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BELARUSIAN PARLIAMENTARY ELECTION IN 2019

ABSTRACT

In 2019 a snap election was held to the bicameral National Assembly of the Republic of Belarus. The election was fully controlled by the authorities. Numerous cases of election law violations were recorded by independent observers. The intensity of the election campaign was low and the candidates were not guaranteed equal access to the media. As in the previous parliamentary election, mainly "nonpartisan" candidates loyal to the regime and several representatives of pro-regime parties were elected. No candidate from the political opposition gained a seat in the new parliament. According to ODIHR/OSCE's assessment, the 2019 Belarusian parliamentary election did not meet international standards.

Key words

Belarus, National Assembly of the Republic of Belarus, parliamentary election, political opposition, OSCE

1. Background

The first president of Belarus has been Alexander Lukashenko, elected in 1994. Under his rule, Belarus evolved towards an authoritarian regime. Based on the classification of Axel Hedenius and Jan Teorell, Belarus can be classified as an electoral authoritarian regime with a limited multiparty system (Hedenius & Teorell, 2007). Election in authoritarian regimes is an important part of the political process as it represents the nature of a given regime and the role its key political actors play (Bedford & Nizhnikau, 2017). The rigged referendum of 1996 introduced changes to the constitution, which resulted in strengthening the prerogatives of the president and establishing the two-chamber National Assembly of the Republic of Belarus. The state has followed the same scheme for parliamentary elections for many years. The upper house (the Council of the Republic) consists of representatives of the regions who are loyal to the regime and of candidates nominated by the president. Those who seat in the lower house (the House of Representatives) are elected from nonpartisan candidates who are entirely at the regime's command, and from several representatives of pro-regime political parties. There are hardly any representatives of the political opposition as the authorities limit their access to the lower house of the parliament (Bedford, 2017; Czwołek, 2013a; McAllister & White, 2016).

The aim of the article is to analyze the course of the parliamentary elections in Belarus in 2019 and to determine the scale of electoral manipulation. It also attempts to answer the question whether the parliamentary elections were conducted in accordance with international standards. A separate part focuses on the participation of the political opposition in parliamentary elections. During the research, the authors used content analysis and comparative methods.

By the decision of President Alexander Lukashenko of 5th August 2019, elections to the lower house of the parliament were scheduled for 7th November 2019 (Ukaz Prezidenta, 2019). Under the current legislation, a new parliamentary election should be held no later than in September 2020, and a presidential election – in August 2020. Calling the parliamentary election for an earlier date remained inconsistent with the constitution of the Republic of Belarus, as it shortened the parliamentary mandate by 10 months (Pravaabarontsy za Svabodnyya Vybary, 2019b). The president's decision on snap election to the parliament was dictated mainly by international conditions since Russia's pressure on deepening its integration with Belarus had increased. The current president initiated the process of strengthening his power on the eve of the escalation of the conflict with Russia. The next presidential election, to re-elect Alexander

Lukashenko, was scheduled for 2020; thus the regime wanted to avoid holding both the parliamentary and the presidential elections in 2020 as it could negatively affect its image in the West. After the outbreak of the Russian-Ukrainian conflict, Belarus began the process of improving its relations with the EU and the US, so it was important for the country to avoid new areas of conflict with the Western structures.

2. Electoral system

Pursuant to the constitution, the House of Representatives is elected for a 4-year term. The lower house of the parliament consists of 110 deputies, elected on the basis of general, free, equal, direct right to vote by secret ballot. Suffrage is granted to these Belarusian citizens who are at least 18 years old on the day of the election, and the right to be elected to the House of Representatives is given to the citizens who are at least 21. The exceptions are persons deprived of their voting rights by a valid decision of the court or those who are remanded in custody (Konstitutsiya Respubliki, 1994). In the opinion of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (ODIHR/OSCE), the provisions of the election law in Belarus do not meet international standards. Despite receiving many recommendations and opinions on the issue, the authoritarian regime keeps blocking the introduction of changes. After the last parliamentary elections in Belarus in 2016, ODIHR/OSCE issued a number of recommendations regarding changes in electoral law; however, they have not been implemented in Belarusian legislation. Although an inter-ministerial working group was established for this purpose, its work was ultimately fruitless. The election law provisions that are most criticized by ODIHR/OSCE include these related to the process of establishing election commissions, registration of candidates, running and financing canvass, candidates' access to the media, snap election, and the process of counting votes and announcing election results (ODIHR/OSCE, 2016; Pravaabarontsy za Svabodnyya Vybary, 2019b). No Belarusian parliamentary election observed by ODIHR/OSCE met democratic standards as the techniques of manipulating the election law applied by the regime guaranteed its full control over the electoral process (Czwołek, 2009).

Detailed provisions for organizing and holding parliamentary elections are found in the electoral law. Pursuant to the electoral code, 110 deputies to the House of Representatives are elected from single-member constituencies. There is a single round of election to the House of Representatives, and

the candidate who receives the most votes wins. If there is only one candidate in a constituency, they are considered validly elected after receiving more than a half of valid votes in the poll. In a parliamentary election, candidates have limited funds for canvassing. The state's budget finances only the organization of elections, so the money for canvass is collected by candidates on individual electoral accounts that remain controlled by the Central Election Commission of Belarus. Deposits to these accounts can be made by the candidates themselves and by citizens and legal entities. It is forbidden to finance electoral canvass by donations from anonymous and foreign sources, state companies and corporations subsidized by the state, religious communities and charity organizations. During the 2019 elections to the House of Representatives the ceiling for payments to individual electoral accounts was around 1300 USD. If a candidate uses in the election campaign an amount 20% higher than the specified limit of payments to individual electoral accounts, or if they use foreign sources of funding, the election commission can cancel the registration of this candidate. The electoral system guarantees to all candidates equal access to the media (Izbiratel'nyy Kodeks, 2000; Pravaabarontsy za Svabodnyya Vybary, 2019b).

3. Election commissions

As in the previous years, the 2019 parliamentary election was fully controlled by the regime. Due to the marginal role of the parliament in the Belarusian political system and low social interest in elections, their course followed a ritualized pattern. In 2019 the process of forming election commissions at all levels (territorial, district, and precinct) was strictly controlled by the regime, which applied the recruitment criteria for election commission members at its discretion and thus could block candidacies of the majority of political opposition activists. Members of election commissions are nominated by citizens, political parties, social organizations, and labor collectives. In all types of election commissions political parties had the weakest representation (territorial – 20.9%; district – 14%, precinct – 5.9%). The percentage of representatives of opposition parties in election commissions was even lower: 3.3%, 2.3%, and 0.4% respectively. For example, in precinct election commissions, only 21 out of 63,464 members were nominated by opposition parties (Belarusian Popular Front – 5, United Civic Party – 4, Belarusian Left Party "Fair World" – 12) (Okruzhnyye komissii, 2019; Territorial'nyye komissii, 2019; Uchastkovyye komissii, 2019). Access to election commissions was also limited for members of independent non-governmental organizations and civil movements (e.g. the "Tell the Truth!" campaign) (Naviny.

by, 2019a). Apart from the regime limiting the access of opposition parties to election commissions, the main problem of political opposition is an insufficient number of people to control the electoral process. As in the previous parliamentary elections, in 2019 all types of election commissions (territorial, district, and precinct) also were of an almost uniform structure, as they consisted of mainly "nonpartisan" representatives of the authorities and pro-regime activists from social organizations and trade unions (i.a. "Belaya Rus", Belarusian Republican Youth Union, Belarusian Women's Union, and Belarusian Public Association of Veterans). In this way, the regime ensured it had full control over the work of election commissions (Naviny.by, 2019b).

4. Candidate Registration

In the 2019 election to the House of Representatives, political parties, labor collectives and citizens put up 702 candidates. Compared to the previous parliamentary elections, this was the largest number of nominated candidates (2008 – 365; 2012 – 494; 2016 – 630). In 2019 the largest number of candidates was nominated by political parties – 442 (51.5%), citizens – 272 (33%) and labor collectives – 128 (15.5%). All opposition parties put up 172 candidates in total. Eventually, 562 candidates were registered. The percentage of refusals to register candidates in the parliamentary elections in 2016 and 2019 was similar – 17.3% and 20% respectively, while in the 2012 parliamentary elections it was slightly higher – 28%. The candidate registration process was non-transparent, and election commissions had many possibilities to refuse registration. Among the registered candidates there were 34 deputies from the previous House of Representatives and 66 deputies from local councils. Following a claim of procedural irregularity during signature collection, two incumbent opposition deputies (the only representatives of the opposition elected in 2016) were not registered. As in the previous parliamentary elections, the very process of collecting signatures of support and registration of initiative groups met no major obstacles from the regime. There were cases of the authorities using administrative coercion to increase the number of signatures of support for pro-regime candidates; this was most often done by forcing employees of state-owned companies to sign lists of support. As the electoral law stated, political parties, citizens and labor collectives had the right to put up candidates. To nominate candidates, political parties had to be officially registered by the Ministry of Justice at least six months prior to the parliamentary elections. In 2019, there were 15 political parties registered, including 7 opposition parties (Belarusian

Green Party, Belarusian Left Party "Fair World", Belarusian Social Democratic Party "Assembly", Belarusian Popular Front, United Civic Party, Conservative Christian Party, and Belarusian Social Democratic Party "Hramada"). In Belarus there are also opposition parties that have not been officially registered and thus cannot put up their candidates (e.g. Belarusian Christian Democracy and Party of Freedom and Progress,). The situation of non-governmental organizations is even more difficult. Although the constitution guarantees them the right to put up their own candidates in the elections to the House of Representatives, their constitutional rights are not included in the electoral code. When refusing to register such candidates in 2019, electoral commissions referred to the provisions of the electoral law, without taking into account constitutional guarantees in this respect. On this basis 55 candidates from the opposition movement "For Freedom" were refused registration in 2019. Independent observers also noted a large number of registrations being denied to opposition activists who put up their own candidacies individually, by collecting signatures of support. By the day of the election, the number of registered candidates had decreased from 562 to 513, as the CEC removed 15 candidates for violation of the electoral law, and 34 candidates withdrew on their own. Most registered "nonpartisan" candidates were persons loyal to the regime, mainly the members of the pro-regime organization "Belaya Rus". In turn, on the election day political parties had 337 candidates (65.69%), including 139 from the opposition parties (27.01%). Compared to the previous parliamentary elections, opposition parties in 2019 had the largest number of registered candidates on the election day (2012 – 108; 2016 – 40) (BelTA, 2019c; Czwołek, 2013b; Frear, 2012; Kampaniya, 2019; Naviny. by, 2019c; ODIHR/OSCE, 2019; Pravaabarontsy za Svabodnyya Vybary, 2019b).

5. Election Campaign

The election campaign was of low intensity and its course was fully controlled by the regime. Moreover, the campaign remained invisible for the majority of the society and did not generate any particular interest. The authorities ensured it proceeded quietly. As in the previous years, financing canvass by the candidates turned out to be one of the greatest issues. The state withdrew from subsidizing it, and the cap on the payments to individual election accounts seriously limited the possibilities of running a professional election campaign. Complicated administrative procedures prevented 25% of candidates from opening individual election accounts (ODIHR/OSCE, 2019). During the 2019 election to the House of Representatives, no major election rallies were organized, and the use of

election materials was limited to the distribution of small election posters placed on boards specially designated for this purpose by the authorities. Compared to the previous parliamentary election, there was more freedom regarding the organization of election meetings, and the number of places where they could be held was increased. The authorities tried not to disturb the candidates' meetings with voters, and in most instances accepted the proposed venues (Pravaabarontsy za Svabodnyya Vybary, 2019b). This did not increase public interest in the elections, and there were even situations when the candidate was the only attendee. Election commissions reacted if the criticism of the authorities during the canvass was too intense, and there were instances when a candidate's registration was cancelled. Moreover, the authorities sometimes openly expressed their support for pro-regime candidates, who were also supported by pro-regime non-governmental organizations and employees of the state administration (Viasna'96, 2019). Pro-regime candidates were allowed to canvas at schools and state-owned companies. The authorities also forced employees of the state sector to support pro-regime candidates. Meanwhile, various types of harassment were used against independent and opposition candidates, including occasional arrests of candidates or members of their campaign staff (Pravaabarontsy za Svabodnyya Vybary, 2019a; Racyja, 2019).

During the 2019 parliamentary election, the media focused on technical aspects of the campaign (activity of election commissions, organization of the electoral process, presence of international observers, etc.) rather than on presenting political programs of the candidates. As usual, the state media often presented candidates impersonally (Bedford, 2017). Reporting on the election campaign followed a familiar pattern based on depoliticizing the election process, marginalizing its main actors, limiting the rivalry over political views and ideas, as well as controlling the electoral messages (Byelaruskaya asatsyyatsyya zhurnalistaw, 2019). This mechanism could also be observed in the earlier parliamentary elections (Chausov, 2017). During the 2019 parliamentary election, the media reports on the campaign were limited. Most of their airtime was given to the incumbent president or government officials, presenting them in a positive or neutral light, while political parties or independent candidates were mentioned only occasionally. The message of the government media was one-dimensional, supporting mainly pro-regime candidates. Freedom of views and pluralism of speech were not guaranteed. In the independent media, the message of the election campaign was more diverse, but due to their small range, it played a marginal role (ODIHR/OSCE, 2019).

During the 2019 election to the House of Representatives, not all of the candidates were guaranteed equal access to the media. The candidates had the possibility of broadcasting a pre-prepared 5-minute campaign spot on the state television and radio; they also had the right to publish their programs in the press owned or subsidized by the state (Postanovleniye komissii, 2019). There were some cases when spots of independent and opposition candidates were censored on the state television and radio; the authorities also decided that a number of campaign spots would not be broadcast (Pravaabarontsy za Svabodnyya Vybary, 2019b). Only 202 candidates took advantage of the opportunity to participate in television debates, with their addresses pre-recorded. The authorities did not create conditions for open discussions during television debates and limited the chances of anti-regime candidates to participate. At least in several cases, their broadcasts on the state television were blocked. Campaign materials were often broadcast outside the prime time and on less popular television and radio channels. Moreover, campaign speeches and television debates were not announced beforehand (ODIHR/OSCE, 2019). As in the case of canvass, some registrations were cancelled if the candidates were too critical about the current president in their broadcasts. Only 58.7% of the candidates decided to publish their programs in the state press. The authorities mainly agreed to print those in regional media; only 20 programs were published in the national press (Programmy kandidatov, 2019). There were cases of refusals to print them or of preventive censorship. The state press also reported on the course of the election campaign one-sidedly, to a great extent supporting pro-regime candidates. The candidates had a little more freedom when presenting their election programs on the internet; however, this did not change the biased course of the election campaign (Kampaniya, 2019).

6. Results

One of the election procedures in Belarus that is most criticized by international organizations is the possibility to cast votes five days before the general poll. Early voting is one of the most important tools used to manipulate the election results as it is most difficult for international observers to control. During the early voting in 2019 there were numerous irregularities, similarly to the 2015 presidential election (Kostyugova, 2016). In subsequent elections, the percentage of voters participating in early voting has been growing (2012 – 25.9%, 2016 – 31%, 2019 – 35.77%) (BelTA, 2019a). During the voting on 17th November 2019 numerous irregularities were noted as well (threatening the observers, hindering

insight into the procedure of counting votes, no access to voter lists, unsecured ballot boxes, voting outside polling stations, electoral malpractice etc.). Election commissions made it difficult for independent observers and international organizations to monitor the election process. According to ODIHR/OSCE, the 2019 parliamentary election in Belarus did not meet international standards. The official turnout was 77.4%. The newly elected House of Representatives consisted mainly of "nonpartisan" candidates loyal to the regime, along with a few representatives of pro-regime parties (Table 1).

Table 1. Results of the parliamentary elections in Belarus, 17 November 2019.

Party	Candidates	Seats	Change (2016)	Votes %	Change (2016)
None	176	89	96	80.9	−6.37
Republican Party of Labour and Justice	40	6	+3		+2.75
Belarusian Social-Sports Party	1	–	–		
Liberal-Democratic Party	88	1	–		
Communist Party of Belarus	53	11	+4	10	+3.64
Belarusian Patriotic Party	10	2	–		+1.81
Republican Party	5	–	–		
Belarusian Agrarian Party	1	1	−1		
Opposition parties					
Belarusian Popular Front	24	–	–		
Belarusian Social Democratic Assembly	13				
United Civic Party	42	–	−1		
Belarusian Social Democratic Party (Hramada)	30	–	–		
Belarusian Left Party 'Fair World'	26	–	–		
Belarusian Green Party	4	–	–		
Against all				9.6	+0.16
Invalid/spoilt ballots				1.2	−0.06
Total	513*	110	110		

* Officially, 562 candidates were registered out of 703 of those who were nominated. On the election day 513 candidates were registered, CEC cancelled registration of 15 candidates for infringing the electoral law, 34 candidates withdrew.

The "nonpartisan" candidates, who came mainly from the pro-regime organization "Belaya Rus" or the state administration, won 89 seats in the parliament. Pro-regime parties won 21 seats (BelTA, 2019b). No representative of the opposition parties became a deputy, which was a step back compared to the 2016

parliamentary election, in which two candidates from the opposition parties won seats in the House of Representatives (Kampaniya, 2019; ODIHR/OSCE, 2019; Pravaabarontsy za Svabodnyya Vybary, 2019b; Soobshcheniye, 2019).

7. Implications

The House of Representatives elected in 2019 consists of deputies loyal to the regime, mainly from the pro-regime organization "Belaya Rus" or the "nonpartisan" ones. Most of them are state officials, representatives of pro-regime non-governmental organizations, employees of state-owned companies, representatives of loyal academic groups etc. Alexander Lukashenko evidently had not adopted a more liberal course towards the political opposition as not even one of its representatives was elected to the lower house of the parliament (Belarus Digest, 2019). This heralded the end of the short experiment involving participation of opposition deputies in the works of the parliament, which was initiated in 2016. In 2019, Lukashenko decided on a major overhaul of the parliamentary makeup. In the case of the House of Representatives, new deputies constituted 72.73% of its members. The situation in the Council of the Republic was similar: 56 of its members were chosen by councils of individual circuits and the capital. As many as 82.14% of them were new senators. Although the president has the right to designate 8 members of the Council of the Republic, in 2019 he nominated only four senators, all of them new. No persons with strong pro-Russian leanings were elected to the parliament. The actions of the president demonstrated that his focus was on strengthening the parliament's loyalty in the face of intensifying Belarusian-Russian conflict, and signaled intensification of authoritarian tendencies. The 2019 parliamentary election in Belarus yet again failed to meet democratic standards (Reuters, 2019).

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