GREEN ALLIANCE
People's Party, Russia

ELECTORAL LAW IN THE RUSSIAN FEDERATION.

In the Russian Federation, elections are held at three levels - federal, regional and municipal.

At the federal level: *direct elections* of the President of the Russian Federation (majority system of absolute majority) and of the deputies of State Duma of the Federal Assembly of the Russian Federation (proportional system); *indirect elections*: of members of the Federation Council of the Federal Assembly of the Russian Federation (half is elected by the deputies of the legislative bodies of constituent entities of the Russian Federation, the other half represents the executive bodies and is delegated by the senior officials of constituent entities of the Russian Federation).

At the level of the Russian Federation: *direct elections* of the deputies of legislative (representative) bodies of state power of 83 constituent entities of the Russian Federation; *direct elections* of the highest officials (heads of the upper executive bodies) of constituent entities of the Russian Federation.

At the local level, the deputies of representative bodies and heads of municipalities are elected (the latter are elected according to the municipality charter directly by the public or by the deputies of representative body of local self-government).

Sources of electoral law of the Russian Federation.

Normative legal acts of the Russian Federation:

- The Constitution of the Russian Federation;

- Federal Law "On Basic Guarantees of Electoral Rights and the Right to Participate in Referendum of citizens of the Russian Federation" dd. June 12, 2002 No. 67-FZ.

- Federal Law "On the Election of the President of the Russian Federation" dd. January 10, 2003 No. 19-FZ.

- Federal Law "On the Election of Deputies of the State Duma of the Federal Assembly of the Russian Federation", dd. May 18, 2005 No. 51-FZ.

• Federal Law "On ensuring the constitutional rights of citizens of the Russian Federation to elect and be elected to the bodies of local self-government" dd. November 26, 1996 No. 138-FZ.

• Federal Law "On general principles of organization of legislative (representative) and executive bodies of state power of the Russian Federation" dd. October 6, 1999 No. 184-FZ.

• Federal Law "On General Principles of Local Self-Government in the Russian Federation" dd. October 6, 2003 № 131-FZ.

• Other federal laws affecting the voting rights of citizens, Acts of the Central Electoral Commission, Acts of the Russian President and the Government of the Russian Federation, decisions of the Constitutional Court of the Russian Federation.

Normative legal acts of the Russian Federation: the sources of electoral law.

The subjects of Russian Federation are entitled to make their own laws and regulations on the electoral law but they shall regulate only a certain part of the relationship with respect to the elections to the bodies of state power of subject of the Russian Federation and to the bodies of local self-government of municipalities on the territory of a particular subject of the Federation.

Municipal legal acts are the sources of electoral law in the Russian Federation.

The constitutional principle of local government independence provides that the municipal elections may also be partially governed by municipal regulatory legal acts.

Counting systems used in the Russian Federation for elections to the legislative and representative bodies.

Elections to the State Duma of the Federal Assembly shall be held according to the proportional election system.

At the level of constituent entities of the Russian Federation, the election of deputies of the legislative (representative) bodies of state power of constituent entities of the Russian Federation shall be conducted as per proportional and mixed (majority-proportional) systems depending on the specific regulations of subject of the Russian Federation establishing the procedure of elections in this subject.

At the local level, elections to the representative bodies of municipalities shall be conducted by proportional, majoritarian and mixed (majority-proportional) systems depending on the legal (charters) acts of municipalities.

System of election commissions in the Russian Federation.

• The Central Election Commission of the Russian Federation - working on a permanent basis - heads the system of election commissions, organizing federal elections (the elections of the President of the Russian Federation and those of deputies of the State Duma).

• Election Commissions of constituent entities of the Russian Federation - working on a permanent basis - participate in the organization of federal elections, organize regional elections (elections of legislative bodies).

• Territorial Election Commissions – operating on a permanent basis – shall be formed on the territory of cities and districts involved in the organization of the federal and provincial elections, they may be delegated the authority of election commissions of municipalities.

• Electoral Commissions of municipalities – operating on a permanent basis – shall be formed on the territory of municipalities (municipal districts, urban districts, urban and rural settlements, inner-city areas of federal cities). They organize elections to the local self-government bodies (municipal elections), local referendums and voting. They may be delegated the authority of the territorial election commissions.

• The District Election Commissions, formed shortly before the start of the campaign for the elections of deputies of the representative body in single or multi-member constituencies for the term of the representative body, participate in the election of deputies of the regional or local level, carried out as per the majority or mixed electoral system. The district commission may not be formed if its powers are entrusted to the commission of other level.

• The District Election Commissions – operating on a permanent basis – directly hold elections on their jurisdictional territory.

Principles of electoral law of the Russian Federation.

1) The principle of universal suffrage means that the largest possible number of citizens of the state shall have the right to vote. Restrictions imposed should be minimal and reasonably justified. A citizen of the Russian Federation has the right to elect and be elected, to participate in the referendum, regardless of gender, race, nationality, language, origin, property and official status, place of residence, attitude to religion, convictions, membership of public associations, as well as other circumstances.

2) The principle of equal suffrage means that the citizens of the Russian Federation shall participate in elections on an equal basis. For example, voters in the election have the same number of votes (including more than one - for elections under a mixed electoral system, in the multi-member constituencies, etc.).

3) The principle of direct suffrage suggests that the citizens of the Russian Federation vote in elections respectively for candidates (lists of candidates) and in the cases specified by law - for or against a candidate directly.

4) The principle of secret ballot means that the voting is secret, excluding the possibility of any control over the will of citizen.

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