely ignored in the newspaper "Vitsbichy" (No. 122 of October 7).

The Byaroza district paper "Mayak" (Brest Region) placed, in its No. 76 of September 29, articles criticizing the Belarusian opposition and indirectly – the potential opposition presidential candidates. The "Babrujskaje Zhytstsyo" (Mahiliou Region) regularly publishes materials of the author known to the readers as a constant critic of the opposition. The issue of October 6 published an appeal of the "Coordination Council of Public Associations and Political Parties of Babruisk". The appeal lists significant achievements of the authorities and calls on voters "to make the right choice." Observers attest that they have never heard of any activities of this Council in Babruisk, and do not know anything about its members.

According to long-term observers, many regional media ("Zarya nad Nyomanam" in Mosty, "Astravetskaya Prauda", "Ashmyanski Vesnik", "Svetlahorskiya Naviny", "Luninetskiya Naviny", etc.) publish practically no materials on the election, except for official statements of district authorities. The metropolitan socio-political and information newspapers "Vecherni Minsk" and "Minsk Courier" are also not covering the major political event of the year. At the same time, websites of district administrations are actively quoting materials from Alyaksandr Lukashenka's press conference with Russian media, held on October 1.

For non-state media, including Internet resources, the election campaign is the major topic; the information about opposition candidates is dominant. Alexander Lukashenka's activities are

highlighted critically. It should be noted here that the total circulation and the audience, respectively, of independent media are much smaller than those of their state-owned counterparts.

### VIII. ELECTION OBSERVATION

The observers of the campaign "Human Rights Defenders for Free Elections" note that as a whole attitude towards them by the authorities has improved, as compared with previous election campaigns. Formally, there are almost no obstacles to observation; however, obtaining information from state bodies is complicated.

Representatives of pro-governmental public associations started getting accredited at TECs as observers; however, they do not actually observe. Thus, Vitaly Amelkovich, an observer from the Belarusian Helsinki Committee, was present on October 7 at the regular sitting of the Slutsk District TEC, where he found out that, as of the moment of the sitting, apart from him, 5 more observers had been registered at the commission: from the Republic's Public Association "Belaya Rus", Public Association "Belarusian Republic's Youth Union", Federation of Trade Unions of Belarus, Public Association "Belarusian Union of Women" and Public Association "Belarusian Union of Officers". However, only V. Amelkovich was present at the sitting.

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*The aim of the campaign "Human Rights Defenders for Free Elections" is observation of the election of the President of Belarus, assessment of the electoral process from the viewpoint of Belarusian electoral legislation and international standards of free and democratic elections, and keeping the Belarusian public and international community duly informed about our conclusions. The campaign is independent and politically non-engaged. More information about the campaign may be found on the websites of the Human Rights Centre "Viasna" (<http://spring96.org>) and Belarusian Helsinki Committee (<http://www.belhelcom.org>).*