



HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

Republic of Belarus. 2020 Presidential Election

Report on election campaigning

Observation of the presidential election is carried out by the Belarusian Helsinki Committee and the Human Rights Center “Viasna” in the framework of the campaign “Human Rights Defenders for Free Elections”.

SUMMARY

- the phase of election campaigning differed significantly from the previous elections by the wide activity of the protest electorate both in Minsk and in smaller cities of Belarus;
- the opportunities of obtaining information about the presidential candidates were severely limited by local executive authorities, which drastically reduced the number of places for campaigning. In many cases, these locations were not suitable for campaigning, e.g. due to remoteness or poor transport accessibility, etc.;
- the activities of campaign participants and voters outside the designated places were qualified as violations of the law on mass events, and citizens were brought to administrative responsibility resulting in fines and short terms of detention;
- the election campaign took place in unequal conditions: by abandoning official campaigning, the incumbent made an extensive use of the administrative and propaganda resources of the power vertical, pro-government NGOs and the media. The annual address of the President to the Belarusian people and the National Assembly, which was postponed from April to August 4, was widely covered in the media, which constituted campaigning for the head of state as one of the candidates;
- meetings of the incumbent’s proxies and government officials at various levels with labor collectives were intensively organized in the regions. They were organized during working hours, in working premises and were not always announced. Journalists were not allowed to attend some of these meetings. Others were banned from taking pictures;
- the incentive measures taken on the initiative of the incumbent, including an increase in pension rates and their early payment, were in essence bribery of voters and manifestations of the use of administrative resources;
- the most active and visible was the campaign of Sviatlana Tsikhanouskaya, which was supported by representatives of other alternative candidates’ campaign headquarters earlier barred from running. Tens of thousands of people in different cities attended the rallies in her support;
- the headquarters of the alternative presidential candidates actively used the Internet and social media to campaign for their candidates, as well as the YouTube video service;
- the state-owned media combined campaigning in favor of the incumbent with a widespread campaign to discredit the most active alternative candidates. The government-controlled television channels regularly used details of criminal cases involving election campaign participants, which violates the presumption of innocence;

- for the first time in the history of Belarusian elections, Telegram channels were actively used to promote the negative image of alternative candidates and their platforms, as well as to discredit them personally.

LEGAL FRAMEWORK

The procedure for campaigning is regulated by the Electoral Code and CEC resolutions.¹ Local executive committees select locations for holding mass events, premises for holding meetings of candidates with voters, and places for election meetings organized by voters. The same procedure is used to select places for printed campaign materials. Premises for meetings with voters and election meetings are provided free of charge in the order of receipt of applications. Candidates have the right to rent buildings and premises, which should be provided on equal terms at the expense of their election funds.

For the organization of mass events, candidates and their proxies should send a notice to the local executive and administrative body no later than two days before the scheduled date of the event. According to Art. 46 of the Electoral Code, from the moment of their registration, candidates enjoy equal access to the state media, which, in turn, are obliged to provide equal opportunities for candidates' campaign speeches, publication of candidates' programs and campaign advertising.

CAMPAIGNING CONDITIONS

According to the Election Schedule², local executive committees selected places for campaigning. They show a sharp reduction in campaign space compared to previous elections, which severely limited not only the rights of potential presidential candidates, but also the rights of voters to receive information about presidential candidates.

The number of places for holding mass events (outdoor meetings, rallies and pickets) organized by presidential candidates in most regions covered by observation decreased several times compared to previous election campaigns. In particular, in the Mazyr district, in the 2015 presidential election, 14 places were selected for holding campaigning events, while this year there was only one location. In Hrodna, in the 2015 elections, there were 19 places, while this year only two. These few locations are remote and little-visited parks (one place per district). In the Vierchniadzvinsk district of the Viciebsk region: 16 places in 2015 and one this year. A similar situation is observed in the Svietlahorsk district (the number of locations decreased by 26 times) and in the Mahilioŭ district (a 15-time decrease). In the Kalinkavičy district, the number of places decreased from 22 in 2015 to one in 2020.

There are only a few places where the number of places for campaigning events did not change compared to the 2015 election: in the Baranavičy district, 2 places remained; in the Babrujsk district — 6 locations. In the Valožyn district, for example, only one place was selected for campaigning events. The venue is located in the town of Valožyn. As a result, the residents of Ivianiec and Rakaŭ were deprived of the opportunity to meet with the candidates or their proxies. At the same time, the pro-government youth NGO BRSM was allowed to organize its events in the towns.

¹ Campaigning should not contain propaganda of war, calls for forcible change of the constitutional order, insults and slander against officials of the Republic of Belarus, candidates, as well as calls that encourage or have the purpose of inciting to disrupt, or cancel, or postpone the elections appointed according to legislative acts of the Republic of Belarus, etc. (Art. 48 of the Electoral Code).

² <http://www.rec.gov.by/sites/default/files/pdf/2020/post12.pdf>

In Minsk, with a population of two million, 6 places in 9 districts were selected for campaigning events. Thus, in Minsk, there were about 213,000 voters per one place designated for campaigning meetings. For example, in Hrodna, there were about 114 thousand voters per location, in Viciebsk — about 107 thousand, in Mahilioŭ - about 130 thousand, in Homieĺ — about 135 thousand, in Brest — about 101 thousand.

It is noteworthy that in 2015 in Minsk election campaigning events could be held in any suitable places, with the exception of four central squares and the State Flag Square. Similar approaches were then applied in other regions.

Thus, in contrast to the 2015 election, when campaigning was allowed wherever it was not prohibited, now it was forbidden to campaign everywhere except one or two places. It should be noted that this year's decisions on campaigning venues were made by local executive committees contrary to the CEC recommendations.³

Half of the observers working with “Human Rights Defenders for Free Elections” reported that, in addition to the small number, in many cases, the places for campaigning were not suitable for such purposes or were unpopular with the public, with some of them being in poor transport accessibility. For example, in the Lieninski district of Brest, the Railroad Employees Club, which was designated for meetings with voters, is located in the industrial zone, the passage to which runs between the two major railway directions.

Meanwhile, in accordance with the OSCE Guidelines on Freedom of Peaceful Assembly, “assemblies should be facilitated within “sight and sound” of their target audience”.⁴ Any restrictions that are not reasonably justified are arbitrary and contrary to international human rights standards.

Similarly, there was a decrease in the number of premises for meetings of candidates and their proxies with voters, as well as for election meetings organized by voters. In particular, in the Mazyr district, the number of premises for meetings with voters decreased from 16 in 2015 to 7 in 2020, in the Svietlahorsk district — from 22 to 7, in the Dobruš district — from 5 to 1, in the Mahilioŭ district — from 46 to 7, in the Frunzienski district of Minsk — from 54 to 8, in the Barysaŭ district — from 200 to 11, in the Rečyca district — from 23 to 7, etc. However, the number of rooms for meetings with voters in the Babrujsk district has not significantly changed: 7 — in 2015, and 6 — this year. In the city of Babrujsk, there were 9 premises; the situation is similar in the Baranavičy district.

Observers reported that the incumbent's proxies and government officials used a variety of premises in enterprises and organizations to meet with voters, while other candidates and their proxies did not have this opportunity.

The situation with places for outdoor campaign advertising has not changed much compared to the 2015 presidential election. However, there were some setbacks, too: for example, in the Frunzienski district of Minsk, the list of places for installing information stands has decreased by almost three times.

³ Manual for TECs approved by the CEC decision No. 7 of April 20, 2020, p. 50:

http://www.rec.gov.by/sites/default/files/pdf/2020/ter_pos.pdf

⁴ OSCE ODIHR Guidelines on Freedom of Peaceful Assembly:

<https://www.osce.org/files/f/documents/4/0/73405.pdf>, para. 3.5, p. 17

ELECTION FUNDS

In accordance with Part 3 of Art. 48-1 of the Electoral Code, the maximum amount of all expenses from the election fund of a candidate for President of the Republic of Belarus may not exceed 9,000 basic units (243,000 rubles).

According to the CEC, as of August 5⁵, the largest amount of funds were donated to the election fund of Sviatlana Tsikhanouskaya — 271,953 rubles, and about 181,258 rubles (about 66% of total donations⁶) were spent. Thus, for the first time in the presidential elections since the introduction of the notion of electoral fund in the Electoral Code in 2013, an alternative candidate received more money than the incumbent did.

257,362 rubles were donated to Aliaksandr Lukashenka's election fund, and 157,440 rubles or 61% were spent. The accounts of other candidates received much less money: Andrei Dzmitryeu — 4,467 rubles (97% spent), Hanna Kanapatskaya — 4,207 rubles (almost 99% spent), and Siarhei Cherachen — 3,300 rubles (95% spent).

As during the previous presidential election, this year, observers and journalists were unable to verify the sources of donations to the presidential candidates' election funds and the spending of these funds. The legitimacy of the formation and spending of the election fund is assessed only by the financial authorities and the CEC.

CAMPAIGNING EVENTS

According to the CEC⁷, as of August 3, presidential candidates had submitted 326 notifications of 3,739 mass events under a notification-based procedure. Sviatlana Tsikhanouskaya's team announced the most events — 1,998 (more than half of the total number of events announced by all presidential candidates). 1,241 mass events (or about 33% of the total number of candidates) were announced in support of the incumbent. Andrei Dzmitryeu's team announced 360 mass events (about 10% of all), and Siarhei Cherachen's team — 140 (about 4%).

According to observers, the campaign rallies of Sviatlana Tsikhanouskaya in the cities of Biaroza, Rečyca, Hlybokaje, Sluck, Orša, Lida, Baranavičy, Babrujsk, Hrodna, Viciebsk, Mahilioŭ, Minsk and others were the largest socio-political events in decades. Sviatlana Tsikhanouskaya's election campaign raised a wave of enthusiasm in the society and managed to consolidate a certain electoral field.

Presidential candidates and their proxies were less active in meeting with voters indoors. Information from the CEC as of August 3⁸ shows that 268 applications for 475 meetings with voters had been submitted. Most indoor meetings with voters were announced in support of Lukashenka — 437 meetings (92% of the total number of announced indoor meetings with voters). Sviatlana Tsikhanouskaya's team organized 25 meetings, Andrei Dzmitryeu's team — 9 meetings, Hanna Kanapatskaya — two meetings. Siarhei Cherachen did not use his right to meet with voters in the premises designated by the executive committees and did not provide any information.

⁵ http://rec.gov.by/sites/default/files/pdf/2020/summ_k05.pdf

⁶ As of the writing of the report

⁷ <http://rec.gov.by/sites/default/files/pdf/2020/stat17.pdf>

⁸ <http://rec.gov.by/sites/default/files/pdf/2020/stat18.pdf>

OBSTACLES TO CAMPAIGNING EVENTS

At the beginning of the campaign, mass events in support of the presidential candidates were not marked by any significant obstacles from local authorities. However, in the last two weeks of the campaign period, there were multiple reports of obstacles to holding mass events in support of presidential candidate Sviatlana Tsikhanouskaya. On July 30, a spokesperson for her campaign headquarters said that the Pinsk city administration did not allow a rally with the participation of the candidate. Aliaksandr Lukashenka's proxy announced that they had occupied all the venues (summer stage of the local Park of Culture and the hall of the House of Culture) for the entire period.

On August 1, a picket in support of Sviatlana Tsikhanouskaya took place in Kryčaŭ. The venue was earlier cordoned off by police, with local authorities and top managers of local government-owned businesses watching nearby. This discouraged some from participating in the event, although the number of participants, 300 people, indicates a significant public activity for this town.

Rallies in support of Sviatlana Tsikhanouskaya were canceled in some cities over the past week. The formal grounds for canceling were “emergency repairs”, “technical reasons”, exhibitions of equipment, festive and entertainment events. On August 3, two rallies were cancelled in Stoŭbcy and Sluck; on August 4 — in Salihorsk and Vileika; and so on. After a large rally of the joint campaign headquarters was announced in the capital's Družby Narodaŭ Park on August 6, the Saviecki district administration said that daily musical evenings would be held at the venue, including a festive event marking Railway Troops Day on August 6.⁹

CAMPAIGNING IN THE MEDIA

The CEC's Resolution No. 86 of June 4 approved the Regulations on the Procedure for the Use of Mass Media by Candidates in the Preparation and Conduct of the Elections of the President of the Republic of Belarus in 2020. According to the decree, a presidential candidate has the right to publish free of charge his/her election program in the government-owned print media outlets *Respublika* and *Zviazda*. In the 2015 elections, presidential candidates could publish their platforms for free in 4 nation-wide and 7 regional newspapers: SB-Belarus' Segodnya, Respublika, Narodnaya Hazieta, Zviazda, Minski Kurier, Zara, Vitebskiye Vesti, Homelskaya Prauda, Hrodzienskaya Prauda, Minskaya Prauda, and Mahiliouskiya Vedamasti). Thus, the number of print media presenting candidates' election programs decreased by five times compared to the 2015 presidential election (from 11 to two).

The election programs of the presidential candidates were published only on August 4, less than a week before Election Day. For example, during the 2015 election, they came out about three weeks before the election. Such different approaches to the same norms contradict the principle of uniform application of electoral legislation.

According to Resolution No. 86, presidential candidates are entitled to free airtime.¹⁰ On July 21 and 28, the speeches of the presidential candidates were broadcast on Belarus-1 TV channel. From July 20 to 29, their addresses were aired on the First National Channel of the Belarusian Radio.

⁹ <https://sov.minsk.gov.by/glavnye-novosti/6609-20200803-muzykalnye-vechera-v-park-druzhyby-narodov>

¹⁰ Two free appearances on Belarus-1 TV channel and two free appearances on the First National Channel of the Belarusian Radio lasting no more than 30 minutes each. In addition, it is possible to hold TV debates lasting up to 60 minutes (up to 90 — with more than 5 participants). The candidates' addresses and televised debates must be broadcast live unless any of the presidential candidates opts for a recorded broadcast. Candidates are not allowed to use audio or video materials in their appearances.

According to the Belarusian Association of Journalists, the candidates' election appeals were not broadcast in prime time. Moreover, their supporters and opponents did not have the opportunity to discuss the addresses on state television or radio. The candidates' speeches were not announced and their names were not mentioned in the schedules. There was no information about the order and time of the speeches of each of them, and the schedule only read: "Speeches of candidates for President of the Republic of Belarus."¹¹

On July 30, Belarus-1 TV broadcast the recording of a debate, which involved candidates Andrei Dzmitryeu and Siarhei Cherachen, as well as Aliaksandr Lukashenka's proxy Aleh Haidukevich. Hanna Kanapatskaya and Sviatlana Tsikhanouskaya refused to take part in the televised debates. Kanapatskaya explained that "as an experienced politician", she has "neither the right nor the desire to compete with by far weaker opponents".¹² Tsikhanouskaya explained her decision by calling the debate a "farce".¹³ At the same time, she challenged the incumbent to debate, who ignored the proposal.

In covering the events of the campaigning period, the state media launched a wide-scale campaign to discredit opponents of the government. Statements violating the presumption of innocence and various allegations were repeatedly aired on Belarusian television. Such "expert opinions" about the opposition were always voiced in absentia, without the opportunity for a reply, explanations or alternative points of view. Local authorities closely monitored media content. In particular, on July 18, an official of the Babrujsk city executive committee, Tatsiana Harbachova, demanded that the editorial office of the *Babrujski Kurier* newspaper removed video interviews on the election campaign.

On July 28, the website of the government-owned ONT TV channel published the results of the second opinion poll by the Ecoom analytical center¹⁴, which was conducted on July 23-27. According to Ecoom, the level of trust in the incumbent is 78.1%. The results of the survey were widely broadcast by local media owned by the authorities. These media also published multiple stories about the achievements of the current government, the need to maintain stability in the country, as well as articles criticizing the alternative candidates.

According to BAJ's monitoring of the coverage of the 2020 presidential election in the Belarusian media, "any alternative viewpoints were conspicuous by their absence from the state-run media. Their journalists and guest experts aired and propagated just one stance, supported by the government. Moreover, they enjoyed an exclusive right to interpret the positions and opinions of their opponents, who were never given an opportunity to air their views in person."¹⁵ Popular Telegram channels remained one of the leading sources of information about the events of the campaigning period. Private media focused on the direct participants of the campaign. Important topics included election pickets, public initiatives related to observation and vote counting, arrests of peaceful protesters and independent journalists.

¹¹ Coverage of the 2020 Presidential Elections in Belarusian Media. Report 2: <https://baj.by/en/analytics/coverage-2020-presidential-elections-belarusian-media-report-2>

¹² https://web.facebook.com/1095034703878964/posts/3082478365134578/?_rdc=1&_rdr

¹³ <https://youtu.be/7aXPpTbatIM>

¹⁴ Ecoom is headed by Siarhei Musiyenka, a member of the public advisory board of the Ministry of Education

¹⁵ Coverage of the 2020 Presidential Elections in Belarusian Media. Report 2: <https://baj.by/en/analytics/coverage-2020-presidential-elections-belarusian-media-report-2>

USE OF ADMINISTRATIVE RESOURCES

This year, the President's annual address to the Belarusian people and the National Assembly was postponed from April to August 4, five days before Election Day. Extensive coverage of the address in the media constitutes abuse of administrative resources in favor of the head of state.

The election campaign took place in unequal conditions, as administrative and propaganda resources of the power vertical, pro-government NGOs and the media were used to support the candidacy of Aliaksandr Lukashenka.

For example, in the Hrodna region, the eighteen local public receptions of the Belaya Rus NGO campaigned for the incumbent, after on July 15, they extended their working hours. The reception was conducted not only by Lukashenka's authorized proxies, but also by officials of the Hrodna regional executive committee during working hours. This happened, among other things, in violation of the rules of the Electoral Code. *Hrodzienskaya Prauda* and other government-owned newspapers regularly published addresses by Lukashenka's proxies and celebrities calling to vote for the incumbent. Meanwhile, local media did not cover the activities of other candidates.

Meetings of the incumbent's proxies and government officials of various levels with labor collectives were intensively organized in the country. Such meetings were mostly not announced, and information about them was not available to election commissions or the media. Journalists were not allowed to attend meetings of Aliaksandr Lukashenka's proxies with voters in the labor collectives. Some were not allowed to take photos.

On July 29, government-owned media reported that the payment of pensions would be organized in early August. The Ministry of Labor and Social Protection reported that this was done to "create convenient conditions for receiving pensions: minimizing travel and reducing social contacts".¹⁶ Meanwhile, the law stipulates that pensions should be paid in the period from day 5 to 25 of every month. It was noted that a person could choose whether to exercise the right to early payment. Earlier it was reported that in accordance with the President's Decree No. 232 "On Increasing Pensions" of July 1, all retirement pensions were increased by 6%.¹⁷

Such incentives, taken at the initiative of the incumbent and one of the presidential candidates, should be seen as the use of administrative resources and voter bribery.

¹⁶ http://mintrud.gov.by/ru/news_ru/view/o-dosrochnoj-vyplate-pensij-v-avgustenbsp_3621

¹⁷ <http://www.mintrud.gov.by/system/extensions/spaw/uploads/files/Ukaz-232.pdf>