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Observation of the early parliamentary elections in Belarus (17 November 2019)

Election observation report
Rapporteur: Lord David BLENCATHRA, United Kingdom, European Conservatives Group and Democratic Alliance

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1. Introduction

1. On 18 September 2019, the Chairman of the House of Representatives of the National Assembly of the Republic of Belarus invited a delegation from the Parliamentary Assembly of the Council of Europe to observe the early parliamentary elections in Belarus on 17 November 2019. On 30 September 2019, the Bureau of the Assembly decided to observe these elections and constituted an ad hoc committee for this purpose composed of 20 members (EPP/CD: 7; SOC: 6, EC/DA: 3, ALDE: 3, UEL: 1 - in accordance with the D'Hondt system). On 4 October 2019 it approved the list of members of the ad hoc committee to observe this election and appointed Lord David Blencathra (United Kingdom, EC/DA) as its Chairperson (Appendix 1).

2. In accordance with the co-operation agreement signed between the Parliamentary Assembly and the European Commission for Democracy through Law (Venice Commission) on 4 October 2004, a representative from the Venice Commission was invited to join the ad hoc committee as an adviser.

3. The ad hoc committee (Assembly delegation) was in Belarus from 15 to 18 November 2019. It operated as part of an International Election Observation Mission (IEOM) together with delegations from the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE-PA) and the electoral observation mission of the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR EOM). The programme of the delegation's meetings is set out in Appendix 2.

4. On polling day, the Assembly delegation split into 12 teams which observed the elections in Minsk and the surrounding regions.

5. The Assembly delegation concluded that "The 17 November early parliamentary elections proceeded calmly but did not meet important international standards for democratic elections. Fundamental freedoms were disregarded and the integrity of the election process was not adequately safeguarded, even as the number of registered candidates increased. The choice of political and electoral systems was the sovereign decision of Belarus. However, Belarus is a member of our European family, and it is expected from all members of the European family to adhere to electoral international standards. The electoral law changes are essential for long-term stability in Belarus".

6. The press release by the IEOM is set out in Appendix 3.

7. The ad hoc committee wishes to thank the heads and members of the parliamentary delegation of the OSCE-PA and of the OSCE/ODIHR EOM for their excellent co-operation within the IEOM.

2. Political context

8. According to the Constitution of Belarus, the House of Representatives has legislative competences (Article 97). However, in 2016 the United Nations Special Rapporteur on Belarus has stated that "The National Assembly of Belarus has for two decades been the only legislative body in Europe without any members of an opposition, and has had no effective competence to actually legislate, given the power of the President to rule by decree".

9. The Assembly observed parliamentary elections in Belarus for the first time in 1995. In 1996, the Assembly observed the Constitutional referendum and the parliamentary elections. On 13 January 1997, the special guest status of the Parliament of Belarus was suspended by the Bureau of the Assembly. In September 2001 and October 2015, the Assembly observed the presidential elections. In September 2016 it observed the parliamentary elections.

10. In its report on observation of the last 2016 parliamentary elections in Belarus, the Assembly observation delegation concluded that "the parliamentary elections were efficiently organised and there were visible efforts to address some long-standing issues, but a number of systemic shortcomings remain. Voting was calm and well-organised, although there were concerns regarding the counting. However, elections are not limited to voting day only, and these elections showed that Belarus, as a European country, needs a truly competitive political system in order to realise its democratic potential. It is therefore vital to begin immediately the necessary reform of the legal framework, so as to enable the creation of such a system, which is a key element for democratic stability. PACE and the Venice Commission stand ready to co-operate with Belarus in this regard".

11. The Assembly election observation delegation recalls its Resolution 2172 (2017) on the situation on Belarus. The resolution called on the Government of Belarus to ensure genuine political pluralism and free and fair elections, in particular by:

– resuming work on a comprehensive electoral reform and swiftly implementing the recommendations made by the OSCE election observation mission, also in co-operation with the European Commission for Democracy through Law (Venice Commission), of which Belarus is an associate member, in time for the municipal elections of February 2018;

– including substantial procedural safeguards that ensure integrity and transparency at all stages of the electoral process, and ensuring a politically balanced membership of election commissions;

– promoting a truly competitive political system and allowing unrestricted political activities and registration of political parties, especially during the electoral campaign.

12. The current House of Representatives was elected in September 2016 and comprises mostly independent members nominated by groups of voters and affiliated with public associations or labour collectives, with political parties marginally represented. Some 80 independent members of parliament are also members of the public association "Belaya Rus", which is closely connected with the executive power. Two parliamentary parties, each with one seat, and one independent member identify as opposition.

13. The 17 November 2019 elections for the 110 seats of the lower chamber of parliament, the House of Representatives, were called by the President on 5 August, approximately one year before the expiration of the mandate of the current parliament. No official reason for the dissolution of the parliament was provided. The elections took place amidst long-standing discussions of possible constitutional and other political reforms and ahead of next year's presidential election.

14. The government is accountable to the President, who also exercises direct executive functions and has wide authority relative to the parliament, such as legislative power and the ability to appoint and dismiss judges, including those of the Constitutional Court, which limits the effective separation of powers.

15. Political parties are marginally represented in parliament and play a limited role. The outgoing House of Representatives comprises mostly independent members affiliated with public associations which are closely connected to the government. Only three members of the parliament (MPs) identify themselves as opposition.

16. The party system in Belarus is weak, even though, according to the Constitution, political parties "contribute towards ascertaining and expressing the political will of the citizens and participate in elections" (Article 5). No new political party has been registered since 2000, despite repeated attempts. For the date of 5 August 2019, according to the Ministry of Justice of the Republic of Belarus, 15 political parties are registered in the country. The Law on Political Parties stipulates an overly burdensome registration process and provides the Ministry of Justice wide discretionary powers to reject applications on formalistic grounds. This limits the right to freedom of association and is at odds with international standards.

17. A number of the IEOM interlocutors mentioned that they did not expect the elections to be genuinely competitive and that they had little confidence in the process. Several international organisations have raised concerns related to the exercise of civil and political rights in Belarus.

18. There are 38 women deputies in the 110-member outgoing House of Representatives, with six of 14 parliamentary committees chaired by women, and 17 of the 64 members of the outgoing Council of the Republic are women. There are only three women in the 46-member Council of Ministers. Of the seven regional governors, none are women. Only one of the 15 registered political parties is headed by a woman. Several IEOM interlocutors described significant patriarchal attitudes as a primary obstacle to women's political participation.

3. Legal framework and electoral system

19. The National Assembly is composed of two chambers, the House of Representatives and the Council of the Republic. While the latter (the "upper" chamber) is composed of 64 appointed members, the House of Representatives is composed of 110 deputies, elected from single mandate constituencies using a two-round majoritarian system (Article 82 of the Electoral Code). According to Article 82, "the candidate for the House of Representatives is considered elected if he received the majority of votes of the voters who took part in the elections. If the voting is on the single candidate than he is considered elected if he received more than half of the votes of the voters who took part in the elections". The second round takes place within two weeks between the two most voted candidates in case no candidate gets 50% of the votes cast.

20. Members of the House of Representatives are elected for a four-year term across 110 majoritarian districts. The candidate with the most votes is elected. The law establishes a 50 per cent turnout requirement for elections in each district to be valid, otherwise repeat elections are to be held in the respective districts. The Constitution stipulates that MPs may be recalled by the voters of their constituency, contrary to international commitments.

21. The elections to the House of Representatives were called by a decree of the president on 5 August 2019. The decree effectively terminates the powers of the outgoing parliament before the end of its constitutionally–prescribed term of office, without reference to any of the constitutional grounds for the dissolution of parliament. The authorities informed the IEOM that these elections are not considered early under national law, as the Constitution provides for the latest date for calling elections and does not contain requirements for how early this may be done.

22. Belarus is not a member of the Council of Europe, and therefore the country, did not sign and ratify the European Convention on Human Rights and its Protocol, which enshrine a number of principles crucial for an effective and meaningful democracy, such as the right to free elections (Article 3 of the Protocol), freedom of expression, freedom of assembly and association, as well as prohibition of discrimination (Articles 10, 11 and 14 of the Convention).

23. The Constitution provides for direct and universal suffrage as well as for freedoms of assembly, association and expression. However, the laws and other regulations impose various restrictions on these freedoms, such as obstacles to political party registration, fees and limited space for holding public gatherings, and criminal sanctions for defamation and insult. Amendments in 2018 to the Laws on Mass Events and Mass Media introduced, *inter alia*, new procedures for holding assemblies and regulations on online media. In January 2019, participation in unregistered parties and associations was decriminalised, but is now subject to an administrative fine. The amendments did not address previous concerns about the protection of fundamental freedoms.

24. The Election Code was not amended since the previous parliamentary elections and contains a number of gaps and inconsistencies. The IEOM noted several cases in which ambiguous legal provisions, including those on residency requirements, criteria for admissibility of electronic complaints, and rules on calculating complaint deadlines, were interpreted and applied restrictively in relation to opposition candidates. At the same time, certain electoral processes are micro-regulated, resulting in undue restrictions on electoral rights, especially with respect to candidate registration and campaigning. Long-standing Venice Commission and ODIHR recommendations, including those related to unbalanced composition of election commissions, restrictions on voter and candidacy rights, insufficient safeguards for voting and counting, as well as limitations on observer rights, remain unaddressed.

25. Overall, the legal framework does not adequately guarantee the conduct of elections in line with international standards.

26. The Parliamentary Elections are regulated by the 1994 Constitution (last amended in 2014), the Electoral Code (as last amended in October 2015), the Law on Political Parties, the Law on Mass Media and the decisions and instructions of the Central Electoral Commission (CEC). Amendments to the Electoral Code were introduced in 2013 and in 2015, but they did not address some of the key recommendations of international organisations, including the ones set out in the Venice Commission Joint Opinion issued in 2010, and they were not preceded by public consultations with relevant stakeholders. Despite those changes, the electoral system in Belarus remains practically unchanged. Although the Electoral Code has not been amended since the previous elections, the parliament introduced relevant changes in 2018 to the Law on Mass Media, the Law on Mass Events and the Administrative Code. Belarus is party to international treaties and instruments related to the holding of democratic elections; it is also an associate member of the Venice Commission. Belarus has signed and ratified major international and regional instruments related to the holding of democratic elections. In 2016, the country ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

27. No gender quota is provided for by the law.

28. In the 2015 EOM Final Report, the OSCE/ODIHR stated that “a comprehensive legal reform should be considered and developed on the basis of previous OSCE/ODIHR recommendations, including OSCE/ODIHR and Venice Commission Joint Opinions, and through an inclusive process with all relevant stakeholders”. “The Electoral Code should be amended to include substantial procedural safeguards that ensure integrity and transparency of all stages of the electoral process, in particular the composition of election commissions, the verification of support signatures, observers’ rights, the conduct of early and mobile voting as well as an honest counting and tabulation of votes”.

29. The Constitution prescribes a parliamentary term of four years, as well as timelines for calling parliamentary elections. Article 49 of the Constitution states that parliamentary elections “shall be set no later than four months and held no later than 30 days prior to the expiration of the powers of the current parliament” and does not stipulate an earliest possible date. Article 93 states that the “term of the Parliament shall be four years” and that the President may prematurely terminate this term “to the order as determined by the Constitution”. Article 94 states that the parliament may be terminated prematurely in case of a no-confidence vote or a Constitutional Court finding of “systematic and gross violation of the Constitution”. According to the ODIHR Needs Assessment Mission report 2019 it is disputed if the elections have to be regarded as “early elections” and if they are in line with the legal requirements for early elections.

4. Election administration

30. The elections are administered by a four-tiered structure comprising the Central Election Commission (CEC), six Oblast Election Commissions (OECs) and the Minsk City Election Commission, 110 District Election Commissions (DECs) and 5,831 Precinct Election Commissions (PECs). Women constituted 72 per cent of PEC members, 61 per cent of DEC members and 42 per cent of OEC members. Six of the 12 CEC members are women including the chairperson.

31. While the election preparations were administered efficiently and in a timely manner, the lack of safeguards in the administration of election procedures particularly early voting, mobile voting, and counting, negatively impacted the integrity of the process. Many IEOM interlocutors repeatedly expressed lack of trust in the work and impartiality of the election administration at all levels.

32. The CEC is a permanent body with a five-year mandate and comprises 12 members, with six appointed by the president (including the chairperson) and six by the Council of the Republic, which raises questions about the independence of the election administration.

33. At the CEC level, political parties can appoint extra members to the commission, who do not have voting rights (Article 33 of the Electoral Code). Although the opposition parties have often appointed members to the CEC, their voice had no impact on the decision-making process.

34. The role of the Presidency in the nomination of candidates to the CEC and the potential influence it could exert over them has been repeatedly questioned by the Venice Commission, the Assembly reports and the OSCE/ODIHR. Since the CEC decides by a majority of the total membership (Article 32 part 5 of the Electoral Code), it is sufficient that one of the members appointed by the Council of the Republic votes with the "pro-presidential" members, to give the Presidency the effective control of the CEC. Regarding the lower-level commissions, the absence of legal criteria for the appointment of the members gave local authorities a *de facto* full discretion in the appointment process, undermining the credibility of the whole system. Resulting from that situation a long-standing lack of trust in the election administration has constantly been reported.

35. The CEC has adopted and published 22 resolutions for these elections clarifying a number of election-related procedures. While the CEC directed the work of lower-level commissions on a daily basis, the CEC did limited work as a commission. The two sessions held during the reporting period were open to observers and media representatives but lacked meaningful discussion among CEC members.

36. OECs, DECs and PECs are temporary bodies established by local executive committees from 2 September until the publication of election results. Members of these commissions are nominated by political parties, public associations, labour collectives and initiative groups of at least 10 voters. By law, public employees may comprise up to one-third of members of each commission, and nominees of political parties and associations should comprise at least one-third. However, in practice, local authorities have full discretion in the selection process and did not achieve a broad political representation. Some citizen observer groups reported that the local authorities selectively applied the eligibility criteria when reviewing nominees' qualifications. OECs and DECs may comprise between 9 and 13 members, while PECs may comprise between 5 and 19.

37. A total of 63,646 PEC members were appointed by the local executive committees, among which 3,763 were nominated from pro-government political parties, 27,790 from pro-government public associations and trade unions, and 21 from political parties which identify as opposition. According to data published by the CEC, 97 per cent of all nominations from pro-government political parties were accepted, and 4.6 per cent from opposition parties. In general, the disproportionate representation raised serious concerns related to the selection process and independence of election commissions and undermined public confidence in their impartiality.

38. The DECs held ad hoc sessions, and IEOM observers were only occasionally informed in advance. In most cases, DEC offices were located in the premises of the local authorities. At some meetings of IEOM observers with DECs, representatives from the local authorities who were not DEC members were present and at times played an active role. In many DECs, at least one of the managerial positions was held by a local executive official. These practices further contributed to concerns regarding the lack of independence of the election administration from the executive authority.

39. The trainings of PEC members observed by the IEOM were interactive and included simulations of early voting and election day procedures. A CEC resolution passed in August contained instructions for facilitating election day procedures for voters with limited mobility, including that polling stations be situated on the ground floor and include special voting booths. The CEC did not compile information on which or how many polling stations met its accessibility criteria. IEOM interlocutors generally described progress in the efforts of the election administration to facilitate voting for persons with limited mobility, but noted that additional measures are needed.

40. The CEC conducted an extensive voter information campaign in Belarusian and Russian, including instructional videos on election day procedures which were broadcast on public TV, and audio announcements in public areas. All audio-visual materials included sign language translation or subtitles.

41. A portion of the CEC website was available with resizable text and other adjustable formats, to enhance readability for persons with visual impairments. DECs produced informational posters which featured biographical information about candidates; the IEOM observed and was informed of several cases in which DECs refused requests by candidates to amend disputed biographical information.

5. Voter lists and candidate registration

42. Citizens at least 18 years of age by election day have the right to vote. The Constitution restricts the suffrage rights of persons who are declared legally incompetent by a court decision, at odds with international obligations. According to the Constitution, "Citizens who are deemed incapable by a court of law or held in places of confinement in accordance with the verdict of a court shall not take part in elections. Persons in respect of whom preventive punishment-detention is selected under the procedure specified in the law on criminal proceedings shall not take part in voting" (Article 64). Therefore, persons whose legal capacity has been revoked by a court decision on the basis of mental disability are not entitled to vote. Additionally, those in pre-trial detention and those serving prison terms, regardless of the gravity of the crime, are not eligible to vote, contrary to international standards. This is against the European Court of Human Rights case-law, as well as Article 25 of the International Covenant on Civil and Political Rights, to which Belarus is a party, and its General Comment 25, which states that grounds for the deprivation of voting rights should be "objective and reasonable". It has been recommended for several times to amend the respective law. As in previous elections, the CEC passed a resolution to facilitate voting for citizens convicted of certain minor offenses with a sentence of up to three months.

43. Voter registration is passive and decentralised. Voter lists are compiled by local executive committees and sent to the respective PECs. PECs are responsible for verifying and updating voter lists, including through door-to-door checks, but no information about these updates was publicised. Voters could be added to lists by the PECs prior to and on election day, by providing proof of residence, contrary to international standards. After the elections, the paper copies of voter lists are returned to the local executive committees. The law does not provide a possibility for cross-checking against duplicate registrations before or on election day, resulting in inadequate safeguards against multiple voting.

44. There is no permanent or centralised voter list, and no system is in place to identify potential duplicate registrations across localities. This was seen as one of the biggest shortcomings in legislation as it excludes the possibility to cross-check for multiple registrations. Voters may review lists at polling stations for 15 days prior to and on election day to verify their records or to request changes. Upon presenting identification and proof of residency, eligible voters may be added to the precinct voter list by the PEC, including on election day, without verification by the CEC or a court.

45. The Electoral Code does not provide for voter lists to be displayed in public places and the CEC does not publish data on the number of registered voters at the precinct level. In previous elections, the CEC announced the total number of voters but did not provide disaggregated information on registered voters at local level. Therefore, a lack of transparency of voter lists has been criticised. It is suspected that these lists could be abused to inflate turnout. Some stakeholders raised concerns about the exclusion of Roma, who often face obstacles in registering, as well as of persons residing in psychiatric institutions.

46. Overall, the voter registration process is not transparent. Voters could check their individual data at PECs starting from 1 November and request corrections, but IEOM observers noted a very low interest in verification. On 1 November, the CEC reported a total of 6,880,605 registered voters, but the number of voters per polling station is not published and voter lists are not available for general public scrutiny. In general, IEOM interlocutors explained that they could not scrutinise the accuracy of voter lists, due to the overall lack of access. Nevertheless, the Assembly observation delegation interlocutors did not mention problems with the accuracy of voters lists.

47. Voters at least 21 years of age by election day and with permanent residence are eligible to stand for election. The law does not provide any criteria defining permanent residency. Candidates with an unexpunged criminal record are ineligible which constitutes a disproportionate restriction on candidacy rights. Candidates may be nominated by political parties registered not later than six months before the elections were called, labour collectives and initiative groups of at least 10 voters. The restriction on political parties registered shortly before the elections is contrary to international commitments and good practice. While Article 5 of the Constitution provides that both political parties and other public associations have the right to participate in elections, the Election Code does not provide the right to public associations to nominate candidates. In practice, public associations often provided other means of support to its members who sought candidacy.

48. Voter lists for out-of-country voters are compiled by PECs based on data provided by the respective diplomatic representation. Voters can request inclusion on the lists by submitting documents confirming that they will be abroad on election day. As with in-country voter lists, these lists will be made available by PECs 15 days prior to the election.

49. In order to be registered as a candidate, citizens must be at least 21 years old and reside permanently in Belarus.

50. Candidates are nominated by political parties, labour collectives or initiative groups of citizens of at least 10 voters (that have collected at least 1000 signatures). In an established practice, citizens will be allowed to sign in support of more than one candidate in their district. The collection of signatures at public institutions from among public employees is not prohibited by law and may raise concern that this could lead to pressure on voters to sign or not sign in support of a candidate. DECs are required to verify a sample of the submitted supporting signatures before approving or rejecting an application. The law provides for prospective candidates to correct mistakes in their applications before they are forwarded to appropriate authorities for verification and rejected applicants may appeal to the respective OEC and subsequently to the district court, which is the final instance.

51. Prospective candidates must declare income and assets, and those nominated by initiative groups must collect at least 1,000 supporting signatures, a disproportionately high number. Candidates were entitled to make corrections to income and assets declarations until 7 October, by resubmitting their applications, but DECs were not obliged and did not inform candidates about discovered inaccuracies. DECs were required to verify only a sample of submitted signatures before approving or rejecting each nomination, contrary to international standards. All DECs announced the registered candidates on 17 October, the last day of the legally prescribed period for candidate registration.

52. Out of 703 nominations, 562 candidates were registered including 151 women (27 per cent). 32 incumbent deputies were registered as candidates, and 2 incumbent opposition MPs were nominated but denied registration on the basis of invalid support signatures. Other incumbent deputies did not seek re-election.

53. The Election Code provides for numerous grounds in which registration of candidates may be denied, including for minor technical inaccuracies, and affords wide discretion to DECs in applying these provisions. A total of 131 candidates were denied registration. Many IEOM interlocutors expressed concerns that restrictive legal provisions and selective application of the law, especially during the verification of signatures, resulted in non-registration of a high number of prospective candidates.

54. According to CEC regulations, prospective candidates could not campaign before registration, including for purposes of signature collection. DECs issued several warnings related to campaigning during signature collection, which in some cases led to the deregistration of candidates. Several contestants informed the IEOM of difficulties providing sufficient information to voters during signature collection, without being accused of campaigning.

55. Candidates can be deregistered on various grounds including non-compliance with requirements for campaigning and campaign materials (including by candidate proxies), misuse of state resources, and use of foreign funding. By election day, 15 candidates were deregistered, including 10 for campaign violations, four for failure to take leave from their permanent employment, one for failure to fulfil the residency requirement. In some cases, commissions deregistered candidates alleging that their campaign statements violated rules on defamation, insult, or incitement of unrest, without a prior court decision and in violation of the principle of presumption of innocence.

56. In general, restrictive legal provisions for candidate registration and DECs' use of discretionary power to deny registration or deregister candidates on minor grounds compromised the integrity and inclusiveness of the candidate registration process, contrary to international standards and commitments.

57. The CEC chair has publicly stated in August 2019 that only one-third of current members of parliament should extend their mandate, "at the request of the Head of State,"[1] although the legal framework contains no term limits.

1. See page 8, footnote 40, in the « Statement of preliminary findings and conclusions" of the IEOM.

6. Election campaign, funding and the media

58. The campaign period began on 18 October and ended at midnight on the eve of the elections. It was overall calm and low-key and appeared to generate little public interest. No large rallies were held and the use of campaign material was limited to small posters on specially allocated boards.

59. Although contestants were generally free to conduct campaign activities, several informed the IEOM of an atmosphere of intimidation amidst cases of candidate deregistration. The IEOM observed that a significant number of candidates refrained from any campaign activities, calling into question their wish to genuinely compete in the elections.

60. The law provides for different possibilities to engage in political assembly by contestants and by other stakeholders. Recent amendments to the Law on Mass Events, which apply to non-contestants during the campaign period, envisage notification instead of authorisation to organise an event, but only if organised at certain designated locations. These locations are limited in number and inconveniently located. In 2019, the Council of Ministers defined a fee structure for public events. While electoral contestants are exempt from these fees, several IEOM interlocutors raised concern that the fees could impact the ability of other stakeholders to demonstrate during the campaign period. Overall, these restrictions inhibit the freedom of assembly, contrary to international standards.

61. Candidates conducted most campaign activities freely, including through indoor and outdoor meetings with voters and extensive outreach on social media platforms. By law, candidates were free to organise campaign events at most locations with a two-day notification period. Many candidates described the election period to the IEOM as the only opportunity to reach out to the population, due to a suppressed political environment outside of the official campaign and general lack of resources to organise assemblies and media appearances. However, DECs issued warnings that effectively curtailed criticism of the government in campaign messaging, and which ultimately led to the deregistration of some candidates, in violation of the principle of freedom of expression.

62. According to a CEC resolution, copies of campaign materials produced by candidates needed to be submitted to DECs before circulation. Several contestants met by the IEOM claimed that campaign materials were approved by DECs before circulation, which was observed in some cases.

63. Some State-subsidized public associations assisted in the registration of and actively campaigned for pro-governmental candidates and also nominated numerous election commission members and observers.

64. On several occasions, the IEOM noted that the employees of State institutions were involved in campaigning for pro-government candidates as well as mobilizing employees of State enterprises and other public institutions to attend campaign events. IEOM observers also received widespread allegations of pressure on State employees, teachers, students and others to attend campaign events, to be deployed as citizen observers by pro-government parties and associations, or to vote in favour of pro-government candidates. The unequal access of these candidates to State resources challenged the principle of separation of State and party and created an undue advantage, contrary to international standards.

65. In the final days of the campaign at least one candidate and several candidate proxies and political activists were temporarily detained during or after political and campaign events.

66. Candidates may fund campaigns from their own resources or from donations by citizens and legal entities. Donations from anonymous or foreign sources, and State or State-funded, religious or charitable organisations are prohibited. Candidates exceeding the spending limit by more than 20 per cent or those receiving funding from unauthorised sources may be deregistered. Several stakeholders raised a longstanding concern pertinent also to these elections, that voters and businesses do not contribute to opposition campaigns in fear of retribution. A number of political parties, civil society organisations and other IEOM interlocutors stated that limited private donations, combined with the lack of direct public funding, substantially reduced candidates' campaign possibilities.

67. Candidates could establish campaign funds once registered. No campaign donations could be received or expenditures made prior to registration, including during collection of support signatures. All donations and expenditures needed to be made through a dedicated bank account at the State-owned Belarusbank. As of 14 November, some 140 (25 per cent) candidates had not opened campaign accounts. Several candidates claimed to the IEOM that overly protracted bank procedures further discourage potential donors.

68. DECs received information on all transactions made from each candidate's account from Belarusbank, on a weekly basis. As required by CEC regulations, DECs published summaries of income and expenditures on the websites of local executive committees, although irregularly. The Election Code requires candidates to

submit interim financial reports to DECs ten days prior to election day; DECs informed the IEOM that most of these were checked by individual members. The law does not require candidates' interim financial reports to be published or audited, undermining the transparency of campaign finance and the effectiveness of oversight.

69. The Constitution guarantees freedom of expression and prohibits censorship, but the legal framework contains several undue restrictions on these rights. Defamation and public insult remain criminal offences, with higher sanctions imposed in cases related to public officials, and such cases have been used to exert pressure on journalists. Following amendments in 2018, the Code of Administrative Offenses stipulates a fine for distribution of prohibited information, including online. Public calls for a boycott of the elections are prohibited, as is media coverage of such calls, contrary to international standards. Many media representatives described to the IEOM a prevailing practice of self-censorship in order to avoid prosecution.

70. The media landscape in Belarus comprises 99 television and 174 radio broadcasters, including 44 State TV channels and 147 State radio stations. Most stakeholders informed the IEOM that independent media generally refrain from covering political topics in fear of retribution, while State-affiliated media do not provide critical political information. State media enjoy financial support from the government, are favoured by State press distribution networks and have privileged access to information. In general, this limits the pluralism, independence and sustainability of independent media.

71. Electronic and print media must register with the Ministry of Information; registration for online media is voluntary. Representatives of foreign media operating in the country without accreditation by the Ministry of Foreign Affairs often face fines. IEOM observers were informed that some media representatives faced difficulties in obtaining accreditation. IEOM interlocutors reported several cases of bloggers publicly being targeted by officials and State media and subject to persecution.

72. Amendments in 2018 to the Law on Mass Media introduced additional regulations on online media and were criticised as excessive and disproportionate. The new regulations grant wide discretionary powers to the Ministry of Information to restrict access to websites without a court decision, upon its own monitoring or notification from other State agencies. In addition, online media operators must collect and store the personal data of individuals commenting on online articles and provide this data to law enforcement bodies upon request. Several IEOM interlocutors noted that these measures contribute to self-censorship and restrict public discussion.

73. During the campaign period, all candidates were entitled to five minutes of primetime on State media and to publish their programme in a State-operated or State-funded newspaper free of charge. Contestants' free spots were recorded in the studio of the respective State TV broadcaster and were accompanied by sign language interpretation or subtitles. Most candidates did not purchase additional advertising time on State or private media, and some media outlets did not establish a pricelist. In addition to free airtime, each candidate could participate once in a debate on State television by applying to DECs, and 202 did so. All debates were pre-recorded by the broadcasters and began airing on 29 October. The debate formats did not provide an opportunity for meaningful exchange between candidates and participation by pro-government candidates was limited. At least seven candidates' addresses were not aired, compromising the ability of some contestants to freely communicate their platforms to voters.

74. The Ministry of Information is the primary regulatory body for media. No independent authority exists to monitor media compliance with rules on coverage of the election campaign. As in prior elections, the CEC established a Media Supervisory Board (MSB), comprised of members recommended by the Ministry of Information and journalists' associations, to advise on media-related complaints and instructions. The MSB held two sessions together with the CEC chairperson and secretary to discuss seven media-related complaints. The MSB sessions were not open to the public nor the complainants and the resultant recommendations were not published. None of these complaints were reviewed in public sessions of the CEC, but were dismissed in writing by the chairperson, undermining transparency. The MSB's composition does not ensure its impartiality and effectiveness, which together with the absence of systematic media monitoring prevented effective oversight of media in the election campaign.

75. From 21 October, the ODIHR EOM conducted quantitative and qualitative monitoring of 13 media broadcasters. In addition, the mission monitored the news programmes of five regional TV channels and four online outlets. Candidates were mostly mentioned collectively with no reference to their names, with no coverage referencing individual candidates on State media. According to many State media representatives they refrained from covering the activities of individual candidates in order to avoid accusations of unequal coverage. The lack of available comprehensive information on contestants and their platforms narrowed the possibility of voters to effectively receive information about the campaign.

76. Coverage of the President dominated the media during the election campaign. The monitored national television channels dedicated 75 per cent of their news coverage, and regional channels 68 per cent, to the President, all of which was neutral or positive in tone. An additional 8 and 11 per cent of coverage in the regional evening news focused on the local administration and the national government, respectively.

77. Broadcasters also relayed some information about the CEC's activities and statements, and encouraged voter participation, particularly early voting (some 1 per cent of news coverage in State television and radio broadcasters).

78. No campaign events or public demonstrations were covered, with the exception of Belarusian Republican Youth Union (BRSM) meetings, which received some 3 per cent of political news coverage in monitored national media, 4 per cent of regional news programmes, and 2.4 per cent of space in State print media. All political parties and other nominating entities collectively received only 2.6 per cent of political news coverage in national broadcasters, 7.6 per cent in regional broadcasters, and 1.7 per cent of space in print media. In contrast, the monitored private media, including online media, covered specific contestants and events, as well as reports of censorship of election materials and protests, and organised unofficial debates which included both opposition and pro-government candidates.

7. Complaints and appeals

79. Most decisions of election commissions can be appealed to higher commissions and then courts. The CEC decision announcing the election results is not subject to judicial review, contrary to international obligations and prior OSCE/ODIHR and Council of Europe Venice Commission recommendations. The law specifies who may file complaints in each particular case: candidates, their proxies, voters, public associations, political parties and observers have this right in most cases. As a rule, complaints to commissions and courts are filed and reviewed within three days. However, for some categories of complaints the law provides for shorter deadlines or no deadlines at all. The law also contains ambiguities with respect to the rules for calculation of deadlines, resulting in several dismissed complaints.

80. Decisions of DECs and OECs on complaints must be posted on the websites of the local executive committees within two days, and certain CEC decisions are posted on its website. While not required by law, election-related decisions of oblast courts are published on the website of the Supreme Court. As of 15 November, most complaints lodged with election commissions and courts concerned composition of election commissions and candidate registration and deregistration. The CEC received more than 361 applications from citizens which were handled by CEC staff and relevant responses were not published, undermining the transparency of the dispute resolution process. Two complaints were reviewed and decided in session; both were appealed to the Supreme Court and subsequently upheld.

81. Approximately 99 per cent of all complaints lodged with commissions or courts were dismissed or denied, often on dubious grounds and without proper investigation of facts, undermining effective remedy and public confidence in election dispute resolution.

82. The IEOM was informed of 22 election-related applications received by prosecutors' offices across the country, most of these on alleged violations during candidate registration, but no criminal or administrative proceedings were initiated.

8. Citizen and international observers

83. In line with the international standards, the Election Code provides for citizen and international election observation. Citizen observers can be nominated by political parties, public associations, labour collectives and initiative groups of at least 10 voters. International observers were accredited by the CEC upon an invitation of the authorities. Citizen observers were accredited by the CEC, DECs or PECs, for observation at each level of commission.

84. In an inclusive process and positive manner, as of 16 November, some 28,000 citizen observers and 1,028 international observers were accredited. The prominent citizen observer group Human Rights Defenders for Free Elections (HRDFE) observed and reported on various stages of the election process and deployed some 292 observers for early voting and election day proceedings.

85. The law permits observation of the sessions of election commissions and of the polling proceedings, but explicitly prohibits observers from the vicinity of ballot boxes and ballot papers as they are issued. In addition, citizen observers reported that they could observe DECs' work, except during the verification of candidates' support signatures, reportedly, due to the verification not being conducted during formal sessions. While the

election administration at all levels was generally open to observers, limited cases of restriction of access to some key elements of the election process reduced transparency and the possibility for meaningful observation.

9. Voting and counting

86. Counting procedures have raised many concerns in the last elections. Counting has been evaluated negatively by observers in 2012, 2015 and 2016. The transparency of the process was assessed negatively, as well as the overall performance and the technical knowledge of the PECs' members. Reconciliation procedures were not performed, and overall, the processes hampered the accuracy and the honesty of the results. In the same way, tabulation was assessed negatively in several DECs. The process lacked transparency and observers were limited in their observation. As stated in the Venice Commission and OSCE/ ODIHR Joint Opinion of 2010, "there have been no amendments to mandate the CEC and lower level election commissions to publish detailed preliminary and final results of the vote, by polling stations, without undue delay". Accordingly, one of the priority recommendations of the final report of the EOM 2016 was that the vote count should be held in a transparent manner, whereby all PEC members, observers and candidate proxies would be able to verify the outcome of the process. To enhance the transparency of the tabulation and instill public confidence in the accuracy of the results, DECs should conduct uninterrupted tabulation from the handover of PEC protocols until the completion of DEC result protocols in the presence of PEC members and observers.

87. Early voting took place from 12 to 16 November. The IEOM systematically observed the last two days of early voting and conducted 1,800 observations, with mobile and stationary observer teams.

88. While some procedures aim to protect the integrity of the early voting process, such as posting of daily turnout information and overnight security, these measures are insufficient to safeguard the inviolability of election material. Ballot boxes were not sealed according to procedures in 5 per cent of cases. The seals used could be easily replaced while the ballot boxes were unattended, without detection, and slots were sealed only with a signed piece of paper. The practice of only two PEC members conducting early voting reduced the accountability of the process.

89. The CEC published an overall turnout of 35.77 per cent for the period of early voting. However, the IEOM observed considerably lower turnout than reported. In at least 11 polling stations, IEOM observers noted series of identical signatures on the voter list; in many cases, observers were prevented from scrutinising the lists. While 95 per cent of observed PECs posted daily turnout information; in 22 per cent of cases turnout was posted only cumulatively, and in 8 per cent observers were not allowed to access the daily turnout protocols, reducing transparency.

90. Citizen observers were present in at least 1,100 polling stations. On 13 November, some citizen observers alleged that a number of PECs reported inflated turnout figures, and called on police to investigate. No actions or investigations were taken by the police or prosecutor's office based on these reports by election day.

91. The election day proceeded calmly. While opening and voting procedures at polling stations were largely followed, significant shortcomings during the counting of votes limited the possibility for observers to verify the integrity of the election results. The IEOM also noted several cases of electoral malfeasance.

92. An overall lack of transparency, particularly restrictions on observation of the vote count and a lack of visibility of key materials, reduced the opportunity for meaningful observation of election day procedures and weakened the accountability of the election process, at odds with international standards.

93. The opening process was generally conducted according to procedures. Almost all polling stations opened on time, in 10 with the presence of unauthorised persons. Ballot boxes and stacks of unused ballots were not placed in clear view in 7 and 18 per cent of observations, respectively. More than half of observed polling stations were not independently accessible for persons with physical disabilities and 42 per cent of observed polling stations lacked voting booths suitable for wheelchair access. While most PEC members were women (some 72 per cent), observed PECs were chaired by men in two-thirds of polling stations.

94. Although procedures were generally followed, voting was assessed negatively in 5 per cent of polling stations. IEOM observers were restricted from seeing the voter lists in 26 per cent of polling stations observed. Series of identical signatures were observed in 5 per cent of cases. There is no standardised ballot box and no procedure to ensure that sealing of the ballot boxes remains intact. In some instances, in polling stations with transparent or translucent ballot boxes, the IEOM observed an apparent discrepancy between the number of ballots cast and signatures on the voter list. Indications of ballot box stuffing were observed in 12

instances. Unauthorised persons were present in 5 per cent of polling stations and at times interfered in the voting process (1 per cent). Group voting, including family voting, was observed in 4 per cent of polling stations visited. In general, voters did not fold the ballots before casting them and there is no legal requirement to do so; this reduced the secrecy of the vote.

95. Homebound voting was used extensively with mobile ballot boxes dispatched from a majority of observed polling stations (observed in at least 92 per cent of polling stations). Observed PECs added entries on homebound voter lists which amounted to at least 5 per cent of all registered voters, and in excess of 30 per cent in some rural areas. In some cases observed by the IEOM, PECs used the mobile ballot box to visit eligible voters that had not come to vote in the polling station, regardless of whether they requested homebound voting.

96. The counting was assessed negatively in 49 cases (31 per cent of assessments), largely due to disregard of counting procedures, which raised concerns about whether results were counted and reported honestly. Observed PECs generally counted unused ballots before opening ballot boxes, but in one-fifth of polling stations did not establish the number of signatures on the voter list. The counting of votes was generally conducted hastily and without all figures and results being announced. IEOM observers noted indications of ballot box stuffing (13 cases) and falsifications of results (12 cases). Following the vote count, the numbers of votes received by candidates were not announced in many cases (41, 42 and 38 cases for early, homebound and stationary ballot boxes, respectively). The PECs had difficulties completing results protocols in 21 cases and did not check for mathematical consistency in 32 cases. Transparency of the count was limited in 59 cases, as observers were ordered to stand far away from where ballots were being counted and where the official protocol was being completed.

97. Citizen observers were present in 90 per cent of observed polling stations. On election day, President Lukashenko held a press conference during which, among other statements, he used harsh language to characterise some observers as provocateurs, suggesting punitive action by law enforcement related to their behaviour in polling stations. A candidate in Minsk (DEC 99) and his proxy were apprehended by police at a polling station, reportedly after they identified a violation during counting to the PEC. They were later released from detention and administrative proceedings were initiated against the proxy, for petty hooliganism.

98. The law and CEC instructions do not prescribe detailed procedures for summarisation of results, which led to inconsistent practices in observed DECs. The handover of election materials and tabulation was in many cases conducted quickly and in a seemingly orderly manner but lacked overall transparency. IEOM observers assessed the process negatively in 25 DECs, mostly due to restrictions on observation (24 observations) or lack of clear view of procedures (35 observations). IEOM observers noted that the PEC protocols were not checked for consistency in 12 cases where this could be observed. A number of DECs interrupted the process and planned to finalize the tabulation process on the day following the elections.

99. The Assembly teams' reports on election day in particular focused on facts as the following ones: their own observations on turnout were very low and did not match the official figures which are high (most of the Assembly observers reported seeing very few people voting no matter what time of day they visited the polling stations. They were always told that "the voters will be along later or had been earlier". The consistency of these reports does call into question the official turnout figures); ballot box seals were made of "playdough" which could be remoulded an infinite number of times; the counting process was not transparent with various deficiencies noticed; there was no reconciliation between the numbers of signatures in the register and the number of ballot papers counted. On a positive note, the Assembly observation delegation remarked that in all observed polling stations the international observers were welcome and the PECs commissions fully co-operated with the members of the delegation.

100. On 22 November 2019 the CEC adopted its Resolution N°70 on the results of the parliamentary elections in the Republic of Belarus. The total number of the registered electors was 6,870,990. From the registered voters 5,315936 electors participated in the elections which represents 77,4%. The elections took place in all 110 districts, the CEC published the list of elected candidates. Representatives of 5 political parties are elected: 11 members of the Communist party; 6 members of the Republican party of work and justice; 2 members of the Belarusian patriotic party; 1 member of the Liberal-democratic party and 1 member of the Agrarian party. None of the other members were affiliated to any political party. 44 elected members were women and 30 members were members of the current House of Representatives.

10. Conclusions and recommendations

101. The Assembly delegation concluded that "the 17 November early parliamentary elections proceeded calmly but did not meet important international standards for democratic elections. Fundamental freedoms were disregarded and the integrity of the election process was not adequately safeguarded, even as the number of registered candidates increased."

102. The Assembly delegation stressed that the choice of political and electoral systems was the sovereign decision of Belarus. However, Belarus is a member of our European family and the Assembly's delegation expects all members of the European family to adhere to international electoral standards.

103. As for the legal framework, the Assembly delegation noted that it provided insufficient guarantees for the conduct of elections in line with international standards. Shortcomings regarding the unbalanced composition of election commissions, restrictions on voter and candidate rights, and safeguards for voting and counting therefore remained unaddressed. The Assembly's delegation was disappointed that Belarus has not implemented the recommendations that the Assembly made in 2016, thus depriving its citizens, both voters and candidates, of full involvement in the democratic process.

104. The delegation believes that electoral law changes are essential for long-term stability in Belarus. Belarus is an associated member the Council of Europe Venice Commission, which sets the standards and recommendations for election laws.

105. As for the election campaign and registration of candidates, the delegation was informed by different interlocutors about obstacles to political party registration, fees and limited space for holding public gatherings, and criminal sanctions for defamation. At the same time, there was a lack of safeguards in the administration both of election day and early voting procedures, which negatively affected the integrity of the process amidst repeated expressions of distrust in the work and impartiality of the election administration at all levels.

106. While candidates were able to carry out limited campaign activities, the election administration's use of discretionary powers to deregister opposition candidates on minor grounds compromised the integrity and inclusiveness of the registration process. The election campaign itself was low key and characterised by a lack of engagement by both candidates and the public. No large rallies were held and numerous candidates refrained from any campaign activities. Nevertheless, the Assembly delegation noted that candidates conducted most campaign activities freely, including through indoor and outdoor meetings with voters and extensive outreach on social media platforms. By law, candidates were free to organise campaign events at most locations with a two-day notification period. Many candidates described the election period to the IEOM as the only opportunity to reach out to the population, due to a suppressed political environment outside of the official campaign and general lack of resources to organise assemblies and media appearances.

107. The Central Election Commission (CEC) carried out an extensive information campaign and took steps to make voting accessible for people with disabilities. At the same time, the domination of election commissions by the state limited their impartiality and independence, potentially undermining public confidence in the election process. Some 6.8 million voters were registered to cast their ballot, according to the CEC, but voter lists were not public, contributing to the overall lack of transparency.

108. Concerning media coverage of the election campaign, the significant number of State-subsidised media outlets limits the space for independent media, reducing overall media pluralism. Few media outlets covered political issues, leaving voters uninformed about candidates and the campaign. Despite constitutional guarantees of freedom of expression and a prohibition of censorship, defamation remains criminalised and has been used to intimidate journalists.

109. The Assembly delegation noted that both early voting and election day were calm. While the opening and voting procedures at polling stations were mostly followed, significant shortcomings during vote counting gave rise to concerns about whether the results were counted and reported honestly. The observation delegation noted also on voting day the spirit of openness and co-operation of members of the polling stations with the international observers.

110. What the Assembly delegation observed in these elections confirmed the Assembly and the Council of Europe Venice Commission long-standing recommendations that the Belarus election laws must be amended in order to address in particular the following problems:

– unbalanced composition of election commissions;

– lack of a central register and no cross-checking of local registers for duplicated registrations;

– severe obstacles to political parties and candidates registration; candidates not registered or de-registered for minor, often clerical, reasons;

– criminal sanctions for defamation and insult leading to excessive self-censorship by the media; fees and limited or inappropriate space allocated for public meetings;

– no effective checks on mobile ballot boxes;

– candidates declaration of annual income not audited nor verified;

– businesses afraid to contribute to candidates' campaign because they would be stripped of government business;

– de-registration for saying anything remotely like campaigning when collecting signatures;

– procedures for early voting, which should become more transparent to increase the confidence in the electoral process;

– involvement of employees of State institutions in electoral processes and openly campaigning for pro government candidates;

– media coverage of election campaign, which should become more balanced, to ensure equal conditions for all candidates and parties;

– lack of standardisation of the ballot boxes;

– non-respect by members of some PECs of procedures (in particular in rural areas).

111. Finally, the Assembly delegation considers the invitation of the authorities of Belarus to observe the elections as a sign of openness and demonstration of political will to co-operate with the Assembly. Therefore, the delegation pointed out that the Assembly and the Venice Commission stand ready to work in partnership with the authorities of Belarus to effect lasting democratic change and to consolidate the democratic process in the country.

Appendix 1 Composition of the ad hoc committee

Based on the proposals by the political groups of the Assembly:

Chairperson: Lord David BLENCATHRA, United Kingdom (EC/DA)

Group of the European People's Party (EPP/CD)

– Ms Dubravka FILIPOVSKI, Serbia
– Mr Birgir THÓRARINSSON, Iceland
– Ms Laurence TRASTOUR-ISNART, France

Socialists, Democrats and Greens Group (SOC)

– Mr Kimmo KILJUNEN, Finland
– Ms Edite ESTRELA, Portugal
– Mr Stefan SCHENNACH, Austria
– Mr Sos AVETISYAN, Armenia
– Mr Pierre-Alain FRIDEZ, Switzerland
– Mr Andrian CANDU, Republic of Moldova

European Conservatives Group and Democratic Alliance (EC/DA)

– Lord David BLENCATHRA, United Kingdom
– Ms Nino GOGUADZE, Georgia
– Ms Sahiba GAFAROVA, Azerbaijan
– Lord Simon RUSSELL, United Kingdom

Alliance of Liberals and Democrats for Europe (ALDE)

– Mr Jacques LE NAY, France
– Ms Emilie Enger MEHL, Norway
– Mr Zeki Hakan SIDALI, Turkey

Group of the Unified European Left (UEL)

– Mr George LOUCAIDES, Cyprus

Venice Commission

– Ms Katharina PABEL, Austria, substitute member
– Mr Michael JANSSEN, Legal adviser

Secretariat of the delegation

– Chemavon CHAHBAZIAN, Head of Secretariat, Election observation and Interparliamentary co-operation Division
– Bogdan TORCATORIU, Administrator, Election observation and Interparliamentary co-operation Division
– Daniele GASTL, Assistant, Election observation and Interparliamentary co-operation Division
– Anne GODFREY, Assistant, Election observation and Interparliamentary co-operation Division

Accompanying persons

– Lady BLENCATHRA, accompanying Lord Blencathra
– Denise O'HARA, Secretary of the Group of the European People's Party (EPP/CD)

Appendix 2 Programme of the meetings of the ad hoc committee (15-18 November 2019)

Friday 15 November 2019

09:00 – 10:00 Internal meeting of the PACE delegation

- Opening by Lord Blencathra, Head of Delegation
- Distribution of files to members
- Briefing on the early parliamentary elections by Katharina Pabel,Venice Commission
- Practical and logistical aspects, deployment plan – Secretariat

Joint Parliamentary Briefings

10:30 – 10:45 Welcome and opening

- OSCE Special Co-ordinator, Margareta Cederfelt
- Head of PACE Delegation, Lord David Blencathra
- Head of OSCE PA Delegation, Ditmir Bushati

10:45 – 12:45 Briefing by OSCE/ODIHR mission

14:45 – 15:30 Central Election Commission, Lidziya Yarmoshina, Chairperson

15:30 – 16:15 OSCE/ODIHR briefing on Election day procedures

16:15 – 17:30 Media roundtable

- Andrei Bastunets, Chairperson, Belarusian Association of Journalists
- Anatoly Lemeshonak, Chairperson, Belarusian Union of Journalists
- Yulia Slutskaya, Founder, Press Club Belarus
- Lebedik Mikhail, First Deputy of the Director-Editor-in-Chief, Belarus Segodnya
- Anton Vasiukevich, Chief director of the First National Channel of the Belarusian Radio, State Television and Radio Company
- Svetlana Savko, Deputy Editor-in-Chief of Main Information Department, Belta
- Aliaksei Dzikavitski, Deputy Director, TV “BelSat”
- Dmitry Novozhilov, Director, BelaPAN,
- Alena Talkachova, Journalist, TUT.BY

17:30 – 18:30 Civil Society Roundtable

- Oleg Gulak, President Belarusian Helsinki Committee
- Uladzimir Labkovich, Human Rights Centre “Viasna”
- Alexander Shpakovsky, Relevant Concept

18:30 Meeting with drivers and interpreters (PACE delegation)

Saturday 16 November 2019

09:00 – 13:00 Meetings with parties / contestants

- 09:00 Andrei Dzmitryieu and Tatsiana Karatkevich, Co-chairs of ‘Tell the truth’ campaign
- 09:30 Mikalai Kazlou, Chairperson, United Civic Party
- 10:00 Ihar Barysau, Chairperson, Belarusian Social Democratic Party
- 10:30 Ryhor Kastusiou, Chairperson, Popular Front
- 11:30 Aliksandr Shatsko, Deputy Chairperson, Belaya Rus
- 12:00 Georgi Atamanov, Second Secretary, Communist Party
- 12:30 Vasil Zadniapriany, Chairperson, Republican Party of Labour and Justice
- 13:00 Siarhei Haidukevich, Chairperson, Liberal Democratic Party

13:30 Regional Briefing by LTOs for teams deployed in Minsk City and Region

Sunday 17 November 2019

All day: observation of voting procedures: opening of polling stations (08:00), voting, closing of polling stations (20:00), counting and tabulation of votes

Monday 18 November 2019

08:00 – 09:00 Debriefing of the PACE delegation

- Opening by Lord Blencathra, Head of delegation
- Debriefing of election day by teams
- Statistical information from the statistician of the OSCE/ODIHR

15:00 Joint press conference

Appendix 3 Press release of the International Election Observation Mission (IEOM)

Curbs on constitutionally guaranteed freedoms and concerns over procedural integrity tarnish early parliamentary elections in Belarus even as candidate numbers rise, international observers say

MINSK, 18 November 2019 – Fundamental freedoms were disregarded and the integrity of the election process was not adequately safeguarded in the early parliamentary elections in Belarus even as the number of registered candidates increased, international observers concluded in a preliminary statement published today.

The observation mission is a joint undertaking of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE).

Both early voting and election day were calm. While the opening and voting procedures at polling stations were mostly followed, significant shortcomings during vote counting gave rise to concerns about whether the results were counted and reported honestly.

The enjoyment of fundamental freedoms was hindered by obstacles to political party registration, fees and limited space for holding public gatherings, and criminal sanctions for defamation. At the same time, there was a lack of safeguards in the administration both of election day and early voting procedures, which negatively affected the integrity of the process amidst repeated expressions of distrust in the work and impartiality of the election administration at all levels.

“These elections have demonstrated an overall lack of respect for democratic commitments,” said Margareta Cederfelt, Special Co-ordinator and leader of the OSCE short-term observer mission. “In a country in which the power and independence of parliament is limited and fundamental freedoms are restricted for both voters and candidates, parliamentary elections are in danger of becoming a formality.”

The Central Election Commission (CEC) carried out an extensive information campaign, and took steps to make voting accessible for people with disabilities. At the same time, the domination of election commissions by the state limited their impartiality and independence, potentially undermining public confidence in the election process. Some 6.8 million voters were registered to cast their ballot, according to the CEC, but voter lists are not public, contributing to the overall lack of transparency.

The legal framework within which the vote took place provided insufficient guarantees for the conduct of elections in line with international standards. Shortcomings regarding the unbalanced composition of election commissions, restrictions on voter and candidate rights, and safeguards for voting and counting therefore remain unaddressed.

“The choice of political and electoral systems is the sovereign decision of Belarus. However, Belarus is a member of our European family, and we expect all members of our family to adhere to electoral international standards. We are disappointed that Belarus has not implemented the recommendations we made in 2016, thus depriving their citizens, both voters and candidates, of full involvement in the democratic process,” said Lord Blencathra, Head of the PACE delegation. “The Council of Europe believes that electoral law changes are essential for long-term stability in Belarus. Belarus participates in the Council of Europe Venice Commission, which sets the recommendations for election laws. We stand ready to work in partnership with them to effect lasting democratic change.”

The election campaign itself was low key, and characterized by a lack of engagement by both candidates and the public. No large rallies were held, and numerous candidates refrained from any campaign activities. While candidates were able to carry out limited campaign activities, the election administration’s use of discretionary powers to deregister opposition candidates on minor grounds compromised the integrity and inclusiveness of the registration process.

“Elections without freedom for debate and genuine participation, as we saw here in Belarus, are not the opportunity for the public that elections should be,” Ditmir Bushati, Head of the OSCE PA delegation. “Political actors were simply not working on a level playing field here, resulting in what were effectively non-competitive elections.”

The significant number of state-subsidized media outlets limits the space for independent media, reducing overall media pluralism. Few media outlets cover political issues, leaving voters uninformed about candidates and the campaign. Despite constitutional guarantees of freedom of expression and a prohibition of censorship, defamation remains criminalized and has been used to intimidate journalists.

“The high proportion of state-affiliated media outlets, as well as the pressure on independent media, bloggers and other independent commentators, have a chilling effect on freedom of expression,” said Corien Jonker, Head of ODIHR’s election observation mission. “It is hardly surprising that many independent journalists feel they have to practise self-censorship in order to avoid potential retribution.”

The international election observation mission for the early parliamentary elections totalled 437 observers from 45 countries, comprising 342 ODIHR-deployed experts, long-term, and short-term observers, 69 parliamentarians and staff from the OSCE PA, and 26 from PACE.