



AS/Bur/Ahru (2007) 6
14 December 2007

BUREAU OF THE ASSEMBLY

Ad Hoc Committee to observe the parliamentary elections in the Russian Federation (2 December 2007)

Report on the election observation mission presented by Mr Luc Van den Brande, Chairman of the Ad Hoc Committee

I. Introduction

1. At its meeting on 10 September 2007, the Bureau of the Parliamentary Assembly decided to set up an Ad Hoc Committee, composed of up to 60 members, to observe the parliamentary elections in the Russian Federation, on 2 December 2007, subject to the receipt of an invitation. On 5 October 2007, the Bureau appointed me as Chairman and rapporteur of this Ad Hoc Committee. The Bureau also decided that a pre-electoral mission, composed of two representatives from each political group, who were at the same time members of the Ad Hoc Committee, should take place no later than one month before the elections.

2. On 30 October 2007, President van der Linden received an invitation from the Chairman of the State Duma, Mr Boris Gryzlov, to send 30 observers to the upcoming elections (Appendix 1).

3. From 7 to 10 November 2007, a pre-electoral mission composed of Mr Luc Van den Brande (Belgium, EPP/CD), Chairman of the Ad Hoc Committee and Head of Delegation, Mr Geert Lambert (Belgium, SOC), Ms Gisela Wurm (Austria, SOC), Mr Ignacio Cosidó Gutiérrez (Spain, EPP/CD), Mr Andrea Rigoni (Italy, ALDE), Mr Mevlüt Çavuşoğlu (Turkey, EDG), Mr David Wilshire (United Kingdom, EDG), Mr Alessandro Rossi (San Marino, UEL) and Mr Aleksei Lotman (Estonia, UEL), visited Moscow. At the end of the visit, the delegation issued a press statement and I prepared a memorandum for the Bureau of the Assembly on the results of this visit, which is reproduced in Appendix 2 and was considered at the meeting in Bratislava on 12 November 2007.

4. On 19 November 2007, the Chairman of the State Duma, Mr Gryzlov acceded to the request of the pre-electoral mission to increase to 55 the number of PACE members to observe the 2 December elections (Appendix 3).

5. The Ad Hoc Committee carried out its observation mission in the Russian Federation from 29 November to 3 December 2007. The list of members of the Ad Hoc Committee and the programme of the observation mission are reproduced in Appendices 4 and 5.

6. In the absence of a long – term election observation mission from the OSCE/ODIHR, which abandoned, on 15 November 2007, its plans to observe the 2 December vote, the PACE delegation cooperated closely with fellow observers from the OSCE Parliamentary Assembly. The two delegations, acting as an International Parliamentary Election Observation Mission, prepared a joint Press Statement (Appendix 6), which was presented by their respective Heads at a joint press conference held on 3 December 2007. That statement was also subscribed to by the delegation of the Nordic Council, which observed the elections as well.

7. The Ad Hoc Committee wishes to thank the Central Electoral Commission (CEC), the Territorial Electoral Commissions (TECs) and the Duma for their cooperation in the preparation of the programme and the assistance given on the Election Day.

II. Political background, legal framework and political party registration

8. The Duma elections took place only a few months ahead of the forthcoming Presidential elections in Russia, which will take place on 2 March 2008. During these elections, the incumbent President is precluded from standing for re-election as a result of the constitutional limit of two consecutive terms.

9. In this connection, many analysts in Russia, as well as the majority of our interlocutors, regarded the Duma elections, important as they are in their own right, as a dress rehearsal before the Presidential elections of March 2008, or even as a vote of confidence in the Head of State and his political course. The President's active and massive support for the United Russia (UR) party, whose federal list he headed, had an undisputable impact on the electoral race.

10. The Union of Right Forces (URF) tried to have the Head of State removed from the UR's electoral list and lodged a complaint with the Supreme Court. The latter, however, upheld the President's right to run on the UR's party list. URF's attempt to contest that ruling in the Court of Cassation did not yield the results the URF sought to achieve.

11. The President's decision to head the UR list complicated the situation of UR's rivals, given the President's high approval ratings among the electorate. On 21 November 2007, the President addressed a rally of his supporters calling them to vote for UR to ensure a victory over what was referred to as Russia's 'enemies' who had brought about so many troubles to Russia in the nineties. Many political analysts regarded this as a call to defeat, at the polls, the liberal and democratic parties. Such a stance taken by the incumbent Head of State runs counter to the Code of Good Practice in Electoral Matters (1,2,3) which lays down that state authorities must have a "neutral attitude" to the election campaign, media coverage and party and campaign funding.

12. The campaign was marred by allegations of wide-scale harassment of the opposition. A regional leader of the Yabloko party was killed in Makhachkala, Dagestan, which could however have been a coincidence. One month earlier a regional leader of UR in Primorie (Far East) was also killed. During opposition rallies that were held in Moscow and St Petersburg on 24 and 25 November 2007, several arrests and detentions were made, including those of important political figures such as the URF's leader, Mr Nikita Belykh, his fellow party member, Boris Nemtsov, the leader of the 'non-systemic opposition' spearheaded by the Other Russia movement, the former world chess champion Garry Kasparov, to name just a few.

13. Since the elections to the Duma in 2003, electoral legislation has undergone significant changes. Russia has switched to a fully proportional system. Federal lists can

contain up to 600 names, which allows well-known personalities to be added to party lists (e.g. the Head of State heading the federal list of the UR party). Russia is now a single constituency and votes are counted on a nation-wide basis. To be eligible for representation in the Duma, a political party needs to clear the 7 percent threshold (5 percent in 2003). This threshold, one of the highest in Europe and second only to that in Turkey, inevitably resulted in a number of political parties not being represented in the Duma. The need for greater political stability is given as the reason behind the introduction of the new threshold.

14. Under the Russian Constitution, at least two parties have to be represented in the Duma. In the event that only one party passes the 7 percent threshold, the party that will come second in the electoral race will get seats in the Duma irrespective of the number of votes it gets.

15. The minimum turnout threshold requirement (previously 50 percent) for elections to be valid has been abandoned. The possibility to vote against all candidates is no longer available. Although this possibility does not exist in most other European countries, the 'vote against all' previously offered a disgruntled electorate an opportunity to demonstrate its protest. As a result, reportedly, the protest vote was given to the Communists regarded by many as the only true opposition party with a guaranteed entry into the new Parliament.

16. The political party registration process has also been modified. To qualify for registration, a political party must have not less than 50 000 members (previously 10 000), and regional branches, each with not less than 500 members in more than a half of the subjects of the Federation. Each one of the other regional branches must have not less than two hundred and fifty members of the political party. A citizen of the Russian Federation may be a member of only one political party. A member of a political party may be registered with only one regional branch of the given political party at the place where he or she resides permanently or most of the time. In addition, parties not represented in the Duma must pay a deposit of 60 million roubles (approx 1,8 million €) or collect 200.000 signatures, of which less than 10 000 signatures can originate from one particular region or from the expatriate community. Under the new legislation, the formation of electoral blocs is forbidden; members of the Duma can no longer change allegiances and leave their party to join another one without the risk of losing their seat in the Duma. Laws regarding campaign funding are extremely complex, if not dissuasive, and discourage smaller parties from running.

17. The registration of party lists was completed on 28 November 2007. Eleven political parties were registered as contestants in these elections; three parties were denied registration on the grounds of gross irregularities in the lists of signatures they produced in their support.

18. Reportedly, pressure was exerted on some candidates from opposition parties' lists to make them change political allegiance. Should a party lose 25% of the candidates due to defections from its list, it is de-registered. This, however, did not happen, neither could those reports be confirmed

19. In a new development regarding observation, this year invitations were only issued to international observers after the expiration of the political party registration period. Those institutions and organisations concerned received their invitations on the same date – 30 October 2007. This created understandable difficulties in the organisation of their respective programmes, which was particularly the case with our own pre-electoral mission. Furthermore, in an unprecedented development, numerical limits were imposed on international observers, who were given equal quotas that were subsequently increased, not least following complaints from our pre-electoral delegation.

III. Election administration

20. More than 95.000 polling stations were set up throughout the country. In addition, there were 320 polling stations abroad to take care of the expatriate vote, including a few dozen polling stations in the so-called 'non-recognised republics'. Polling stations were set up on ships and at railway stations.

21. Ballot papers were sent by e-mail to the electoral commissions in the subjects of the Federation. They were stamped and signed by two electoral commissioners. The total number of protection elements on the ballot papers was 11.

22. Altogether, about 109 million ballot papers were printed (about 107 million voters in Russia proper, about 1 million voters abroad).

23. In a welcome development, facilities were made available to the disabled to allow them access to the polling stations. However, those facilities were only available at a very limited number of polling stations. Mobile ballot boxes were also used to take care of the home-bound.

24. The legislation does not provide for non-partisan domestic observers. The number of party observers was approximately 3 million. Representatives of the NGO "Golos" were accredited as journalists.

25. The CEC produced excellent briefing packs for all international observers.

26. The CEC set up an electoral complaint hotline. Complaints were processed promptly, normally within 1 hour. Altogether, about 10.000 complaints were received from voters who used the hotline.

IV. The media environment

27. In the absence of a long-term OSCE/ODIHR presence, this delegation did not have a credible independent media monitoring analysis which an ODIHR mission normally makes available to parliamentary observer delegations.

28. However, throughout its discussions with the overwhelming majority of its interlocutors, not least members of the diplomatic corps accredited in Moscow, as well as political rivals of the ruling party, the delegation was repeatedly told that UR dominated in the propaganda war through direct, but mostly indirect, political advertising. At the same time, existing legislation in Russia does provide for equal media access to political parties running in the elections and the letter - if not the spirit - of the legislation appears to have been observed.

29. We were told that while the print media provided a wide range of opinions, the three state TV stations with nation-wide coverage failed to demonstrate impartiality in political reporting. Furthermore, the print media, in particular, the more independent papers, do not have a wide audience. Such a media environment was not conducive to public confidence in the democratic process. The Head of State was omnipresent on TV, calling on his supporters to vote for UR. As a result, there was no clear separation between the State and political parties. In fact, UR was merged with the State. This kind of problem could be solved through the establishment of an independent system of "public service broadcasting" in the state-owned or state-controlled channels. In the circumstances, it was very difficult for the voters to get an accurate and unbiased picture of the political parties and the issues.

30. Based on our own observations and discussions with interlocutors, we drew the conclusion that the electronic media did not provide impartial and fair coverage of the campaign. This was, in particular, reported to the delegation during meetings with representatives of different political parties, who complained about a heavy bias in favour of the UR. The URF was particularly bitter about being singled out for a highly negative coverage on the state TV channels. The clear bias shown by State owned or controlled TV over the entire period of the campaign and before cannot be ignored and remains a major shortcoming.

31. During the campaign, TV debates took place with the participation of different political parties. However, UR did not accept to take part in the debates, demonstrating, in my opinion, a certain disregard for voters and the other political forces, as well as an unwillingness to explain its political platform. This made it more difficult for the voters to directly compare the platforms of the various political parties.

V. Election day

32. At the polling stations visited by our observers, the voting was generally well organised. It took place in a calm and, mostly, orderly manner. This was confirmed by the information our delegation received from other sources as well. The Central Electoral Commission (CEC), as well as electoral officials at lower levels, deserve credit for their high level of professionalism.

33. The delegation welcomed the improvements made in the organisation of the polling, such as arrangements made for the vote by the disabled. It encourages the CEC to continue its laudable work in this area.

34. On the negative side, our observers reported some cases of family voting and open voting, which resulted in the lack of secrecy, in particular, at stations equipped with e-voting machines and those with the newly introduced under-sized voting booths. In some cases, polling stations were difficult to find due to unclear sign posting. Our observers heard allegations of threats against voters and the misuse of absentee voters' certificates. In particular, we heard allegations of voters being brought to polling stations by bus loads where they voted using such certificates. However, we could neither confirm, nor disprove such allegations.

35. At some polling stations, people not on the voters lists and without absentee certificates were allowed to vote. Seals on some ballot boxes were inadequate.

36. Some of our observers reported a heavy presence of plainclothes security officers and uniformed police at polling stations. A few observers were interrogated and photographed by police, which could be regarded as intimidation. In a few isolated cases, international observers were denied access to polling stations.

37. Domestic partisan observers representing various political parties were present at the majority of the polling stations.

38. The Ad Hoc Committee observed the opening of the polls, the vote itself, as well as the vote counting in Moscow, St. Petersburg, Yaroslavl, Yekaterinburg, Irkutsk, and Vladivostok and visited some 200 polling stations, which represented more than 408.000 registered voters. The results of their observations and comments were taken into consideration in the statement issued after the election.

Results of the elections

39. Following the 2 December elections, 4 parties acceded to the Duma – United Russia (64,3 percent of the voters), Communist Party (11,57 percent), Liberal Democratic Party (8,14 percent) and Fair Russia (7,74 percent). The turnout was 63,78 percent.

VII. Conclusions and recommendations

40. While the 2007 Duma elections were to a great extent free in terms of a variety of voting options, they were definitely not fair. The cumulative effect of the amended electoral legislation has hindered political pluralism in that this legislation makes it more difficult for new and smaller parties to compete effectively.

41. The fact that the President ran on the United Russia list without stepping down from his functions as Head of State, and not being a member of that party, is unprecedented in the 47 member States of the Council of Europe.

42. The extensive abuse of administrative resources (state infrastructure, funds and personnel on public payroll) on behalf of United Russia is a clear violation of para. 1,2,3 of the Code of Good Practice in Electoral Matters. At the same time there is no reason to conclude that the 2 December elections failed to meet all five electoral principles as defined in the aforementioned Code.

43. The majority of the appointed Governors were included on United Russia's lists, which was misleading to voters as such senior officials are hardly likely to abandon high public office to take up duties in the new Duma.

44. Contestants were put in inequitable positions due to the massive State backing of United Russia.

45. Equal access to the media should be remedied through the introduction of independent public service TV broadcasting.

46. The prohibitively high 7 per cent threshold for a party to be able to enter the Duma should be lowered to allow more political pluralism and political representation of voters. This high threshold and the ban on parties forming electoral blocs discourage the development of new political parties and more pluralistic parliamentary representation.

47. Political party registration rules, as well as electoral financial regulations, should be revisited.

48. The practice of excessive use of force against opposition leaders and their harassment must be abandoned and effective investigations should be conducted promptly to ensure the prosecution and sanctioning of the perpetrators. At the same time opposition leaders should express their opinions with full respect for national legislation

49. The authorities should investigate all allegations of fraud and irregularities and, if those allegations are confirmed, bring those responsible to justice.

50. Election observation being a cooperative exercise, interaction between PACE and the Duma should be further strengthened. PACE stands for inclusion rather than exclusion. Members of the new Duma are encouraged to make full use of Russia's membership of the Council of Europe in order to consolidate the cause of democracy and human rights in Russia. PACE stands ready to contribute further, working hand in hand with its Russian colleagues, to achieve that goal.

Appendix 1

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Appendix 2

14 November 2007
AS/Bur/Ahru (2007) 4

AD HOC COMMITTEE TO OBSERVE THE ELECTIONS TO THE STATE DUMA OF THE FEDERAL ASSEMBLY OF THE RUSSIAN FEDERATION (2 December 2007)

MEMORANDUM

prepared by Mr Luc van den BRANDE (Belgium / EPP/CD), Chairman of the Ad Hoc Committee, on the Pre-electoral Mission to Russia (7-10 November 2007)

- (1) The Pre-electoral Mission visited Moscow from 7 to 10 November 2007 to assess the preparations for, and the political climate in the run-up to, the elections to the State Duma of the Federal Assembly of the Russian Federation, scheduled for 2 December 2007. The cross-party Pre-electoral delegation consisted of: Mr Luc van den Brande (Belgium, EPP/CD), Chairman of the Ad Hoc Committee and Head of Delegation, Mr Geert Lambert (Belgium, SOC), Ms Gisela Wurm (Austria, SOC), Mr Ignacio Cosidó Gutiérrez (Spain, EPP/CD), Mr Andrea Rigoni (Italy, ALDE), Mr Mevlüt Çavaşoğlu (Turkey, EDG), Mr David Wilshire (United Kingdom, EDG), Mr Alessandro Rossi (San Marino, UEL), Mr Aleksei Lotman (Estonia, UEL). Unfortunately, the ALDE group was only represented by one member on the Pre-electoral mission.
- (2) The statement issued by the delegation at the end of their visit is reproduced in Appendix 1.
- (3) During its visit to Moscow, the delegation met with a cross-section of political parties running in these elections, the Chairman of the Central Election Commission, members of the diplomatic corps accredited in Russia, as well as representatives of the mass media and the NGO community. Despite the very short time between the receipt of the invitation (30 October 2007) and the beginning of its mission to Moscow, a very intensive programme of meetings was put together (Appendix 2). In this connection, the Pre-electoral mission wishes to thank the Duma, as well as the Ambassador of Serbia to Russia, representing Chairmanship of the Committee of Ministers of the Council of Europe, for the excellent cooperation in the organisation of the visit. The Pre-electoral mission also wishes to thank the Secretariat, particularly given the need to meet the tight deadlines.
- (4) The forthcoming Duma Elections will be held against the backdrop of political stability, continuing economic growth and a new assertiveness in Russia's foreign policy.
- (5) The Duma Elections will take place only a few months ahead of the forthcoming Presidential Elections in Russia, which will take place in March 2008. During those elections, the incumbent President, Mr Vladimir Putin, is precluded from standing for re-election as a result of the constitutional limit of two consecutive terms.
- (6) Eleven political parties have been registered as contesters in these elections; three parties have been denied registration on the grounds of gross irregularities in the lists of signatures they produced in their support.
- (7) The delegation concluded that there was every reason to believe that the upcoming Duma elections would be free. For the elections also to be fair, certain conditions need to be met in terms of creating equal opportunities for all political stakeholders. Throughout its discussions with the overwhelming majority of its interlocutors, not least members of the diplomatic corps accredited in Moscow, as well as political rivals of the ruling party, it was repeatedly stated that United Russia dominates in the propaganda struggle through direct, but mostly indirect, political advertising. At the same time, existing legislation in Russia does provide for equal

media access to political parties running in the elections and the letter - if not the spirit - of the legislation is observed.

- (8) In the time that has passed since the elections to the Duma in 2003, electoral legislation has undergone significant changes. Russia has switched to a fully proportional system. Federal lists can contain up to 600 names, which allows well-known personalities to be added to party lists (c.f. President Putin heading the federal list of United Russia). In the upcoming election, Russia will be a single constituency and votes will be counted on a nation-wide basis. To be eligible for representation in the next Duma, a political party will need to pass the 7 percent threshold (5 percent in 2003). This threshold, one of the highest in Europe and second only to that in Turkey, will result in a significant proportion of the electorate not being represented in the Duma. Under the Russian Constitution, at least two parties have to be represented in the Duma. In the event that only one party passes the 7 percent threshold, the party that will come second in the electoral race will get seats in the Duma irrespective of the number of votes it gets. The need for greater political stability is given as the reason behind the introduction of the new threshold. The delegation believes that political stability should go hand in hand with advances in democracy.
- (9) The political party registration process has been modified as well. To qualify for registration, a political party has to have at least 50 000 members (previously 10 000), or have at least 500 members in 44 of the 49 subjects of the Federation. In addition, parties not represented in the current Duma must pay a deposit of 60 million roubles (approx \$2.2 million) or collect 200 thousand signatures, of which less than 10 000 signatures can originate from one particular region or from the expatriate community. Under the new legislation, the formation of electoral blocs is forbidden; members of the Duma can no longer switch allegiances and leave their party to join another one without the risk of losing their seat in the Duma. The Delegation views these new regulations as far too complex and restrictive.
- (10) The minimum turnout threshold requirement (previously 50 percent) for elections to be valid has been abandoned. The possibility to vote against all candidates is not available. Although this possibility does not exist in most other European countries, the 'vote against all' previously offered a disgruntled electorate an opportunity to demonstrate its protest.
- (11) There will be 95 thousand polling stations throughout the country. In addition, there will be 320 polling stations abroad to take care of the expatriate community, and a few dozen polling stations in the 'non-recognised republics'.
- (12) Ballot papers will be sent by e-mail to the electoral commissions in the subjects of the Federation. They will be stamped and bear two signatures of electoral commissioners. The total number of protection elements will be 11.
- (13) Altogether, 109 million ballot papers will be printed (107 million voters in Russia proper, 1 million in the expatriate community); it is expected, based on past experience, that there will be around 300 thousand active voters in the expatriate community.
- (14) Facilities will be made available to the disabled to allow them access to polling stations. Mobile ballot boxes will also be used to take care of the home-bound. In addition, polling stations will be deployed at railroad stations.
- (15) Non-partisan domestic observers will not be allowed to conduct election observation. The number of party observers is expected to be 3 million.
- (16) The Pre-electoral delegation believes that, technically, preparations for the 2 December vote are at an advanced stage and that they are carried out professionally and efficiently. At the same time, the late issue of invitations to international observers, as well as the limitation of their number - which is unprecedented - is not conducive to an effective observation. The latter is particularly true, given Russia's geographical expanse and its position as a country monitored by PACE. Given the assurances repeatedly articulated by the authorities that they will ensure a free expression of the will of the electorate, such a limitation does not appear to be useful or appropriate.

Annex 1**Press statement****Russia's parliamentary elections: political stability and economic growth should go hand in hand with strengthening democracy**

Strasbourg, 09.11.2007 – At the end of a three-day pre-election mission ahead of the observation of Russia's parliamentary elections, scheduled for 2 December, a nine-member delegation of the Parliamentary Assembly of the Council of Europe (PACE) noted the climate of political stability and economic growth in the Russian Federation. It also took note of the changes in electoral legislation that were introduced in the wake of the 2003 elections to the Russian Duma.

The parliamentarians were pleased to learn of the advanced state of preparations for the upcoming elections put in place by the Central Election Commission and commended the professionalism and dedication of electoral officials.

"I am confident that the upcoming elections to the Russian Duma will be free," said Luc Van den Brande (Belgium, EPP/CD), head of the delegation. "However it is also essential for the elections to be fair, and this calls for the creation of a level playing field for all political stakeholders. Political stability and economic growth should go hand in hand with strengthening democracy", he added.

In this connection, the delegation expressed concern over what appears to be almost total state control over the electronic media, which places the opposition parties at a disadvantage. The delegation was repeatedly informed by its interlocutors that the ruling party almost fully controls the airwaves. While electoral legislation in Russia does provide for equal media access to political protagonists, in reality the ruling party dominates in the propaganda struggle through direct, but mostly indirect political advertising. This is yet another manifestation of the abuse of administrative resources.

The delegation also questioned the wisdom of changes in electoral legislation, particularly the increased threshold of 7%, an extremely complicated party registration procedure, removal of the option to vote against all candidates, and the prohibition on forming electoral blocs.

It said that the late issue of invitations for international observers, as well as limiting their numbers, was not conducive to an effective observation. This is particularly true given Russia's geographical expanse and its status as a country monitored by PACE. Given the assurances articulated by the authorities that they would ensure free expression of the will of the electorate, such a limitation does not seem appropriate.

The delegation visited Moscow from 7 to 9 November at the invitation of the Russian Duma. It met with a representative cross-section of political parties running in the 2 December elections, the Chairman of the Central Election Commission, media and civil society representatives as well as members of the diplomatic corps in Moscow.

A full PACE observer delegation will arrive in Russia a few days prior to 2 December and will be deployed throughout the country to ensure as broad coverage as possible.

Annex 2**Ad hoc Committee to observe the Parliamentary Elections
in the Russian Federation****Pre-election visit to Moscow****7 – 10 November 2007****Programme****Holiday Inn Moscow Sokolniki**

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Wednesday, 7 November 2007

Arrival in Moscow

- 17h30 Meeting of the Ad hoc Committee
(*Hotel Holiday Inn*)
- 18h00 Meeting with
- Ambassador Stanimir Vukicevic of Serbia, Representing the Chair of the CoE Committee of Ministers
 - Ambassador Marc Franco, Head of the EU Office in Moscow
 - CoE ambassadors whose countries are represented by members on the pre-election visit to Moscow

Thursday, 8 November 2007*Meetings with leaders of political factions in the Duma (4 factions)*

- 09h00 Mr V. Morozov, Deputy Leader, United Russia
- 10h00 Mr Guennady Zyuganov, Party Chairman, Communist Party
- 11h00 Mr Vladimir Zhyrinovski, Party Chairman, Liberal Democratic Party
- 15h00 Meeting with the Chair of the Central Election Commission, Mr Vladimir Churov
(*CEC building*)

Meetings with a cross-section of political parties not represented in the Parliament and running in these elections:

17h00 Meeting with Mr Vladimir Plotnikov, Leader of the Agrarian Party

18h00 Meeting with Mr Nikita Belykh, Leader of the Union of Right Forces (URF HQ)

Friday, 9 November 2007

10h00 Meeting with Mr A. Baibarov, Deputy Leader of Fair Russia

11h00 Press Conference of the Chair of the Ad hoc Committee

11h30 Meeting with Mr Sergei Glotov, Deputy Leader of the Patriots of Russia Party

14h00 Meeting with Mr Grigory Yavlinsky, Leader of the Yabloko Party

15h30 Meeting with representatives of Civil Society and of the Media

18h00 End of the Programme

Appendix 3**Letter from Mr Boris Gryzlov, Chairman of the State Duma to President van der Linden**

(Unofficial Translation)

19 November 2007

Dear Mr President,

Taking into account the recent visit to the Russian Federation of the PACE pre-electoral mission led by Mr van den Brande, during which a request was made concerning a possible increase of the number of PACE observers, I have pleasure in informing you that the Russian side does not object to an increase of your delegation up to 55 members of parliament.

Yours sincerely,

Boris Gryzlov
Speaker of the State Duma

Monsieur René van der Linden
President of the Parliamentary Assembly of the
Council of Europe

Appendix 4

AS/BUR/AHRU (2007) 1REV
30 November 2007

AD HOC COMMITTEE FOR THE OBSERVATION OF THE PARLIAMENTARY ELECTIONS IN RUSSIA**COMMISSION AD HOC POUR L'OBSERVATION DES ELECTIONS LEGISLATIVES EN RUSSIE**

2 December / décembre 2007

List of members / Liste des membres**M. LUC VAN DEN BRANDE, HEAD OF DELEGATION**

**SOCIALIST GROUP (SOC)
GROUPE SOCIALISTE (SOC)**

MR VIDAR BJØRNSTAD	NORWAY / NORVÈGE
MR JAIME BLANCO	SPAIN / ESPAGNE
MME ELIVIRA CORTAJARENA	SPAIN / ESPAGNE
MRS ANNA ČURDOVÁ	CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE
MRS ANGELIKA GRAF	GERMANY / ALLEMAGNE
MR ANDREAS GROSS	SWITZERLAND / SUISSE
MRS SINIKKA HURKSAINEN	FINLAND / FINLANDE
MR TADEUSZ IWŃSKI	POLAND / POLOGNE
MR GEERT LAMBERT (**)	BELGIUM / BELGIQUE
MRS RUTH-GABY VERMOT-MANGOLD	SWITZERLAND / SUISSE
MRS BIRUTE VÉSAITÉ	LITHUANIA / LITUANIE
MRS GISELA WURM (**)	AUSTRIA / AUTRICHE

**GROUP OF THE EUROPEAN PEOPLE'S PARTY (EPP/CD) /
GROUPE DU PARTI POPULAIRE EUROPEEN (PPE/DC)**

M. LUC VAN DEN BRANDE (**)	BELGIUM / BELGIQUE
MR IGNACIO COSIDÓ GUTIÉRREZ (**)	SPAIN / ESPAGNE
MR ANDRZEJ GRZYB	POLAND / POLOGNE
MR RAFFI HOVANNISYAN	ARMENIA / ARMENIE
MRS DANUTA JAZŁOWIECKA	POLAND / POLOGNE
MRS CORIEN JONKER	NETHERLANDS / PAYS-BAS
MRS ANNA LILLIEHÖÖK	SWEDEN / SUEDE
MR PASQUALE NESSA	ITALY / ITALIE
MRS MARIETTA DE POURBAIX-LUNDIN	SWEDEN / SUEDE
MR KIMMO SASI	FINLAND / FINLANDE
MR VJAČESLAVS STEPANENKO	LATVIA / LETTONIE
MR MEHMET TEKELIOĞLU	TURKEY / TURQUIE
MR EGIDIJUS VAREIKIS	LITHUANIA / LITUANIE

**ALLIANCE OF LIBERALS AND DEMOCRATS FOR EUROPE (ALDE) /
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MR FRANS WEEKERS	NETHERLANDS / PAYS-BAS
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MR MEVLÜT ÇAVUŞOĞLU (**)	TURKEY / TURQUIE
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MR MORTEN MESSERSCHMIDT	DENMARK / DANEMARK
MR ØYVIND VAKSDAL	NORWAY / NORVÈGE
MR DAVID WILSHIRE (**)	UNITED KINGDOM / ROYAUME-UNI

**GROUP OF THE UNIFIED EUROPEAN LEFT (UEL) /
GROUPE POUR LA GAUCHE UNITAIRE EUROPEENNE (GUE)**

MR ALESSANDRO ROSSI (**)	SAN MARINO / SAINT-MARIN
MR ALEXEI LOTMAN (**)	ESTONIA / ESTONIE

SECRETARIAT

MR VLADIMIR DRONOV, HEAD OF SECRETARIAT, INTERPARLIAMENTARY CO-OPERATION AND ELECTION OBSERVATION
MR YANN DE BUYER, HEAD OF THE ADMINISTRATIVE AND FINANCE UNIT
MRS FARIDA JAMAL, ELECTION COORDINATOR, INTERPARLIAMENTARY CO-OPERATION AND ELECTION OBSERVATION
MR ANGUS MACDONALD, PRESS OFFICER
MRS NATHALIE BARGELLINI, PRESS OFFICER
MME DANIELE GASTL, ASSISTANT

**** PRE-ELECTORAL MISSION (8-9 NOVEMBER 2007)**

Appendix 5

AS/BUR/AHRU (2007) 5 REV
28 November 2007

Ad hoc Committee to observe the Parliamentary Elections in the Russian Federation

Programme

28 November – 3 December 2007

Holiday Inn Moscow Sokolniki

Rusakovskaya str. Building 24
Moscow, 107014
Russia
Tel.: +7 495 786-7373
Fax: +7 495 786 7374

Wednesday 28 November 2007

Arrival in Moscow

Thursday 29 November 2007

Meetings held at Hotel Holiday Inn Moscow Sokolniki (Sokolniki Room)

- 10.00 Meeting with Mr Aleksei Simonov, President, Glasnost Defence Foundation (tbc)
- 11.00 Meeting with Mr Nikita Belykh, Leader of the Union of Right Forces
- 15.00 Meeting with the leadership of the Youth Section of the Yabloko Party
- 16.30 Meeting with Mr Vyacheslav Nikonov, President, Russian World Foundation
- 18.00 Meeting of the ad hoc Committee
- Practical arrangements and deployment

Friday 30 November 2007

Meetings to be held in the Duma

08.45 Departure for the Duma from the Hotel

10.00- 18.00

Meetings with leaders of the political parties represented in the Duma and the Chairman of the Central Electoral Committee

Saturday 1 December 2007

Departure to the regions for those members deployed outside Moscow

Sunday 2 December 2007

Observation of the Parliamentary Elections

Monday 3 December 2007

Hotel Holiday Inn Sokolniki

09.30 Debriefing and preliminary findings of the ad hoc committee

Hotel Savoy, Winter Garden

12.30 Press conference

Appendix 6



Russian Duma elections ‘not held on a level playing field’, say parliamentary observers

Moscow, 3 December 2007 – The State Duma elections in the Russian Federation on 2 December 2007 were not fair and failed to meet many OSCE and Council of Europe commitments and standards for democratic elections, according to an observation mission of parliamentarians from these two bodies.

The observation, bringing together over 70 parliamentarians from 28 countries, was a joint effort of delegations from the Parliamentary Assembly of the Council of Europe (PACE), led by Luc van den Brande, and the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE PA), led by Göran Lennmarker. The Nordic Council also joins these two bodies in this statement. A broader participation of international observers would have been preferable and could have contributed to greater transparency.

In general, the elections were well organised and observers noticed significant technical improvements. However, they took place in an atmosphere which seriously limited political competition and with frequent abuse of administrative resources, media coverage strongly in favour of the ruling party, and an election code whose cumulative effect hindered political pluralism. There was not a level political playing field in Russia in 2007.

In particular, the following major areas raised concern:

- The merging of the state and a political party is an abuse of power and a clear violation of international commitments and standards.
- The media showed strong bias in favour of President Putin and the ruling United Russia party.
- The new election code makes it extremely difficult for new and smaller parties to develop and compete effectively.
- There were widespread reports of harassment of opposition parties.

The Copenhagen Commitments (5.4), agreed by all OSCE participating states, specifically state that there should be “a clear separation between the State and political parties; in particular, political parties will not be merged with the State”. The Council of Europe’s *Code of Good Practice in Electoral Matters* (1.2.3) lays down that state authorities must have “a neutral attitude” to the election campaign, media coverage and party and campaign funding.

The extensive use of administrative resources – such as state infrastructure and personnel on the public payroll – on behalf of United Russia is a clear violation of these commitments and standards. Most appointed governors are included on United Russia lists, which is misleading to voters as these senior officials are unlikely to abandon high public office to take up seats in the Duma. The active role of the head of state on behalf of United Russia, in spite of not being a member of that party, turned a parliamentary election into a referendum on the President.

Broadcast media, particularly television, is under almost total state control. President Putin and United Russia dominated the airwaves during the election campaign with overwhelmingly positive coverage.

According to monitoring reports, the state-funded media failed in their public mandate to offer balanced and objective coverage and this made it very difficult for the voters to get an accurate and unbiased picture of the political parties and the issues.

The print media have been more dynamic and there have been examples of balanced coverage in several newspapers. However, the print media, in particular the more independent papers, do not reach a wide audience.

The new election law creates a pure proportional list system in which only established political parties can seek election, eliminating the possibility for local and independent candidates to run for office.

The total effect of the new election code makes it extremely difficult for new and small parties to develop and compete effectively. The registration procedure is complicated and requires either a substantial fee or a high number of signatures. The code also contains significant financial disincentives for smaller parties to participate in the campaign. The seven percent threshold and the ban on parties forming electoral blocs discourage the development of new political parties and more pluralistic parliamentary representation.

The pre-election campaign was marked by the authorities' clampdowns on opposition rallies and demonstrations. Voters were denied an open campaign, as United Russia chose not to participate in political debates, making it more difficult for voters to directly compare the platforms of the various political parties.

There were persistent reports of harassment of opposition candidates, detentions, confiscation of election material, threats against voters and allegations of the potential misuse of absentee certificates. NGOs have faced restrictions on their work, and some also reported they were not allowed to observe the voting at polling stations on election day.

On election day, polling stations seemed well-run, although they were at times crowded. The voting took place in a mostly calm and friendly atmosphere. Election officials were generally welcoming, although the observers experienced some over-zealous policemen. Domestic observers representing various political parties were present in many polling stations.

Observers noticed that people who were not registered and without absentee certificates were allowed to vote. Voting arrangements, such as the use of electronic boxes and voting booths that did not provide adequate privacy, failed to protect the secrecy of the vote. The seals on some ballot-boxes were inadequate. Some international observers faced obstructions to their work – including, in isolated cases, refusal of access.

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