

CIVIL CAMPAIGN HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

Elections to the House of Representatives of the National Assembly of Belarus of the sixth convocation

Observation is carried out by activists of the Belarusian Helsinki Committee and the Human Rights Center “Viasna” in the framework of the campaign *Human Rights Defenders For Free Elections*

Report on the Registration of Candidates

CONCLUSIONS

- *the electoral phase of nomination and registration of candidates was not marked by any major differences from earlier parliamentary election campaigns;*
- *the collection of signatures was held in a calm atmosphere, with no significant obstacles to the candidates’ nomination groups;*
- *there were cases of abusing administrative resources in favor of pro-government candidates, as well as pressure on members of opposition candidates’ nomination groups;*
- *the observation covered 49 out of the total of 110 DEC’s; in a number of DEC’s (27%), verification of signatures submitted for the nomination of candidates was sufficiently transparent, the observers were able to monitor the process, including the procedure of selecting signatures for verification. The observers regard this as positive practice. A negative factor of this year’s elections is that in the majority of the DEC’s (73%), as before, the observer of the campaign Human Rights Defenders for Free Elections were denied the right to observe the signature verification procedure;*
- *the elections are marked by greater number of nominations as compared to previous campaigns (365 in 2008, 464 in 2012, and 630 in 2016) and a lower amount of refusals to register candidates (23% in 2008, 24.7% in 2012, and 14.8% in 2016).*

I. LEGAL FRAMEWORK

In accordance with the Electoral Code and the Election Schedule, the registration of candidates for deputies of the House of Representatives begins 40 days before and ends 30 days before Election Day (from 2 to 11 August).

In order to be registered as a candidate, the applicant shall submit to the corresponding DEC a set of documents specified in Art. 66 of the Electoral Code, including a statement of consent to run in the elections, biographical data, copies of documents confirming the information on education and place of employment, income and property statement. In accordance with the amendments to the Electoral Code, as amended in 2013, the applicant should also submit information on previous convictions. When nominating a candidate through the collection of signatures, signature sheets should also be submitted to the DEC.

According to the 2013 amendments, the registration documents can be submitted both by the potential candidate and his or her representative on the basis of power of attorney.

Following a verification of submitted documents and authenticity of signatures, the DEC shall decide on the registration of candidates and issue corresponding certificates within two days after the registration of candidates.

In 2013, the Electoral Code was supplemented by Art. 68-1, which provided for the cases when the DEC is obliged and when they have the right to refuse to register a candidate.

The DEC *shall refuse* to register a candidate in the event of:

- non-conformity of the person nominated as the candidate to the requirements of this Code;
- failure to notify of or the presence of an unexpunged conviction of the person nominated as a candidate;
- non-compliance with the requirements of the Code for the nomination of a candidate;
- failure to submit one or more documents necessary for the registration of the candidate;
- insufficient number of authentic voters' signatures collected in support of the nomination as a candidate;
- use in the interests of election of monetary means or other material assistance of foreign countries and organizations, foreign citizens and stateless persons, international organizations, organizations the founders (participants, owners of property) of which are foreign states, foreign organizations, international organizations, foreign citizens and stateless persons;
- presence of more than 15 percent of inauthentic signatures of the total number of verified signatures of voters in the signature lists on nomination of the candidate for deputy;
- in other cases of non-compliance of the order of nomination with the requirements of this Code.

The DEC *may refuse* to register a candidate in the event of:

- submission of the data having essential nature, which do not correspond to reality, in the declaration on incomes and property of the person nominated as a candidate;
- using advantages of an official position in the interests of election;
- participation of the administration of an organization in gathering signatures, coercion in the course of gathering signatures and rewarding voters for putting their signatures;
- repeated violation by the person nominated as the candidate or an initiative group of the requirements of the Code or other acts of legislation of the Republic of Belarus on elections, if they had been previously issued a warning.

The amendments of 2013 also affected the procedure for appealing against decisions to refuse registration of a candidate. The DEC's decisions to refuse registration shall be appealed to the superior election commission, and its decision — to the Regional (Minsk city) Court (earlier, the decision of the DEC was appealed to the Central Election Commission, and its decision — to the Supreme Court).

II. COLLECTION OF SIGNATURES

Designated locations for the collection of signatures. As part of the preparation for the collection of signatures, local authorities decided on the places where it is prohibited to hold signature-collecting pickets. The general trend shows that in many cities the number of banned locations was reduced in comparison with previous elections. In numerous territories, campaigners were allowed to collect signatures on the territory of educational institutions, medical facilities, cultural and sports facilities, social services, and religious institutions. However, in a large number of cities the conditions did not change for the better. The authorities of numerous cities and towns prohibited signature collecting in the central squares (the town of Babrujsk, Salihorsk, Sluck, Maladziečna, Minsk, and others).

Abuse of administrative resources. Observation has shown that the collection of signatures was marred by numerous facts of using administrative resources. In Svietlahorsk, the managers of local government-owned enterprises advised their employees to put their signatures in support of Halina Filipovich, current member of the House of Representatives for constituency No. 46, head of the regional branch of the Belarusian Women's Union, and ignore the other contenders. Signatures for Mrs. Filipovich were collected at JSC "Svietlahorsk Pulp and Paper Factory", JSC "Svietlahorskchimvalakno", JSC "Svietlahorsk Plant of Reinforced Concrete Structures".

In Sluck, employees of the housing maintenance and utilities board documented cases of forced collection of signatures for the nomination of Valiantsina Razhanets, editor of the Slucki Kraj newspaper. In Maladziečna, administrative resources were used by the nomination group of Liudmila Kananovich, deputy chair for social issues and ideology of the district executive committee: signatures collected during working hours at the public sector enterprises. In Orša, teachers were recalled from annual leaves and sent to collect signatures in support of the current member of the House of Representatives for constituency No. 26 Liudmila Dabrynina. The same situation was documented in Hrodna: teachers collected signatures in support of Liliya Kirak, headteacher of secondary school No. 13, running in constituency No. 51. a visitor to a local clinic was offered to sign for the nomination of Natallia Huivik, incumbent member of the House of Representatives for electoral district No. 28. During the incident at the doctor's office, a nurse assisted in illegal canvassing by filling in the signature sheets. After the patient complained to the CEC, a response said that no violations of the electoral legislation was registered: a member of the nomination group went to work in her spare time, while the buildings of medical institutions are not on the list of places where collecting signatures is forbidden.

Obstacles during the collection of signatures. There were no significant obstacles in the collection of signatures on the part of the authorities, except in the cases of campaigning on the premises of dormitories. The election commissions of Minsk received complaints about the excessive activity of separate nomination groups who are collecting signatures in the dormitories owned by local state-run enterprises. In this regard, chairman of the Minsk City Election Commission, Siarhei Khilman, said at a meeting of the commission that members of nomination groups had to abide by the rules of visiting dormitories. An order was issued, which allowed collecting signatures only in the halls of the first floors, as well as near the buildings of local dormitories.

During an incident in Homieĺ, supervisor of a dormitory owned by the Centralnaje enterprise did not allow the nomination group of Yury Hlushkou (constituency No. 33) collect signatures on the premises. After a phone call to the DEC, the campaign's deputy director arrived at the dormitory to settle the conflict.

Uladzimir Katsora, a candidate in the Homieĺ-based electoral district No. 32, said that members of his nomination group were under psychological pressure: on a number of occasions, unknown persons photographed the activists from a vehicle; he also said that at one of the pickets the police forced the campaigners to remove a white-red-white flag.

In a series of incidents in Viciebsk and Baranavičy, security staff of enterprises and outlets called up the police in order to prevent the collection of signatures. However, the police did not interfere with the collection of signatures, since the locations were authorized by the local authorities.

III. OBSERVATION OF THE PROCEDURE OF VERIFICATION OF VOTERS' SIGNATURES

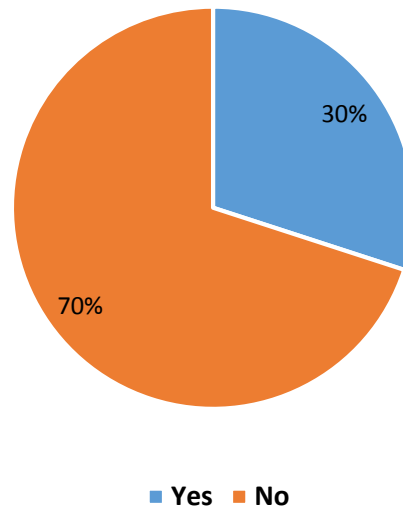
Most observers did not have the opportunity to be present during the verification of signatures by the district election commissions. The possibility to be present during the verification of signatures was reported by only 27% of the observers of the campaign *Human Rights Defenders for Free Elections*. At the same time, in 67% of the Minsk DECs observers were given the opportunity to be present during the procedure, in the Mahilioŭ region — in 57% of cases (in four out of seven DECs), in the Viciebsk region — 11% (in one out of nine DECs). In the Minsk, Hrodna and Brest regions, observers were almost never allowed to be present during the signature verification.

The election commissions mainly referred to the absence of such a right in the list of observers' powers set by Art. 13 of the Electoral Code. At the same time, analysis shows the absence of common approaches to the matter in various regions of Belarus.

For example, the Mazyr-based DEC No. 42 gave the following response to an application by the campaign's activist: "The observer in the district election commission has the opportunity to be present only at the meetings of the corresponding election commission, and has no right to have access to the documents, according to Part 5, Art. 13." Meanwhile, the commission allowed the observer to view the signatures selected for the verification of application by Raman Skuratouski (he was not registered because of the obvious invalidity of 80.7% of submitted signatures).

Observers registered in the Babrujsk-based constituencies Nos. 78 and 80 were allowed to attend the DECs' meetings and see the signature sheets. In the Polack-based DEC No. 27, the observer was present at the meeting, but could not see the contents of the signature sheets. Observer in the Rečyca-based DEC No. 44 received an oral permission to monitor the verification of signatures, but was actually placed in extremely unfavorable conditions, after each election commissioner took a certain amount of signature sheets for verification. In the Homieĺ-based DEC No. 33, the observer was invited only to the final verification procedure. Prior to that, the commission members had reviewed the signatures, and only made phone calls to verify details in his presence. In response to the observer's request, he was allowed to see the signature sheets of two candidates for a short time.

**Transparent and public verification of information about the candidates
in the presence of observers**



IV. RESULTS OF THE REGISTRATION OF CANDIDATES

According to the Central Election Commission, 630 persons were nominated using a number of nomination means, of which 93 were refused registration, i.e. 14.8% of the total number of nominated applicants (which is significantly lower as compared to the 24.7% of the parliamentary elections in 2012). Another 16 persons (2.5%) withdrew their candidacies. There will be no uncontested electoral districts in this year's elections (there were four such districts in 2012).

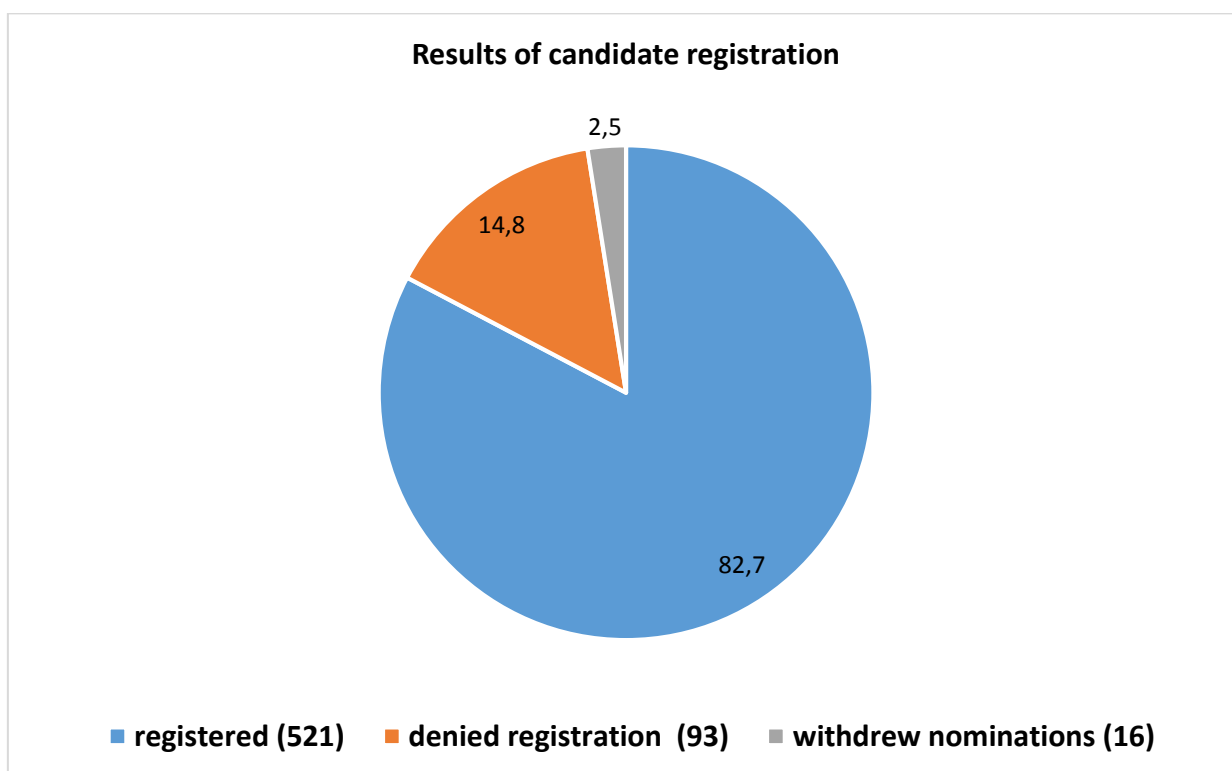
Name of political party	Number of nominated applicants	Number of registered candidates	Number of persons that were denied registration (%)
Belarusian Party "Greens"	5	5	0 (0%)
Belarusian Party of the Left "Fair World"	46	38	8 (17%)
Belarusian Patriotic Party	18	16	2 (11%)
Belarusian Social Democratic Party (Hramada)	29	27	2 (7%)
Communist Party of Belarus	52	44	8 (15%)
Liberal Democratic Party (LDP)	90	77	13 (14%)
United Civil Party (UCP)	67	57	10 (15%)
BPF Party	60	49	11 (18%)
Republican Party of Labor and Justice (RPLJ)	20	18	2 (10%)

Representatives of political parties nominated 387 candidates, representing 50.6% of the total number of nominated applicants. The results of registration of party candidates are as follows:

99% of those who were denied registration as a candidate were nominated by one entity. Most of them were nominated by political parties (51%).

The greatest amount of refusals affected the persons nominated by citizens through signature collection (37%). Among the candidates who were nominated only by political parties, the ratio is 16% (298 registered out of 354 nominated). Of these, 45% are members of the opposition parties (UCP, Hramada, BPF, and Fair World). All the candidates who were nominated by political parties and at the same time by other entities (citizens or citizens and labor collectives) were registered as candidates (33 people). The election authorities also registered 99% (89 of 90) of the candidates who were nominated by citizens through signature collection and labor groups at the same time. It is worth noting that this type of nomination is mostly used by the government-backed candidates.

Among the nominees, there are 28 current members of the House of Representatives and 43 members of local councils of deputies. All of them were registered. The proportion of women among the registered candidates is 25%.



Comparison of the results of registration of candidates in this year’s elections with the results of earlier elections

Year	Number of nominations	Number of withdrawn nominations	Number of denials of registration	Number of registered candidates	Percentage of denials
2008	365	5	84	276	23%
2012	494	9	122	363	24.7%
2016	630	16	93	521	14.8%

V. APPEALS

There were isolated cases of appeals by members of nomination groups against violations of conditions for collecting signatures, as well as citizens' complaints about the work of nomination groups. According to the CEC, 41 complaints were filed against the activities of nomination groups, including 4 complaints submitted to the CEC.

According to the *Human Rights Defenders for Free Elections* campaign, 17 appeals were filed in the territorial election commission against the decisions of the DEC's to refuse registration of candidates¹. Several decisions by the territorial commissions have been appealed to the courts.

¹ As of 6 p.m. August 13