



## Resolution 2371 (2021)<sup>1</sup>

# Urgent need for electoral reform in Belarus

### Parliamentary Assembly

1. The Parliamentary Assembly stresses that free and fair elections constitute the very foundation of democratic government and are a cornerstone of representative democracy. It deeply regrets that elections in Belarus have never met international standards of freedom and fairness and that this failed electoral system has been a driving factor behind the current political, economic and human rights crisis affecting the country since the presidential election of 9 August 2020.

2. For more than two decades, the Assembly, the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR), the European Commission for Democracy through Law (Venice Commission), as well as civil society in Belarus have been pointing out the systemic problems in the electoral system and recommending, to no avail, that the electoral legislation and practice be amended.

3. The Assembly recalls that, for reasons beyond its control, it had to decline the invitation to observe the presidential election of 9 August 2020. However, based on the evaluation of independent local observers, who concluded that gross violations of international standards for democratic elections had taken place, and knowing that the electoral system which has earned Belarus criticism in the past remains unchanged, the Assembly also concludes that the 2020 presidential election was neither free nor fair.

4. The Assembly firmly believes that a fully fledged electoral reform, geared towards implementing all previous Assembly, OSCE/ODIHR and Venice Commission recommendations, remains essential for setting the basis for future democratic, free and fair elections, which can meaningfully reflect the will of the people of Belarus and allow them to regain confidence in the electoral process. Not only a reform of the legal framework but also the implementation of the legislation in good faith, by an independent and impartial election administration that enjoys public trust, are paramount in this context.

5. In light of the above, the Assembly urges the Belarusian authorities to conduct a comprehensive reform of the electoral system, taking into account the full set of recommendations of the Assembly, the OSCE/ODIHR and the Venice Commission, in close consultation with all relevant stakeholders, in particular civil society. In this context, it urges them to bring the electoral law and practice in conformity with international standards for democratic elections and, in particular, to:

5.1. guarantee the independence and impartiality of the electoral administration by making it adequately representative and setting the basis for a politically balanced membership of election commissions at all levels, starting with the Central Election Commission (CEC), including by:

5.1.1. introducing a requirement for the CEC to include representatives nominated by key political stakeholders, including different political parties and civil society representatives, with full voting rights;

5.1.2. establishing clear rules governing the process by which members of election commissions below the CEC level are appointed by the local authorities, including a requirement to include commission members nominated by all candidates;

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1. *Assembly debate* on 21 April 2021 (12th sitting) (see [Doc. 15253](#), report of the Committee on Political Affairs and Democracy, rapporteur: Lord David Blencathra). *Text adopted by the Assembly* on 21 April 2021 (12th sitting).

See also [Recommendation 2200 \(2021\)](#).



- 5.2. create a publicly available national voter list with a view to increasing the transparency and accountability of the voter registration process;
  - 5.3. regulate early voting in a comprehensive way by introducing measures to guarantee its integrity, transparency and exceptional nature, including by:
    - 5.3.1. specifying in detail clear mechanisms for ensuring the safety and security of the ballot boxes during early voting;
    - 5.3.2. limiting the number of polling stations for early voting;
    - 5.3.3. authorising early voting only in specific cases and for those voters who can prove that they cannot be present at their place of residence on election day;
  - 5.4. take measures to ensure the transparency of the vote counting, including by introducing a requirement that each ballot paper be displayed and the vote announced, and that the results of the election in each polling station be declared and posted publicly;
  - 5.5. allow national and international observers to carry out their work effectively and without impediment, including by clearly authorising them to:
    - 5.5.1. approach members of the polling station to verify electoral rolls and signatures and to observe the counting of the votes in a direct and effective way, including through direct and visual access to ballot papers;
    - 5.5.2. be present during the verification of signatures submitted for the nomination of candidates;
    - 5.5.3. have access to the storage of ballots and ballot boxes during early voting, including outside working hours;
  - 5.6. subject the registration of candidates to clear, comprehensive and transparent criteria and less restrictive conditions;
  - 5.7. subject any decision of electoral commissions, including election results, to review, including the possibility of a judicial review of all administrative decisions.
6. The Assembly is aware of the calls from national and international actors to hold snap elections on the basis of the current electoral system and stresses that such elections could only be deemed reasonably free and fair if a genuinely independent and impartial CEC can ensure, through the use of regulations, ordinances, circulars or instructions, that the requirements listed above are fulfilled to the greatest extent possible and that national and international observers can properly monitor the entire electoral process.
7. The Assembly stresses that democratic elections are not possible without respect for human rights, in particular freedom of expression, assembly and association. It condemns in the strongest terms the unprecedented wave of violence, mass arrests, intimidation and prosecution of political opponents, human rights defenders, journalists, media workers, independent election observers and citizens of Belarus following the 2020 presidential election.
8. This violent repression is not only an outright disregard for the core values upheld by the Council of Europe but also a major obstacle to any meaningful reform in the country, including electoral reform. Referring to its [Resolution 2372 \(2021\)](#) “Human rights violations in Belarus require an international investigation”, the Assembly urges the Belarusian authorities to put an immediate end to all violence.
9. Recalling that the integration of Belarus into the Council of Europe on the basis of the Organisation’s values and principles remains a strategic objective, the Assembly calls on the Belarusian authorities and all relevant stakeholders, including all opposition representatives and civil society, to urgently conduct a broad-based and inclusive national dialogue to ensure a peaceful way out of the current crisis and to open the door for necessary reforms benefitting all Belarusian citizens. The Assembly – together with the Venice Commission – reiterates its readiness to offer practical and technical guidance to the Belarusian authorities with a view to electoral reform. It firmly believes that this and other necessary reforms will pave the way for a new Belarus founded on human rights, democracy and the rule of law.