



# VOICE Association for Protection of Voters' Rights

127051, Moscow, 7 Bolshoy Karetnyi Per., first floor  
ph./fax 299-32-90, 299-14-65, e-mail [golos@golos.org](mailto:golos@golos.org)  
[www.golos.org](http://www.golos.org)

---

## *Preliminary Statement*

### **The VOICE Association**

### **Conduct of Elections to the State Duma December 7, 2003**

**Moscow, December 9, 2003** -- The VOICE Association is the only domestic organization to have carried out an extensive observation of the State Duma elections, from the day elections were called to election day. Between September 5 and December 7, 2003, The VOICE Association conducted long term observation in 30 Russian regions: Altai Krai, Astrakhan, Vladimir, Volgograd, Voronezh, Ekaterinburg, Irkutsk, Kaliningrad, Kostroma, Krasnodar Krai, Krasnoyarsk Krai, Lipetsk, Novosibirsk, Omsk, Penza, Primorsky Krai, Karelia, Tatarstan, Rostov-on-Don, Ryazan, Samara, St. Petersburg, Saratov, Stavropol Krai, Tambov, Tomsk, Chelyabinsk, Yaroslavl. The organization focused its observation on:

- The formation and work of the electoral commissions
- The use of administrative resources throughout the electoral process
- The voting and counting of votes.

The organization also conducted a parallel vote tabulation (PVT) in 20 electoral districts and deployed 4,500 observers on election day.

This is the preliminary overall statement of the findings of the Association throughout the entire electoral process. All conclusions are based on observations made by VOICE long term observers during their monitoring of sessions of electoral commissions, the media, public events organized during the electoral campaign, and on complaints received from political parties and candidates. A more comprehensive statement including thorough descriptions of all examples, will be issued shortly. Many examples of violations found in this statement, however, can be located in previous statements.

The overall conclusion of the organization's observation is that elections to the State Duma not only fall short of international standards of free and fair elections, but also do not fully comply with Russian legislation.

The passing of new legislation that includes many democratic provisions and various public statements made by election and administration officials in favor of a highly transparent process led to high expectations regarding the fairness of the elections. Despite this, the pre-election period and the electoral campaign were characterized by unfair competition between United Russia and its candidates, who were massively supported by all levels of the administration, and all other candidates. In addition, election day was marked by numerous violations, casting suspicion on the accuracy of both the voting and the counting of votes.

## **I. Organization of elections and electoral campaign**

Throughout the entire campaign, VOICE observed an intensive mobilization of administrative resources in support of United Russia and its candidates, and against other parties and their candidates, in all stages and at all levels of the electoral process.

### **Formation and work of the electoral commissions**

VOICE's observation of the formation and work of the electoral commissions raises questions about their objectiveness and the fair treatment of all candidates.

- The composition of the electoral commissions was dominated by United Russia, which had the legal right to place three members in each of the electoral commissions, while other parties could each place only one. This gave United Russia a strong advantage in influencing the decisions of the electoral commissions. In addition, two thirds of the members of the electoral commissions were either former or current employees of regional and/or local administration, or employees of state owned enterprises. This dependence of the majority of commission members on the administration allowed the administration to exercise pressure on the respective commissions in their decision making.
- The work of the electoral commissions was not transparent to the observers. In many cases, VOICE observers, accredited as correspondents of the VOICE newspaper, were not allowed to observe the sessions of the commissions – in direct opposition to the law.

### **Registration of candidates**

The procedure for collecting signatures favors candidates who have access to administrative resources. VOICE observers reported various violations during the collection of signatures (collection of signatures in administration buildings and offices, and during activities organized at the initiative of employers, for example).

In many cases, the electoral commissions treated candidates preferentially, showing a strong bias toward the candidates supported by the administration. The candidates opposing those supported by the administration were confronted with various obstacles in their registration.

### **Mass media**

The main feature of these elections has been the tough restrictions placed on the media, enhanced by self-censorship at many media outlets.

The coverage of the electoral campaign in the media was biased, especially in the state-run TV channels where the coverage of the activities of the pro-presidential structures was dominant both qualitatively and quantitatively and provided them with a considerable advantage in the campaign.

- Forums of United Russia supporters were positively covered in all the federal and local media outlets whereas respective events of other parties often were not.
- All VOICE observers noted an active media campaign on behalf of United Russia, launched long in advance of the official start of the campaign.

## **The Use of Administrative Resources**

An unprecedented use of administrative resources was one of the major characteristics of the campaign.

- Almost everywhere state officials exercised agitation, largely in favor of pro-presidential parties and administration candidates.
- United Russia electoral campaign members and chairs were frequently high-ranked employees of the local administration or were delegated by federal authorities, which provided them with extensive advantages.
- In many regions, the campaign headquarters of United Russia and candidates supported (nominated) by the administration kept offices in government buildings. Meetings with the voters were also held there.
- Rather than being on official leave, as required by law, many officials who had participated in the campaign continued performing their functions and received wide coverage in the media.
- In a number of regions, the opposition candidates, unlike the United Russia candidates, experienced difficulties in their attempts to organize meetings with voters; the most common practices were the refusal to rent facilities to opposition candidates and the sudden loss of electricity.

## **Lack of Clarity of the Legislation**

- Complex regulations in the new electoral laws complicate their understanding and effective application. Moreover, there are a number of conflicts between provisions of different legislative acts that make it possible to apply the law selectively (subjectively).
- In general, the current electoral legislation in Russia is in line with international standards. Nevertheless, some of its provisions do not contribute to a fair and open electoral process. Among them is an overregulation of media activities and an unclear distinction between the notions of “informing” and “agitating.”
- Some difficulties were caused by a lack of clarity over the registration procedures of the candidates from the political parties. On October 21, 11 parties were denied the opportunity to compete as certified parties. This meant that their potential candidates had to collect signatures or place a deposit to compete individually. However, the deadline to submit signatures or a deposit was October 22, just one day after the eleven parties were notified that their candidates would not automatically be certified to participate. Therefore, the majority of the candidates that would have represented these parties were unable to meet the requirements.
- Candidates nominated by parties enjoy advantages rather than independent candidates. As mentioned above, they are not required to collect signatures or put down a deposit, if the party is properly registered. This frees up funds for campaigning. This situation distorts the principle of forming one half of the parliament by party list and the other half by single-mandate districts.
- The current legislation provides popular leaders heading the party list with an opportunity to ‘delegate’ their seat in the parliament to unknown colleagues whose opinion and beliefs may differ from the viewpoints of the leaders actually elected. The situation gave United Russia an opportunity to place at the upper spots on the list the heads of local administrations and other high-ranking officials, most of whom had no intention of giving up their position and working in the Parliament.

## **Election Day**

All throughout the day, VOICE observers have reported numerous violations, ranging from technical unintentional mistakes to serious, deliberate manipulation of voters and election results. The range and seriousness of reported violations places under suspicion the fairness of the voting and the accuracy of the vote count. VOICE observers attempted to file complaints with the chairmen of the polling station electoral

commissions in each of the instances of violations, yet in many cases the chairmen simply refused to accept the complaint. Of extreme concern is the lack of initiative and responsibility of observers from political parties, who, overall, have not attempted to report or document the violations observed and in many cases have refused to support VOICE observers in their active observation.

### **Mistakes in the protocols**

In the majority of the regions observed, VOICE coordinators reported problems in the official protocols issued at polling stations. The various figures in the protocols do not add up as they should. As such, they should have been rejected as invalid by the GAS Vybory system, the new computerized tabulation system used for these elections. There is no evidence yet that the protocols have been rejected, however, indicating that numbers had to be changed at some point in the tabulation. However, it is unclear what was changed, and whether the changes were confirmed with electoral commissions.

### **Voter lists**

All throughout the 30 regions observed, voter lists were inaccurate, requiring many additions on election day. They contained numerous errors and mistakes. For example, voters who abstained from voting in the last elections were not on the list, or on the other hand, deceased voters or those who moved their place of residence remained incorrectly on the list (Article 17 Point 4, Federal Law ‘On the basic guarantees of the rights of voters...’ and Article 16 Point 2, Federal Law ‘On the elections of the State Duma Deputies’).

The voter lists were neither stapled together, nor stamped, in violation of the law (п.12 ст.15 ФЗ РФ «On the elections ...»), leaving room for potential modifications. VOICE observers brought the violation to the attention of the chairmen of the polling stations, territorial and regional electoral commissions (ex. Ekaterinburg), and in some, but by far not all, instances the problem was solved.

### **“Mobile Box” Voting**

Overall, a significant percentage of voters used mobile ballot boxes. Moreover, in some regions, commission members handling the mobile box took with them two or even three times more ballots than the number of people who actually requested to vote at home. No explanation was offered to the VOICE observers who raised this issue. During the mobile voting in a number of the regions there were lists of those who applied to vote in this manner unavailable or they were incorrectly completed (Article 66 Point 2, Federal Law ‘On basic guarantees...’).

### **Absentee Voters Certificates (ACV)**

In general, the system in which the absentee voter’s certificates are printed and then distributed downward through all the layers of electoral commissions and, eventually, used, is very difficult to monitor and account for. Some regions reported an unusually high percentage of votes using the AVC (for example, in Ekaterinburg).

### **Voting in groups**

Instances of voters bused in or walked to the polling stations have been reported in Stavropol and *UFA*.

### **Counting of votes**

Violations in this area are proof of the intentional influence of the voting process and the election results from the side of some participants of the election process.

- In most polling stations, voters were not able to observe the ballot count, as well as the transfer of protocols from the polling stations to the territorial election commissions. The reason for this was the incorrect setup of polling stations or direct violations during the ballot count. Ballot counting took place before the list data was announced, the enlarged protocol was not filled out and the count of mobile and stationary ballot boxes are not conducted separately. Due to this, it was impossible to match the data on the total ballots used and the list numbers, as well as visually observing the marked ballots.

### **Transparency and openness of the process**

The law provides for transparency of the electoral process. VOICE observation showed that the practice many times fell short of these provisions.

- Some chairpersons of precinct ballot stations refused to let observers in on election day (Article 30 Point 5, Federal Law ‘On basic guarantees...’). These cases were not numerous and after the involvement of upper-level commissions the problems were resolved. This situation could have been avoided at the very beginning, had the CEC accommodated the numerous requests of the international and domestic observers to enumerate the precise lists necessary for the registration of the observers.
- In some regions the election commission members refused to accept the violation acts compiled by the observers and did not react to the reproaches and suggestions of the observers concerning the voting organization. (Article 30 Point 9 ‘On basic guarantees...’)
- Some commissions refused to give the observers certified copies of the protocols (Article 30 Point 9e, Federal Law ‘On basic guarantees...’).

### **Other violations**

- In some ballot stations the conditions for confidential voting were not secured. For example, the voting booths were not properly equipped (Article 74 Point 2, Federal Law ‘On elections...’).

### **Conclusion**

The conduct of elections to the State Duma has proven the necessity of a thorough revision of the electoral legislation and the electoral process, in general. The law, although much improved from the past, still requires clarification and alignment with the rest of the Russian legislation. Regarding the process itself, in addition to clearer and simpler procedures and instructions from election administrators, the implementation of the law and the conduct of elections also require more attention and control from both political parties and non-governmental organizations, to lead to an electoral system protected from the interference and manipulation of any of the political and electoral actors.