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**ELECTIONS OF MEMBERS OF THE CHAMBER OF  
REPRESENTATIVES OF THE NATIONAL ASSEMBLY OF THE  
REPUBLIC OF BELARUS OF THE FIFTH CONVOCATION**

**23. September 2012**

**PRELIMINARY REPORT**

**Minsk, 24. September 2012:**

## **Introduction**

The “Human Rights Defenders for Free Elections” campaign *is an independent and non-partisan joint initiative of the Human Rights Center “Viasna” and Belarusian Helsinki Committee.*

The goal of the “Human Rights Defenders for Free Elections” campaign is to observe the election to the Chamber of Representatives of the National Assembly of Belarus in 2012, to assess the electoral process and its compliance with the Belarusian electoral legislation and the international standards of free and fair elections, as well as to inform the Belarusian public and the international community about the observation results.

From the very first day of the election 95 long-term observers began their work within the framework of the campaign, covering 106 out of 110 election districts. They prepared weekly reports on the course of the election process which were processed, presented and spread as the campaign’s weekly and preliminary reports on all stages of the election.

The early voting and the Election Day procedures were observed by 300 short-term observers at 150 polling stations all over the country. The reports of short-time observers were processed every day, making it possible to reveal the general trends in the election administration and register the level of violations of the Electoral Code.

## **Abbreviations**

OSCE – Organization for Security and Cooperation in Europe

DEC – District Election Commission

UCP – United Civil Party

BPF – Belarusian Popular Front

BSDP (H) – Belarusian Social Democratic Party (Hramada)

EC – Electoral Code of the Republic of Belarus

Supreme Court – Supreme Court of the Republic of Belarus

Election Calendar – Schedule of arrangements for the preparation and conduct of elections to the House of Representatives of the fifth convocation

House of Representatives – House of Representatives of the National Assembly of the Republic of Belarus

PEC – Precinct Election Commission

Central Commission – Central Commission of the Republic of Belarus on Elections and Holding Republican Referenda

## I. Conclusions

The “Human Rights Defenders for Free Elections” campaign *comes to conclusion that the election process was marked by serious violations of the principles of democratic and fair elections, as described in the OSCE standards and the Belarusian legislation. The election took place in the atmosphere of political persecution and repression of the opponents of the government; this political environment, as well as the limitations at the stages of creation of election commissions and campaigning had a negative effect on the freedom to make an informed choice. Non-transparency of vote count procedure makes it impossible to state that the election results reflect the will of the Belarusian people.*

The election of 2012 is the first parliamentary election conducted under the amended Electoral Code (EC).<sup>1</sup> Mainly, the amendments to the EC are of a positive nature. However, the absence of effective mechanisms of enforcing the citizens’ rights and appealing against violations significantly diminish the positive effect of the amendments. The substantial part of the election process remains non-transparent and non-public. The electoral legislation lacks sufficient mechanisms to resist manipulation in administration of the election.

Lack of criteria for selection of nominated candidates to election commission made it possible for the executive bodies to manipulate the process. Although the Electoral Code guarantees representation of political parties and public associations in election commissions, in practice the representatives of the political parties in opposition made up less than 1 per cent of the commissions.

Registration of the initiative groups by District Election Commissions (DECs) was done mainly without any violations. However, observers were not able to observe the process of verification of voters’ signatures in signature forms, which gives the stakeholders the grounds to distrust the results, especially in cases when DECs denied registration to candidates. Altogether, 494 candidates were nominated, 122 (24.6%) were not registered. Political parties nominated 204 candidates (41% of all nominated candidates). 23 per cent of candidates nominated by political parties were not registered, 19.5 per cent of them were nominees of the political parties in opposition.

The campaigning stage was marked by usage of the administrative resource for the benefit of the pro-governmental candidates. Simultaneously the state media published materials covering the activity of the opposition forces in the negative light. Compared with the parliamentary election in 2008, the legal base for campaigning has been improved. However, the executive authorities narrowed down the campaigning possibilities envisaged by the amendments. A great number of opposition party candidates were deprived of an opportunity to reach voters with their opinion. We have observed multiple instances when presentations and programs of opposition candidates were censored or not aired. This has significantly limited the rights of voters to receive complete information about candidates and their programs.

According to the estimates of the observers of the “Human Rights Defenders for Free Elections” campaign, in the initial days of early voting there was little difference between the observers’ data and the PEC information relating to the number of voters who had voted early. However, by the end of the early voting the difference between the official and the observers’ data grew bigger. Also, the

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<sup>1</sup> The Electoral Code of the Republic of Belarus, 370-L of February 11, 2000. Amendments: the Law of the Republic of Belarus 406-L of July 4, 2000; the Law of the Republic of Belarus 183-L of January 4, 2003; the Law of the Republic of Belarus 166-L of October 6, 2006; the Law of the Republic of Belarus 99-L of January 4, 2010; the Law of the Republic of Belarus 309-L of November 8, 2011

number of polling stations at which the PEC data was different from the observers' data increased significantly by the end of the early voting period.

Observers received multiple refusals of election commissions to provide information about the number of voters registered at polling stations. Observers also noted facts of violations in the work of PECs, when PEC members failed to seal the ballot boxes in a sound manner, ignoring the remarks made by observers. There were also instances when polling station premises were not sealed during the breaks and at the end of the day.

The voting process was marked by numerous violations during voting at the voter's location. This primarily concerned arranging voting at the voter's location for voters who failed to apply for the option, and obstacles in observers' activities by members of precinct election commissions.

The vote count was not transparent. The observers were not able to monitor the accuracy of the vote count. The campaign's observers reported discrepancies between their estimates on voter turnout and the data specified in the PECs' voting results records.

525 complaints and appeals were submitted during this election. The majority of complaints are about ungrounded refusal to include representatives of the opposition parties and public associations in election commissions. Similarly to the previous election, none of the complaints were satisfied. The Central Commission received 57 complaints about non-registration of candidates, 11 of which were satisfied. The Supreme Court satisfied 1 out of 19 complaints submitted against the CEC decisions.

## **II. Main Findings**

### **Legal Base**

The election of the Chamber of Representatives of the Fifth Convocation is the first parliamentary election held under the Electoral Code amended in 2010 and 2011.

The following are the main changes in the electoral legislation:

- The bodies forming election commissions should include at least one third of representatives of political parties and other public associations; it is prohibited to include judges, prosecutors, heads of local executive and administrative bodies as commission members; state officials cannot make up more than one third of commission members.
- Candidates and their proxies can use notification procedure for holding mass campaign events in the places determined by the local executive and administrative bodies.
- In order to nominate a candidate for parliamentary election in a given district, political parties no longer need to maintain a local structure there.
- Decisions of the bodies that formed the commissions may be appealed to courts by entities that nominated their representatives to commissions.
- Candidates to the Chamber of Representatives now have the right to create private election funds for financing their campaign activities in the amount of 1,000 basic units.

The amendments to the Electoral Code mainly are of the positive nature and, in part, take into account the recommendations made by the OSCE experts. However, many of the recommendations, including measures to increase the transparency of the election process, remained unattended. There were no regulations for ensuring open public vote count established. Commission chairperson and secretary still have no obligation to give a copy of the protocol of election results to persons who have the right to be present during vote count at polling stations. Thus, the election legislation has

kept the drawbacks in regulation of the election procedures that can be used to a greater extent for abuse and falsification of the election results.

The Central Election Commission overstepped its authority and, in fact, changed the provisions of the electoral legislation. That was done for limiting the possibilities of the opposition candidates to use the campaign opportunities to advocate for a boycott of the election.

### **Election Commissions**

District election commissions in parliamentary elections (DECs) are created by presidiums of the regional and Minsk city Councils and the regional and Minsk city executive committees. Precinct election commissions (PECs) are created by rayon and city executive committees (local administrations).

According to the Election Calendar, 110 DECs and 6301 PECs (including 43 PECs abroad) were created.

Political parties, public associations, labor collectives and groups of citizens could freely nominate their candidates to commissions. However, the commissions were formed under control of the executive authorities; there was no public discussion of the nominees. Absence of established criteria allowed manipulating of the procedure of forming the commissions in favor of the entities that are loyal to the government. The commissions include representatives of mainly pro-governmental organizations: the Federation of Trade Unions of Belarus, the "Belarusian Republican Youth Union" public association, "Belaya Rus" public association, and the Belarusian Public Association of Veterans. The opposition members make an insignificant part in commissions – it is disproportionately small compared to the number of the nominees.

1,430 people have become DEC members. 48 of them are representatives of the opposition parties (3.3% of the total number of members of commissions and 24% of those nominated by the opposition parties).

In creation of PECs, the law limits the nomination possibilities of political parties and public associations. Only parties and public associations, that have structural units registered with the national or local authorities, are entitled to nominate PEC members. Thus, public associations of the national level which do not have local structures are deprived of the opportunity to take part in the electoral process through participation in PECs.

The sessions of the executive authorities for creation of PECs were relatively open for observers; however, they were extremely formalistic. In the majority of cases they boiled down to quick and uncompetitive approval of commission members' lists, which had been prepared before the sessions in a non-public manner.

68,945 people have become PEC members. 61 of them represent political parties in opposition (less than 0.1%). This demonstrates that the opponents of the government were excluded from administration of the voting and vote count procedures, and deprived of the opportunity to influence the work of PECs.

## **Candidate Registration**

At large, registration of initiative groups by DEC's was carried out without violations of the Electoral Code. 352 initiative groups supporting nomination of 330 candidates were registered (some contenders registered several initiative groups in different constituencies). 85 initiative groups in support of 15 candidates were denied registration. The majority of denials were received by the initiative groups of Mikola Statkevich and Aliaksei Mikhalevich. The denial to register initiative groups of these citizens is contrary to the electoral legislation.<sup>2</sup> The Amendments to the Electoral Code simplified the order of filling in the signature forms and allowed signature collection at pickets held in unforbidden places without prior permission of the local administration. However, we observed multiple instances when initiative groups supporting nomination of opposition candidates were not given access to state institutions, state-owned enterprises, student and worker dormitories.

The CEC Regulation #23 of June 19, 2012 created conditions for usage of administrative resource in signature collection, allowing entering data into signature forms not only to voters and initiative group members, but also to other persons on voters' request. This is contrary to part 16 of Article 61 of the Electoral Code, stating that all signatures in signature forms are recognized invalid if they are collected not by a member of an initiative group.

The signature verification procedures were held non-publicly. As a rule, the DEC's only announced the results of signature verification procedure at their open sessions.

Altogether, 494 candidates for the parliamentary mandate were nominated. 122 (24.6%) of them were denied registration. Political parties nominated 204 candidates (41% of the total number of nominees). 23% of them were denied registration; the vast majority of those denied (19.5%) were nominated by the BPF Party, UCP, BSDP (H) and the Belarusian Left Party "Fair World".

In the majority of cases the reason for denial was exclusively formalistic, as, for instance, the fact that the date of the signature was written not by the voter. Although the validity of the signature was not challenged, this formal inaccuracy played the key role. Among others, Alexander Milinkevich, chairman of the Movement for Freedom, and Mikhail Pashkevich, activist of the "Tell the Truth" campaign were denied registration as candidates.

Those nominated by two entities simultaneously (by voters through signature collection and by labor collectives) turned out to be absolutely "passing" candidates – 100% of them were registered. As a rule, this is the way chosen by the candidates who enjoy the support of the authorities.

## **Election Campaigning**

The candidates were entitled to a five-minute speech on state radio and state television, as well as five-minute presentation at pre-recorded debates.

The Central Election Commission created a Supervisory Council for control over compliance with the rules and regulations of election campaigning in mass media (the SC). Members of the Supervisory Council are state officials and representatives of the state-owned mass media. The civil society in the Supervisory Council is represented by members of the pro-governmental Belarusian Union of Journalists. The CEC turned down the proposal to incorporate representatives of Belarusian Association of Journalists and independent media as its members.

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<sup>2</sup> Expert opinion on non-registration of initiative groups of Mikola Statkevich and Aliaksei Mikhalevich <http://spring96.org/be/news/55169>.

The Supervisory Council decided that the speeches of some UCP candidates who called for a boycott of the election could not be considered election campaigning. Basing on the SC recommendations the CEC exceeded its authority and corrected the norms of the electoral legislation. In fact, by its Ruling 93 the CEC introduces censorship of the candidates' campaign presentations: calls for boycott are not allowed in the free-of-charge TV and radio speeches and newspaper publications, which is contrary to Articles 45 and 47 of the Electoral Code. Ruling 122 prohibits candidates' proxies who run for a seat themselves to take part in TV debates on behalf of the candidates they represent. This contradicts Article 46 of the Election Code that allows participation of candidates' proxies in debates without any conditions and limitations.

Censorship and prohibition of free-of-charge presentations in mass media of the candidates that call for boycotting the election also limit the voters' rights to receive complete and unbiased information<sup>3</sup>.

Less than one third of candidates used the right to create private election funds. The opposition candidates cited bureaucratic obstacles from the commissions that slowed down the process of opening bank accounts. We have not registered any facts of using the election funds for financing the outdoor advertising or TV or radio advertising.

The public campaigning events staged by opposition candidates faced obstacles from the executive authorities; such cases were typical in the regions. Simultaneously, in many places favorable conditions for the meetings of the pro-government candidates with voters were created; almost everywhere administrative resources were used for this purpose. Campaigning for loyal candidates involved representatives of local executive committees, heads of government agencies, organizations and enterprises.

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<sup>3</sup> About Implementation of Candidates' Right to Campaign on State TV, Radio and Mass Media <http://elections2012.spring96.org/en/news/56675>.

## Early Voting

According to Article 53 of the Electoral Code, early voting begins not earlier than five days before the Election Day. It is to take place in the office of PEC in the presence of no less than two PEC members from 10 a.m. to 2 p.m. and from 4 p.m. to 7 p.m. The law does not require any official proof of the inability to come to the polling station on the Election Day. The ballot boxes are to be sealed up by PEC on the first day of the early voting period. Every day of the early voting PEC is to make and post the protocol indicating the total number of the received ballot papers, the number of voters who received the ballot papers (on the last day – the total number summing up all days), the number of spoiled, and – separately – unused ballot papers. It is prohibited to force voters to take part in early voting.

On the average, at about 3.4% of polling stations observers of the “Human Rights Defenders for Free Elections” campaign encountered obstacles when counting the number of voters who took part in early voting. Observers note multiple refusals to provide information about the number of voters registered at polling stations. That made it impossible to count the percentage of early voters among all voters registered at a polling station. Also, there were some instances when observers were not allowed to use photo cameras.

At about 4.5% of polling stations PECs failed to work according to the official schedule. Observers of the “Human Rights Defenders for Free Elections” campaign were allowed to be present at polling stations only during the official working hours. However, there are multiple instances when PEC members were present at polling stations behind the closed doors at the time other than the working hours set up by the law. They explained that as the “working needs of PEC”, “preparation of the office for voting”, etc. There are also observed instances when the voting offices were not sealed during the breaks and at the end of the day.

Our observers registered forced early voting at about 16.8% of the observed polling stations. Mainly, the citizens who have voted early were students living in student dormitories, dormitory residents, military servicemen, employees of state-owned enterprises, citizens on personal restraint, etc. We observed the following indications of coercion to participate in early voting: voters’ requests that PEC issue certificates that they have taken part in the voting, organized transfer of voters’ groups to a polling station, PEC members reporting to representatives of administration about participation in early voting, etc.

Interference of the third persons in the work of PECs was noted at about 20.9% of polling stations. Mainly, they were representatives of the local executive authorities, representatives of enterprises and institutions’ administrations, etc. We observed multiple cases when PEC members and representatives of state-owned enterprises and educational establishments cross-checked the lists of those who voted and did not vote, which is an obvious sign of control over the situation. PEC regularly informed administrations of the appropriate institutions about the number of those who took part in the early voting.

Protocols about the results of everyday voting were not posted for public at 1% of polling stations. Observers explained to PEC members the necessity to make everyday reports about the results of early voting.

According to the estimates of the observers of the “Human Rights Defenders for Free Elections” campaign, in the initial days of early voting there was little difference between the observers’ data and the PEC information relating to the number of voters who had voted early. However, by the last day of the early voting the difference between the official and the observers’ data was 3,831 people.

Also, the number of polling stations at which the PEC data was different from the observers' data increased significantly by the end of the early voting period – from 30.7% to 39.5%.

In some cases observers registered significant difference in their count of voters who voted during one day and the official data announced by PEC in the end of the day. For instance, in Homel-Savetskaya election district #34 at polling stations ##1, 2, 18, 23 the double and triple difference in numbers continued to be registered throughout the whole early voting period.

Number of voters who voted early<sup>4</sup>

Day	Number of polling stations with available information about the number of those who have cast their votes	Number of early voters		Difference	Percentage of polling stations where difference between the official data and observers' data of those who voted early every day was registered
		PEC data	Observers' data		
September 18	137	6,676	6,375	-301 (4.5%)	30.7
September 19	143	11,414	10,663	-751 (6.6%)	31.5
September 20	142	14,719	13,496	-1,223 (8.3%)	28.47
September 21	143	19,148	17,055	-2,093 (10.9%)	40.36
September 22	154	25,408	21,577	-3,831 (15.1%)	39.5
Total (on average)		78,763	70,564	-8,199 (10.4%)	(34.2)

### Election day: Voting at the Voter's Location

The observers reported numerous violations. They primarily deal with arranging voting at the voter's location for voters who failed to apply for the option. The information on the number of electors and the reasons for their inclusion in the list was also secret. The Central Election Commission's Secretary Mikalai Lazavik admitted that the precinct election commissions had included voters in these lists considering their age, health and other factors.

The observers could not monitor the updating of the voters' lists and the issuance of ballot papers. During the observation of voting at the voter's location, there were registered facts when voters refused to vote on various grounds (e.g. Svislach electoral district #94, polling station #126, etc.).

<sup>4</sup> Data of 719 reports (from polling stations where observers managed to receive PEC data about the number of those who have cast their votes), summed up from the whole period of early voting.

## **Election day: Voting at the polling stations**

Voting shall be held between 8 a.m. and 8 p.m. in specially equipped premises, including: polling booths or polling rooms for secret vote, designated places for the issuance of ballot papers and installed ballot boxes. They should be installed in such a manner that the voters, when approaching them, pass the secret vote booths or rooms. Meanwhile, the ballot boxes should be placed within the sight of the members of the precinct election commission, observers and representatives of the media.

Ahead of the start of voting on the Election Day, the ballot boxes should be checked and sealed by the chairperson of the precinct election commission in the presence of not less than two thirds of the commission's composition. Voting can be held both at the polling station and at the voter's location.

The precinct election commission should secure the opportunity of voting for the voters, who, either because of one's health condition or for any other valid reason, cannot visit the polling place on the Election Day. However, Art. 54 of the Electoral Code states that the election commission does not have a right to address the voters with an offer to vote at their location. The elector should take a decision on the type of voting independently and apply to the election commission with a corresponding request. During voting at the voter's location, not less than two members of the election commission should receive the amount of ballot papers corresponding to the amount of requests by the voters. Observers have the right to attend voting at the voter's location.

On July 27, 2012 the Central Election Commission adopted its Ruling #42 that determined the list of documents other than the passport eligible for the issuance of a ballot paper. The documents include: the military service record card, the government employee's ID, the student identity card and the driver's license. All the documents, except for the military service record card, do not bear the mark of citizenship and place of residence, which creates opportunities for voting by the persons who do not enjoy electoral rights.

Art. 21 of the Electoral Code stipulates that neither the electors nor the observers have the right to study the list of voters within the precinct. The electors have the right to receive information only about themselves and their families. In a situation when the precinct election commission deny the observers access to information on the number of voters within the precinct before the end of vote count the absence of a unified register of electors creates grounds for election fraud.

There were numerous instances of harassment of observers and their illegal expulsion from the polling stations. 26.8% of the observers stated that the activities of the precinct election commissions were appealed by more than one person at a time.

## **Vote Count**

Under Art. 13 of the Electoral Code, the vote count should be transparent; the observers accredited at the polling station, representatives of the media, candidates running in the electoral district and their proxies have the right to attend the count. The vote count should be carried out separately: first, the ballots that were found in the early voting box, then the ballots that were cast in the mobile boxes for voting at the voter's location, and after that the ballots from the boxes in the polling places. The results of each vote count should be announced by the chairperson of the commission.

On the basis of the ballot papers that were cast in the ballot boxes, the commission should, first separately and then by summing up the data, determine: the total number of electors who have taken part in the voting, including the number of voters who have taken part in the early voting, the number of voters who have voted at their location and the number of voters who have taken part in

the voting on the Election Day; the number of votes cast for each candidate and the number of votes cast for none of the candidates (in single-candidate election districts – the number of votes cast against the candidate), the number of ballots found invalid. The invalid ballot papers should be packed separately.

After the end of the vote count, the precinct election commission should hold a sitting to determine and enter into the record the results of the vote count, to consider complaints and appeals, personal comments by the members of the election commission (in case any), and to take decisions concerning them. The minutes of the sitting of the precinct election commission should also reflect the results of the separate vote count (drafted in one and only copy and submitted to the government bodies that created the commissions – the district executive committees or the district administrations).<sup>5</sup>

The voting results record should specify the overall voting outcome only. The record should be drafted in three copies, signed by the chairperson, the secretary of the commission and the members of the PEC. After its signing, a copy of the record on the voting results should be published for examination. Issuance of an authorized copy of the voting results to the observer is not provided by the law.

### **Observation of Vote Count**

During the observation of the vote count, the observers encountered the absence of access to a number of documents of the PECs. In the majority of cases, the observers were denied access to the records of the sittings of the PECs that reflect the results of the separate vote count.

The observers could, as a rule, be present in the polling places during the vote count. However, the majority of the observers (71.6%) stressed that the vote count was not transparent – by all the members of the PECs, when each member of the PEC counted his or her part of the ballots, reporting the results to the chairperson of the commission. As a result, neither the observers nor the members of the PEC could monitor the overall results of the vote count. Apart from that, the observers were prevented from approaching the tables at a distance that could allow seeing the vote count. 78% of the observers noted that they could not choose the convenient place (distance) for observing the vote count.

44% noted that the PECs failed to announce the results of the separate vote count, while 13.6% reported the absence of the separate vote count.

The observers also reported the difference between the number of voters who have taken part in the voting, as stated in the PECs' voting results records, and the figures recorded by the observers. The difference was reported at 18.8%.

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<sup>5</sup> Ballot papers different from the established sample, ballot papers having no signatures of the persons who are members of the precinct commission on their reverse side shall be recognized as invalid, as well as ballot papers in which, as a result of voting, more than one square has been checked or none of the squares have been checked or, in case there is only one name, if both squares are checked or unchecked. // Guidelines for the members of the PECs, adopted by Ruling # 11 of the Central Election Commission of April 26, 2012;

## Complaints and Appeals

During the election over 525 complaints and appeals were filed. There were 117 complaints about the decisions of the local executive and administrative bodies on creation of DEC and PECs, indicating ungrounded exclusion of opposition political parties and public association representatives from DEC and PEC membership. Some complaints were not considered because of the missed three-day deadline set up by the Electoral Code. None of the complaints was satisfied. The courts ignored the arguments of the discriminatory approach by the local executive bodies in creation of PECs referring to the fact that the procedure of forming election commissions had been carried out without any formal violations. To a greater extent this is grounded on the fact that the Electoral Code lacks criteria for selection of representatives to election commissions.

There were 3 complaints filed on the stage of initiative group registration – practically all initiative groups were registered.

On the signature collection stage 18 complaints were filed (compared with submission of over 50 complaints during the presidential election in 2010). The insignificant number of filed complaints can be explained by the fact that rather few candidates used signature collection, mainly with the purpose to draw attention to their programs. The main actors of the election campaign – the political parties – nominated their representatives by decisions of their governing bodies.

57 complaints were submitted to the Central Election Commission about the DEC decisions to deny registration to candidates. Among them, 11 complaints were satisfied. 19 complaints against CEC decision in support of DEC decisions of non-registration were filed to the Supreme Court. The Supreme Court ruled to satisfy 1 complaint and register the applicant as a candidate.<sup>6</sup>

When hearing the complaint of Siarhei Parsiukevich, the Supreme Court cited Part 16 of Article 61 of the Electoral Code, claiming that a person who was not a member of the initiative group did not have the right to fill in the signature forms. This decision contradicts the Ruling of the Central Election Commission establishing that voter's data can be entered by either a voter, or another person at voter's request. In its decision the Supreme Court reveals obvious illegitimacy of the above-mentioned CEC Ruling, but abstains from giving any assessment of this fact.

The Central Commission grounded its denial of registration to Alexander Solap on the fact that he did not meet the moral and ethical requirements (the contender had two two convictions in his criminal record). However, according to the law expunged convictions cannot be the obstacle for registration as a parliamentary candidate. The Supreme Court upheld the decision of the Central Election Commission. This approach is clearly contrary to the law, as under Article 99 of the Criminal Code, expungement of the criminal record annuls the legal effects of criminal responsibility.

On the campaigning stage over 113 complaints were filed, which mainly dealt with the following problems: censorship of candidates' programs in mass media, refusal of mass media to air candidates' speeches, prohibition of pickets advocating boycott of the election, and refusals to provide premises for meetings with voters.

At the time of the report drafting, 200 complaints concerning the early voting, the voting on the election day and the vote counting were submitted on the Election Day. The majority of the complaints dealt with the violations of the voting procedures provided by the EC: interference of unauthorized persons in the activities of the PEC, marking the ballot papers by the members of the

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<sup>6</sup> Report on Monitoring Appealing Procedures against Denial of Candidates' Registration: <http://elections2012.spring96.org/en/news/56892>

PEC, issuance of more than one ballot paper to one person, etc. Apart from that, part of the complaints was submitted against the obstacles the observers encountered in their observation activities at the polling stations. Complaints were not submitted following each recorded violation. In some cases, the observers reported the violations to the media.

31 complaints were submitted as a result of violations in the vote count. None of the complaints was met.

The participants of the election campaign are expected to submit some complaints (primarily dealing with the vote count) on 24 September.