



HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

Republic of Belarus. 2020 Presidential Election

Report on early voting

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 restrictions imposed by the CEC on the number of observers at polling stations during early voting made this electoral phase completely non-transparent for independent citizen observation. These restrictions were aimed at disrupting independent observation of this stage, rather than pursuing the declared medical safety measures in connection with the coronavirus pandemic;
- of the 798 observers of “Human Rights Defenders for Free Elections” accredited with the polling stations during the early voting period, only 93 (11.6%) had the opportunity to observe voting for certain periods of time that did not cover the entire voting period. Only one representative had the opportunity to observe during all the five days of early voting;
- 62% of all the PEC-accredited observers are representatives of the largest pro-government NGOs, which traditionally have a majority among PEC members (BRSM, Belaya Rus, Women’s Union, Union of Veterans, FTUB trade unions, and the Belarusian Peace Foundation);
- from the first days of early voting, observers from various civic initiatives faced obstacles from PEC members and police officers. Numerous observers were removed from polling stations, deprived of accreditation, and even detained. According to human rights activists, 86 observers were detained during the five days of early voting, including 6 observers of “Human Rights Defenders for Free Elections”. 18 observers representing the observation campaign were deprived of accreditation;
- observers documented cases of organized and forced participation in early voting of certain categories of voters (military conscripts, employees of state-owned enterprises, residents of dormitories), as well as facts of inflated turnout as reported by the election commissions;
- a total of 41.7% of voters reportedly took part in the early voting, which is an all-time record for Belarusian presidential elections since 2001. Thus, early voting has become the norm, rather than an exception, as provided by the Electoral Code;
- the practice of early voting remains one of the systemic problems of the electoral process and creates ample opportunities for the use of administrative resources and other manipulations. Considering this, the recommendations of the OSCE ODIHR regarding changes in early voting procedures remain relevant.

OVERALL SITUATION

The electoral phase of early voting was completed on August 8. According to the CEC, the voter turnout was 41.7% in the five days of early voting, an all-time record for presidential elections since 2001. The previous record for early voting was set in the 2015 presidential election: 36.05%.

62% of the PEC-accredited observers are representatives of pro-government NGOs: BRSM, Women's Union, Union of Veterans, Belaya Rus, FTUB trade unions, and the Belarusian Peace Foundation. These same organizations traditionally represent the majority of PEC members.

The CEC's decision to impose restrictions on the number of early voting observers made this electoral phase completely closed to independent citizen observation.

During the five days of early voting, 798 "Human Rights Defenders for Free Elections" observers were accredited with the PECs, of which only 93 (11.6%) had the opportunity to observe at the polling stations, but only during limited periods of time. Only one observer was able to fully observe all five days of early voting.

From the first days of early voting, observers from various election observation initiatives faced opposition from PEC members and law enforcement: they were deprived of accreditation, removed from polling stations, and in some cases brought to administrative responsibility resulting in short terms of detention. In particular, representatives of the citizen observation initiative "Chestnye Lyudi" ("Honest People") reported that during the period of early voting about 50 of their observers were detained, ten of whom were convicted of administrative offenses and sentenced to short terms in prison. 110 more observers were deprived of accreditation.¹

A total of 86 observers were detained during the early voting period, according to human rights activists.

Representatives of "Human Rights Defenders for Free Elections" were no exception, as six observers of the observation campaign were detained and 18 were deprived of accreditation.

On August 5, the election authorities cancelled the accreditation of Anastasiya Hirkouskaya, an observer of "Human Rights Defenders for Free Elections", who was deployed at polling station No. 9 in Asipovičy, Mahilioŭ region, after she commented on the pro-government observers' failure to wear face masks while working at the polling station.

On the same day, Liudmila Laptsevich, "Human Rights Defenders for Free Elections" observer at polling station No. 37 in Mahilioŭ, was deprived of her accreditation following alleged "complaints from voters". According to the observer, the actual reason was her parallel turnout count results, which documented 90 voters in one day, while the commission's protocol said there were 513.²

Two observers of "Human Rights Defenders for Free Elections" and members of the Human Rights Center "Viasna" in Mahilioŭ, Aliaksandr Burakou and Ales Burakou (junior), were detained by police on trumped-up and illegal grounds and sentenced to 10 days of administrative detention each. In this regard, "Human Rights Defenders for Free Elections" issued a statement.³

¹ <https://news.tut.by/economics/695929.html>

² <https://elections2020.spring96.org/en/news/98822>

³ <https://elections2020.spring96.org/en/news/98773>

Representatives of the government voiced particular criticism of the public initiative “Golos” (“Vote”), which called on voters to take photos of their ballots and to send these photos to a specially created website. The main goal of the initiative is to conduct a parallel vote count.

On August 6, Aliaksandr Lukashenka urged the Prosecutor General’s Office to provide a legal assessment of the platform’s activities. The following day, August 7, the Prosecutor General’s Office said that “Golos” was engaged in illegal opinion polls without a license from the Academy of Sciences, which carries an administrative penalty under Art. 9.28 of the Administrative Code, and Maryna Papova, head of the Prosecutor General’s Office’s management department, said that there were grounds to consider the possibility of blocking this Internet resource.⁴

On August 9, CEC Chairperson Lidziya Yarmoshyna said that the initiative was aimed at “devaluing the official election results” and “organizing riots”, calling “Golos” a “criminal project”.⁵

“Human Rights Defenders for Free Elections” have repeatedly stressed that taking photos of the ballots and their sending to third parties are not prohibited by law and do not entail any liability established by law.

During the early voting period, the Ministry of Information issued several warnings to the editorial offices of independent online media outlets demanding the removal of information exposing violations reported by observers during the early voting, which, in the Ministry’s opinion, was false. In particular, such warnings were issued to the Nasha Niva news site⁶ and the Internet portal tut.by.

OBSERVATION OF EARLY VOTING

Observers who were admitted by the commissions to observe for certain periods of time, as well as those who began to observe at the stage of sealing the ballot boxes, or visited the polling stations, or observed in the immediate vicinity of the polling stations, filled in reports on the early voting process. 217 to 260 daily reports were submitted.

An analysis of the observers’ responses for the entire period of early voting found that 38% of the observers reported daily facts of forced voting; 59% — obstacles on the part of PECs in counting the voters who showed up at the polling stations; 69% reported that their voter turnout calculations did not match PEC estimates; up to 44% of the observers said that the polling stations were not suitable for voting by people with reduced mobility.

40% of the observers reported daily violations of the Ministry of Health’s recommendations as to the setup of polling station: insufficient floor space, closed doors, lack of personal protective equipment for PEC members and observers, etc. Thus, the real purpose of limiting the number of observers at polling stations were not sanitary and epidemiological considerations, but the obstruction of the work of independent observers. Moreover, the procedure for conducting trainings for members of precinct election commissions, which was approved by the CEC’s resolution of April 20, did not contain any restrictions for observers. Meanwhile, at that time, there were more than 500 new daily cases of COVID-19 in the country compared to the number of cases registered at the moment — about 100 daily cases.

⁴ <https://belsat.eu/ru/news/generalnaya-prokuratura-prosit-zablokirovat-platformu-golos>

⁵ https://interfax.by/news/policy/vnutrennyaya_politika/1280268

⁶ <https://baj.by/be/content/ministerstva-infarmacyi-patrabue-kab-nasha-niva-vydalila-artykul-pra-vybary>

Observers reported that early voting was organized for employees of government institutions, law enforcement agencies, the military, and emergency services.

Students undergoing internship at the Brest State Technical University complained that they were forced to vote early by Deputy Dean of the Faculty of Civil Engineering Natallia Borsuk.

Voter turnout during the early voting period was highly inflated, as reported by those observers who were allowed to count.

An observer at polling station No. 36 in the Saviecki district of Homieĺ observed from the outside: according to her, a total of 150 people a day came to the school building that houses two polling stations. According to the PECs, however, the turnout was 259 at one polling station and 348 at the other.

The actual turnout at polling station No. 26 in the Svietlahorsk district does not match the announced results, according to an observer who monitored early voting. The observer reported 66 people, while the protocol said there were 306 voters. After the vote, the ballot box was taken to the principal's office and the door was closed with the entire commission inside.

PEC members and the administration of the polling station buildings removed numerous observers from the premises with the help of police. At polling station No. 48 in the Centralny district of Minsk, the observer was not allowed to enter the polling station, so he had to count the turnout from outside the room. In the afternoon, the principal asked the observer to leave the building on the grounds that the school was reportedly a "restricted access facility". When the observer came at 7 pm to take a photo of the protocol, police officers were called and the monitor was taken away.

Observers were restricted in exercising their rights under Article 13 of the Electoral Code (in addition to the prohibition on full-time observation). An observer at polling station No. 34 in the Maskoŭski district of Minsk said that she was not allowed to witness the sealing of the ballot box. The ban referred to the observation limit of three people. After long objections, the observer was allowed to stand very far from the box, but she could see that it was empty. The schedule for observers was inaccessible, however. Official figures of issued ballots varied from 1,837 to 1,637 at different hours of the same day, and the final daily protocol mentioned 1,800 ballots. Observers who were not on the official schedule were not allowed to view the protocol before 7 pm. After 7 pm, when the observers came to see the protocol, they were told that the polling station was closed. They were urged to leave the room and threatened with the police.

An observer at polling station No. 62 in the Lieninski district of Minsk said that the chairperson of the commission reacted aggressively to his request to see the protocol. Before closing the polling station, the commission locked the door, a police officer was invited, and then everyone — members of the commission and the observers — left together; the voting protocol was not posted.

Observers reported issues with the safety of the ballot boxes. At polling station No. 90 in the Minsk district, the observer was allowed to take a photo of the seal on the ballot box in the morning. However, in the evening, the chairperson did not allow to take a photo of the paper, which sealed the slot in the box.

An observer at polling station No. 6 in the Kalinkavičy district reported that she observed from 10 am to 2 pm and witnessed the sealing of the ballot box for early voting. There was a gap between the lid and the box, where a sheet of paper could easily be pushed, the observer said. Following this, she made an oral remark and the gap was sealed with a strip of paper.

During her observation, only 6 people voted early. The observer, who was at the polling station in the second shift, said that 5 more people had voted. However, 68 people were mentioned in the final protocol.

An observer at polling station No. 74 in the Maskoŭski district of Minsk said that the protocol for August 4 was unsigned and not dated. On August 5, the protocol was not posted at all.

“Human Rights Defenders for Free Elections” observers note that observers from pro-government organizations who occupied much of the quotas for observers (in some cases, these were staff and heads of institutions where PECs are located) demonstrated a negative attitude towards independent observers, as well as observers representing opposition political parties and movements. Copies of “Observer’s Handbook” were seen on the table for observers in polling station No. 24 of the Smaliavičy district, Minsk region. According to an observer, these manuals contained instructions mentioning countermeasures against “observers from the opposing forces.”