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Monitoring of the pre-election situation in Ukraine (15.09.2012—15.10.2012)

The electoral process

Non-governmental organisations and official observers continue to record numerous violations of election laws during the election campaign in Ukraine. Sociological services announced the results of a survey of the pre-election ratings of political forces.

01.09.2012-30.09.2012

Civil Network 'Opora' ('Support') gathered and processed information about the most common violations resorted to by candidates and political parties in September. The most widespread was the use of administrative resources — 179 incidents across all regions. The second place goes to the bribery of voters — 126 cases reported. Next in the list are: obstructing the activities of parties and candidates — 123 cases; violating the rules of campaigning — 77 cases; interference of law enforcement agencies with the electoral process — 12 cases; putting pressure on the media — 9 cases.

Source:

<http://oporaua.org/news/2710-shostyj-zvit-za-rezultatamy-zagalnonacionalnogo-sposterezhenija-parlamentski-vybory-2012-veresen>

23.09.2012 – 08.10.2012

With the election approaching, cases of physical violence against participants in the electoral process have become more frequent. On 23.09.2012 in the village of Mamaivtsy (Chernivtsi Oblast) the head of the electoral headquarters of the All-Ukrainian Union 'Svoboda' ('Freedom') in Chernivtsi, Oleg Dyakonyuk, was attacked. He suffered a number of injuries. On 04.10.2012 in the city of Bila Tserkva (Kiev Oblast) unknown assailants beat a parliamentary candidate of the party 'UDAR', Roman Grigorishin. On 07.10.2012 in Kiev activists of the party 'UDAR' ('Ukrainian Democratic Alliance for Reform Vitaliy Klychko'), who campaigned for the party, were beaten by unknown assailants. On 08.10.2012 Lviv province police department opened a criminal investigation into the beating of the parliamentary candidate Tatyana Chornovil. Threats of physical violence were also reported by the head of Zhytomyr regional electoral headquarters of the United Opposition 'Batkivshchyna' ('Fatherland'). MP Sergei Pashinsky: 'Staff Representative of Vitaily Razvadovsky (pro-government candidate), V.D. Kuzminskaya, has repeatedly stated that, in case of the continuation of political activity by members of the opposition, physical violence will be used against them.'

Sources:

<http://news.volyninfo.com/ukraine/129198-u-biliy-cerkvi-pobili-kandidata-vid-udaru.html>

<http://osp-ua.info/politicas/7052-pobili-kerivnika-viborchogo-shtabu-vo-svoboda-u-misti-chernivtsi.html>

<http://maidan.org.ua/2012/10/aktyvistiv-partiji-udar-zhorstoko-pobyly-u-svyatoshynskom-rajoni-stolytsi/>

<http://www.unian.ua/news/528798-militsiya-porushila-spravu-za-faktom-pobittya-jurnalistki-chornovol.html>

<http://www.pravda.com.ua/rus/news/2012/10/1/6973736/>

08.10.2012

The Democratic Initiatives Foundation, together with Kiev International Institute of Sociology, published the results of a survey of the pre-election ratings of political forces. According to results of the sociological survey, a month before official voting, political parties have the following percentage of support among the citizens: the Party of Regions — 23.3%, the Party 'UDAR' — 16%, the United Opposition 'Batkivshchyna' ('Fatherland') — 15.1%, the Communist Party of Ukraine — 10.1%, the All-Ukrainian Union 'Svoboda' — 5.1%. The following parties do not overcome the five percent threshold: the Party of Natalia Korolevska 'Ukraina – vperyod!' ('Ukraine – forward!') — 2.1% and the party 'Nasha Ukraina' ('Our Ukraine') — 1.3%. The statistical margin of error is 2.2%. Sociologists also noted that the number of those who were undecided significantly increased — 24% of the respondents. Willingness to vote on the 28th of October, 2012 was expressed by 78% of the respondents.

At the same time, with Election Day approaching, the number of false party ratings dramatically increased, experts say. Most of all, bogus pseudo-sociological companies are being used for this purpose. Such a technique of manipulating public opinion is most often used by political forces, whose real ratings would not allow them to overcome the threshold of five percent.

Sources:

<http://gazeta.ua/ru/articles/politics/udar-na-1-operezhayet-obedinennuyu-oppozitsiyu-opros/459630>

<http://www.radiosvoboda.org/content/article/24729463.html>

09.10.2012

Pre-election scandal in Dnepropetrovsk. First Deputy Mayor of Dnepropetrovsk, and, at the same time, a parliamentary candidate, Anatoly Krupsky, was caught trying to bribe one of workers of the 'Interpipe NTRP' factory, Igor Parkhomenko. Krupsky proposed that Parkhomenko take part in the election in exchange for cash remuneration. Thus, Krupsky counted on stealing votes from his main competitor in the electoral district, Yakov Bezbakh. Mass media published an audio recording, provided personally by Igor Parkhomenko, in which the Vice Mayor of the city was trying to bribe him. Anatoly Krupsky himself avoids meeting with the media and refuses to comment on the incident.

Sources:

<http://fakty.ictv.ua/ua/index/read-news/id/1459645>

<http://www.11channel.dp.ua/news/dp/2012/10/09/21162.html>

13.10.2012

The Party 'Sobor' withdrew all candidates, nominated by the party in a national multi-member constituency, from the parliamentary election. The decision was made by the party at the 19th Party Congress in Kiev. 'Central management of the party decided to recommend that Congress eliminate "Sobor" from the electoral race due to the fact that the party does not exceed the five-percent threshold for representation in the Parliament,' — said the leader of the party, Pavlo Zhebrivsky. 91 delegates of the Congress voted for such a motion, two delegates abstained. Petr Zhebrivsky also noted that the party was not going to withdraw the candidates nominated for the majority districts.

Source:

<http://ukranews.com/ru/news/ukraine/2012/10/13/80952>

14-15.10.2012

The Party 'UDAR' and the United Opposition 'Fatherland' managed to partially agree on candidates in majority districts. On 14.10.2012 the party 'UDAR' called for 26 candidates to be removed from the election in favour of the United Opposition. On the other hand, the UO 'Fatherland' at a closed Congress of 15.10.2012 decided to withdraw its 26 candidates in majority districts, where, according to the results of a sociological study, representatives of the party 'UDAR' have a higher percentage of support. The decision to withdraw candidates in majority districts was made on the basis of a comprehensive sociological study conducted by seven large Ukrainian companies: the Kiev International Institute of Sociology, the sociological group 'Rating', 'Sotsiovymir' and 'Soci' centres, Razumkov Centre, TNS Ukraine and GfK Ukraine.

Sources:

<http://www.kommersant.ua/doc/2044941>

<http://www.unian.ua/news/529985-batkivschina-u-vidpovid-udaru-znyala-z-viboriv-26-majoritarnikiv-onovleno.html>

17.09.2012

U.S. National Democratic Institute (NDI) published a report on the preparation for the parliamentary election in Ukraine. In the report, NDI experts noted that in the current election campaign the parties do not have equal access to the media; also frequent are cases of using administrative resources. 'The attraction to criminal prosecution of Yulia Tymoshenko and Yuriy Lutsenko cause concern that the government selectively persecutes its political opponents', — says the report.

Source:

<http://www.ndi.org/files/2%20-%20NDI%20Pre-Election%20Delegation%20Statement%20-%20UKR.pdf>

20-21.09.2012 – 08.10.2012

Delegation of observers of the Parliamentary Assembly of the Council of Europe (PACE) visited Ukraine on September 20-21 in order to monitor the election. Andreas Gross, head of the delegation, stated that he was extremely concerned about the political situation in Ukraine: 'most surprising is the fact that today the Ukrainian society has no real political alternative. Most of the citizens feel powerless, aware of the fact that politics is completely controlled by money. The situation of the media in Ukraine is catastrophic. Most striking are the cases of purchasing news in the media, especially in television.' The concern about the upcoming Ukrainian election was also expressed by the president of PACE, Jean-Claude Mignon: 'We are very concerned about the possible course of the election. We will, without any doubt, condemn what deserves to be condemned, if things do not go as smoothly as we hope they will.'

At the same time, PACE co-rapporteur on Ukraine, Mailis Reps, reported that **PACE will not apply any sanctions against Ukraine before the election, as previously assumed.** 'No one imposes sanctions on a country before an election. We are now directing all our efforts towards supporting the organisation of a free and fair election in Ukraine. We take into account the fact that the opposition leaders remain in prison, that the media in your country are not free, and this is unacceptable to us. We hope, however, to be able to influence the situation by supporting a free election. We also noted the confusion that you felt in connection with the process applied to membership draws in electoral commissions. And the excuses which we have heard in Ukraine on this matter, as if a full draw was practically and technically unfeasible, seem very strange to us. They did not convince the members of the PACE observation mission, nor the rapporteurs in Ukraine. We hear contradictory statements about the cameras at polling stations. We are also concerned about the reports of attacks on candidates in majority districts,' — said Mailis Reps in an interview with Ukrainian media.

Sources:

<http://kommersant.ua/doc/2039697>

<http://tyzhden.ua/Politics/60970>

<http://www.pravda.com.ua/rus/news/2012/10/1/6973749/>

22.09.2012

The United States Senate passed a resolution calling for release of the former Prime Minister Yulia Tymoshenko and for the imposing of sanctions on persons involved in her arrestment. 'The U.S. Senate condemns the actions of the administration of President Viktor Yanukovich, aimed at politically motivated imprisonment of the former Prime Minister Yulia Tymoshenko,' — says the resolution. The deputies of the U.S. Senate called on the administration of the Ukrainian President to immediately release Yulia Tymoshenko and other political prisoners, and also called on the U.S. State Department and the Organisation for Security and Cooperation in Europe (OSCE) to 'provide a joint, international diplomatic pressure on President Yanukovich to release Tymoshenko'. The Ministry of Foreign Affairs of Ukraine stated that the resolution is not binding, and the procedure of its adoption is questionable: 'The Ministry of Foreign Affairs of Ukraine considers it inappropriate to comment on the resolution, given the manner of its consideration and the declarative, non-binding nature of the document.'

Sources:

<http://www.pravda.com.ua/rus/news/2012/09/22/6973292/>

http://www.bbc.co.uk/ukrainian/ukraine_in_russian/2012/09/120923_ru_s_tymoshenko_usa_resolution.shtml

09.10.2012

The International Foundation for Electoral Systems (IFES) publicly announced recommendations for amendments to the law 'On Elections of People's Deputies of Ukraine'. According to IFES experts, it is important to allow citizens with outstanding convictions to be elected to parliament, as well as to reduce the quota of the parties in the CEC.

Source:

<http://kommersant.ua/doc/2041097>

11.10.2012

The U.S. Secretary of State, Hillary Clinton, sent a letter to Yulia Tymoshenko on the anniversary of the sentence in the so-called 'gas case' of the former Prime Minister of Ukraine. The letter says about the immutability of the U.S. position regarding the sentences of the opposition leaders of Ukraine: 'You should be immediately and unconditionally released along with the other former members of your government. It is very unfortunate that politically motivated persecution undermine the progress of democracy, so desirable by Ukrainians.'

Source:

<http://www.unian.net/news/529667-klinton-tymoshenko-vas-doljni-nemedlenno-i-bezogovorochno-osvobodit.html>

The elections-2012 in Ukraine: 'dirty' technologies in operation - 2

The previous monitoring of the Open Dialog Foundation has already raised the issue of using 'dirty' technologies in the electoral race of political parties and candidates for people's deputies. We drew attention to the crudest examples of 'unfair play' — bribery of voters, pressure on the media, the use of administrative resources, anti-advertising, forced voting and attracting voters from other districts. In this publication we are going to consider the more sophisticated, although technically legal tricks resorted to by parliamentary candidates in order to win the battle with their competitors in the election.

The use of 'tactical' candidates

Undoubtedly, one of the main 'dirty' tricks employed in the electoral race of 2012 is the use of 'tactical' candidates, the classic example of which was a nomination of a 'tactical' candidate for the purpose of steeling votes from his/her main competitor. The main gimmick in this case is the similarity of the political policies and declarations of the 'tactical' candidate and his/her main competitor. The sponsor finances the entire electoral campaign of the 'tactical' candidate and oversees his/her activities in the electoral race. In October 2012, the First Deputy Mayor of Dnepropetrovsk, Anatoly Krupsky, a parliamentary candidate from the Party of Regions, was caught while trying to perform a similar scheme. The incident turned into a scandal and gained international fame. Anatoly Krupsky was caught attempting to bribe one of the 'Interpipe NTRP' factory workers, Igor Parkhomenko. Krupsky proposed Parkhomenko take part in the election in exchange for cash remuneration. Thus, Krupsky counted on stealing votes from his main competitor in the electoral district, a factory worker and experienced politician Yakov Bezbakh. So far, law enforcement authorities and the Central Electoral Commission have not responded to what happened [1]. Former Polish President, Aleksander Kwasniewski, commented on the incident: 'According to European Standards, this is scandalous. A man who uses his position in such way, and does so against the law and the electoral code, has to go. This is cheating the voters and is against all principles of democracy. There is still time before the election to remove people who act in this way and eliminate from the campaign [2].'

Another popular technique of using a 'tactical' candidate in this election is 'cloning' majoritarian candidates, that is nominating a candidate with the same name against a popular candidate for the Parliament.

In this election alone, the observers reported approximately 100 dummy candidates in 36 districts. This method seems to be very effective, as in the previous election the dummy candidates gathered up to 3% of the votes. Furthermore, it doesn't require significant financial investment [3].

A 'tactical' candidate may be used not only for stealing votes from competitors, but also in order to obtain sufficient representation in the district electoral commissions. This allows the political forces to gain control over the district electoral commissions that will host the direct counting of votes. The possibilities to do so arise from loopholes in electoral law. According to the law, a party that has nominated at least one parliamentary candidate has the right to have their representatives present in all 225 electoral districts during the drawing process. Later, these ballots can be sold to more powerful political players [4]. For example, the Civil Network 'Opora' recorded a massive replacement of small party representatives in the district electoral commissions immediately after their formation at the end of August. Furthermore, the party 'Bratstvo' ('Brotherhood') recalled and re-registered all of its 225 members of the DEC, 'Russkoe Edinstvo' ('Russian Unity') — 221, 'Soyuz Anarhistov Ukrainy' ('The Union of Anarchists of Ukraine') — 219, "Rus' Edina" ('Rus United') — 230 (in some districts the changes were made more than once), 'Russkiy Blok' ('Russian Bloc') — 222 [5].

Playing independent candidates

Transition to the proportional-majoritarian electoral system opened the possibility for use of one more 'dirty' techniques, which is not an offence under the law, but is voter fraud. It predominantly concerns the representatives of the ruling party. Experts have long been paying attention to the fact that the Party of Regions, which has an explicitly low percentage of support among residents of Western and Central Ukraine, relies on independent candidates (self-promoters) in these regions. Those candidates, who are nominated by the Party of Regions officially, play a tactical role and have no real chance of winning [6]. Amid falling ratings of the opposition forces, this technique can be successful to the party in power. 'Self-promoters are a technology that has been applied at the highest state level — in the electoral law. We see that where there is no electoral support of the Party of Regions, there are self-promoters [7],' — says the political commentator Pavel Puschenko.

According to political analyst Volodymyr Fesenko, in the next parliament the self-promoters could constitute a third of the winners in majority districts, and at least half of them are potential allies of the Party of Regions [8].

A striking example of a candidate from the ruling party running as a self-promoter, may be the Kiev 221st majority district, in which one of the leaders of the Party of Regions, Vasily Horbal, will run for parliament [9].

Manipulation of the public opinion

With the election approaching, false opinion poll results are utilised. Ratings that do not reflect the true picture of the preferences of the electorate are published. As experts say, such technology is often resorted to by those political parties, whose actual ratings do not allow them to overcome the five-percent threshold for representation in Parliament. 'If a party, according to a sociological survey, has no real chance of entering the Parliament, it really makes a difference, since people do not want to waste their votes. Therefore, fake ratings are very often created for parties that fail to overcome the threshold [10],' — explained Vladimir Panioto, director of the Kiev International Institute of Sociology (KIIS).

This time, the use of such technology was registered for such parties as Natalia Korolevska's 'Ukraine - forward!' and 'Our Ukraine' of the former President Viktor Yushchenko. For example, in September, Ukrainian media published the results of sociological studies of several little-known companies with suspiciously coincidental results pertaining to the percentage of support for the 'Ukraine - forward!' party— 6.7%, 6.9%, 6.5%, 6.4%, 6.5%. At the same time, the ratings of other political forces in separate reports were significantly different [11].

According to a study conducted by the Democratic Initiatives Foundation, together with the Kiev International Institute of Sociology, the real ratings of the parties 'Ukraine - forward!' and 'Our Ukraine' were 2.1% and 1.3% respectively. The statistical error of the survey was 2.2% [12]. That is, even taking into consideration the potential for statistical error, these parties still did not overcome the five-percent threshold for representation in the Parliament of Ukraine.

There is still time left before the official day of voting, but the parliamentary election of 2012 can be already called one of the 'dirtiest' in the history of independent Ukraine. Considering the number of forbidden techniques resorted to by the candidates, the election can be compared only to the presidential elec-

tion of 2004. Ukraine is now at real risk of regressing to the group of countries which are unable to ensure a democratic and fair declaration of the will of its citizens, which will undoubtedly affect the international image of Ukraine.

Sources:

1. The bribery of a tactical candidate in Dnepropetrovsk turned out to be true / <http://vikna.stb.ua/ru/news/2012/10/9/119125/>
2. Kwasniewski labelled the recruitment of tactical candidates in Dnepropetrovsk a scandal / <http://korrespondent.net/ukraine/politics/1404329-kvasnevskej-nazval-skandalom-verbokvu-tehnicheskikh-kandidatov-v-dnepropetrovske>
3. OPORA about dummy candidates for the parliamentary election of 2012 / <http://oporaua.org/library/2183-opora-pro-dvijnykiv-na-parlamentskyh-vyborah-2012>
4. Gimmicks of the electoral campaign / <http://tsn.ua/video/video-novini/hitroschi-viborchoyi-kampaniyi.html?page=1&items=53804&type=0>
5. SIXTH REPORT on the results of international monitoring — parliamentary election of 2012, SEPTEMBER / <http://oporaua.org/news/2710-shostyj-zvit-za-rezultatamy-zagalnonacionalnogo-sposterezhenija-parlamentski-vybory-2012-veresen>
6. Why majoritarian regional candidates started to withdraw from the election / <http://forbes.ua/nation/1339942-pochemu-mazhoritarii-regionaly-nachali-snimatsya-s-vyborov>
7. Election in Chernihiv: intrigue surrounding the self-promoters / http://www.bbc.co.uk/ukrainian/politics/2012/09/120920_chernihiv_election_sd.shtml
8. Political analyst: half of the self-promoters are potential allies of the Party of Regions / http://zaxid.net/home/showSingleNews.do?politolog_polovina_samovisuvantsiv_potentsiyani_soyuzniki_pr&objec tid=1267410
9. Horbal, convinced that he will be on the electoral list of the Party of Regions, thrown overboard / <http://zik.ua/ua/news/2012/08/08/362788>
10. With the election approaching, the number of faked opinion poll results increase / <http://www.radiosvoboda.org/content/article/24729463.html>
11. Falsified growth in Natalia Korolevska's ratings / <http://www.pravda.com.ua/articles/2012/10/9/6974286/>
12. 'Udar' 1% ahead of the United Opposition — survey / <http://gazeta.ua/ru/articles/politics/ udar-na-1-operezhaet-obedinennuyu-oppoziciyu-opros/459630>



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