

Central Election Commission of the Russian Federation
Ministry of Internal Affairs of the Russian Federation

Elections of Deputies
of the State Duma of the Federal Assembly
of the Russian Federation of the Eighth Convocation

**INSTRUCTION BOOKLET FOR POLICE OFFICER
STAYING AT VOTING PREMISES CONCERNING
PROTECTION OF CITIZENS' RIGHTS AND
FREEDOMS, PRESERVATION OF PUBLIC ORDER
AND RENDERING ASSISTANCE TO PRECINCT
ELECTION COMMISSIONS**

MOSCOW
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The text in this booklet was translated from the Russian language



1. DUTIES OF A POLICE OFFICER

In accordance with the Federal Law “On Police”, the police are intended to protect the life, health, rights and freedoms of Russian citizens, foreign nationals and stateless persons, to counter crime, to protect public order and property and to ensure public safety

The duties imposed on the police by the Federal Law “On Police” during election days include the following:

- receive and register complaints and reports of crimes, administrative offences and incidents; issue complainants with notices of receipt and registration of reports of crimes, administrative offences and incidents on the basis of personal complaints;
- verify complaints and reports of crimes, administrative offences and incidents in accordance with their jurisdiction, and to take action on such complaints and reports in accordance with the law of the Russian Federation;
- arrive immediately at the scene of a crime, administrative offence or incident, suppress unlawful acts, eliminate threats to the safety of citizens and public security, doc-

ument the circumstances of the crime, administrative offence or incident, and ensure the preservation of evidence of the crime, administrative offence or incident;

- provide first aid to victims of crime and administrative offences;
- carry out urgent investigative measures in criminal cases where a preliminary investigation is mandatory;
- initiate criminal proceedings and conduct enquiries in criminal cases where a preliminary investigation is not necessary, in accordance with the jurisdiction established by the criminal procedure legislation of the Russian Federation;
- suppress administrative offences and prosecute cases of administrative offences under the jurisdiction of the police;
- take measures in accordance with federal law to suppress election campaigning that contravenes the law, and to inform election commissions of violations detected and measures taken in this regard;
- guard the premises where ballot papers are stored;
- participate in ensuring the safety of citizens and public order in and around the voting premises;
- provide other assistance at the request of the Precinct Election Commission (hereinafter referred to as the “PEC”) in order to ensure the unimpeded exercise by the PEC of the powers conferred on it by federal law.

When assisting election commissions, police officers may not:

- interfere in electoral procedures;
- carry out campaigning;
- take actions that are incompatible with the status of a representative of a public authority called upon to protect and defend the rights and legitimate interests of voters, candidates, members of electoral commissions and other participants in the electoral process.



2. OPENING OF PEC'S PREMISES ON ELECTION DAY

After having guarded the premises where ballot papers are stored during the night, on the morning of the election day a police officer shall hand over these premises to the Chairperson and Members of the PEC upon their arrival

From the opening of the PECs on September 17, 18 and 19, 2021, on the days of early voting* and until receipt of the report from the superior territorial electoral commission (hereinafter referred to as the "TEC") on the receipt of the voting results protocols and the recounting of votes at the polling places Observers, as well as media representatives with an accreditation certificate issued by the CEC of Russia or the relevant election

* Election commissions of the constituent entities of the Russian Federation have the right to allow early (but not earlier than 20 days before voting day) voting of all voters at one or several polling stations in hard-to-reach or remote areas, on ships that will be sailing on the voting day, and at polar stations.

If certain groups of voters included in the electoral roll at the corresponding polling station are located in places significantly remote from the polling station, where transport communication is absent or impeded, and in this regard, it is impossible to conduct early voting at the polling station as a whole, the election commission of the constituent entity of the Russian Federation has the right to allow these groups of voters to vote early (but not earlier than 20 days before voting day) within a few days.

commission of a constituent entity of the Russian Federation, and other persons provided for by law* (hereinafter referred to as observers, media representatives and other persons provided for by law) may be present.

The PEC Chairperson shall, in the presence of a police officer, election commission members, observers, media representatives and other persons prescribed by law, open the safe (another place specially adapted for document storage), from which the necessary election documents are taken out.



The location of police officers in the PEC premises on election days shall be determined by an authorised official of the territorial body of the Ministry of Internal Affairs of Russia, with the participation of the PEC Chairperson, taking into account its particularities.

The PEC Chairperson shall maintain the order at the voting premises. Orders of the PEC Chairperson given within his/her competence, shall be mandatory for all those present at the voting premises. In the absence of the PEC Chairperson his/her powers shall be exercised by Deputy Chairperson, and in the absence of the PEC Deputy Chairperson — by the PEC Secretary or another authorized PEC member with the right of casting vote.

* Members and staff of superior election commissions, a registered candidate or his authorised financial representative or proxy, an authorised representative or proxy of a political party that has registered a federal list of candidates or a candidate from the said list, foreign (international) observers.



3. PERFORMANCE OF TASKS BY POLICE OFFICERS IN THE VOTING PREMISES

Police officers shall not advise voters on the exercise of their voting rights. If such questions arise, police officers shall refer the voter to the Chairperson, Deputy Chairperson, Secretary or other member of the PEC

While on duty in the voting premises, police officers shall, within the limits of their competence, carry out a range of measures aimed at ensuring the security of the premises, electoral documents and the safety of persons in the voting premises.

In the case of a threat to the life, health and safety of persons present in the voting premises, a police officer must immediately report to his or her superiors and the officer on duty of the Department of Internal Affairs about the dangerous situation at the polling station and act on his or her instructions.

The actions of police officers must be primarily aimed at saving lives, protecting people's health, eliminating the threat posed, and, if necessary, participating in the evacuation of people.

PEC members, observers, media representatives and other persons prescribed by law may be present or additionally ad-

mitted to the PEC premises, in the polling station after the end of voting.

A police officer shall, after the end of work of the PEC on the relevant election day, guard the PEC premises with the ballot papers and election documents and prevent unauthorised persons from entering the premises.

If evidence is found of violations of the secrecy of the vote, obstruction of the free will of voters, bribery of voters, issuing and receiving ballot papers to enable voters to vote instead of another voter, including repeatedly, interference in the lawful activity of the PEC or other offences, a police officer takes measures to suppress crimes and offences and to record illegal activities in order to bring the perpetrators to justice (see section 4 of this Instruction Booklet).

When approaching a citizen in the voting premises, a police officer shall:

- ✓ state his or her position, rank and surname, present his or her warrant card when requested by a citizen, and then state the reason and purpose of the request;
- ✓ in the case of measures restricting the rights and freedoms of a citizen, explain the reason and grounds for such measures, as well as the rights and obligations of the citizen arising in this regard.

A police officer shall, within the limits of his/her authority, enforce a court order to remove an observer or other person from the voting premises or to suspend a PEC member from participating in its work (see section 5 of this Instruction Booklet).



4. EXERCISE BY A POLICE OFFICER OF THE POWER TO DRAW UP REPORTS OF ADMINISTRATIVE OFFENCES COMMITTED IN THE VOTING PREMISES

The powers of a police officer include, inter alia, drawing up protocols on administrative offences under Articles 5.10, 5.12, 5.14, 5.16, 5.22 and 5.69 of the Code of Administrative Offences of the Russian Federation (hereinafter referred as the “CAO RF”). The unlawful acts envisaged by these articles of the Code of Administrative Offences of the Russian Federation, as evidenced in practice, can also be committed in the voting premises on election day

4.1. Administrative liability for campaigning outside the campaign period and in places where it is prohibited by the election law

Article 5.10 of the CAO RF provides for administrative liability for campaigning outside the campaign period and in places where it is prohibited by election legislation, which incurs an administrative fine from five thousand to twenty thousand ru-

bles for citizens; from thirty thousand to fifty thousand rubles for officials; and from one hundred thousand to five hundred thousand rubles for legal entities.

The campaign period for a political party shall begin on the day it decides to nominate a federal list of candidates, candidates in single-mandate constituencies.

The campaign period for a candidate nominated as part of a federal list of candidates shall begin on the day the federal list of candidates is submitted to the Central Election Commission of the Russian Federation.

The campaign period for a self-nominated candidate in a single-mandate constituency shall begin on the day the candidate submits a declaration of consent to run to the district electoral commission.

The campaign period for a candidate nominated by a political party in a single-mandate constituency shall begin on the day the candidate submits to the district election commission the documents stipulated by the Federal Law "On the Election of Deputies of the State Duma of the Federal Assembly of the Russian Federation" (hereinafter referred to as the "Federal Law").

The campaign period shall end at zero o'clock local time on the first day of voting.



It is prohibited to hang (post, place) any campaign materials in the buildings where election commissions are located and within 50 metres of the entrance to them.

4.2. Administrative liability for producing, distributing, placing campaign materials in violation of the election law

Article 5.12 part 1 of the CAO RF provides for administrative liability for production or distribution of printed, audio-visual and other campaign materials in violation of the requirements established by the election law, which incurs an administrative fine of five thousand to twenty thousand rubles for citizens; thirty thousand to fifty thousand rubles for officials; and one hundred thousand to five hundred thousand rubles for legal entities.

Article 5.12 part 2 of the CAO RF provides for administrative liability for placing printed campaign materials in places where it is prohibited by Federal law, or placing these materials in premises, buildings, structures and other facilities without permission of the owners of these facilities, which incurs an administrative fine from five thousand to twenty thousand rubles for citizens; from thirty thousand to fifty thousand rubles for officials; from a hundred thousand to five hundred thousand rubles for legal entities.



It is prohibited to place any campaign materials in the buildings where election commissions are located and within 50 metres of the entrance to them.

Printed campaign materials (leaflets, posters and other materials) previously produced in accordance with the Federal law and placed in accordance with the procedure established by law in special places specified in Article 68 Part 9 of the Federal law, on advertising structures or other stably placed objects in accordance with Article 68 Parts 10 and 11 of the Federal law may remain in their former places on election days.

4.3. Administrative liability for deliberate destruction or damage to campaign material or election-related information material

Article 5.14 of the CAO RF provides for administrative liability for deliberate destruction or damage to election-related information material or campaign material placed in accordance with the law, posted on a building, structure or other facility during the election campaign, or the affixing of inscriptions or images on such material, which shall incur an administrative fine from five hundred to one thousand rubles.

4.4. Administrative liability for vote-buying

Article 5.16 of the CAO RF provides for administrative liability for vote-buying, **if these actions do not contain a criminal offence**, or carrying out charitable activities in violation of the election law, which incurs an administrative fine from twenty thousand to twenty-five thousand rubles for citizens; from thirty thousand to forty thousand rubles for officials; and from three hundred thousand to five hundred thousand rubles for legal entities.

Political parties that have nominated federal lists of candidates, their proxies and authorised financial representatives, authorized financial representatives of regional branches of political parties, candidates, their proxies and authorised financial representatives, as well as other persons and organisations shall be prohibited to bribe voters during election campaigning, namely to:

- give them money, gifts and other material values, except for the performance of organisational work, collection of signatures and participation in the election campaign;

- make remuneration of the voters who performed the specified organizational work, collecting signatures who participated in election campaigning, depending on the results of voting, or to promise to make such remuneration;
- conduct a preferential sale of goods, distribute any goods free of charge, with the exception of campaign materials that were specially made for the election campaign and the cost of which does not exceed 100 rubles per unit of production;
- provide services free of charge or on preferential terms, as well as to influence voters by promising them money, securities and other material benefits (including on the basis of voting results), providing services otherwise than on the basis of decisions of state authorities and local self-government bodies taken in accordance with the legislation of the Russian Federation.

4.5. Administrative liability for the illegal issuance and receipt of a ballot paper

Part 1 of Article 5.22 of the Administrative Code of the Russian Federation provides for administrative liability of a member of the PEC for issuing a ballot paper to a citizen to give him the opportunity to vote instead of a voter, including instead of another voter, or to vote more than once during the same vote, or for issuing a completed ballot paper to a citizen, **if these actions do not constitute a criminal offense**, which entails the imposition of an administrative fine in the amount of thirty thousand rubles.

Part 2 of Article 5.22 of the Administrative Code of the Russian Federation provides for administrative liability for receiving a ballot paper in the PEC to participate in voting instead of a voter, including instead of another voter, or to participate in voting more than once during the same vote, **if these actions do**

not contain a criminal offense, which entails the imposition of an administrative fine in the amount of thirty thousand rubles.

Part 3 of Article 5.22 of the Administrative Code of the Russian Federation provides for administrative liability for the commission of an administrative offense provided for in part 2 of this article by a person who has previously been subjected to administrative punishment for a similar administrative offense, **if these actions do not contain a criminal offense**, which entails the imposition of an administrative fine in the amount of fifty thousand rubles.

In order to prevent these administrative offenses, the police officer should pay special attention to citizens arriving at the polling station in groups

It should be borne in mind that according to paragraph 18 of Article 29 of the Federal Law “On basic Guarantees of Electoral rights and the right to participate in a Referendum of citizens of the Russian Federation”, a member of the election commission with the right to vote cannot be subjected to administrative punishment imposed in court without the consent of the prosecutor of a subject of the Russian Federation.

Therefore, simultaneously with sending the case to the court, copies of the protocol and materials of the case on an administrative offense should be sent to the prosecutor, whose competence includes considering the issue of giving consent to subject a member of the election commission to administrative punishment imposed by the court. It is advisable to attach information that the prosecutor has been notified to the case materials sent to the court.

4.6. Administrative liability for interfering in the exercise of the election commission's powers or creating obstacles to the participation of voters in voting

Interference in the exercise of the powers established by the electoral legislation by the PEC, which has led to a violation of the procedure for the work of the PEC established by the electoral legislation, or the creation of obstacles to the participation of voters in voting, is unacceptable.

<i>PEC Powers</i>	<i>PEC operation procedure</i>
<p>In accordance with the provisions of the electoral legislation of the Russian Federation, the powers of the PEC when organizing voting and vote counting include:</p> <ul style="list-style-type: none">– organization of voting in the voting premises and outside the voting premises;– consideration of reports about errors or inaccuracies in the electoral roll and making decisions on entering appropriate changes;– ensuring proper condition of the prepared voting premises (including in terms of availability of information on the information stand), availability of places	<p>The fundamentals of the PEC operating procedure in the exercise of its powers are established directly by the electoral legislation and provide for:</p> <ul style="list-style-type: none">– ensuring the procedure for issuing ballots to voters upon presentation of documents confirming their active voting rights;– immediate and collegial consideration of the voter's report about an error or inaccuracy in the electoral roll;– ensuring work with the electoral roll, which excludes the possibility of inclusion of persons that do not have effective electoral rights, inclusion of a citizen in the electoral roll more

<i>PEC Powers</i>	<i>PEC operation procedure</i>
<p>for media representatives and observers;</p> <ul style="list-style-type: none"> – ensuring proper condition of ballot boxes, booths or other specially equipped places for secret voting, including availability of writing materials (except for pencils), lighting system; – ensuring safety of voting ballots; – control over observance of the prohibition on holding pre-election campaigning on voting days in the territory of the polling station; – counting of votes, determining the results of voting at the polling station, preparation of PEC minutes on voting results and their referral to the TEC; – announcement of the voting results at a polling station and issuing certified copies of PEC minutes on voting results to persons who are entitled to receive such minutes; – consideration of complaints (applications) and delivery of reasoned decisions within its powers; 	<p>than once, and guaranteeing confidentiality of personal data of citizens contained in the roll, accuracy of counting the number of voters included in the electoral roll, the number of voters that received ballots and other data required for drawing up the PEC minutes on the voting results;</p> <ul style="list-style-type: none"> – public preparation for visiting voters for organizing voting outside the voting premises, and ensuring observation of such voting; – continuous and transparent process of counting votes and drawing up minutes on voting results; – keeping full records of strictly accountable documents: ballots, special signs (stamps) for ballots; – the obligation to collectively consider complaints (statements) received on the voting day before signing the PEC minutes on voting results; – proper certification of copies of the PEC minutes of voting results and their issuance against

<i>PEC Powers</i>	<i>PEC operation procedure</i>
– ensuring storage and transfer of documents related to preparation for and holding of elections to TEC	signature, indicating the serial number of the copy, and date and time of issue

For these violations, Article 5.69 of the Administrative Code of the Russian Federation provides for administrative liability in the form of imposing an administrative fine on citizens in the amount of two thousand to five thousand rubles; on officials — from twenty thousand to fifty thousand rubles.

The objects of illegal acts can be:

- the work of the PEC or the exercise by it of its powers established by the election legislation;
- participation of voters in the voting.

Any actions aimed at unlawful participation in the work of the PEC, leading to interferences, (suspension or stop) of the work of the election commission or preventing voters from taking part in voting, may be recognized as interference in the exercise of the PEC's powers. Any actions aimed directly at voters that prevent them from freely taking part in voting may be considered as hindering the participation of voters in voting.

Administrative liability for these actions occurs **if these actions do not contain a criminally punishable act.**

Oral appeals, questions and comments addressed to the Chairperson of the PEC, and in his/her absence — to the person who replaces him/her, about possible violations of the election legislation, the exercise of the powers of an observer, a media representative*, a member of the PEC with the right of advisory

* For the rights of observers and media representatives guaranteed by law, see the appendix.

vote cannot be considered interference in the exercise of its powers by the PEC.

It is illegal for these persons to abuse their rights and powers, which can be expressed in the following actions: attempts by these persons to participate in actions related to the exclusive competence of the members of the PEC with the right to vote, in particular, in issuing, sorting, counting ballots, working with the voter list, as well as the requirement to issue or not issue ballots.



5. GROUNDS AND PROCEDURE FOR REMOVING OBSERVERS, REPRESENTATIVES OF THE MASS MEDIA, AND OTHER PERSONS PROVIDED FOR BY LAW FROM THE VOTING PREMISES

A PEC member shall be immediately suspended from taking part in PEC's work, and an observer, a media representative and other persons shall be removed from voting premises if they violate the electoral legislation and the fact of such violation has been established by court

The relevant PEC or its Chairperson, the higher election commission or its Chairperson, the prosecutor may file an administrative claim for establishing the fact of violation of the election legislation by a member of the PEC, an observer, a media representative, or another person to the district court at the location of the PEC.

A certified copy of the court decision that satisfied the relevant administrative claim may be the basis for the suspension of a member of the PEC from participating in its work, the removal of an observer, a media representative, or another person from the voting premises.

This court decision, which has entered into legal force, shall be executed by a police officer or a bailiff.



ATTACHMENT

INFORMATION on the rights of observers and representatives of media

Part 1 of Article 5.6 of the Administrative Code of the Russian Federation provides for administrative liability for violating the rights of observers, media representatives to observe and to receive timely information and copies of election documents, the receipt of which is provided for by law, which entails the imposition of an administrative fine on citizens in the amount of five hundred to one thousand rubles; on officials — from one thousand to two thousand rubles.

The powers to initiate cases of administrative offenses provided for in Article 5.6 of the Administrative Code of the Russian Federation are assigned to the prosecutor.

It should be borne in mind that the rights of observers and media representatives are guaranteed by the election legislation.

An observer shall be entitled to:

- get familiarized with the electoral roll, information on the voters who have applied for including in the electoral roll at the place of their stay, with the register of statements (oral applications) as regards voting outside the voting premises;

- be present at the voting premises of the relevant polling station on voting days, on the days of early voting at any time during the period specified in section 2 of this Memo;
- observe the issuance of ballot papers by the members of the PEC to the voters;
- be present at the voting of voters outside the voting premises (at home), as well as when voting using an additional opportunity to exercise electoral rights — voting of groups of voters who live (are) in settlements and other places where there are no voting premises and transport communication with which is difficult (hereinafter-an additional form of voting);
- watch counting of votes of the voters included in the electoral roll, voting ballots handed over to voters, cancelled voting ballots;
- observe the movement of ballots in security bags, put their signature on the security bag, get acquainted with the acts of voting using portable and stationary voting boxes and security bags, receive certified copies of these acts;
- observe the counting of votes at the polling station at a distance and in conditions that would allow them to see the marks of voters contained in the ballots;
- get acquainted visually with any filled or unfilled ballot paper during the counting of votes, as well as observe the preparation of the PEC minutes on the results of voting and other documents during the period specified in section 2 of this Memo;
- address proposals and comments on the organization of voting to the Chairperson of the PEC, and in case of their absence — to the person substituting them;
- get acquainted with the protocols of the PEC to which it is sent, about the results of voting and the documents attached to them, receive certified copies of these protocols from the PEC;

- appeal against decisions and actions (inaction) The PEC to which it is sent, directly to the higher TEC or to the court;
- be present at the repeated counting of votes in the PEC;
- carry out photographing and (or) videotaping in the voting premises (from the place determined by the Chairperson of the PEC), having previously notified the Chairperson, Deputy Chairperson or Secretary of the PEC;
- wear a badge indicating their status and indicating their last name, first name and patronymic, as well as the last name, first name and patronymic of a registered candidate or the name of a political party, a subject of public control, who sent an observer to the PEC.

An observer shall not be entitled to:

- hand over voting ballots to voters;
- sign for a voter, including at the latter's request, for receipt of a ballot;
- fill in a ballot for a voter, including at the latter's request;
- take any actions in breach of the secrecy of vote;
- actually take part in counting the voting ballots effected by the PEC members with the right of casting vote;
- take any actions interfering with the PEC's work;
- carry out campaigning among voters;
- participate in taking decisions by the PEC.

Media representatives accredited in accordance with the procedure approved by the Resolution of the CEC of Russia No. 33/268-8 dated July 28, 2021 are entitled to:

- be present in the voting premises on the voting days of September 17, 18 and 19, 2021, on the days of early voting, during repeat voting;
- be present during voting with the usage of the additional voting form;

- be present at the counting of votes, as well as at the repeat counting of votes at the polling station;
- be present at the meeting of the PEC when it determines the voting results;
- be present when the ballots are placed into the security bags;
- take photos and(or) videos at voting premises in the established order, including sealing the security bag and drawing up the corresponding act for that security bag, having previously notified the PEC Chairperson (Deputy Chairperson or Secretary);
- get acquainted with the PEC protocols on the voting results, including those compiled repeatedly;
- receive from PEC minutes on voting results.

**Instruction Booklet for Police Officer
Staying at Voting Premises Concerning
Protection of Citizens' Rights and
Freedoms, Preservation of Public Order
and Rendering Assistance to Precinct
Election Commissions**

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