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Tuesday, October 30, 2012

Ukraine's Elections Produce Few Surprises Except Knock Out and Freedom



By Taras Kuzio

The run up to Ukraine's October 28 parliamentary elections received relatively little coverage and interest in the US, Canadian and European media except over the question of their conduct and expected election fraud.

Leaders of international organizations raised many doubts before the election about whether they could be declared democratic when opposition leaders Yulia Tymoshenko and Yuriy Lutsenko remain imprisoned on trumped up charges. The July 2012 Organization for Security and Cooperation in Europe (OSCE) Parliamentary Assembly's Monaco Declaration called on: "Reaffirming the importance for Ukraine of respecting the OSCE commitments, including the principles of transparency, equal opportunities, freedom of expression and fulfillment of the requirements of fair and free elections" (<http://www.oscepa.org/news-a-media/press-releases/1028-parliamentary-assembly-adopts-monaco-declaration>).

During the election campaign, Ukrainian non-governmental organizations (NGO) Opora (Resistance), Chesno (Honesty), Spilna Sprava (Mutual Affair) and Committee of Voters routinely provided reports of election fraud (www.oporaua.org, www.chesno.org, www.spilnasprava.com, www.cvu.org). In addition, the European Network of Election Monitoring Organizations (ENEMO), the National Democratic Institute and International Republican Institute found that the elections were the worst since 2004 and therefore a regression (<http://www.enemo.eu/ukraine2012.htm>). Whereas, opposition and NGO web sites suffered from DOS attacks on election day that crippled them.

The OSCE, European Parliament and Canadian election mission found numerous problems with the elections (<http://www.osce.org/odihr/elections/96675>, Ukrayinska Pravda, October 28-29). Buying up of voters was a major problem (<http://blogs.pravda.com.ua/authors/leschenko/5076cd3f4ac7c/>), as was massive abuse of state-administrative resources, "oligarchization" of the elections, lack of transparency and absence of a level playing field. Parliamentary Chairman Volodymyr Lytvyn, for example, massively abused state resources in the region of Zhitomir he ran in, pouring in funding (see map: <http://www.pravda.com.ua/articles/2012/10/25/6975412/>).

The new mixed proportional-first past the post election law attracted support from the pro-presidential Stability and Reforms coalition and half of opposition deputies, which proved to be a major mistake for the opposition parties. United Opposition leader Arseniy Yatseniuk showed his weak political acumen when he claimed the adoption of the new election law "is the victory of the opposition. The opposition's demands were clearly formulated and we managed to have these demands met. The majority wanted to adopt the law, which would steal the votes of electors, as it was during the local elections. We did not allow this law to be passed and [thus prevented] election fraud. According to this law, the opposition will win the parliamentary elections in 2012" (November 18,

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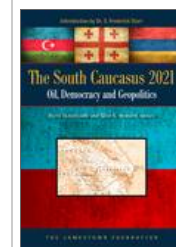
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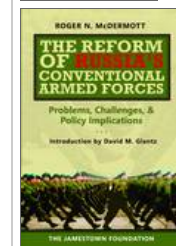


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2011, Interfax-Ukraine).

His second in command, deputy leader of Tymoshenko's Batkivshchina (Fatherland) party Oleksandr Turchynov, reached a different conclusion, accusing the authorities of "massive election fraud" (<http://www.kyivpost.com/content/ukraine/front-for-change-leader-new-law-to-allow-opposition-117213.html>). Tymoshenko went on a hunger strike against mass election fraud (<http://www.pravda.com.ua/news/2012/10/29/6976112/>). The worst election fraud took place in President Viktor Yanukovich's home region of Donetsk and Luhansk and in Kyiv oblast.

If the 2004 full proportional election law had remained in place, the combined opposition, with over 50 percent of the vote, would have been in a position to establish a parliamentary majority—as they did in 2006 and 2007. However, in 2010 a constitutional coup d'état reverted Ukraine to its 1996 presidential system where the government is under the president's control. Ukraine's parliament today is a rubber stamp institution.

It was not a surprise that the Party of Regions received first place plurality of 28–32 percent of the vote—as they received in 2006 and 2007 (see EDM, October 17), according to exit polls. Defying opinion polls, the United Opposition came in second with 23–25 percent; Tymoshenko's popularity has always been under-estimated by pre-election polls, and the 2012 election was no different. The Ukrainian Democratic Alliance for Reforms (UDAR), led by boxing champion Vitaliy Klychko, received 13–15 percent and third place, filling the niche previously held by Viktor Yushchenko's Our Ukraine. UDAR (meaning strike) remains an untested political force (see EDM, October 29).

These election results resembled 2006, when the Party of Regions, Bloc of Yulia Tymoshenko (BYuT) and Our Ukraine received a similar 31-, 24- and 14-percent vote breakdown, respectively.

With 12 percent of the vote, the Communist Party (KPU) was able to more than double its poor performance on 2006 (four percent) and 2007 (five percent) by attracting voters to return from the Party of Regions, although this was still far lower than the 20 percent of the vote the KPU won in 2002. The KPU's electorate this year was disenchanted by unpopular IMF reforms, such as raising household utility prices, adopted by the Nikolai Azarov government.

The populist-nationalist Svoboda party was the surprise on election day, with 11–13 percent of support, entering parliament for the first time. Svoboda leader Oleh Tyahnybok declared that one of his party's first legislative acts will be to ban the Communist Party. Initiatives such as these will inevitably lead to repeats of boxing matches that parliament has already witnessed (<http://www.kyivpost.com/content/politics/opposition-blocks-ukrainian-parliament-1-128270.html>).

The authorities are projected to capture two thirds or more of deputies elected in first-past-the-post districts, giving them a parliamentary majority; but a constitutional majority will be beyond their means. This would rule out the much talked about scenario for 2015 where the authorities change the constitution to a parliamentary system with parliament electing Yanukovich president, thereby avoiding a popular presidential election he could potentially lose.

How will the OSCE define the elections that just took place, and how will the West react? Clearly, with opposition leaders unable to participate and extensive examples of fraud, the OSCE will not declare the elections to be democratic. At the same time, they are unlikely to be denounced in the same manner as elections in Russia—even though much of the same type of electoral fraud took place in Russia's December 2011 elections (<http://www.osce.org/odihr/elections/82441>).

Continued international isolation for Yanukovich predates the election, and never publicized visa black lists against the ruling regime could possibly be adopted by Western countries. Sanctions are unlikely unless Republican Party candidate Mitt Romney, no friend of President Barack Obama's Russia reset, wins the US presidential elections and adopts a hard line toward Russia and Ukraine.

Posted by Jamestown Foundation at 3:26 PM

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