

EXPERT SEMINAR

FUTURE OF ELECTION REGULATION IN BELARUS

11-12 JANUARY 2022



**Sviatlana
Tsikhanouskaya**

WITH:



**International Foundation
for Electoral Systems**



**DEMOCRACY
REPORTING
INTERNATIONAL**

EXPERT SEMINAR

FUTURE OF ELECTION REGULATION IN BELARUS

The two-day expert discussion will follow the high-level international conference on elections held on 1-2 June 2021. The experts will focus on the key current and most recent discussions concerning the regulation of future democratic elections in Belarus. The event will commence with the outline of the joint strategy of the democratic forces of Belarus regarding the referendum planned for 2022. The thematic sessions that will follow will cover the election-related provisions of the draft constitution prepared by the public constitutional commission, as well as the specific thematic areas covered by the concept of the new election code. The discussions will serve as a basis for the upcoming thematic expert seminars on specific issues to be covered by the election code.

The expert discussion is organized by the Special Representative of Sviatlana Tsikhanouskaya on Elections with the support and participation of IFES, International IDEA and DRI. Simultaneous translation into Belarusian, Russian, English will be provided. The expert discussion will be broadcast live on YouTube.



**PLEASE
REGISTER
HERE.**



11 JANUARY

*ALL TIMES IN TIMEZONE MINSK (GMT+3)

16:00 – 16:15

OPENING REMARKS

Sviatlana Tsikhanouskaya, Elected Leader of Belarus
Alexander Shlyk, Special Representative on Elections

16:15 – 17:15

SPECIAL SESSION: UPCOMING REFERENDUM: STRATEGY OF THE DEMOCRATIC FORCES

Moderator: Aliaksandr Dabravolski, Adviser to
Sviatlana Tsikhanouskaya

Elena Zhivoglod, Honest People

Pavel Patapau, Zubr

Pavel Liber, Golos

Pavel Latushka, National Anti-Crisis Management

Volha Kovalkova, Coordination Council

The session will serve as an opportunity for the participants to reiterate the outlines of the joint strategy of the democratic forces regarding the upcoming constitutional referendum. Representatives of the democratic forces – the civic and political initiatives – will outline the key messages, explain the steps already taken and highlight the achievements since launching the joint strategy on 20 November.

17:15 – 17:30

BREAK

17:30 – 19:00

SESSION I: CONSTITUTIONAL CONSIDERATIONS: APPROACHES AND SEQUENCING

Moderator: Lev Margolin, Coordinator of the
Constitutional Commission

Anatoli Liabedzka, Representative on Constitutional
Reform

Alexander Shlyk, Special Representative on Elections

Tatyana Hilscher-Bogussevich, International IDEA

Michael Meyer, DRI

The purpose of this session would be to critically assess the possible sequencing scenarios regarding the conduct of democratic elections and establishing a sustainable democratic system in Belarus. On the one hand, quick elections will be the key first step in the transition. On the other, electing new leaders under the current constitutional arrangements creates risks. Panelists will focus on how to balance these considerations and the discussion is expected to explore the possibilities of finding solutions. The panelists will also have the opportunity to critically assess the draft constitutional text prepared by the public constitutional committee, on its own merits and comparing to the draft amendments to the Constitution prepared by the committee organized by Lukashenko.

Specific issues of constitutional regulation of elections that are to be covered include:

- Constitutional protection of fundamental rights and freedoms necessary for elections
- Electoral rights — passive and active suffrage
- Organizations of the elections — electoral system, election management bodies, conduct of electoral proceedings
- Referendum — specific issues pertaining to the referenda
- Other constitutional mechanisms for protection of elections — division of powers, courts, ombudsperson

12 JANUARY

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SESSION 2: NEW ELECTION CODE — PRESENTATION OF THE CONCEPT

This two-part session will be dedicated to presentation and discussion of the draft concept for the new election code of Belarus. The draft document will have been released in advance of the session for the participants to familiarize themselves. Belarusian experts will discuss specific thematic areas and critically assess the proposed approaches. International experts will provide additional comments and highlight the comparative practice. The discussion will involve the audience and will aim to map out the key subject areas for further discussions among the experts and with representatives of a broader civil society.

16:00 — 16:15

INTRODUCTION

Alexander Shlyk, Special Representative on Elections

The introduction will outline the key approach to formulating the new election code for Belarus. One of these approaches is being guided by the political considerations covered by the constitutional proposals (such as the electoral system) but retaining the opportunity to deliberate on the technical and election-specific issues. The introducer will also outline the upcoming process, namely that the drafting of the corresponding provisions will not precede but will only take place after the thematic discussions that will involve thematic experts and civil society. Lastly, the introducer will propose the structure for the discussions of the thematic areas.

16:15 – 18:00

PART I

Moderator: Alexander Shlyk,
Special Representative on Elections

Enira Bronitskaya, Election Expert

Vasily Vashchanka, Election Expert

Harald Jepsen, IFES

Part I of the discussion will focus on the following specific topics:

- Electoral system – how to protect against frequent changes?
- Legal framework – the choice between the codification and separate laws for different kinds of elections and referenda, what other laws are important to consider and why?
- Election management – what model of EMB formation should be picked?
- Voter registration – proposal of the single unified electronic voter register
- Candidate registration – consideration of the requirements for standing as a candidate, issues of possible deregistration
- Election campaign – how to secure equality of opportunity and avoid misuse of state resources?

18:00 – 18:15

BREAK

18:15 – 20:00

PART 2

Moderator: Alexander Shlyk,
Special Representative on Elections

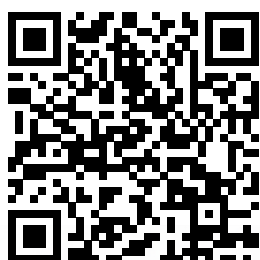
Enira Bronitskaya, Election Expert

Vasily Vashchanka, Election Expert

Harald Jepsen, IFES

Part 2 of the discussion will focus on the following specific topics:

- Campaign financing — how to secure a broad range of financing options and ensure transparency
- Media — what should be included in the regulatory framework, the issue of regulatory authority
- Electoral disputes — should the bodies running the elections be put in charge of adjudicating complaints?
- Election observation — provisions for citizen and international observers, party proxies
- Election day — is early voting really needed? Is electronic voting possible? Specific provisions for the counting of votes.
- Referendum — equality of opportunities, specific requirements for validity.



CONCEPT FOR THE ELECTORAL CODE OF THE REPUBLIC OF BELARUS

presented by Alexander Shlyk,
Special Representative of Sviatlana
Tsikhanouskaya on Elections



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