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Local Elections in Ukraine

Analysis and Perspectives

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Table of Content

Preface	3
I. New local elections law – one step forward or two steps back	4
1. Preface	4
2. Electoral system and political parties	5
3. Election Commissions	7
4. Electoral Timelines	9
5. Nomination and registration of candidates	9
6. Funding of campaigns	10
7. Prices and terms of usage of media in the election campaign	10
8. Observation of elections	10
9. Voting and the results of the elections	11
II. Political parties before the elections	11
1. Preface	11
2. Party of Regions	12
3. Homeland	13
4. Strong Ukraine	14
5. Front of Change	14
6. PPU and Communist Party of Ukraine	14
7. All-Ukrainian Union Liberty	15
8. United Center	15
9. Our Ukraine	16
10. For Ukraine	16
11. Punch	16
12. Civic Position	16
III. Elections – Regions – Randomly Selected	17
1. Crimea	17
2. Khmelnyck region	18
3. Doneck region	19
4. Dnipropetrovsk region	20
5. Kharkiv region	21
6. Sumy region	24
7. Lugansk region	24
8. Odessa	25
IV. Local Elections in Ukraine – vox populi	26
V. Summary and Recommendations	30

Preface

We decided to write a short report on local election in Ukraine that will take place on October 30, 2010.

Local elections are not as much important as parliamentary or presidential but at the same time there are the funding stone of civil society and local democracy. We took the opportunity of a forthcoming events in Ukraine to describe the situation and environment in Ukraine on the eve of elections.

We hope you will find a lot of interesting facts and figures in this paper.

I would like to express our gratitude to the Konrad Adenauer Foundation for their support.

Sincerely Yours,

Wojciech Borodzicz-Smoliński
Member of the Board
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I. New local elections law – one step forward or two steps back

1. Preface

Shortly before the local elections in Ukraine, the country politicians announced that the reforms of local election law is of crucial importance and needs to be implemented. The whole western world welcomed this announcement, because indeed the local election law needed to change however was completely surprised with the timing. It is one of the standards that any changes to the election code should not be modified at least for a year before scheduled elections.

Ukraine proclaiming its European track seeks to develop a proper democratic record. To make this possible the government has been striving to carry out several reforms in order to establish a truly European democratic system. One of the basic aspects that needed improvement was the role and functioning of local government. Decentralization was and is one of the main milestones for the country to develop in the right direction. However, due to the lack of political will and constant political instability inside the country the necessary reforms hadn't been conducted. In addition, the local election's law as most of the Ukrainian legislature needed crucial changes as many of the principles it contained were not in line with best practice used in the Western Europe.

The recent presidential elections gave Ukraine a new president – Victor Yanukovych, a representative of the ruling Party of Regions (PoR). In a short period of time, a new coalition “Stability and Reforms” was formed, consisting of Party of Regions, Lytvyn Bloc and Communist Party – in all 235 deputies. This created a chance to make the necessary reforms in the country, which was deeply affected by economic crisis and had fallen short of implementing the needed changes, because of continuous gridlock in the government for the past few years. The European Union in the name of most European states welcomed the formation of new coalition as most governments see stability in Ukraine as one of the key factors for the proper political dialogue. Unfortunately many changes introduced by this new driving force have been assessed not as a reformist but rather as pushing Ukraine into the East.

One of the first challenges facing the government was the local elections planned for 30 May 2010. However, the elections were cancelled and there was no certainty about the date they could take place. The official statement from the ruling coalition was that such situation occurred because of the financial issues – the budget for 2010 was not in place and according to Constitution of Ukraine, the local elections can be financed only from the budget. The situation around local elections brought a lot of discussions mainly concentrating on accuses that Party of Regions aimed at putting the elections on such date and in such form that it would be able to benefit the most. After a lot of arguments about the constitutional nature of the above mentioned delay new dates were proposed for the local elections. Many experts shared the opinion that postponing the elections wouldn't solve the problem of the poor legislature. Only law, created under the framework of the best European experience could guarantee that the local community in Ukraine has the necessary instruments to exercise its constitutional rights. The new system should make sure that the voice of the community is heard on the governmental level and that the deputies are fully responsible to the people who elect them.

After harsh discussions smoothed the 31 October 2010 was proposed and later on agreed. Before the election would take place, the Parliament approved the new local election's law drafted by the representative of Party of Regions. According to the party this was a step forward towards making local elections clear and democratic. However, the criticism, which it raised, put many question marks to the quality of the legislature. The independent experts and even the European community alarmed that if this law comes into life Ukraine might witness a non-democratic elections – first in many years.

In this part of the work I will analyze the new election's law in Ukraine in order to understand whether we can call it an improvement or a drawback. It is important to note that the new law was already amended once after president Yanukovich stated that it needed some changes to become even more democratic.

The law brings some other positive changes. For instance candidates can run for the post only on one level. Before 2010 a candidate could be registered in the party list to the regional, city, district councils at the same time, but now one must decide specifically. There will be no broad alternative, so if the candidate has not passed to the regional council, he still had a chance to get into the city council – so in the end he would probably end up somewhere. Of course, also another certain positive - the opportunity to run for party lists and the majority district at the same time to the same council. The smaller parties will use this nuance in order to cover all constituencies and their representatives to impose on them agitation and organizational work. In 2006, when we had closed party lists, usually only the first five people who had more or less good chances to get elected worked for the party. Now, with this system, every candidate for the constituency will automatically work for the entire party list after victory - agitate for a party that nominated him. In addition, participation in the lists and the majority district will allow partially implementing elements of the elections by open party lists – open party lists is a very desirable novation. The candidates who came second or on other lower place in the constituency will not lose their votes, and indirectly, give them to a general account of his party and he even will be able to get elected within a party list. Another interesting fact - a candidate for mayor will be able to safely lead the party list and run for city council in which he wants to be a mayor. In 2006, this standard was written in such a confusing way that required separate clarification, sometimes in court. In many cities because of this norm many party leaders were not registered for elections of city mayors - especially those leaders that were inconvenient for the authorities, which carried out the electoral process in a specific city. Now, the leader of the list not only has a chance to take the place of the mayor or head of the district or regional council, but also with his authority he can now influence the party ranking¹.

The law "On Elections of Deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, Local Councils and Villages, Settlement and City Mayors" ("the local election law") has raised concerns among many domestic and international experts as well as some members of the Central Elections Commission and opposition forces. The law makes key changes to Ukraine election's law within 100 days before the elections, contrary to the principles set forth by the European Commission's Venice Commission² that discourage changing election-related legislation within a year prior to election. It is important that the law was drafted and adopted in a non-transparent manner and involved virtually no public debate. The draft was registered in the Parliament by the Party of Region's leadership on June 29 and was approved on July 10. None of 1000 amendments from the opposition were considered in the final vote. President Yanukovich signed the law on July 27, 2010³.

Haste with which the new law on local elections was adopted may affect not only the further development of local government in Ukraine, but also the development of the Ukraine as a European state. It is obvious that reforms are needed, but they should be implemented carefully, deliberately and preferably after a thorough discussion. The nature of the changes and most crucial parts of the new law will be now analyzed.

2. Electoral system and political parties

With a new law the local elections will be held using a mixed electoral system, and citizens will elect deputies by a majority system and the closed lists of parties. Most interesting is however the

¹ <http://www.ostro.org/articles/article-112268/>

² The Commission, otherwise known as the European Commission for Democracy through Law, is the Council of Europe's advisory body on constitutional matters. Since its creation, the Venice Commission has been active in the electoral field, in particular, through the adoption of opinions on draft electoral legislation.

³ *Ukraine Local Elections Law Analysis*, National Democratic Institute for International Affairs, retrieved from http://www.ndi.org/files/Analysis_2010_Ukraine_Local_Election_Law.pdf on 20.09.2010, p. 1.

fact that even in the majority system, only the political parties may nominate candidates. As experts noted, there is no sense in going back to a mixed system without the right of self-nomination. For instance, there will be one deputy elected with a party list and another deputy - a member of the same party, elected by majority system, but they represent one party and therefore they vote as a block. For instance, the situation with Lviv mayor Andriy Sadovyy who is non-partisan and can't run for another term being independent as he wished is a good example of how the new system works. In the situation where only 4% of Ukrainians are members of political parties, the vast majority of people will be discriminated⁴. Such article is unconstitutional as every citizen of Ukraine has the constitutional right to be elected. Self-nomination is called for in OSCE Copenhagen document (paragraph 7.5)⁵. The abolition of self-nomination especially for mayoral offices represents a major departure from democratic practice.

Another controversial regulation under the new election law has been found in the first draft approved on 10th of July. The regulation allows only regional and local branches of the parties that were registered more than 1 year before the election were eligible to participate in the local elections on 30th October. The main argument from the Party of Regions was the idea of eliminating many newly created "populist" parties, which according to the Party of Region's deputies couldn't have a proper programme. As they hadn't been functioning for a longer period in the particular community they can't be completely aware of the situation and problems facing this local community. The interesting fact is that this position completely takes away the right to decide from the citizens. People residing in the particular area have the right to choose from any party and they can judge whether the newly born political force in fact can stand for its promises. However in the sense of the regulation is not new and is present in many EU countries, like Poland for example. The difference is that the right to take an active part in the local elections (to become elected) is given only to people who have lived in there constituency for a specific period of time. This however does not limit newly created formations from running in elections.

Most experts agreed that this norm was a cover up to eliminate the popular candidates and their parties such as Serhiy Tyhibko ("Strong Ukraine"), Arseniy Yacenyuk ("Front of Change") and Vitaliy Klichko ("Punch"). These politicians became quite popular recently – also because Tyhibko and Yacenyuk were running for president post and therefore they could pose a threat to Party of Regions during the upcoming elections. As many local and regional branches of those parties were not registered more than 1 year before elections they would be prohibited of taking part in them. Such occurrence would mean that the old "mature" parties practically would have no competition with new political forces. It is clear that this rule is in apparent conflict with the art. 36 of Ukrainian Constitution, which guarantees and calls for equal right for all organization of citizens⁶.

The interesting fact is that this norm was soon changed – the initiative came from president Yanukovych. The appropriate changes were adopted promptly during the special session of Parliament. It is important to note that this happened soon after European and US leaders expressed their concerns about the democratic nature of such clause in the new law. Letters from two former US Secretaries of State and the Yanukovych's conversation with Angela Merkel during his visit to Germany could serve as a good example of such external political pressure. As Arseniy Yacenyuk noted Ukraine first time during last 10 years faces a threat to get "a red card" for holding undemocratic elections⁷.

In the end, the branches registered earlier than 1 year were allowed to enter the elections. It is interesting how the international community become an active audience in the "Ukrainian theater". First, president showed his interest in putting the democratic values into practice, showing he wants the democracy in Ukraine to flourish. Besides, such a great gesture gave some room for

⁴ <http://www.radiosvoboda.org/content/article/2118849.html>

⁵ Ukraine Local Elections Law Analysis, p.3.

⁶ Ukraine Local Elections Law Analysis, p.2.

⁷ <http://www.pravda.com.ua/news/2010/08/27/5336960/>

“escape” from other inconvenient topics and problematic issues⁸. On the other side, the whole Party of Regions showed that it listens to its critics and especially those from the opposition. Another point is that the rating of the party dropped drastically in recent months. The new and popular parties on the elections could possibly take some votes from the main opponents as well – such Yulia Tymoshenko’s Bloc (in fact because of the new law during the elections she will be representing her own party “Homerland”⁹). The new changes sound good, but it must be taken into account the fact that the time has been drastically limited to conduct a good election campaign - as the result most parties lost a lot of valuable time due to inability to act because of the elections law. Many of the prospective candidates started to seek how to change the party in order to be elected (it is obvious that many turned to the ruling Party of Regions). All in all, the adoption of amended legislature can be portrayed as a “democratic” message to Europe and US, but it will have scarce impact on the election process as many more articles of the new law raise concern.

Parties are not allowed to enter elections as blocs – this is another controversial norm in the new law. On side this norm is very positive. The deputies that proposed it had argued that citizens must feel that the concrete party is responsible for specific programme with which it was elected and blocks mean sharing responsibility. In the past in Ukraine we had various interesting mixes of parties in blocks, which made it hard for a voter to understand for whom exactly he votes. And usually the decisions to form a block were taken with a top-down approach, neglecting the interesting of the local party branches. So in a long run it could be a positive change leading to consolidation of political landscape but in short term it may lead to restrictions on political competition¹⁰. For instance, it will prevent Yulia Tymoshenko’s bloc from entering the elections. The ban on participation in the multiparty elections or leader blocks will have a significant impact on both the progress and results of the elections. This format of the campaign is extremely beneficial to the Party of Regions, which deliberately rejected any blocks from its composition on the eve of parliamentary elections in 2006. In return it based its policy on principles for the absorption of small parties or on entice of their leaders¹¹.

3. Election Commissions

Comparing to the previous law Central Election Commission (CEC) will have a greater role in ensuring adherence and equal execution of local law. Decisions of CEC are now binding on all subjects of the electoral process, including local governments, local councils and their officials, association of citizens, enterprises and institutions as well as territorial and precinct commissions. CEC may void Territorial Election Commission’s (TEC) ruling and issue its own as well as certify local election results should any TEC fail to act or make an illegal decision. In the past, CEC had no role in certifying election results. Besides that, law does not ensure that a party has a legal representative in the CEC. Moreover, the authorized representatives of local party organizations or particular candidates - have no possibility, without further authorization, to represent their interests in CEC. And in general if to pose a question - can the party representatives participate in the meeting of the CEC - from the content of the law only if they are invited by CEC. In considering whether to void some TEC decisions members of CEC may be pressured or tempted to take one political side. It is possible that a politicized TEC deliberately fails to act, turning the certification of results to CEC. TEC functioning usually on simple majority can be easily hi-jacked by a specific political force¹².

⁸ For instance, airport incident involving Nico Lange (Director of the Ukrainian Branch of Konrad Adenauer Stiftung). He was detained by Ukrainian Security Service (SBU) at the Boryspil International Airport for almost 24 hours without clear explanation. The incident rose serious concerns about the monitoring of foreign organizations by SBU in Ukraine and general freedom of press. Diplomats of higher ranks were involved in solving the dispute. At the end some German experts expressed a view that this incident may even postpone official visit of Yanukovich to Germany. Berlin threatened to block further European integration of Kyiv. More at <http://www.allvoices.com/contributed-news/6205845-berlin-threatened-to-block-further-european-integration-of-kyiv-western-analyst-nico-lange>

⁹ http://mediacentr.info/politics/u-subotu-pochinaetsja-peredviborcha-kampanija-do-miscevih-organiv-vladi_5917

¹⁰ Ukraine Local Elections Law Analysis, p.2.

¹¹ <http://www.win.ru/school/5263.phtml>

¹² Ukraine Local Elections Law Analysis, p.3.

A deeper analysis of the law shows many controversial articles concerning the formation and functioning of Territorial Election Commissions (TEC). And as it is known – local level is the crucial and government must ensure clear and objective rules for everyone so it would guarantee elimination of fraud and any discrimination of political forces. Unfortunately regarding this issue the new law poses more questions rather than giving clear answers. Already in the process of formation of single-member districts, at least three violations can be tracked according to experts. Uneven weight of seats in various local communities is first. Second - formation of single-member districts in terms that it doesn't create equal conditions for all candidates. Third - a preconceived system of the appeal associated with the violation of the procedure. In the first draft of the law, members of TEC could be nominated by local branches of parties which are present in the Parliament. In the past, members could be nominated by any political party regardless of its presence in the parliament. However, according to the amended law TEC may consist of a maximum 18 members – each party in the parliament¹³ can propose 3 candidates which will form then maximum 15 candidates and other 3 members will be chosen from the parties not represented in the parliament after a draw. Such record gives the ruling coalition a possibility to have 9 members in every territorial commission. But then again why the Communist Party should delegate anyone for instance to Lviv regional TEC, having no deputies in the regional and city council¹⁴.

And another interesting note - Central Election Commission will form TEC using the criteria "experience in working in TEC". Such clause is very vague and in practice will give CEC big discretion in appointing TEC members. The new law doesn't include the formula for allocation of the senior positions in the TEC among different parties – in short; it means no proportionality among various political forces¹⁵. In this case, we can't make sure that representatives of one party won't be chairing all the territorial and precinct election commissions in specific area. It is obvious that up to down approach in nominating the members gives advantage to the parties which have the most representatives in Central Elections Commission.

The same rules apply for the Precinct Election Commission – they will be formed by TEC using the same vague clause "experience in working in Precinct Election Commission". In the case of precinct we have an even more undemocratic clause in addition to the lack of proportionality. In fact there are no restrictions for naming the people from the same political party for all the major senior positions in one PEC – so we can have chair, vice-chair and secretary from one party. In addition, all the complaints in elections matter a citizen may have will be rejected by the forming body (CEC or TEC) without a formal decision, which makes it very hard to appeal to the court in a later stage of the proceeding¹⁶.

All the decisions are made by the commissions as collegial bodies, but the interesting thing is that according to the new law only 3 members are needed for the quorum. Here I would also note that the protocol from the meeting is signed only by 3 people and there is no voting on its adoption. This means that most members might disagree on the content of the protocol, but if it has 3 signatures it is valid¹⁷.

Another fact worth mentioning is the forming of the electoral districts – single-mandate constituencies appear only 10 days after the electoral process starts¹⁸. In general TECs have very limited time to propose the mapping of districts. However, in the USA the district formation is carried out every 10 years and lasts for 2 years and in the UK five different commissions are responsible for it. Then if we look at example of Poland - mayor or city president submits to the municipal council proposals for changes to the permanent division of polling districts no later than 3 months before the expiration of the term of the municipal council. The municipal council makes

¹³ There are 16 parties in Verkhovna Rada which give us 48 members.

¹⁴ <http://www.pravda.com.ua/articles/2010/08/30/5335544/>

¹⁵ http://www.cvu.org.ua/doc.php?lang=ukr&mid=pu&id=2644&lim_beg=0

¹⁶ See above.

¹⁷ <http://www.pravda.com.ua/columns/2010/08/30/5335422/>

¹⁸ <http://www.unian.net/ukr/news/news-388708.html>

changes to the permanent division of the polling districts no later than one month after the submission of applications¹⁹. In case of Germany the Federal President appoints a permanent Constituency Delimitation Commission. It consists of the President of the Federal Statistical Office, a judge of the Federal Administrative Court, and five other members. The Commission has the task of reporting on population changes in the electoral area and of explaining whether it considers alterations in the delimitation of constituencies to be necessary in the light of such changes and what alterations should be made. The report of the Constituency Delimitation Commission shall be rendered to the Federal Ministry of the Interior within fifteen months after the beginning of the legislative term of the Bundestag²⁰. In Slovakia, for instance, the Council of regional self-governments specifies and publishes within 65 days before the polling day the constituencies, the number of the deputies of the Council and the addresses of the District Election Commissions²¹.

So in general looking at experience of other states we might assume that Ukrainian TECs might get some prepared blueprints, because they are not able to carry out this tremendous amount work in a couple days themselves. This all might result in the formula – you select the voters not the voters select you. If some party gets control over district mapping it can put its candidate in the specific area where he can gain more support, but also it is possible to thwart the opposition plans in the very last moment. If the territory changes the candidate will have no time to do anything and his past legacy in the area would be useless²². For instance, in Doneck region the mapping was done in such not proportional way that candidates selected by majority system will sometimes represent very different amount of voters. Such strong differences raised protests among parties and local observers.

4. Electoral Timelines

The law decreases the timeframe from 90 days to 50, which encompasses candidate's nomination, registration and campaigning. The period for campaigning is only three weeks. Additionally, law shortens the timeframe for submission and consideration of election related complaints by election commission and courts. In practice short timeframe gives advantage to the ruling party which has the best resources to influence on the voters decision. And limited time to file a complaint may lead to increase of fraud as many legitimate concerns may be left unconsidered²³.

5. Nomination and registration of candidates

The most important drawback is that the new law abolishes the requirement that candidates must submit their programs or platforms and pictures to the election commission as part of the registration process²⁴. Such occurrence and short time for the campaign bring us to the conclusion that voters won't simply have enough information it will result in simply choosing a candidate based on anything but the real content of his programme.

Everyone knows that if we deal with nomination and registration of candidates – the timeframe plays crucial role. Candidates are also people and they often make technical mistakes with the registration and it is important to make sure that they have enough time and equal opportunities to amend their applications. The current election law significantly reduced the time the nomination and registration of candidates. Different terms of nominating candidates for multi-, single-member majority constituencies for posts of village head or mayor, will create additional difficulties. Moreover, in the previous law in case of return of the application by TEC to a candidate in last day of the registration, the candidate still had the right to file a corrected version within the next day. Under the new law the registration is not getting prolonged at the last day of registration process and TEC have only 8 or 5 days depending on the district to register all candidates. So, if TEC returns the registration papers to the candidate in the very last day because of huge amount of

¹⁹ <http://www.sejm.gov.pl/prawo/ordgmin/kon8.htm>

²⁰ <http://www.iuscomp.org/gla/statutes/BVG.htm#ToC4>

²¹ <http://www.legislationline.org/documents/action/popup/id/4420>

²² <http://www.pravda.com.ua/articles/2010/08/30/5335544/>

²³ Ukraine Local Elections Law Analysis, p.4.

²⁴ See above

work - there will be no time to make the necessary amendments and the candidate will be eliminated. A very important fact to highlight is that in the new law we can't find anymore some obvious grounds on which TEC may reject to register the candidate – for instance, fact of bribing (very common occurrence in post-Soviet states) is not mentioned at all²⁵. Another article worth mentioning is part 6 of art.45, where it is stated that TEC may declare a notice to the appropriate local organization or candidate if they breach the local election's law. In other words such notice can be declared for anything and therefore it can be used to "silence" some of the candidates, who will stop active campaigning having already one notice and fearing the further consequences resulting in elimination²⁶.

6. Funding of campaigns

Taking into account the reality of Ukrainian elections it was important to ensure that there is maximum sum of money for the candidate to spend on his campaign – this would equalize the position of all candidates, eliminating the infamous "shadow financing". Such "maximum funds" clause is widely used around Europe, therefore it would be reasonable to write it down in the new law. Unfortunately, the new elections law doesn't foresee any restrictions on the financing of the campaigns; hence we can expect an even bigger influence of money on the citizen's freedom of choice²⁷.

7. Prices and terms of usage of media in the election campaign

It is clear that a political campaign without proper advertising and mass usage of various media can't be successful. The new elections bring us the following - prices for a single unit of print space and air time for campaigning are determined by mass media not later than 40 days before the election day. They can not exceed the average price for a commercial advertisement. Mass media can not offer discounts or allowances to set print space or air time to the subjects of the electoral process²⁸. In this case, the richer the candidate is the more chances he has to dominate the media – in fact, in Ukraine there are not so many candidates and parties in general who can afford to buy out print space or air time on commercial terms

8. Observation of elections

In general it is important to state that the law foresees observation as an institution which is part of the election process. A positive change in the new law is the fact that non-partisan observers are allowed to monitor the process. However, the rules are vague creating possibilities for misinterpretation and abuse of power

Furthermore, in practice only nationwide domestic organizations are permitted to observe. In reality there are only a few nationwide organizations and leaving out the regional or local ones means leaving out important entities, which surely are more aware of the situation in the local community and are able to act more in-depth. Moreover, every organization must be certified by the Ministry of Justice – this will create delays and make the observations less effective. In addition, the CEC is required to register each individual domestic and international election monitor, which would be very hard logistically. The requirement undermines freedom of association because it creates direct link between CEC and individual monitor, rather than between monitoring organization and CEC²⁹. Requiring each individual to apply for accreditation could have a chilling effect on citizen participation. Also, the rule that only residents of the specific territorial community can be official observers from parties in the relevant constituency only hinders the monitoring of elections.

²⁵ <http://www.pravda.com.ua/columns/2010/08/30/5335422/>

²⁶ <http://www.pravda.com.ua/columns/2010/09/8/5365199/>

²⁷ <http://www.pravda.com.ua/columns/2010/09/8/5365199/>

²⁸ <http://www.pravda.com.ua/columns/2010/08/18/5307209/>

²⁹ Ukraine Local Elections Law Analysis, p.4.

9. Voting and the results of the elections

First, ballot papers will be printed in the printing company, which will be selected by territorial election commissions at their own discretion. The law has not defined the appropriate level of control over production of such ballots. In addition, what is very alarming - the existing drawback allowing to print ballots without specifying numbers of polling stations³⁰.

Second, the new law prohibits the military personnel of temporary service and prisoners to take part in the elections. A member of Venice Commission Mariya Stavniychuk explained that the law determines who is considered a member of the local community and, for example, military person serving temporarily and a prisoner don't belong to this category and this is another breach of Constitution of Ukraine³¹.

In all, there is no article stating precisely on what grounds the elections may be recognized as the ones that hadn't occurred – this norm wasn't often used in the past, but at least it could serve as some sort of legal guarantee in case if problems with elections. Local elections are now repeated only if both candidates on the majority single constituency score exactly the same number of votes³². From a list of grounds under which the elections may be not recognized as valid an important norm has been excluded. The refusal to let in people who have the right to be present at the premises (the official observers, journalists, candidates, etc.) where the voting is carried out is not any more a reason to question the elections. And decisions on exclusions of specified persons may be taken by simple majority of the number of members participating in the commission meeting³³.

If to sum up, the new law is very complex and needs further improvements. It is still both technically and legally imperfect which might have it desolated influence on the development of Ukraine as a modern European state. The appropriate changes are necessary, taking into account the view of experts and after a corresponding public debate.

II. Political parties before the elections

1. Preface

The new law on paper doesn't provide equal opportunities for the political forces. At this point understanding the programmes of different political forces can be an important part of the analysis. The elections are held in the post-crisis time, when the prices are still going up and people show their disapproval of the ongoing situation. Therefore it is interesting to trace the programmes of the parties in order to understand how they are going to attract the voters. Some experts believe that at that time of crisis the economic slogans could be used more often as people want to have answers on how to get out of economic stagnation. The reforms conducted by government haven't proven to solve the problems in the country. Therefore it is highly possible that parties, which would have clear and realizable policies solving economic downturn, will have good support among population.

If we take into account the fact that there is no self-nomination and that candidates are not obliged to submit their programmes while registering – it is clear that it is more reasonable to keep the track of the general party politics rather than concentrating on specific candidates in the regions. Now, it is interesting to see what the recent polls say about the popularity of political forces in Ukraine before the elections. If we turn to monthly research Omnibus³⁴ carried out by the company TNS³⁵ in

³⁰ <http://www.pravda.com.ua/columns/2010/09/8/5365199/>

³¹ <http://www.pravda.com.ua/news/2010/07/23/5243082/>

³² <http://www.pravda.com.ua/columns/2010/08/30/5335422/>

³³ See above

³⁴ An omnibus survey is a method of quantitative marketing research where data on a wide variety of subjects is collected during the same interview. Usually, multiple research clients will provide proprietary content for the survey (paying to 'get on the omnibus'), while sharing the common demographic data collected from each respondent. The advantages to the research client include cost savings (because the sampling and screening costs are shared across multiple clients) and timeliness (because omnibus samples are large and interviewing is ongoing).

August 2010 we will see the following: if the elections would take place in that months Party of Regions would get 29,6%, All-Ukrainian Union Homeland – 7,8%, Front of Changes – 5,5%, Strong Ukraine – 4,3%, Communist Party of Ukraine – 3%, All-Ukrainian Union Liberty – 2,4%, Our Ukraine – 1,3%, Green Party – 1%. Less than 1% - United Center Party, People's Movement of Ukraine, the People's Party, Reforms and Order Party, PSD, Party It's Time³⁶.

Director of the Gorshenin's Institute of Control Problemacy in Kyiv Volodymyr Fesenko predicts a turbulent election campaign in case of elections to local councils and mayors. He notes that the degree of passion and emotion is off normal scale and this will certainly affect the formation of a new political regime in the country. The emotional campaign is being heated due to the fact that so far neither the experts nor the participants in the election race are fully aware on how to navigate in the new environment, after the amended law has been adopted³⁷.

Most political parties launched their campaigns long before the official start. After changes to the law have been made, which allowed participation of virtually all parties, most of them started working in full campaign mode. The political forces most actively campaigning across the country were Party of Regions, "Strong Ukraine", "Homeland", "United Center", "Liberty". In some specific regions - For Ukraine, the Communist Party, Progressive Party, Union and Punch were quite active. In some cities the locally known party branches started campaigning nominating candidates for city mayors and local councils. Among such parties we will find "Free Democrats", "Conscience of Ukraine", "Rodina", "Home Town" etc³⁸.

2. Party of Regions

Party of Regions lost a lot (15%-20% decrease in popularity) due to its reforms (education, taxes, local elections, gas prices) and general policy which raised concerns of the public. After the victory of their leader in the presidential election PoR operates quite openly. On the one hand, such actions gain support of their voters however on the other those actions are have anti-Ukrainian character and are aimed at curtailing the civil rights and the curtailment of free speech and free activities of journalists. This is not popular among most of Ukraine's population, although covered with "stability" slogan at the same time. Important to note, that Yanukovich based his election campaign on humanitarian slogans and promises. And as from the time of Ukrainian independence people are used to the fact that social promises are not fulfilled. However the politics of giving Russian language an official status similar to the time of the first presidency of Leonid Kuchma gives some benefits³⁹. Attempts to abolish the title of National Hero of Bandera and Shukhevich turned to be very controversial. In general, the party is going to the elections in need for a greater support. Many experts expressed their view that the new local law was the answer of the ruling party to the drastic drop of its popularity. Elections law will create the environment where the ruling party will still have chances to get the most benefits. Mostly Party of Regions uses the tactic of enticing any competent candidates to its party ranks – a good example is mayor of Dnipropetrovsk Ivan Kulichenko, who joined Party of Regions before elections⁴⁰. Enrolling people who are known and popular gives the ruling forces a chance to get the necessary influence. The benefits for the candidates is that they have notable administrative resources on their shoulders, which gives them greater chances in getting the anticipated posts and later - in maintaining them. Most of them simply follow the rule – if you can't defeat Party of Regions join them. However, Party of Regions still can't solve the problem of economical decline, therefore the issues of salaries and prices are its weak points. Trying to solve it, the party leaders will move to another, "more convenient" topics

An omnibus survey generally uses a stratified sample and can be conducted either by mail, telephone, or Internet. ([http://en.wikipedia.org/wiki/Omnibus_\(survey\)](http://en.wikipedia.org/wiki/Omnibus_(survey)))

³⁵ <http://www.tns-ua.com/ua/>

³⁶ <http://ua.korrespondent.net/ukraine/1114730>

³⁷ <http://unian.net/ukr/news/news-395836.html>

³⁸ <http://appravda.com/node/202>

³⁹ <http://politblogger.livejournal.com/14277.html>

⁴⁰ <http://www.win.ru/school/5263.phtml>

such as earlier mentioned question of “Russian as a regional or even second official language”. This topic is known to be one of the top controversial issues in Ukraine at any time. Russian language issue has many adherents in East of Ukraine and Crimea. Besides, this question was one of the milestones of the Yanukovich’s presidential campaign, therefore getting it done (currently there is a draft of the new law in Parliament, which according to some deputies might be adopted in November 2010) will surely raise the party popularity in the Eastern regions, where people started to doubt the government’s effectiveness. Another issue worth mentioning is the conflicts inside the party structures – for instance, big issues with nominating one candidate for mayoral office having many strong candidates inside the party. This problem occurred in Eastern and Northern parts of Ukraine⁴¹. PoR tactic was to select only the most loyal candidates, however such kind of selection had brought issues as we can already observe some disaffection inside the party. Many deputies who were not selected are extremely disappointed and may become a potential threat for the stability inside the Party of Regions. Another interesting observation is that the tactic of enticing candidates also has two sides – Party of Regions tries to get many of the former mayors (representing often opposition parties such as Homeland) on their side so they can run for the post as representatives of the ruling force. Such occurrence brings anger from the loyal deputies inside the party that were staying in opposition for years and made their own sacrifices but now won’t have good chances for being nominated for the local posts, because Party of Regions decided to use another tactic. One alarming thing was that some experts noticed that Party of Regions tries to buy the opposition – formally then the local branch still takes part as for instance Homeland, but in reality they are the minions of the ruling party. Such facts possess great danger to the democratic nature of elections⁴².

3. Homeland

Yulia Tymoshenko’s Homeland is suffering internal conflicts and is weakened by the fact that it can’t run as Tymoshenko’s Bloc. The structural change in regional offices of the party was observed in Lviv, Kyiv, Charkiv and Lugansk⁴³. The brand name by which Tymoshenko is mostly known appeared to be worthless and the main figure of opposition must go to elections with her own party, which surely appeared less in mass media and minds of citizens than Tymoshenko’s Bloc. This significant reduction in support looks logical. The new government gives people “stability”, albeit at the expense of authoritarian methods and Tymoshenko with its party contributed to this. Many deputies from this opposing party joined Party of Regions, which gave a signal that Yulia Tymoshenko doesn’t have strong control over her own aligns. Then the fact that former members of the party took part in such odious decisions as the Black Sea fleet or other anti-Ukrainian laws, laid a shadow on the party’s reputation. Today Tymoshenko’s party list consists of weak politicians, which means that it would be hard to get good results. Homeland expressed its intention to boycott the elections in some regions if the law will stand as it is, prohibiting blocs to take part. However, most political analysts agree that this won’t happen because Tymoshenko must seek to hold on to most of its electorate as the party’s role as main opposition actor is declining day by day⁴⁴. This proved to be true, when on 23rd of September Homeland declared its participation in elections in Lviv and Kyiv regions⁴⁵. Keeping good party rating will depend on Tymoshenko’s charisma, and whether she can rebuild the party in accordance with European standards, with all elements - such as primaries. As it’s known, Tymoshenko’s Bloc shares different ideology from the left to the national-democratic. So what will become the general ideology, will rely on national themes and what electorate Homeland wants. An interesting situation can be noticed with the Committee of Protection of Ukraine, to which Tymoshenko pinned many hopes. She apparently wanted to see the committee leaders of all parliamentary opposition parties taking part in the initiative. However, neither Yatsenyuk, nor Kirilenko, nor even its close ally Gritsenko joined the committee. Instead it actually consists of Homeland and Liberty⁴⁶. And being left with Liberty

⁴¹ For instance Doneck or Odessa.

⁴² “Ваша Свобода” – programme from 28.09.2010, <http://www.radiosvoboda.org/audio/broadcastprogram/231881.html>

⁴³ <http://appravda.com/node/202>

⁴⁴ <http://politblogger.livejournal.com/14277.html>

⁴⁵ <http://www.grani.kiev.ua/mestnye-vybory-2010/batkivshhina-peredumala-bojkotirovat-vybory/>

⁴⁶ <http://politblogger.livejournal.com/14277.html>

alone Tymosheko fears that Homeland might lose this fight for the leadership in opposition in the future.

4. Strong Ukraine

Party Strong Ukraine, headed by Serhiy Tyhipko according to experts has chances of receiving 10-15%. This party is a sort of compromise between "Blue" (Party of Regions) and former "Orange" (Our Ukraine, Homeland, PSD). Serhiy Tyhipko clearly states that he is not a part of the opposition. It might be noted however that his party is acting as a quasi-opposition. Taking into account the recent drop of popularity of the ruling political forces it becomes beneficial to critique them a little. In general, citizens who are disappointed in ruling coalition but are not ready to support the "orange" forces might decide to vote for Tyhipko's party. Brilliant virtual campaign of this politician brought him to political resurrection after the elections in 2004 where he was heading Yanukovich's office and blamed for mass falsification⁴⁷. However the position of Tyhipko is not that strong and decreased from the time of presidential elections. During the mentioned elections people voted for a "new face of Ukrainian politics" and now there is no more anxiety about his persona and most important he showed what kind of politician he is working in the government. The next thing is that qualitative composition of his party is quite low, because in reality people who didn't join any of the leading parties joined Tyhipko and Yacenyuk with his Front of Change. The interesting fact about Strong Ukraine used primaries as part of their campaign. However, most experts agree that it was part of the elections technology (sort of manipulation) and not a transparent way of forming the party list⁴⁸. Strong Ukraine as part of its programme wants to implement innovative projects in the social sphere. Implementation of social innovation projects using minimal funding will have visible effects in a in one year according to party experts. On 27th of September, during a meeting with reporters in Kiev, the head of the Expert Committee on Innovation of Strong Ukraine Alexander Kardakov, explained the main ideas of the programme. According to party expert, Strong Ukraine is talking about six concrete innovations: a single register of social benefits, electronic medical passports, distance learning, security system in schools, "E-City" and "safe city". Alexander Kardakov also stressed that implementation of such projects depends on the attitude and will of local authorities. Implementation of social innovation mostly depends on desire of the leaders on the ground to do something. Indeed, many projects need to start at the level of cities, villages, districts - noted the party expert. Kardakov concluded that Strong Ukraine has the will to implement real ideas, because it has great potential and knows how to realize it⁴⁹.

5. Front of Change

It must be said that many saw the future of Ukrainian opposition in Arseniy Yacenyuk. However, the way he led his presidential campaign and many basic organizational mistakes he made tarnished his reputation of the Ukrainian new hope. Unfortunately, since the presidential campaign Yacenyuk is remembered by his confusing military billboards, some pro-Russian rhetoric and bookish slogans. So from the real candidate for the president he had transformed into "just a candidate". After the elections, a lot of sponsors probably left the party because advertising has disappeared. Experts believe that Yacenyuk will get his votes in some regions, but at this point he is not in the position to lead the opposition forces. He is known to be an active social worker (for instance he founded Open Ukraine Foundation), but as a rather weak politician. The short campaign in general and the amendments to the law that were made recently resulted in the situation where Front of Change was a little late with the start of its elections campaign.

6. PPU and Communist Party of Ukraine

Lytvyn's People's Party of Ukraine and Communist Party will surely maintain some part of their supporters, but it's important to follow their campaigns as they already started to withdraw themselves from the Party of Regions politics – so they also form quasi-opposition as it was in case

⁴⁷ See above.

⁴⁸ <http://www.win.ru/school/5263.phtml>

⁴⁹ <http://tsn.ua/ukrayina/silna-ukrayina-yde-u-vladu-schob-vtiliti-innovaciyni-proekti-v-socialniy-sferi-ekspert-tigipka.html>

of Tyhibko. This happened because the governmental reforms played a trick on those parties and being associated with unsuccessful policies won't bring voters on their side. After the presidential elections, in which Communist leader Petro Symonenko got just over 3%, the CPU rating fell and it's now around 2-3%. It is clear that party leaders noticed it, and launched the most radical scenario - started to revive the cult of Stalin and Lenin. In Donetsk the party placed billboards with portraits of Stalin and Lenin, and even put in Zaporozhye a monument to Stalin. CPU is able to mobilize their base, plus gain some support from the ultra-left voters of Nataliya Vitrenko. Of course, the monument action was possible because of the "silence" in the coalition as at that time without the CPU it would not have the necessary 226 votes. The Communists now vote for all proposals of PoR, even for a mixed system of local elections, which obviously is not advantageous for them. They realize that while still in power they will get the required 3% of the next parliamentary elections, even at the risk of losing many members at the local level. Let's not forget about the other main rating factor in the rapid fall of the Communist Party – demographic issues⁵⁰.

7. All-Ukrainian Union Liberty

Liberty being a nationalistic party usually had some supporters in Western Parts of Ukraine, where Ukrainian identity has an important role in lives of citizens. However, being more radical than "Orange" political forces the party didn't have a chance to be in the Parliament, but still had some representatives in municipalities. Recent political events changed the general outlook of Ukrainian opposition and Oleg Tyagnybok (party leader) has been positioned as the main figure of opposition in Ukraine. Some explain this by the fact that Tymoshenko lost her potential and Tyagnybok can propose alternative and fresh ideas. On the other side, experts note that for Yanukovych it is a good option to have a strong nationalistic party in the West of Ukraine as Liberty won't get a lot of votes in the East and in Crimea, but can "steal" some of the electorate from Tymoshenko or Tyhibko. In the end, Yanukovych would even strengthen his positions in the East, while Western parts, which always supported pro-European approach, will be left to Liberty. The party is not yet that influential therefore ruling forces would have a chance to form some coalitions in the municipalities after the elections in order to bloc the unwanted decisions. However, at this point the increase in popularity of Liberty is evident and Oleg Tyagnybok is one of the most frequently seen faces of the opposition during recent months. Liberty is working on spreading their ideology and their ideas in other parts of Ukraine, not only in the Western part. That is where nationalism of Shevchenko, Mikhnovsky, Dontsov and Stus emerged. Liberty uses the famous Bandera slogan "reach every Ukrainian." Presumably, this party is different from others because it does not aim to get the power as soon as possible, thus combining forces either with Homeland, NUNS⁵¹ or with other political parties. This happens, because according to Tyagnybok, all those parties require internal lustration, which will prevent the deputies from running away to the opposing political forces. Showing this preventive formula in action, Liberty prohibited more than 20-party of its organizations to participate in local elections due to some internal supervision. Obviously, only such building of the party will help avoid surprises in the future and will help strengthen the party politics at all levels. To the local elections Liberty goes with good support among the population. So the final result will depend on how close are candidates to local community issues⁵².

8. United Center

United Center launched quite a big campaign already in summer. This party enters the local elections with the program entitled "Qualitative Ukraine". These words the party understands as a country that provides safe and comfortable environment for living. But what are all the conditions for personal development and developed society. Speaking at the party convention, the leader Viktor Baloga explained that according to him, the party can propose six most important steps: to reduce dependence on human life from the authorities, projects to build infrastructure and clean environment; proposals in the field of medicine; problem with energy conservation and alternative energy development, and protecting every citizen from infringement of a person's life, health and

⁵⁰ www.pravda.com.ua/articles/2010/07/8/5208031/

⁵¹ Our Ukraine and National Self-Defence (ukr. HYHC)

⁵² See above.

property⁵³. It seems that United Center might get the point result in the upcoming elections in some regions.

9. Our Ukraine

Political party Our Ukraine has no good chances of winning the local elections according to an UNIAN correspondent and political scientist, Director of Global Strategies Vadim Karasev. According to Karasev, primarily positions of this political power are weakened by the change in the party leadership. Our Ukraine will just “miss” these elections. The party is in difficult situation because it lost its pace and valuable time⁵⁴. The former leader of the party Victor Jushchenko had proven himself to be quite ineffective as a president and before the party needs to restructure and find new ideas to attract the electorate. Taking into account the further mentioned issues Our Ukraine can't be an effective player on the political stage during upcoming elections.

10. For Ukraine

Talking about the chances of other political forces in local elections party For Ukraine, headed by Vyacheslav Kirilenko, has minimal chance of winning because its structure of local party organizations isn't well-developed. The party positions itself on the national platform (17 deputies in Verkhovna Rada), but in fact it has very few local and regional organizations (it has deputies in municipalities in Lviv, Ternopil, Volyn and Charkiv local communities). To conclude, party For Ukraine could have some chances in Western Ukraine, but Eastern Ukraine is incomprehensible⁵⁵.

11. Punch

The party of Vitaliy Klichko “Punch” will try to get some votes in several cities, although its chances are very small. The campaign is quite short and there is no time to make changes. Additionally, people know Klichko as a public person and an athlete, but they are completely unaware what is “Punch” doing. Most probably only if the elections campaign started promoting Klichko and connecting his surname to the party more often – then there would be chances to have some deputies from the party on the local level. At this point, it seems that Punch has limited capabilities of being successful⁵⁶.

12. Civic Position

Civic Position is another new player on the political stage. This party is headed by Anatolij Grycenko, former Minister of Defense. The issue here is the same as with For Ukraine – the party doesn't have a comprehensive framework of party branches all over Ukraine. Grycenko declared that Civic Position will take part in the elections in regions where it has representations and that his party doesn't plan to unite forces with United Center⁵⁷. Joint efforts in other areas, leader of the Civil Position noted that he orientates his political party and its party members for maximum coordination in the election commissions with those parties that belong to the opposition regardless of their names⁵⁸.

⁵³ <http://www.zhitomirnews.com/zhittja/10051-baloga-yediniji-centr-ijde-na-miscevi-vibori-z.html>

⁵⁴ <http://www.kyivpost.com/ua/news/politics/detail/82150/>

⁵⁵ http://www.experts.in.ua/baza/prognoz/index.php?ELEMENT_ID=68869

⁵⁶ <http://glavcom.ua/articles/1694.html>

⁵⁷ <http://un.ua/ukr/article/280457.html>

⁵⁸ <http://www.grytsenko.com.ua/news/view-ja-orijentuju-hromadjans-ku-pozytsiju-na-maksymal-nu-spivpratsju-z-opozytsijnymy-partijamy-pid-cha.html>

III. Elections – Regions – Randomly Selected

To have a better understanding of the election process it is reasonable to analyze elections in Ukraine in several regions. Such deeper analysis will give a clearer picture on how the election law works on the lowest local level and what are the common challenges facing political forces in specific (randomly selected) parts of Ukraine.

1. Crimea

Before recent change in political structures voters on Crimean peninsula had been encouraged to go to the polls by slogans like “Against Bandera” or “Against horrendous Galicians” that imposed on Crimean their orders against the Tatar-Islamic “threat” and of course “Against NATO”, which already stands at the gates of Ukraine. However now the situation changed and looks very uncertain. Many people are in favor of Party of Regions and their anti-Ukrainian politics, albeit the party’s idea to put everywhere its loyal people now often raises anger from the local staff – especially Crimean elites, which often mention that “orange” parties were more tolerate in similar issues. As it was mentioned many time the new law creates prerequisites for Party of Regions to monopolize its ruling on the Crimean peninsula – the question is whether any other parties will have chances. Most likely there will be a lot of undercover negotiation going on before the elections.

A few opposition supporters in the Crimea can not wake up after the defeat of Tymoshenko and Yushchenko's strange behavior during elections. Supporters of the coalition also are in a state of absolute confusion: "orange" government was defeated, but also their own aligns are not as willing to share and co-operate as expected.

With a huge disappointment and surprise the local pro-Russian parties and organizations began to understand that their allies in Donetsk are not going to build "Crimea for Crimeans" and they think only of how the peninsula can be useful for them personally. They are not very interested in their political and administrative fate of veterans of the Crimean political stage such as Tsekov, Grach, Deutsch and Rodovilovyh. And the greatest interest still lies in the Crimean property: pieces of land on the Crimean coast of the exotic bays, parks, plantations, health, infrastructure and resorts, transport and communication. If you want to specifically control all these objects you must have control of local authorities. Party of Regions has the control over Crimea and now wants to disseminate its Donbass mentality all over the peninsula. Moreover, the Crimea, from all Ukrainian regions, mentally is the closest to the Donbass. In the Crimea Party of Regions is expected to have a result no worse than in the Donbass, even if it grants some posts to Grach (CPU) and people of Lytvyn. Grach can show his revolutionary attitude for the upcoming elections, but in any case he is extremely dependant on what the Party of Regions says.

If the fate of the political allies is somehow defined by the Party of Regions, the other political forces will exert great effort and show ingenuity to find a niche in the dense administrative and electoral structures that PoR had created in Crimea. It is difficult to be a supporter of Yulia Tymoshenko, with whom the current government will not bones. This is seen on the example of the Crimean leader of BYuT Andriy Senchenko, who is specifically persecuted, his business being at a risk, facts of terrorizing his television Chernomors'ka are evident. Elections will be easier for United Kurultay Movement, which lobbies for the interests of public and patriotic Ukrainian Crimean Tatar people. We can already observe some provocations against local Tatar population.

A very peculiar situation we might notice if we analyze Strong Ukraine. Tyhipko was quite popular on the peninsula during election – especially among people who were disappointed in “orange” coalition, but didn’t want the return of communist past. For many Crimeans Strong Ukraine could be the third path, therefore most probably Party of Regions will start negotiating with Tyhipko in order to spread the influence. It is plausible as Tyhipko doesn’t recognize himself as opposition, however it is hard to predict how he behaves if Strong Ukraine will be really successful.

Yacenyuk and Anatoliy Gritsenko are in much worse positions before the elections because for the Crimea they are not very distinct personalities, so it would be easier to falsify their results during the process of vote counting. Almost politically dead and very demoralized "Our Ukraine" on the Crimean general elections has no noticeable chances. Having fair elections, surprisingly, some 3-4% can be given to "Liberty" of Tyagnybok through the voices of local Ukrainian and Crimean Tatars, absolutely disappointed in the prospects for Ukrainian liberalism and prone to protest by voting for such party.

Undoubtedly is one fact - in Crimea today there are no forces powerful enough ideologically and institutionally to spoil the mood of the Party of Regions. But this does not mean that such forces can't appear in near future. However, until there will be an inevitable substantial deterioration of social well-being of citizens because of the current government policy, the Party of Regions in Crimea will have a strong position.

2. Khmelnyck region

Experts had foreseen that just before the elections a lot of scandals will break out aimed at eliminating the popular but unwanted by Parliament coalition candidates.

On 20th of September under suspicion of receiving a bribe current mayor of Kamianec and a future candidate Anatoly Nesteruk was arrested. Important to add - two years ago in 2008 he won the elections and became mayor - more than 86% of voters who came to polling stations voted for him. Many city residents voted for him because Nesteruk is respected among local community. He is known to be a decent man, and during two years after he had been elected as a mayor, he demonstrated his unselfish devotion to community and many of the problematic issues in the city were successfully solved. Local elections are coming and citizens became alarmed as many had hopes that Nesteruk will continue, together with the community, to implement projects which in the times of crisis looked hard to carry on. Ranking of mayor Nesteruk hasn't lowered down and the vast majority of citizens were ready again to give him their votes. All other candidates for mayor office in Kamianec-Podilsky couldn't effectively compete with Nesteruk. The question is how objective were the charges. Most citizens believe accusations of Nesteruk are part of "black PR" and manipulation technology. For the past months Nesteruk was working even in the opposition to his own party Homeland. After he couldn't find the common language with his party members Nesteruk left Homeland and proclaimed that he was ready to be nominated by any other political force and even several less influential parties were ready to support him. During the last week two meetings in support of the detained mayor were held in the city and for approximately 2 hours the international road that runs through the city was blocked. On Monday, September 27, another meeting had been conducted and on September 28 city residents went on a protest rally to the regional center to the Khmelnitsky courthouse. In fact we can observe the second "maydan" in Kamianec – people react exactly in the same manner as they did in 2004 – ready to stand for their believes⁵⁹.

Unfortunately, preventive measures - the detention has not been cancelled yet and there is a reason to believe that Nesteruk will be dislodged from the electoral process – even if we take into account huge actions of support for mayor the time is very limited to do anything. In addition, Nesteruk was reported to have health problems.

It is already a characteristic that during the local elections in Ukraine respected mayors of several cities have suddenly become corrupted – for instance in Nemyriv (Vinnytsia region) and Nizhyn or case of mayor Prystupa in Khmelnyckiy⁶⁰. Many believe that the ruling forces having the necessary administrative resources will use any available technology to prevent the unwanted candidates from taking part in the elections. Although, one positive thing is that people are ready to fight for their rights. As it was analyzed earlier these elections are becoming more turbulent and people who

⁵⁹ More information at <http://info.kp.km.ua/content/view/2165/95/lang.uk/> , <http://info.kp.km.ua/content/view/2164/95/lang.uk/>

⁶⁰ Materials provided by Yuriy Onufriev, the Head of The Regional CVU office.

are fed up with economical crises and lack of true democracy start to protest. It is quite possible that we will see demonstration in many parts of the country throughout the election process.

3. Doneck region

If we look at Doneck region one curious fact is that Parliament coalition (PoR, CPU, PPU) controls around 73% of the head of the commission positions, around 69% of all deputy heads of commissions and 67% of secretaries in the region. In case of Homeland the figures are the following 13%, 11% and 9%. Our Ukraine has 16% of heads and deputy heads of election commissions and around 20% of secretaries. Strong Ukraine, United Center and the Party of the Defenders of Homeland have 1 representative as a deputy head of the commission. So the disproportion is evident and the ruling forces have bigger influence on the election commissions throughout the region⁶¹.

Donetsk region's election commission was formed with the maximum number of members stipulated by the Law: 18 persons. The regional commission represents mostly the parliamentary parties: the Party of Regions (3 pers.), Homeland (3 pers.) CPU (3 pers.), The People's Party (3 pers.), Our Ukraine (3 pers.), Strong Ukraine, Front of Change and the political party of Nova Politics have one representative in the regional electoral commission⁶².

As the head of the regional branch of Civil Society Network Support Alex Klyuzhev explained the formation of TEC or PEC reflects how the parties were ready for the election in the region. PPU, Homeland and Our Ukraine didn't use their full quota in some regions and districts. For instance in Gorlovka and Doneck Homeland has no representatives on the level of TEC. In many cases the formation of the election commissions was connected with how well the local branches of the party were functioning. Also striking is the fact that new parties are underrepresented; even in those commissions were where the maximum number of members had not been reached. Apparently, the confusion with the right of these parties to participate in local elections influenced negatively on their work to establish local cells. The peculiarity of the Doneck region, of course, is also a certain dominance of parties that come from a parliamentary coalition at the level of the administrative board of the territorial commissions. And here it is very important that among all the commission members, staff of candidates and parties partnerships and trust is established, because voters' rights must be on the first place⁶³.

Election of mayor is unlikely to bring any surprises. Officially, so far none of the political forces nominated its own candidate, but the best chance of victory has the current mayor of Doneck, Alexander Lukyanchenko (in past elections, his closest rival, scored 6%). But the campaign for seats in the regional councils adds intrigue, because after October 31 there will be change not only in the composition but also the number of deputies. Under the new law the numbers must be even (one half elected by majority districts, the other - on party lists). Now the regional council sits 151 MP, in the Doneck City Council - 81. According to the director of the Donetsk agency of socio-political model "Veys", Ukraine Sergei Chepikov, these figures will change respectively to 180 and 90 deputies⁶⁴.

Experts believe that today only new political forces like Strong Ukraine can compete with the PoR in Donbass. Although it is true that those political forces have no chances to compete for the office of mayor. The current situation and unpopular decisions of government give *carte blanche* to new projects. Such situation is clear from the fairly powerful propaganda campaign conducted by Tyhipko, which happen with the benevolent attitude of Party of Regions. Perhaps, the Communists will maintain some interest from the older voters. Supporters of Nataliya Vitrenko will most probably move into oblivion as the party and its leader. The representatives of Tymoshenko have no

⁶¹ "Избирательные комиссии Донецкой области способны обеспечить честные выборы?" – report by CVU and OPORA.

⁶² See above.

⁶³ See above.

⁶⁴ <http://novosti.dn.ua/details/133085/>

chances in Doneck. These were the most useful conclusions made by Sergei Baryshnikov, a political scientist, associate professor of Doneck National University⁶⁵. However, the representative of PoR and the city council secretary Nikolay Levchenko "does not consider Strong Ukraine to be a competitor, although he also doesn't make any forecasts.

For another political force, which is also going to participate in the elections of local councils - United Center - this week began with an unpleasant visit. SBU (Ukrainian Security Service) raided the offices of the regional party organization. According to the head of the secretariat OED United Center Klym Grinev, security officials were interested in the financial documents of Andrew Ambrosenko – the head of the party organization. Deputies of United Center are connecting such actions with the start of elections campaign, because at this point most of the computers present in the office were taken away making it problematic to work normally in the office⁶⁶.

4. Dnipropetrovsk region

In case of Dnipropetrovsk we might stipulate that business will aim at getting its place in the local municipalities. So people who expect that their political sympathies will be taken into account might be surprised after elections. Another fact is that we can't say that the political brand of its specific party and its regional representation are not exactly the same organizations – therefore one should not be surprised if local branches act and look different from the main political force.

Party of Regions according to polls has stable position and could get around 20%-25% of votes. However the party popularity is based exclusively on the president Yanukovich. As he is not running for any posts, the local party will exploit his popularity. Oleg Carev, who was the party leader in the region for a long time seems to lose his positions. Instead, Vykula family (father and son) are the new most commonly mentioned candidates to head the party regional office. Additionally, Party of Regions had some financial issue in the region before the elections therefore some directives were given for the party branch to accumulate finances on its own. Promptly after that, one of the richest businessmen in the city Vadim Ermolaev, was noted to have agreed to finance the campaign. This businessman was looking how to get to the power to ensure that his business is secure under any conditions. At this point it is clear that Ermolaev isn't a person that one day decided to support the ideology of Party of Regions. The thing is that local branch of the ruling party most probably used the old method of earning additional financial resources – selling of places in the party list. According to unofficial information such place would cost around 100 000 - 150 000 \$. Vadim Ermolaev has enough finances to get him a place at party list so in the future he can get control over the city council – as it was noted earlier PoR might get around 25% of places. Some experts already note that Ermolaev will try to build a coalition in the city council – he has good contacts with several important people in the city and will try to get his person appointed for a mayor. In all, the situation shows that business is getting more control over the election process⁶⁷.

Recent research "Political forces before the election in Dnipropetrovsk" conducted by several institutes shows the following: almost 60% of residents of Dnipropetrovsk believe that the efforts of city government should be focused around housing issues. This, apparently, can be explained by the specifics of the big city. In the second place are medical problems. The analysis shows almost 40% of the population expressed confidence in current Dnepropetrovsk mayor Ivan Kulichenko. One in six answered "fully confident". Nearly half of respondents (49,5%) hold the opposite view. The next question was about trust in the main opponent of the mayor - Zagid Krasnov. A little more than 22% of residents expressed their trust. Of these, one in six said they "mostly trusted" Krasnov and 7% that they "trust completely". However the vast part of population expressed their distrust to both candidates (29% and 60% respectively). According to Volodymyr Fesenko this expresses the general critical position of citizens just before the elections. If the election would be conducted now - 32% of the electorate would vote the current mayor Ivan Kulichenko and for his main opponent

⁶⁵ See above.

⁶⁶ See above

⁶⁷ <http://www.narodnapravda.com.ua/local/4acef03548193/>

Zagid Krasnov - 16,3%. The remaining candidates lag strongly behind. This is the trend of elections - the campaign has just started, and it already evident that the process is polarized. Such occurrence can be seen from August. Ivan Kulichenko joined Party of Regions and so the main party resources started concentrating around him – he also has support of Igor Cyrkin who represents the organization “Our Home – Dnipropetrovsk”. The rating of the current mayor is in the line with the rating of Party of Regions. As many other candidates don't have enough resources and popularity – people started to polarize – choose between Kulichenko and his opponent Krasnov, who in fact is not seen as clear opposition⁶⁸.

Looking at the general picture, if the elections of deputies to the City Council of Dnepropetrovsk were held today, the majority of citizens (34,6%) would vote for the Party of Regions. With a substantial margin the next parties are Strong Ukraine (16,1%) and Homeland (6,9%). They are followed by the party Front of Change (5,4%) and Civic Power (5,2%). Less than three percent would be gained at by Communist Party of Ukraine (2,9%) and the People's Party of Ukraine (2,5%). It turned out that Dnepropetrovsk demonstrates the stability of party ratings. On the mayoral race one can notice dynamics; however the party rating is stable enough: 35% of Party of Regions is the same 36% of Yanukovych in the presidential elections. Tyhipko has about the same rating as in May, whereas Strong Ukraine rating is much lower. Tymoshenko's rating like all over Ukraine dropped drastically⁶⁹.

The question is what can people expect after the elections – this was one of main topics of the discussion at the Gorshenin Institute (Dnipropetrovsk branch). According to Kost' Bondarenko from Gorshenin Institute, not only in Dnepropetrovsk, but in many cities of Ukraine new elites will come to power, who are not elements of the old system. These should be people who are not professional bureaucrats or officials, earning from the city budget. In each region, city, country as a whole we need simple and transparent rules of the game. It is important to bring elementary order to the local level. The lion's share of funds is transferred to the center. Regional elites after the 2010 elections in the first place will raise this question - a question of justice. However, Vadim Bartkov was sure that substantially nothing will change; because in Ukraine all the work is done using top-down approach and people sitting in Kyiv often are completely unaware about what is going in the big metropolises around Ukraine. That is why local NGO's tend to play a more important role in such cities as Dnipropetrovsk. Sergiy Paskhov explained that for the past several years, the majority of the City Council was formed of several political parties, representatives of which were engaged primarily with solving their business issues. But lately, we see that the joint work of the so-called coalition is cracking. Several corruption scandals broke and became public. Paskhov expressed his hope that people who are more concerned about people and not their personal endeavors can get elected⁷⁰. However it is also important to add, the most of these discussion were held before the election law came into life. Therefore we might conclude that some of the hopes might only stay hopes and the political situation in the region will not change much with Party of Regions aiming at getting even more control.

5. Kharkiv region

Kharkiv is probably the only region in Eastern Ukraine where opposition has some clear chances as most major cities and regions in the East are in control of Party of Regions.

In case of PoR the only contender for the post of Kharkiv mayor with considerable rating is Mykhailo Dobkin, appointed Head of Kharkiv Regional State Administration after the presidential elections. This event probably was the result of two factors: shortage of staff in the Party of Regions and the aspiration group Dobkin-Kernes take control of the whole region. Dobkin usually had some benefits because he was from the Party of Regions as generally for the last years we had the common orange vs. anti-orange battles in many regions of Ukraine. From February-March

⁶⁸ <http://www.new-most.info:8080/press-centre/archives/31240.htm>

⁶⁹ See above.

⁷⁰ http://dnepromer.dp.ua/load/chto_zhdet_dnepropetrovsk_posle_mestnykh_vyborov_2010_goda/1-1-0-4

2010 this year, the Party of Regions has its own president, parliamentary coalition and government, heads of regional and district administrations in all regions, as well as full control of governments in all regions of eastern and southern parts of Ukraine. Under such circumstances it is very important to personalize the candidate for mayor - use his qualities and a measure of the acceptability or unacceptability of voters. However, for some time Gennadiy Kernes was positioned as one of good candidates and in fact nominated by the party for the upcoming elections. One important thing is he has a stable negative opinion (around 73% of people expressed their disapproval)⁷¹ among public and it would be very hard for him to get more support remembering the big conflict with the road construction in Gorkiy Park. That conflict raised concerns even of Yanukovych who tries to show that he is an adherent of democratic values and open dialogue with the civil society. A possible conclusion one can make is that specifically because of the construction works issue and public disapproval of Yanukovych – Dobkin was rejected as a candidate. The election results will show whether this was a good decision⁷².

Homeland has had a number of regional problems. First: the decline in popularity in the region at least to the level of 2006. Second: ranking of the leader is always slightly higher than the rating of political forces led by him and local elections may show the real decline of the party popularity. Third: we might notice not only a drastic drop in party's popularity but in fact Homeland gave a way the second position after PR, which now may be taken by Strong Ukraine. During the first round of presidential elections Tyhipko received in Kharkiv 24,3% of votes (total in the region - 18.82%) and Tymoshenko only around 12%. In the last month in Ukraine we have a massive advertising campaign aimed at pulling the rating of almost unknown until now Strong Ukraine to the ranking of its leader. Therefore it is logical that Tymoshenko must start the advertising campaign in order to promote Homeland and not Tymoshenko's bloc. At this point Strong Ukraine is far more effective and the Homeland leader in the region Arsen Avakov must prove his alleged status of successful manager and politician whose rating has tendency to go up. At this point Homeland concentrates on issues in Kharkiv as the center of the region – it mostly criticizes the construction works in Gorkiy Park and often points out the unfulfilled electoral promises of its opponents. The issues are not that strong points because they are ambiguous for many citizens therefore concentrating only on them will not bring considerable benefits to Homeland⁷³.

In case of Strong Ukraine everything concentrates on the personality of Serhiy Tyhipko. Another factor is that if elections took place in May – Strong Ukraine might get more votes, because after time elapsed people became less enthusiastic about the persona of Tyhipko. And these factors become a very serious threat, because party doesn't have an extensive and well-structured local network with bright and well-known leaders, speakers, unless there will be sufficient financial resources, and good access to the leading regional media – which at this point is an issue. A. Mochenkov (the head of regional party branch) is neither charismatic nor a strong regional politician. He is not a famous and bright speaker and is rather unknown to the public. His activity in politics is characterized by not being open rather than publicity. Other leaders of Strong Ukraine in the region were just missing or simply not vividly present in the media. The main factor here is the vision Tyhipko has on his own political path. He must choose - or be a fragment of the Party of Regions government or to be a free politician and work to increase his popularity. Later he will have to compete with local elites of the PoR. The first option condemns Strong Ukraine on the conservation of its current formal status and very low actual resource. The second option requires more advertising, enlarging the party structure in the regions and engaging finances – which is possible, because many businessmen might be interested in joining Strong Ukraine before elections⁷⁴.

In case of People's Party of Ukraine already local and parliamentary elections in 2006 registered a significant decrease in the electoral base of the party, including the Kharkiv. Block of Lytvyn was

⁷¹ [http://www.kipu.com.ua/Images/Socialog/Number_22\(1\)/11.jpg](http://www.kipu.com.ua/Images/Socialog/Number_22(1)/11.jpg)

⁷² <http://politiko.com.ua/blogpost33853>

⁷³ <http://politiko.com.ua/blogpost36770>

⁷⁴ <http://solidarisme.org.ua/?p=209>

not represented in government, and much of the entrepreneurs, former government officials, as well as people known not only in the region but all over Ukraine had left the regional party organization. Surprising were the results of the parliamentary elections in 2007, when the block in the Kharkiv region received 4.55% of votes. Most likely this outcome was the result of frustration of voters about the work of President Viktor Yushchenko, prime minister of Yulia Tymoshenko and Viktor Yanukovich. As in case of Tymoshenko or Tyhipko, people associate PPU with Parliament speaker Volodymyr Lytvyn. The new law prohibits Lytvyn's Bloc to take part in the elections and it might become fatal for the party in general. The leader of the Kharkiv Regional office of People's Party is the former MP Stanislav Kosinov. He can be considered neither a charismatic politician, nor a good speaker. For several years he was almost absent in Kharkiv region's public life. His comments mainly concerned the politicians or People's Party or the Bloc of Lytvyn, Probably this is also the result of lack of financial resources and lack of control over the regional media. After 2006 Lytvyn's Bloc hadn't carried any public events or information meetings. There were no noticeable activities from the regional office of People's Party during the last presidential campaign. The result of such "effective" work was 1,36% of votes for Lytvyn on 17 January 2010. All in all, PPU on the local elections in Kharkiv region can expect only a miracle to happen, because nothing was done to achieve good or at least satisfactory result⁷⁵.

Today the major resource of the regional party organization of Front of Change is the good rating of its leader Arseniy Yacenyuk received. Around 6,96% of citizens voted for him in Kharkiv and this result turned out to be the fourth among all presidential candidates. As is the case with Sergei Tyhipko, presidential rating of Yacenyuk provides a theoretical basis for his party Front for Change to have some good results in the local elections. The head of Kharkiv regional branch of the Front for Change is a famous entrepreneur in the region, president of investment group DID⁷⁶, the owner of the media group "Objective", a former City Council member, former member of the executive council of Kharkiv Alexander Davtyan. In fact he controls all the regional party organizations. He has extensive experience organizing election campaigns to local authorities. In 1999 A. Davtyan was involved in Kharkiv region by organizing the campaign of presidential candidate Yevhen Marchuk. So Front of Change has the possibility to organize their own information campaign using the media (TV "Simon," television Lens-news, information site, the possibility of manufacturing of printed information materials, and the possibility of publishing newspapers). Regional party organization has some human resources, but they are insufficient for conducting a good election campaign. However, using the experience of the presidential campaign Yacenyuk might find and involve the right people to conduct his campaign. If there will be sufficient financial resources Front of Change could organize high-quality propaganda work on the streets. The place of Front of Change in the political configuration in the region might be an important part of the campaign. It depends whether Yacenyuk will try to co-operate with Tymoshenko or whether Party of Regions will use Yacenyuk (allowing him more space in the media for instance) as a counter-argument to Homeland and their candidate Avakov⁷⁷.

After 1991, Kharkiv regional organization of the Communist Party took an active part in all elections - local, parliamentary, presidential. And the party always got a result that allowed it to have its own representation in the regional and district councils in the Kharkiv City Council, other city and town councils. Today the Communist Party has nine seats (out of 150) in the Regional Council, and in Kharkiv City Council - 5 (out of 100). One can define "communist heritage" - a large number of older people, educated in Soviet times on the ideals of communist ideology as the main electorate of CPU allowing it to have its representation on the local level. An important motivational factor for this part of the electorate was a protest against economic and political changes related to the collapse of the USSR and the events that have occurred aftermath. The availability of this resource prevailed as communist had no other instruments of influencing the voters. However, in the last decade, there is no significant human capacity to conduct the election campaign. There are no Communists in the field of financial resources or mass media needed to organize an information

⁷⁵ <http://politiko.com.ua/blogpost34816>

⁷⁶ Its assets include AO Davtyan & Co Hotel "Kharkiv", TRK "Simon," weekly newspaper "Objectively", a chain of stores.

⁷⁷ <http://politiko.com.ua/blogpost34773>

campaign in the leading regional media. First Secretary of the Communist Party Kharkiv regional committee is Alla Alexandrova, who has some positive qualities (good organizer, capable of constructive and hard work, ready to work with political opponents for advocating the interests of the region). Among the CPU people in the region she is the most prominent figure. But in terms of popularity among the region's voters we might say that its small and not many citizens know her. She took part in the local elections several times but her result was rather unnoted – usually several percent of votes. However, the regional committee of the Communist Party has its own publication - the newspaper "Red Banner". Sometimes cards are printed. Distribution of newspapers and printed materials is conducted through propaganda-papers, which work more or less systematically throughout the year regardless of the elections. In general, the post-communist legacy is still the only useful instrument CPU might use. The dynamics of elections show that the Communist Party's support base in the area is steadily decreasing (from 30% to around 5%). A creation of blocks with CPU shows its inefficiency for the party as in the sense of increasing the level of voter support and in the sense of reducing electoral base. During last elections Party of Regions needed communist mandates to form coalition in city councils, but these days PoR has control over most councils and therefore communist tend to play less important role. The fact is that PoR might use help of CPU in the region to have a strong position against Tymoshenko, however one can make an assumption that Yanukovych can easily find another and more popular aligns. It seems that CPU will steadily become an obsolete political force in the region⁷⁸.

6. Sumy region

In Sumy region there is an evident tendency of usage of administrative resources by the ruling forces – this happened when “orange” political forces were in power and now is happening when Party of Regions took over the control. In the region PR has enough power and resources to take over most of the mandates. Mayor of Sumy Gennadiy Minaev who is the current mayor decided to oppose Party of Regions and he was nominated from the local party Native City. According to experts he and his team have good chances to win as they have support of local population. There is a need We have to observe what instruments the ruling political force will use to influence on this candidate (maybe we might see another scandal). Therefore elections in Sumy seem to be quite exciting⁷⁹.

7. Lugansk region

The political landscape of the Lugansk region can be described as monotonous in most cities and counties. Most powerful opposition to the ruling Party of Regions are communists, who are not pleased with the fact that they do not have any significant positions in the executive branch. Given the fact that there is a high probability that the party "Homeland" (v. Fr. Head of the regional organization Veryhina) and the party "Strong Ukraine" (head of regional organizations - A. Kobitev) will have no opportunity to participate in local elections by litigation surrounding the leadership of these political forces, except Communists there is virtually no influential force able to compete with PoR. CPU has real chances to get its mayor in Lugansk (candidate - S. Kilinkarov, rating - 22%, unlike Kravchenko (Regions Party), whose rating - 19% (data "Political Compass")) and in Artemivsk where the current Mayor S. Kartashov joined the Communist Party a month before the election and has the support of the population at 30% (data of the Political Compass)⁸⁰.

Around the local branches of political party Front for Change (head of regional organization - P. Liski) often statements about the raiders capture its branches on the ground people close to the Party of Regions are heard. This was confirmed in the open letter written by the head of Alchevsk city party. The letter was placed in the local socio-political online edition. The regional organization Front for Change does not respond to such public accusations. In particular, successful attempts to change of leadership took place in Lisichansk, Alchevsk, Anthracite and other cities.

⁷⁸ <http://politiko.com.ua/blogpost34815>

⁷⁹ Materials provided by Volodymyr Ponomarenko, Regional Representation of CVU.

⁸⁰ <http://opora.org.ua/news.php?id=589&>

Party of Regions (head of regional Yefremov) is the most prepared for the electoral process and has on its side all administrative and business elite. But a quiet life in the same party is violated by the struggle for influence between different groups.

According to the survey conducted by "Political Compass" the most popular in Lugansk Region are: Party of Regions - 49%, Strong Ukraine - 11%, CPU - 7%, Homeland - 5%. Other political forces will gain less than 3%. The election activity in general is at low level. As a result of the same study, the intention to vote was expressed by 47% of residents of Luhansk. People are disappointed in the policies and therefore unmotivated to participate in elections.

Despite the fact that campaigning has not begun, some political forces in the region have already actively promoted themselves, which is generally common for Ukraine. An interesting technology in the local elections is a political media project "People's Mayor" that began in Lugansk regional TV "IRTA". In this mobile TV project which moves around the city each of Lugansk residents can make a choice among potential candidates for mayor and then such theoretical results are debated with some candidate on television. Campaign banners with the Italian fascist slogan "Sense and Freedom" and the background color and brand of Party of Regions appeared in Lugansk. As it is known, this slogan was extensively used by National Fascist Party in Italy during Mussolini's rule. The head of PR's regional offices denied that this slogan has nothing to do with Italian fascism⁸¹.

From 23 September, the regional Justice Department of the Lugansk region started massive check of city and district branches of the regional organization of the party Homeland. Justice Department was interested in the legitimacy of the election of delegates on the report and election conference, held on September 18. Head of PA Homeland in Lugansk Irina Veryhina, said that all local branches of Homeland are suffering from hard pressure from the Department of Justice. Members of Strong Ukraine also complain about the actions of local authorities. It is already a well-established technology in the Eastern Ukraine to check various parties based on different legal issues. Such actions hinder proper elections campaign⁸².

8. Odessa

Most people in the Odessa region support the Party of Regions, the majority of deputies are in the ranks of this political power. There are strong expectations that the elections will bring only more seats on the board of mayors and chairs to the Party of Regions. In some cities there are minor deviations from the general situation, but these are single cases. Candidates for mayors are usually local well known politicians and businessmen. The most popular political forces are the Party of Regions, Strong Ukraine, CPU, sometimes Homeland. Pre-election activity of citizens can be assessed as very low. Few believe in change for the better after the elections and the main pre-election assessment of many citizens can be concluded in the phrase "All politicians are the same!". Obvious signs of censorship were not seen including pressure on journalists not, however number of sponsored materials (so called jeans) increased significantly. In addition, Illichivsk opposition journalists were refused in accreditation to official events. There is limited number of public events. Parties actively promote themselves at the expense of their current members, who are in power. A visit of Prime Minister of Ukraine Mykola Azarov to Odessa is a good example. In Yuzhne during a day of the city speaker Volodymyr Lytvyn arrived - he was indirectly campaigning for Mayor Vladimir Novatskiy (a member of his People's Party). The most noticeable external (lights, billboards, posters) advertising campaign is conducted by the Party of Regions, which filled almost all the advertising space with its brand. Across the region the administrative resources are clearly used in favor of the Party of Regions. Pressure on candidates from Strong Ukraine in Rozdilnycki area was recorded. No anti-campaigns were spotted, however there is an evident black PR trend against current mayor Eduard Hurvyts⁸³.

⁸¹ See above.

⁸² See above.

⁸³ <http://opora.org.ua/news.php?id=606&>

IV. Local Elections in Ukraine – vox populi

It is widely known that in Ukraine only presidential and to some extent parliamentary elections are in fact popular and people usually attach some changes to them. People still possess a strong belief that one man, the president, is a person in charge of everything and political parties are the main sub-actors. Local level was rather unpopular during 90's – citizens not really trusting or believing that local communities have something to say decided simply not to pay much attention to local elections. Unfortunately, the fact that under the authoritarian regime there was no decentralization and no active civil society played its destructive role. Even after Ukraine become independent most of the population having the past experience hadn't worked on the development of local communities believing that everything is still mostly controlled by political parties in Verkhovna Rada.

It is quite important to trace the general attitude towards elections in Ukraine. Some years ago Razumkov Center conducted an extensive research called "The attitude of citizens of Ukraine to the institute of elections and their intentions regarding the participation in elections". The mentality of Ukrainians hasn't changed much over the years and every new election didn't bring any crucial democratic changes, therefore it is reasonable to go through the main finding of the researchers conducted by Razumkov Center⁸⁴:

- ✓ Most citizens of Ukraine highly appreciate the importance of participation in elections. More often people realize this importance if they are older and well-educated. Among the different regions Southerners are the ones who most often abstain of taking part in the elections.
- ✓ "Mood to abstain" is enhanced by rather widespread notion that by voting in the elections a citizen will not influence government decisions and public policy.
- ✓ Both citizens and experts estimate the low fairness and transparency of the electoral process in Ukraine.
- ✓ Regarding the significance of various electoral procedures for conducting fair and democratic elections, the most important in this regard according to respondents were the information sources: an objective and impartial coverage of the campaign in the media, the opportunity for ordinary citizens to meet candidates and ask them questions, the existence of information services in which voters could get answers to all questions concerning the elections. According to experts, one important factor for the conduct of fair elections is also the existence of independent courts and legal system for resolving disputes related to elections.
- ✓ More than half of respondents believe that during the election process there are no equal opportunities for all candidates and parties taking part in the election campaign. Voters don't have a chance to receive neutral and objective information about the campaign. Candidates and parties that lead campaigns do not adhere to ethical standards of political competition.
- ✓ Electoral Commissions and the courts usually perceived as institutions that arbitrarily interpret laws and are dependent on political influence.
- ✓ Responsibility for violations and fraud in elections are often put on big business that affects the policies of central and local governments, as well as political parties and election commissions.
- ✓ The level of social optimism, including election-related, increases with the rise of living standards of the respondents.
- ✓ The fairness of elections influences the skepticism ratio – the less fair the elections are anticipated to be – the lower turnout we might expect.
- ✓ Speaking about the factors that can most affect the decision to vote or not, respondents most often mention three main factors: expectations of a positive changes in society after the elections, the presence of a candidate with whom they associate their hopes for a better future and fairness of the election.

⁸⁴ http://www.razumkov.org.ua/ukr/news.php?news_id=264

The local elections this year seem to be different. Most citizens are fed up with constant economical problems Ukraine faces which resulted in poor lifestyle conditions. Experts predict elections to be quite turbulent. Even in the Eastern regions of Ukraine people seem to show their disapproval – maybe still not clearly, but it is obvious that if the situation continues citizens will start looking how to change it. That is why the local elections can be put as indicator of the civil society in Ukraine – is it still asleep or it will finally start engaging in the process. Looking at what the ruling coalition has done with the new law we might assume that the politicians are afraid that people will not tolerate the poor and unprofessional politics any more. The times for Ukrainians are harsh and therefore many of them don't want to wait – they want to change and we will see whether they are ready to act already this fall.

It is interesting however, that again most of the population is afraid of falsification. We might conclude that fear of fraud is a common feature of any Ukrainian elections. Unfortunately, government hasn't done anything concrete so these fears and the feeling of never-ending manipulation could go away. On the contrary, as it was already described earlier the new law creates instruments, which can be used for influencing the elections. Thus, it shouldn't be a surprise that population doesn't trust the upcoming local elections. According to the questionnaire "Rating" more than half of Ukrainians fear that elections will be falsified. The head of The Committee of Voters of Ukraine confirmed this in his interview to Deutsche Welle noting that around 60% of questioned Ukrainians feel that there will be some sort of distortion of their will. 20% of respondents are sure that there will be severe mass falsification. Of those who expect substantial falsification of results, almost half believe that fraud will be in favor of the Party of Regions, and 9% - in favor of "Homeland". However, over a quarter of respondents believe that all political forces will resort to illegal methods in order to influence the results⁸⁵. Such tendency, of course, differs according to regions, because East and South of Ukraine still believe in Party of Regions and therefore they think that effective changes might still come after the local elections. However, Western and Central parts are more reluctant and we will find many voters who are openly speaking of their disapproval of the new law and fear of manipulation⁸⁶. The director of the sociological group "Rating" Alex Antypovych explained that overall national level of distrust in the electoral process of population increased. Only every fifth citizen believes that there will be no falsified results. Antypovych also emphasizes that about half of the electorate of party in power expresses the fear of falsification, and this is a new feature of electoral process in Ukraine⁸⁷.

Chairman of the Committee of Voters of Ukraine (CVU) Oleksandr Chernenko said that expectations of fraud and the level of public trust in government are interrelated factors. Growth of the number of people who expect significant fraud, shows that the figures didn't just pop up in one day. Obviously, people have some experience over the past six months, or remember, perhaps the previous presidential elections. And we can conclude that this trend is dangerous. The task for the current government is to break the stereotype, if they can do it. While still skeptical of the electoral process, according to sociologist Alex Antypovycha, the turnout on October 31 might be around 60%, albeit according to sociologist Eugene Kopatko it should not exceed 50%⁸⁸.

Another interesting research had been conducted by Kyiv International Institute of Sociology⁸⁹. According to this study we can make some general assumptions about upcoming local elections. This study shows that most people approve the mixed system of elections. Such idea was fully or partially supported by 71% of respondents.

If elections to regional councils would have occurred in June 2010 the most votes would get:

- ✓ Party of Regions - 39%

⁸⁵ <http://www.radiosvoboda.org/content/article/2169712.html>

⁸⁶ <http://glavcom.ua/news/22678.html>

⁸⁷ <http://www.radiosvoboda.org/content/article/2169712.html>

⁸⁸ See above.

⁸⁹ Press release of the study available at <http://www.kiis.com.ua/txt/doc/10082010/pr.doc>

- ✓ Yulia Tymoshenko's Bloc - 13%
- ✓ Strong Ukraine - 8%
- ✓ Front of Change - 4%

The research provides an opportunity to give a very rough estimate on the situation in some major areas where the number of respondents was approximately 300 or more (with the probability of error of 0.95 that does not exceed 5-8% depending on the number of respondents in the region):

- ✓ Crimea: Party of Regions 62%, "Strong Ukraine" 8%, the Communist Party - 6%, BYuT - 5%
- ✓ Dnipropetrovsk region: 48% Party of Regions, BYuT - 10%, "Strong Ukraine 12%, Front for Change - 3%
- ✓ Donetsk region: The Party of Regions - 78%, Strong Ukraine - 4%
- ✓ Lugansk region: The Party of Regions - 67%, Strong Ukraine - 8%
- ✓ Lviv region: BYT 21%, "Freedom" - 17% Front for Change - 12%, Party of Regions 6%, Our Ukraine - 5%
- ✓ Odessa region: The Party of Regions 54%, Strong Ukraine 16%, BYuT - 3%
- ✓ Kharkiv region: The Party of Regions 54%, "Strong Ukraine 12%, BYuT - 7%, the Communist Party - 3%.

Another interesting question which is relevant in this paper was: "If the elections were next Sunday would you take part in voting? Which party or bloc (at that time there new law was not adopted yet) would you support?"

	Ukraine	Macroregions ⁹⁰			
		Western	Central	Southern	Eastern
Anatoliy Grycenko's «Civic position»	1.1	1.8	1.6	0.4	0.4
Arseniy Yacenyuk's «Front of Change»	4.3	8.4	5.2	2.7	1
Vitaliy Klichko's Bloc	1.3	1.9	2.4	0.4	0.2
Volodymyr Lytvyn's Bloc	1	0.6	1.6	0.9	0.5
Leonid Chernoveckiy Bloc	0	0	0.1	0	0
Block National Self-defence (Y.Lucenko)	0.1	0.2	0.3	0	0
Yulia Tymoshenko's Bloc	12.6	21.9	18.4	6.2	2.9
All Ukrainian Union "Liberty" (O.Tyagnybok)	2.5	8.5	1.2	0.5	0.1
Communist Party of Ukraine (P.Symonenko)	2.1	0.1	2.9	2.4	2.7
National Movement of Ukraine (B.Tarasyuk)	0.2	0.2	0.2	0.2	0.2
Party of Regions (V. Yanukovych)	38.5	12	24.6	52	68.5
Party United Center (V.Baloga)	0.6	0	0	0.1	0.1
Party Our Ukraine (V.Yushchenko)	0.6	1.8	0.5	0.2	0
Party Strong Ukraine (S.Tyhipko)	8.0	4.9	8.7	10.7	7
Progressive Socialist Party of Ukraine (N.Vitrenko)	0.2	0.1	0.1	0.6	0.3
Socialist Party of Ukraine (O.Moroz)	0.1	0.1	0.5	0	0
Ukrainian National Party (Y.Kostenko)	0.1	0.2	0.1	0	0
Another party/bloc	0.3	0	0.2	0.8	0
Voted against everyone	5.1	7	6.1	4.5	2.3
WOULDN'T TAKE PART	7.5	9.1	10	4.8	5.8
HARD TO SAY	14.4	21.3	15.5	12.5	8.1

Data according to some regions (in %)

⁹⁰ Western region Volyn, Rivne, Lviv, Ivano-Frankivsk, Ternopil, Khmelnytsky, Transcarpathian and Chernivtsi (22% of voters); Central Region - Zhytomyr, Vinnitsa, Kirovograd, Cherkassy, Poltava, Sumy, Chernihiv, Kyiv region and Kyiv City (30% of voters); Southern Region - Dnipropetrovsk, Odessa, Mykolaiv, Kherson, Zaporizhzhya Oblast and Crimea (26% of voters); Eastern Region - Kharkiv, Donetsk and Luhansk regions (22% of voters)

	Crimea	Dnipropetrovsk	Doneck	Lugansk	Lviv	Odessa	Charkiv
Civic Position	0.4	0.5	0.0	0.3	2.7	0.7	1.2
Front of Change	2.2	3.2	0.7	1.0	12.0	2.1	1.8
Vitaliy Klichko's Bloc	0.7	0.0	0.0	0.3	2.3	0.7	0.3
Lytvun's Bloc	1.1	0.7	0.4	0.3	0.0	1.4	0.9
Chernoveckiy Bloc	0.0	0.0	0.0	0.0	0.0	0.0	0.0
National Self-Defence	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Tymoshenko's Bloc	4.8	9.5	0.9	2.4	21.3	3.2	6.5
Liberty	0.0	0.2	0.2	0.0	16.6	0.4	0.0
CPU	5.6	2.2	2.2	3.8	0.0	0.4	2.7
National Movement of Ukraine	0.4	0.2	0.2	0.3	0.0	0.0	0.0
Party of Regions	61.9	48.2	78.0	67.1	6.0	54.3	54.0
United Center	0.0	0.0	0.0	0.0	0.0	0.4	0.0
Our Ukraine	0.0	0.2	0.0	0.0	4.7	0.4	0.3
Strong Ukraine	8.1	11.7	3.6	8.2	3.3	16.1	11.5
Progressive Socialist Party	2.6	0.2	0.2	0.3	0.0	0.0	0.6
Socialist Party of Ukraine	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Ukrainian National Party	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Another party/bloc	0.7	0.7	0.0	0.0	0.0	1.4	0.0
Voted against everyone	2.6	4.6	1.6	3.1	5.3	2.9	2.7
WOULDN'T TAKE PART IN VOTING	2.6	5.9	6.1	4.1	7.0	3.6	6.8
HARD TO SAY	6.3	11.7	6.1	8.6	18.9	12.1	10.9
Altogether	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number of respondents	270	409	558	292	301	280	339

V. Summary and Recommendations

The new election law in Ukraine showed the government's will to carry out changes on the local level. The role of self-government and the importance of local elections were widely discussed topics for years. The current government and President Yanukovich made prompt steps in changing the obsolete legal framework and this can be seen as a positive step. However, the speed of those changes turned out to be detrimental at some point. The new law is very complex and was adopted just before elections, which makes it very hard for the actors on the political stage and random citizens to properly understand it. It is clear that the law needed more public debate and involvement of specialized bodies including international ones such as Venice Commission. At this point it can be stated that the law needs some amendments in order to make the local elections a truly democratic instrument.

In this matter it is reasonable to look at the recommendations proposed by National Democratic Institute of USA in a recent paper, published on 8th of October. In the spirit of international cooperation, and in the interest in supporting Ukrainians' interest in genuinely democratic elections, the NDI delegation offered useful recommendations⁹¹.

In Ukraine, it is important to restore the public confidence therefore government should immediately investigate allegations of misconduct by public officials and ensure that free elections with a level playing field are held. If we talk about TECs and PECs - they should promote their activities by making them more transparent – for instance agendas should be made available to all TEC members and observers. The CEC and Ministry of Justice should expeditiously consider accreditation requests from domestic monitoring organizations refrain from undue delays in approving lists of monitors on purely procedural grounds. In general terms Ukraine should fulfill its commitments to implement recommendations on election reforms set out by the OSCE and the Council of Europe. Complaints of government pressure on the business interests of media owners should be fully investigated as part of the government's commitment to protecting freedom of speech. Ukraine should continue to take steps to strengthen the independence of the judiciary in order to advance the rule of law. The election law provisions regarding timing of local elections should be applied consistently across the country. Ukrainian authorities should consider the creation of a multi-partisan task force to analyze the role of the parties, courts, executive branch authorities and make recommendations to avoid a similar situation prior to the next election. To address a lack of confidence in the impartiality of election commissions the Verkhovna Rada (parliament) should explore options for setting up non-partisan, independent electoral commissions based on a consensus of the major parties. To prevent a perception of arbitrarily and politically driven decision-making by TECs, an effective mechanism for review of election commission decisions, in which all parties have confidence, should be explored. Procedures for accreditation of domestic observers should be simplified and timelines for accreditation lengthened⁹².

All in all as many experts including NDI note - none changes can be conducted without a strong demonstration of political will by all participants and an open democratic debate.

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⁹¹ For a more explicit analysis please look at "Statement of the NDI and IFES Pre-Election Delegations to Ukraine's 2010 Local Government Elections" (Kyiv, Ukraine, October 8, 2010).

⁹² See above, p.6-8.

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