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Report of Observations: Election of the President of the Russian Federation

Runoff Election: 3 July 1996

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REPORT OF OBSERVATIONS:

Repeat Voting

Election of President

of the Russian Federation

3 July 1996

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BACKGROUND

On 3 July 1996, repeat voting took place for the election of the President of the Russian Federation. Repeat voting in a second round or "run-off" election was necessary because none of the 10 candidates appearing on the ballot for the general election held on 16 June 1996, received more than 50% of the votes cast. Under the [Law on the Election of President of the Russian President](#) if no candidate achieves the required threshold of votes, the two candidates receiving the greatest number of votes compete against each other in a second round. In the general election the two candidates receiving the greatest number of votes were Boris Yeltsin with 35.05% of the votes cast and Gennady Zyuganov who received 32.35%. The ballot for the repeat voting also allows voters to vote "Against Both Candidates."

Mid-Week Voting

Under election laws of the Russian Federation, elections must be held on a non-work day. Most commonly they are on Sundays. For the second round it was decided that the election would be held on 3 July which fell in mid-week on a Wednesday. Choosing a mid-week day was perceived as an attempt to increase participation. Concern was expressed that there could be a drop in turnout for the second round which is relatively common when elections are held very close together. There was also concern that a decline in voter participation would be aggravated further by the likelihood that voters would leave town over a weekend for recreation at their dachas, especially since the weather had warmed significantly. Some controversy was expected over the decision to hold the elections mid-week because it would require a presidential decree to make the voting day a holiday to comply with the law requiring non-work day voting. In addition, it was expected that the Communist Party would resist the mid-week choice because pundits had universally agreed that a high turnout was essential to a Yeltsin victory. Ultimately, however, the mid-week election day was supported on all fronts.

Overview of IFES Coverage

The International Foundation for Electoral Systems (IFES) has maintained a regional office in Moscow since March of 1994. During the 16 June 1996 general election IFES deployed 7 teams of technical observers made up of its on-site expatriate and local staff and consulting specialists. During the first round of the Election of the President, IFES teams observed the polling in Moscow and the rural areas in its immediate vicinity, in two territories in *Stavropol Kray* across the northernmost border from *Chechnya*, voting outside the Russian Federation at the Embassies in Washington, DC, Romania and Ukraine.

In follow up to its observations in the first round, IFES deployed 4 teams to observe the voting in the repeat voting on 3 July 1996. IFES provides this follow up document as a supplement to its Report of Observations: Election of President of the Russian Federation, 16 June 1996.

For the repeat voting IFES teams visited polling sites in the city of Moscow and in *Solnechnogorsk* and *Zagorsk* (small towns in the *Moscow Oblast*.) Another team was deployed to *Rostov Oblast* where the voting in 4 territories were observed. The remote site at the Russian Embassy in Washington DC was visited by the 4th team.

General Statement of Finding

Observations of the second round of voting within the Russian Federation and in Washington were generally consistent with experiences in the first round. The technical procedures surrounding administrative applications of legal provisions guiding polling activity have shown continuing improvement since voting in 1993. At every stage of the election process, procedural details have been gradually tightened and refined, and are now much more widely understood by election officials and the general public. Election commission members at every level have generally demonstrated increased competence and professionalism. In particular, there has been significant growth in the confidence and procedural knowledge demonstrated by polling station election commissions.

During the second round, as in the general election, IFES observers noted occasional inconsistencies and minor irregularities in voting procedures at the polling sites. However, infractions and questionable practices did not appear to be wide scale or systemic, nor did they seem deliberate attempts to manipulate the election outcome. These sporadic irregularities were generally transparent and observable, and were

not of such significance as to render the outcome of the election unreliable.

Perhaps most significantly, the counting and tabulation process ensures far more transparency and accountability in tracking election results from the polling sites up through the election commission hierarchy. Two developments have contributed most to this improvement. First, the 1995 election law for the election of Deputies to the State Duma, and the 1996 Law on the Election of President require election commissions at every level to provide certified copies of or access to protocols of results to political participants, accredited observers and the mass media. Second, the State Automated System (SAS) implemented by the Central Election Commission has proven remarkably efficient, quickly providing reliable results and greatly advancing public confidence in the election process. The laws and clarifying regulations promulgated by the Central Election Commission also promote improved transparency by requiring election commissions at the territorial and subject level to draw up summary tables of the vote count data received from lower commissions as documentation in accompanying support for their own aggregate protocols. Prompt and complete publication of results are also mandated at every level.

The conduct of the poll in both rounds of voting generated allegations of election violations, some of which related to vote count manipulations during the summarization process in particular constituencies. Of key importance is the fact that the transparency mechanisms are directly responsible for such allegations coming to light. The charges deserve full consideration and are being processed through the adjudication mechanisms, although it is premature to evaluate the effectiveness and timeliness with which significant cases will be resolved. Due to the increased transparency, however, and the degree to which the accountability of election administrators has so far evolved, substantive cases are being evaluated and checked against observer testimony and documented evidence.

Thus, based on its own observations of election day activity and its general administration, and with full recognition of the commendable transparency safeguards afforded the election process, IFES believes that as the polling was carried out on election day, the final outcome of the election represents an accurate reflection of the will of the voters of the Russian Federation.

Training and Official Competence

Overall, election officials displayed a high level of confidence and competence at all the locations visited by IFES teams. Precinct officials had received instructional materials and indicated that they had been a useful resource in administering the process. In particular, officials in the Moscow area referred to the Polling Station Election Committee Flip Guide prepared by the Central Election Commission as the most valuable source of information. In Rostov Oblast, officials had apparently been given additional instructional material by the Subject Election Commission.

IFES also encountered officials who indicated that between the first and second round of elections they had received additional training. In Moscow, this consisted of two seminars at which election day procedures were reviewed. Although no new procedures had been introduced, the role of observers was emphasized at the Moscow sessions.

Polling Site Organization

The polling sites visited by IFES teams were generally well organized and laid out in a manner conducive

to the efficient flow of voters.

- IFES noted that precincts had been given revised voter information posters for the second round covering the two remaining candidates. Sample ballots were also on view at all sites, including the polling station at the Embassy in Washington. While not consistently used at all sites, a number of stations in Rostov had additional information on display including the number of voters on the voter list at the beginning of the day, and the number of ballots received by the commission. The recommendation to post this information had apparently been made by Zhirinovskiy observers during the first round. At those sites where the information was posted, commission members indicated that it was helpful because candidate representatives and other observers asked for the information so frequently. Posting of this information at all polling sites is worthy of consideration as a standard part of the preparations of the polling stations on a permanent basis.
- In Moscow and in Rostov IFES noted that election commissions had also been supplied with "invitation to vote" forms which were sent to the voters on their lists. It was noted that some of the supplemental materials that had been provided to polling stations for the first round were absent in the second round. In particular were the "I Voted" stickers and tally sheets on which officials recorded turnout throughout the day.
- In Rostov Oblast IFES noted that the number of ballots issued to polling stations seemed to be only a very small margin over the number of voters on the voter lists. Typically, the number of extra ballots seemed to be fewer than 20. This seemed to be fewer than IFES had noted in the general election, although it is not known whether such reductions were implemented universally throughout the Russian Federation as a matter of policy. However, at the Russian Embassy in Washington, DC, approximately 589 names were on the voter list which included Embassy and consulate staff as well as Aeroflot and other Russian enterprise employees with residences in the U. S. The Embassy had been sent 6,000 ballots, however, to distribute voters not only in Washington, and the "dacha" in Maryland on Chesapeake Bay, but also the subordinate voting sites in Cleveland, Houston, Miami and Philadelphia. In the first round of voting only 2,195 voters participated among all of these locations.
- Generally speaking, IFES observers noted significant improvement in adherence to secret voting provisions. Significantly less open voting was witnessed than had been observed in the first round. The vast majority of voters used the secrecy cabins even if they had to wait for one to become available. Only occasionally were voters observed marking their ballots in open view. Ironically, at the Embassy in Washington, DC IFES witnessed a polling station official take a break when her husband arrived, at which point they were seen discussing the ballot, and bypassing the secrecy booths to mark their ballots on the ballot box itself before depositing them. There were still occasions when family members entered the secrecy booths together. Surprisingly, observers monitoring elections in Moscow city and surrounding oblast locations found that voting in the open remained more prevalent in the city than in rural areas.
- At most polling stations the ballot boxes were placed in plain view of the commission members and the observers. However, IFES observed that some stations were still using the old-style pass-through voting booths which allowed voters to enter on one side and exit on the far side. In these instances the ballot boxes were placed behind the booths out of view. This configuration was used at the military base near Solnechnogorsk, for example, and at the polling sites observed in Aksaiski Raion on Rostov Oblast. At these sites IFES noted that at least one member of the commission was assigned to watch the ballot box so that its security was not undermined altogether.

- Security officers appeared to be present at all polling sites, although their presence did not appear to be intrusive. At the civilian voting site in Solnechnogorsk the commission had appointed the security officer as the person to aide voters who were unable to sign the register or vote without assistance. Under the law commission members and observers are precluded from providing such assistance. At this site, commission members noted that the good weather had prompted many older people who would normally use the option to vote at home, to actually come to the polls so that there were a greater number of voters who needed help in reading and marking their ballots.
 - Polling sites frequently had a festive atmosphere complete with portable stereos and considerable socializing. At some sites in Rostov televisions were also available and tuned to entertainment programming. IFES was told that one station was running back to back airings of a popular soap opera on election day in an effort to keep voters at home so that they would vote rather than going to the countryside. Special tables were frequently set up immediately outside the voting room for sale of food items, pastries and beverages. The informality did not appear to interfere with the proper and orderly conduct of the voting.
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Voter Lists

In general, voter lists at all polling stations seemed well organized. Officials indicated the steps they had taken to make the appropriate corrections based on the additions and changes made to the lists during the general election.

- Polling station commissions had been instructed to update the second copy of the original general election voter list which was reserved for use in the second round. Because adjustments to the voter lists had been accomplished in the 2 weeks immediately prior to election day, the need for adding large numbers of new voters who presented proof of residence within the jurisdiction was diminished. However, IFES still saw many examples of newly arrived residents' names being added to the lists. In particular, a large number of new recruits were added voter lists at locations with substantial military voting.
- A specific problem was encountered in one polling site in Rostov that had raised complaints by candidate observers. Prior to election day the polling station commission while updating the voters lists from data collected during the first round, had entered all the passport identification numbers of the voters who had voted in the general election. Under the law the voter's passport identification number is only to be entered onto the voter lists "at the request of the voter." The concern expressed by the observer representing Zyuganov was that since the passport numbers had been pre-entered, anyone could sign the list next to the person's name and vote fraudulently without their identity being verified. IFES visited this site late in the day and noted that a number of voters whose numbers were pre-entered still appeared without a signature being present next to their names. These voters had not yet come to the polls. In questioning commission members about the issue, IFES was told that they had thought this step would increase their efficiency in processing voters on election day. They acknowledged the error in entering the numbers in the first place, and the error in judgment in carrying the numbers forward to the list for the second round. In view of the exposure of this error, it is unlikely that the commission was in a position to make fraudulent use of the data or allow fraudulent voting as a consequence. IFES also addressed the issue with the Chairman of the relevant Territorial Commission who indicated that he had reviewed

the complaint and talked with both the polling station commission and the observers. It had apparently been agreed that although the pre-entry of the ID numbers was inappropriate, there was little that could be done to correct the error or to create a new list and that the existing list would continue to be used.

Opening of the Polls

There seemed to be some inconsistencies in the procedures involved in the advance preparations prior to the official opening of the polls.

- One of the IFES teams was surprised to arrive at a site to observe the opening procedures and to find that the site was inexplicably opened and voters were already being processed at 7:50 a.m. Ballots were already being issued and voted before the display and sealing of the ballot boxes had been completed.
 - At no site visited by IFES during the first or second round were the number of voters on the voter list or the number of ballots received counted in the presence of commission members and observers.
 - IFES noted that on a consistent basis ballots had been pre-signed and stamped prior to the opening of the polls, and most likely prior to election day. The question remains as to whether advance certification of all ballots does not undermine the security that certification of the ballots is intended to provide. IFES suggests that at least one of the signatures required to complete the certification be affixed at the time the ballot is issued to ensure that only officially issued ballots contain all the markings required to authenticate its validity.
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Processing of Voters

At all sites the general processing of voters seemed to be facilitated in an orderly and appropriate manner.

- Generally speaking, voters were consistently asked to provide identification and to sign the voter list before being issued a ballot. IFES was not able to determine if presentation of an "Invitation to Vote" form was accepted in lieu of standard identification but it appeared that even these voters were generally asked to provide ID. The "Invitations" were retained by election officials.
- Only rarely did a voter present more than one passport and attempt to vote on behalf of a spouse or family member. IFES observed that these voters were consistently refused the second ballot.
- At the Embassy in Washington, it was noted that questions remain related to proof of citizenship. One of the officials at the Embassy explained that most passports being presented were USSR issued, but the regulations do not clearly indicate how to distinguish between Russian Federation citizens and citizens of former USSR republics. Therefore, citizens of other NIS countries were allowed to vote in the presidential election.
- An IFES observer at the Embassy in Washington witnessed the refusal of a ballot to a Russian

citizen who had been a resident of the United States for over two years. This voter was not issued a ballot because there was no registration in her passport although the dates on her passport were still valid. The election official explained to the voter where and how to register giving her a phone number with the recommendation to call immediately. The voter was told that since her passport was not registered it was unlawful to issue her a ballot. Subsequently, the voter told IFES observers that her impression was that if she had assured the official that she would register immediately she would have been allowed to vote. IFES believes this circumstance may have arisen with some frequency because there seemed to be a number of lengthy discussions being held with voters who were then given a form on which to file an appeal. This circumstance points to a need for the clarifications regarding issues surrounding citizenship and voter eligibility.

- Servicemen at a military base indicated that they had received most information about candidates and the elections from television and some from newspapers. They indicated that they had talked about the elections among themselves, but had not been pressured or told how to vote by any superior officer. Nevertheless, not one of the soldiers had chosen not to vote.

Absentee Voting Certificates

Although mid-week voting was expected to reduce the number of voters who would be voting with an absentee certificate, in both Moscow and Rostov absentee voting was widespread. In Moscow the use of absentee certificates was extensive, demonstrated not only by the high number of certificates issued at the urban sites, but in the number of certificates actually used in the rural areas in large concentrations. Voters who had applied for absentee certificates in the general election were allowed to retain them for use in the second round as well. During the second round new applications were processed so that the overall number of voters in possession of absentee certificates rose. During the second round the absentee certificates were surrendered to polling station commissions who retained them for use as part of the supporting documentation of the polling activity at end of the day.

- At rural precincts outside the city of Moscow numbers of absentee voters presenting themselves to vote were as high as 125. In Leninsky Territory of the Rostov Oblast where IFES observed the summarization of votes, the number of voters who applied for absentee certificates virtually doubled from 1.1% in the first round to 2.1% in the second round. Likewise, the number of voters who used absentee certificates to vote in the territory rose from approximately 0.8% to 1.3%. In the general election, only 0.5% of the voters of the Subject at large used absentee certificates to vote, and only 0.6% had applied for certificates which would allow them to vote elsewhere.
- At one polling site in Moscow, a Communist deliberative voting member of the commission explained that she had been told by her supervisor that there were allegations of double voting in northeast Moscow. This was reportedly done by voting in one's home precinct and using the absentee certificate a second location. As a result, she had been instructed to document the names and addresses of those who used an absentee certificate to vote in order to track the process.
- The disruption which the absentee mechanism can cause in the balloting process was reported by the Tverskaya Territorial Commission which indicated that during the first round of voting, one of the precincts in their jurisdiction was overwhelmed with 1,300 absentee voters who wished to vote at their station. For a point of comparison, their original voter list only had 1,500 voters. The high number of absentee voters going to one site was attributed to its central location and accessibility.

from public transport. As a result of this unanticipated burden and the ramifications on the vote counting process, the Territorial Commission could not complete its aggregate totals for delivery to the Moscow Subject Commission until 6:00 p.m. on the day after the election.

IFES would suggest that provisions for advance voting afforded under the Law on Basic Guarantees of Electoral Rights of Citizens of the Russian Federation, which was not allowed in the presidential election, may offer more practical opportunities for voters who will away from their polling site on election day. At the very least it will be important for officials to review whether the system is adequately safeguarded from potential abuses, especially the practice that allows voters to keep an absentee certificate after they have voted. Such practices provide opportunities for misuse of the system and multiple voting.

Mobile Ballot Boxes

Use of the mobile ballot boxes to serve voters who, because of illness or other good reason, apply to have ballots delivered to them at home, seemed to be adequately administered in compliance with the law. In general, polling station commissions waited until later in the day to deliver ballots to these voters in order that they could provide time for voters voting in person to apply for mobile ballots on their behalf of ill or elderly family members.

- It did not appear that the number of applications for at home voting was inordinately high compared to the total number of voters on the voter lists. At some sites where the voter list contained an unusually high number of pensioners the number of applications tended to increase proportionately. In Moscow some precincts had around 50 applications. In the *Leninsky Territory* in Rostov Oblast, out of the 53,955 voters 4.8% voted outside the polling station through the mobile ballot box process.
- Officials were required to count the applications and an equal number of ballots and sign a receipt for the number being taken from the polling site. IFES noted that sometimes only one official was assigned to facilitate mobile voting rather than requiring that they work in pairs or teams.
- At sites IFES observed in Rostov, at least one candidate observer was recruited to accompany the official with the mobile ballot box. At one precinct IFES noted that the observer selected represented Yeltsin. IFES was advised that a Zyuganov observer had been selected to accompany the mobile ballot box in the first round. It appeared that these two individuals were the only observers present at the time of IFES's visit. Both observers were allowed to assist in the review of the applications and to help the official sort them by neighborhood or building as the route for distribution was planned.
- Although mobile voting had not been utilized at the Embassy in Washington for the first round, IFES was on hand to see preparations for its use in the second round. A voter in Rockville, Maryland had called the Embassy on 2 July 1996 to request that the box be brought to his residence to accommodate his family which included his 94 year old grandmother. Four family members used the mobile ballot box. The Embassy had arranged for a car to be available to take the mobile ballot box to voters. However, as far as IFES could tell the Maryland family were the only voters to take advantage of this service. IFES noted that these voters signed the same voter list as those voting in person. The portion of the regular list in which these voters were listed was removed from the site to allow this family to sign on the regular list at the time their ballots were delivered. There were already other signatures on this portion of the list. When the mobile ballot

box was returned, the list was put back on the tables for additional voters to use. It was not clear how officials intended to accommodate other voters who might have arrived at the polling station while the voter list was outside the station.

- Applications for mobile ballots are certified only upon delivery of the ballot at which time the voter is asked to sign the application acknowledging receipt. Some applications are called in, while other requests are made by family members when they come to the station to vote. There appears to be no requirement that the person who applies on behalf of someone else sign the application or a list which would provide an additional level of accountability and transparency supporting that a bona fide application had been received.
 - Although not directly related to the specific use of the mobile ballot box, IFES encountered officials in the Rostov Oblast who indicated that they would review the voter list to determine who had not yet come to the polling place and send members door to door to encourage them to come to vote. They assured IFES observers that they would not take the mobile ballot box or ballots with them for this purpose. However, this door to door solicitation could provide opportunities to artificially promote applications for at home voting even if it meant a return trip to deliver ballots at a later time.
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Counting the Votes

Generally speaking, IFES teams noted that the counting of votes was facilitated smoothly and efficiently. With a significantly streamlined slate of candidates, and absent the added burden of counting local election ballots as some regions were required to do in the first round, the counting of votes was accomplished in a relatively short period of time. Completion of the protocols which had been almost universally confusing and time consuming during the first round also seemed to go more smoothly during the repeat voting, although IFES encountered some notable exceptions. While the process seemed to be handled reasonably well at most sites, sometimes the order in which tasks were accomplished were inconsistent with the instructions provided by the Central Election Commission. Inconsistencies may have affected the accuracy and efficiency of the ballot accountability procedures at some sites, although there was nothing to suggest that the reporting of the votes cast for individual candidates at these sites was unreliable. Experience gained in completing the protocol during the first round clearly helped officials understand the process for the second round. However, the ballot accountability portion still seemed confusing and difficult for some officials.

- In Moscow it was noted that tally sheets were not used in the counting process as they had been during the first round. Nor were they used in Rostov, although IFES did not observe the voting in Rostov during the general election to know if they had been used during the first round or not. Only at the Embassy in Washington did IFES observers see tally sheets being used to record the individual votes cast for each candidate as ballots were read out loud. IFES supports the use of tally sheets in the counting process. Not only do they provide an additional layer of documentation supporting the reported results, they also provide greater visibility for observers who can see and hear for themselves how the ballots are being read out loud and noted on the tally sheets.
- The order of steps taken in the counting process was not always consistent. At the precinct IFES observed in Rostov, for example, controversy arose when candidate observers noted that unused ballots had not been canceled before the first mobile ballot box was opened. Only after observers

became very vocal about the violation, did the Chairman instruct officials to cancel the unused ballots before the process continued. At the Embassy in Washington, the stationary ballot box was opened first. After the count of these ballots was completed they opened the mobile ballot box. At the Washington site the unused ballots were not canceled; rather, they were counted then placed in a cardboard box which was ultimately sealed with stickers stamped with the commission's official stamp.

- During the first round ballots which had been received from the subordinate remote voting sites such as those established Cleveland, Miami and Philadelphia were counted at the Embassy in Washington and reported on their own separate protocols. These protocols were then faxed to Moscow. However, in the repeat voting, these ballots were summed up on one protocol in pencil and then incorporated into the totals reported on the final protocol prepared by the Washington Polling Station Election Committee. The final protocol was written in ink, stamped with the commission's seal and signed by the members of the commission before being faxed to Moscow.
- While the counting of votes at the precinct where IFES observers were present in Rostov went smoothly, the completion of the protocol did not. Although precincts had been given a formula to help them balance the accountability portion of the protocol in which all ballots received by the station are accounted for against the number of voters who participated, the commission at the precinct being observed by IFES clearly had difficulty understanding the process. IFES noted that the work drafts of the protocols had many adjustments to individual line items. They ran out of forms and the Chairman had to go to the local administration office to get more. Even their final calculations had been written over many times and adjusted. It became clear that in trying to balance they had misapplied the formula resulting in their balancing the total of the unused, issued and spoiled ballots to the number of voters on the list rather than the number of ballots initially received by the station. When they realized their error, a correction was made by adding the required number to the line item for unused and spoiled ballots. When IFES asked how they had determined where the correction had to be made, the team was told that the commission had recounted the unused ballots. However, during the canceling of these ballots at the beginning of the counting, IFES observed them being torn in half. In addition, although IFES remained present during the entire time after the error on the draft protocol had been discovered, no additional counting activity took place. In fact, the packaged materials had already been removed from the room. IFES believes the correction was simply an artificial adjustment to force the protocol to balance according to the formula prior to the entries being made onto blank protocol forms.
- Most IFES teams had no difficulty receiving certified copies of the protocols once the commissions had completed their work. However, the Chairman in the Rostov precinct did not make an effort to fully certify the copy of the protocol the IFES team had made for its own record. Instead, without stopping to review the figures IFES had copied, the Chairman quickly stamped the copy but would not sign it. IFES also encountered candidate observers, particularly in Rostov, who indicated that during the first round they had been denied certified copies of the protocols.

It is recommended that a thorough review of the accountability and reporting procedure be accomplished and that the protocol be re-designed to make it easier for commission members to use. There are a number of calculations which are necessary which are not evident on the face of the protocol itself. In addition, there does not yet seem to be a reliable audit trail beginning with the printing and distribution of ballots. One territorial commission official acknowledged that sometimes polling site commissions do not thoroughly count the number of ballots in their possession before voting begins, relying instead on the number they have told have been delivered. The ballot accountability portion is the part of the protocol that is the least understood by both officials and observers. Steps in completing this portion are also the

least transparent. The fact that precinct commissions are given the formula for balancing the figures combined with the fact that the State Automated System will not allow entries that do not balance perfectly creates an urgency which potentially encourages officials to make artificial adjustments just to be able to close out their activities. This component of the counting process needs attention if there is to be consistent, accurate and reliable reporting.

Summarization of Results

IFES teams at all locations within the Russian Federation followed the officials from the precincts where they observed the counting to the Territorial Election Commission where results were summarized and where data from the precinct protocols was entered into the State Automated System. Just as it had been in the first round, the process at the territorial level seemed to be efficient and professional.

- IFES observers in Moscow noted that the Yeltsin observer also accompanied the precinct commission to the Territorial Commission to monitor the processing and data entry at that level. The Zyuganov observer at that precinct, however, left the group to deliver his certified copy of the precinct protocol to his party superiors where they were organized to follow their own tracking methods.
- In Moscow, IFES observed that each protocol was reviewed by the territorial commissioner and only then was the data entered into the SAS. The polling station representative was provided a signed print-out of the "electronic" protocol to take back to the precinct. IFES was also provided a precinct printout. In Moscow, IFES teams were openly provided with fully certified copies of the Territorial Summaries.
- In Rostov, however, the IFES team found that although the territorial commission members did a manual verification of the protocol, subsequent procedures departed from those implemented in Moscow. For example, polling site officials were not present in the room where the data entry was being accomplished. In addition, no printout of the data entry was made available for polling station officials to verify that the data entry had been done properly. When IFES asked for a copy of the precinct print out they were told that no such print out was possible. Territorial officials indicated that since the computer would only accept figures that balanced there was no need for such as step. IFES was informed that only when all precincts had been entered would a printout of the summary table be generated. Ultimately, when the last precinct had been entered, IFES was given a copy of the summary printout, however, it was not certified, signed or stamped. IFES was told that only the handwritten protocol was considered "*official*" for the reporting of territorial results and that the SAS summary was only a supporting document.
- The Chairman of the *Leninsky Territory* indicated that when data was transmitted, it was sent directly to the Subject Election Commission (SEC). When IFES asked if the transmission simultaneously sent the data to the Central Election Commission, he said it did not go directly to the CEC except as it was transmitted by the Subject Commission. This is contrary to what IFES had come to understand through its prior meetings with members and staff at the CEC. IFES would suggest that simultaneous transmission of precinct data directed to both the CEC and the SEC could be instrumental in avoiding allegations that Subject protocols do not always accurately reflect data summarized at the territorial level. Simultaneous transmission would virtually foreclose on opportunities for manipulations to occur without being caught within the election administrative hierarchy.

Observers

In the first round of elections IFES had observed that at least Yeltsin and Zyuganov had observers present at almost every precinct visited while other candidates were represented with greater or less frequency depending on the organizational apparatus supporting the candidate. In the second round IFES did not visit a single precinct where both candidates were not represented. Generally, there seemed to be an increased presence of observers. At one site in Rostov, for example, there were 9 observers representing the two candidates. At the Embassy in Washington, however, IFES did not encounter any other observers, although commission members indicated that observers for Yeltsin had been present earlier in the day. Any candidate observers that may have attended the polling station earlier did not return for the counting of votes.

- As in the first round, many polling site commissions did not seem to appreciate the distinction between the role of deliberative voting members and election day observers representing the candidates and public associations. At times, the deliberative voting members and the observers seemed unclear as to the difference themselves. Often polling station commissions had set aside tables for both deliberative voting members and observers who sat together to watch the activities. At one polling site in Moscow a Zyuganov deliberative voting member was surprised to discover that her Communist colleague also claimed to be a deliberative voting member for that precinct. IFES encountered one deliberative voting member at the Subject Commission office in Rostov who had been a representative of Gorbachev during the first round. However, he indicated that he was maintaining his post but had switched his affiliation to represent Fyodorov in the second round. He had a letter from an electoral association authorizing him to make this change.
- Although there seemed to be a significant presence of observers at most precincts, the presence of deliberative voting members was sporadic and random. The absence of deliberative voting members in general seemed symptomatic of the vague manner in which their role and their rights and duties on election day are described in the election law. It appeared that where they failed to appear at the station during the second round, it was by their own choosing.
- It was generally difficult to accurately identify whom individual observers were representing. At a number of sites, especially in Rostov precincts, 2 or 3 observers claimed to be representing the same candidates. In some cases IFES encountered observers who identified themselves as representatives of candidates who had not advanced to the second round. In other instances observers were identified as representing electoral associations supporting losing candidates. A number of observers were encountered who identified themselves as representatives of public associations including the Agrarian Party or "Gaidar," the Cossack Union, Vosroshdenie-Rutskoi, and the Party of Workers' Self-Rule.
- A Communist Party observer at a *Solnechnogorsk* polling site said his party's observers were local volunteers but that the Yeltsin observers were from Moscow and were being paid to serve. As with the first round, IFES teams noted that in Moscow observers representing Yeltsin seemed to be affiliated with the local administration, although some appeared to be genuine Yeltsin activists.
- Although Yeltsin observers with whom IFES spoke in Moscow did not seem to be particularly pro-active during the polling, most indicated they would immediately follow the official protocol of

results to the TEC. In contrast KPRF observers indicated they would turn in their certified copies of the protocols to their party coordinating office where they would be collected and ultimately compared to the aggregate totals for the territory at large.

- In general, Communist observers seemed well organized and well trained. In both Moscow and Rostov it became apparent that these observers maintained continuing contact with their headquarters throughout the day. In fact, at the Communist Party headquarters in Rostov a special chart had been mounted to the wall on which to record contacts and complaints reported by observers during the polling. In addition, their observers had written instructions on hand as well as sample protocols which could be used for obtaining certified copies of the results.
- Some Yeltsin observers also indicated that they had received some local training since the first round. One Yeltsin observer in Moscow mentioned that she has also received copies of the sections of the law pertaining to the rights of observers, and had met with Yeltsin representatives on 3 occasions before the election. Despite this training, she did not understand what she should do with her certified copy of the protocol. When she asked the Chairman of the Polling Station Commission he suggested that she return it to the organization who asked her to observe.
- Zyuganov and Communist Party observers tended to be more pro-active and vocal than Yeltsin observers and were clearly better trained and organized. At one of the polling sites at the military base near *Solnechnogorsk*, IFES noted that one of the Communist Party observers sat right next to the ballot box, talked to people in the process of voting and seemed to be intrusively engaged throughout the day. Similarly, in Rostov a number of commissions commented on the difficulty observers had caused during the general election. Most of their complaints seemed to focus on the behavior of Zyuganov or Communist Party observers. Several officials related instances in which their observers had allegedly tried to determine how voters had voted, and to influence voters as they entered the voting booths. There also seemed to be numerous references to incidents in which these observers tried to exert authority over commission members. It is possible that due to their level of preparation, Zyuganov and Communist Party observers were more ready to raise an objection or question as they noted any deviation from established procedure. Members of commissions may have been more sensitive to the level of scrutiny with which these observers were prepared to carry out their observations. In Rostov, their presence may have added to the pressure on election commissions since some of these observers had raised complaints against the same commissions during the first round.

General Concerns

This report has included comment on a number of infractions and inconsistencies that were observed at various polling stations. However, at the majority of stations visited by IFES observers, the process was carried out in a competent and efficient manner and in compliance with the laws and regulations governing election day activity. The voters were generally well served, and were offered full opportunity to freely exercise their right to vote, and through their ballot, to express their political will. Except as noted, the conduct of election day activity could be considered an overall success. However, there are issues which will deserve serious attention as officials and lawmakers continue to build on the systems and institutions which have now been established.

- The obvious imbalance of media coverage and the abuse of certain advantages of incumbency in

the pre-election campaign needs continued attention. In particular, policy decisions must be reconsidered regarding the role of the Central Election Commission and the Judicial Chamber on Adjudication of Media Disputes in monitoring these abuses. In addition, representatives of the mass media must reevaluate their own responsibility and liability in ensuring that the coverage of the campaigns is responsible and professional.

- Concern has been raised that undue and improper influence of some local administrative bodies continues to interfere with the fairness of the pre-election campaign and the independence of election officials in the discharge of their duties. Instances in which there is evidence that local administrations or officials of other state bodies have engaged in partisan campaign activities while acting in their official capacity should be treated seriously and dealt with accordingly.
- The current laws are inadequate in their guidance and control over campaign financing and disclosure requirements. Throughout the conduct of these elections, weakness and loopholes have become evident whereby candidates and supporting organizations are able to circumvent the laws and bypass spending limits and reporting requirements at will. Enforcement efforts are rendered toothless in the current environment.
- At various levels, election commissions still seem confused about the rights of observers to receive certified copies of the protocols. The importance of this transparency measure cannot be understated. There should be no misunderstanding as to the official standing of certified copies of protocols. Officials at all levels need additional training to make sure that they ensure the accuracy of any certified copy they provide to an observer. In addition, training should emphasize the significance of these documents as evidence in court proceedings in the event the results are challenged.
- A comprehensive analysis and review of internal mechanisms for evaluating and processing written complaints submitted with the protocols at each successively higher level within the election administration hierarchy is warranted. It will be important for officials to establish an orderly system for addressing these complaints in a manner which is responsive, effective and timely to promote public confidence and to ensure that the process continues to be accountable and accurate. To the extent possible, there should be a viable system for achieving satisfactory resolution of complaints through administrative channels to avoid the necessity of intervention by the courts.
- Through its discussions with members of commissions at all levels, IFES has noted a general trend that complaints are reviewed primarily to determine whether they have materially affected the outcome. If the complaint does not relate to an infraction or violation which clearly affected the outcome, it generally does not receive further attention. While such a standard is very important, it is not the only criteria which should be applied. Complaints should be reviewed to discover trends, to determine where weaknesses exist and how they can be overcome, and to evaluate where additional clarification and training may be necessary.

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