



russian analytical digest

www.res.ethz.ch
www.laender-analysen.de

DUMA ELECTIONS 2011

| | |
|--|----|
| ■ ANALYSIS | |
| The Putin Machine Sputters: First Impressions of the 2011 Duma Election Campaign | 2 |
| By Henry E. Hale, Moscow | |
| ■ DOCUMENTATION | |
| The Result of the Duma Elections | 5 |
| ■ DOCUMENTATION | |
| International Election Observation. | |
| Statement of Preliminary Findings and Conclusions | 7 |
| ■ DOCUMENTATION | |
| Statement of the GOLOS Association on the Results of the Elections | 9 |
| ■ OPINION POLL | |
| Pre-Election Assessment of the Fairness of the Elections | 11 |
| Pre-Election Inclination to Protest | 13 |
| ■ ANALYSIS | |
| The Limits of Managing Russia's Party System | 14 |
| By Alexander Kynev, Moscow | |
| ■ ANALYSIS | |
| Russian Legislation on Elections to the State Duma | 18 |
| By Arkadiy Lyubarev, Moscow | |

The Putin Machine Sputters: First Impressions of the 2011 Duma Election Campaign

By Henry E. Hale, Moscow

Abstract

A decline in public support, related in part to campaign dynamics, caused United Russia to perform below expectations in the 2011 Duma election. While fraud was an important part of the story, generating massive public protests, the election also indicates that actual ballot box falsification is less integral to the survival of the system than a combination of genuine popularity and strong-arm manipulation taking place before voters ever get to the polling place. These events demonstrate that political machines like Putin's are more vulnerable than often thought.

The Sudden Revival of Russian Electoral Politics

Just as observers were pronouncing it dead, Russian electoral politics suddenly and dramatically came to life in December 2011, suggesting some important lessons about both Russian politics and post-Soviet political systems more generally.

As recently as this summer, observers were predicting that the dominant United Russia Party would manufacture a supermajority of seats in the December 4, 2011, parliamentary race and that if Prime Minister Vladimir Putin decided to return to the presidency, he would waltz in and reinvigorate authoritarianism in Russia. When election day rolled around, however, the results were remarkable: Not only did the exit polls reported on state-controlled television concede that United Russia had failed to win a majority of the ballots, but even the official count awarded the party just 49 percent of the vote and (after the votes won by parties failing to clear the 7-percent threshold were redistributed) only a bare majority of the seats. Even more dramatically, many voters doubted that the party had won even that much and turned out en masse to protest falsification, mobilizing what even official state statistics registered as a stunning 25,000 citizens on Bolotnaia Square in Moscow on December 10 and thousands more across the country.

One widely drawn lesson from all of this is that there is election fraud in Russia. Indeed, many of those who poured out onto the streets had seen, as did many Western reporters and observers, video recordings posted on YouTube of officials outrageously pressuring voters and teachers (state employed, hence vulnerable to state pressure) apparently preparing ballots for stuffing. This, however, is perhaps the least interesting lesson of the 2011 Duma elections. Specialists have long known there is fraud, and the previous federal election season in 2007–08 was also replete with Internet postings documenting what strongly appeared to be fraud.

Counterintuitively, one of the most important lessons of the December 2011 election may be that ballot

box fraud actually plays a much smaller role in Russia's political system (and those like it) than is often thought. In fact, the events of the last month reveal that the political system is not built to perpetrate complete and total vote falsification with no heed to public opinion. Instead, the ruling authorities' success remaining in power for over a decade has been based more on a combination of genuine popular support and the muscular manipulation of the political system, including pressuring voters, restricting the choices voters face, and biasing television, among many other nefarious tactics common to political machines.¹ Popularity and manipulation do most of their work before the ballot box is reached, leaving a limited amount of outright falsification to provide a certain cushion or to serve particular local goals, such as tipping the scales in a close local election or preventing any public demonstration of possible disloyalty in restive republics like Chechnya.

Kremlin Missteps and Public Opinion

What the 2011 Duma election appears to have done is illustrate how the cogs of the political machine can start to come loose and threaten the system as a whole when the leadership popularity that underpins it is significantly weakened. While further study of these elections—including careful analysis of mass surveys of voter behavior—is needed before firm conclusions can be reached, signs point to a significant drop in the popularity of the Kremlin leadership leading into election day. While both Putin and President Dmitry Medvedev had experienced ups and downs in popular support over the years, they went into the 2011 election season

1 See Henry E. Hale, *Why Not Parties in Russia? Democracy, Federalism, and the State* (New York: Cambridge University Press, 2006); and Nikolay Petrov, Maria Lipman, and Henry E. Hale, "Overmanaged Democracy in Russia: Dilemmas of Hybrid Regime Governance," Carnegie Paper no. 106, Washington, DC: Carnegie Endowment for International Peace, February 2010, http://www.carnegieendowment.org/files/overmanaged_democracy_2.pdf.

in the middle of a gradual decline that dates, according to some measures, to at least early 2011.

Russian observers widely believe that two events during fall 2011 were crucial, although the major public opinion agencies' polls released as of this writing do not clearly register this effect.² The first was the infamous September 24 announcement by Medvedev that he was supporting Putin's return to the presidency and that he himself would head the party list and become prime minister after the election, and—especially—Putin's subsequent statement that this switcheroo had been planned long ago. This conveyed that the ruling tandem had essentially regarded Russian voters as dupes. The second crucial event is widely seen as a result of the first: After a mixed martial arts match at Moscow's Olimpiskii Stadium during which a Russian beat an American, Putin strutted to the microphone, apparently expecting a rowdy and positive reception, but instead was whistled (booed) as he began to speak. These events, many believe, combined to crystallize a long-growing "Putin fatigue" and turn it into a strong protest sentiment that bore at least some resemblance to the late-breaking surge in anti-Kremlin sentiment in 1993 that led to humiliation for the main pro-presidential party (Russia's Choice) and a completely unexpected protest vote for Vladimir Zhirinovskiy's radical nationalist party.

Exacerbating the tandem's predicament was the constitutional change Medvedev had initiated in 2008 that had extended presidential terms from four to six years starting with the 2012 election: Because of this change, the switcheroo meant not only that an increasingly tiresome Putin would be returning to the presidency, but that voters would be stuck with him for six years, possibly twelve if one assumed he would successfully orchestrate reelection for the second successive term that would be allowed him. This seems to have created a kind of "now-or-never moment" for Russian voters, a sense that if one did not act now, one may not have another chance for a dozen years.

The Campaign

On the surface, the campaign itself did not seem to reflect anything new or dramatic. Even more so than in the highly orchestrated 2007 Duma election, there was relatively little sign of campaign activity on the ground: few posters, few street agitators, and few people gathering at non-United Russia campaign rallies. Candidate debates were often brief and aired at odd times of day (such as 7 a.m. on First Channel) and typically featured strange pairings of parties and not always the top fig-

ures on their party lists. United Russia Party Chairman Putin and party list leader Medvedev did not participate in them at all. Television campaign ads were not frequently aired, and what ads that ran tended to be of strikingly low production value. Even so, the Central Election Commission initiated the removal of several key spots for parties other than United Russia from television. And more generally, despite the palpable change in public opinion, the main other parties allowed to compete did not appear to change strategy so as to take advantage of the new environment, instead featuring the same old leaders who had each lost at least one presidential election before (the Communist Party's Gennady Zyuganov, A Just Russia's Sergei Mironov, the Liberal Democratic Party's Zhirinovskiy, and the Yabloko Party's Grigory Yavlinsky). As expected, television heavily featured United Russia and government officials and paid relatively little attention to any other party.

A closer look on the ground, however, revealed several interesting dynamics. For one thing, a negative aura was palpable around United Russia in the media environment, a sharp contrast with 2007. Commentators on several radio stations and many newspapers blasted United Russia either directly or implicitly, and some even openly used the moniker coined by blogger and rising political star Aleksei Naval'ny: the "Party of Swindlers and Thieves." One could tell the party was in trouble when party representatives themselves scaled down their expectations over the course of the autumn, by the end declaring that a simple majority would be a good result.

United Russia's own campaign did not offer much to counteract its downward trend in public opinion. While it enjoyed thick coverage of the party and its patrons on the main television channels, even this was not always inspiring. Speakers at the United Russia Party congress that nominated Putin for president shortly before the Duma election (broadcast live on NTV), for example, sometimes seemed to damn the party with faint praise, acknowledging that it was imperfect but averring that it nevertheless had accomplished real deeds and was at least better than other parties. Some reports indicated that the switcheroo had taken the party's campaign organization by surprise, in particular the decision that Medvedev instead of Putin would head United Russia's party list. Since the initial campaign had been planned around Putin, the party had to develop a new strategy on the fly that gave Medvedev pride of place—just as the switcheroo had revealed him to be little more than a Putin puppet.³

In the closing week of the campaign, the party started to hit stride with two television advertisements—

2 Konstantin Sonin, "Podschety sotsiologov," <http://ksonin.livejournal.com/412894.html>, December 16, 00:43, accessed December 18, 2011.

3 *Moskovskie Novosti*, November 25, 2011, p.1.

one featuring Putin's voice and the other Medvedev's—stressing inspiring economic and social developments in the country since 2000 and contrasting this with what they essentially portrayed as state failure in the 1990s. But this was not enough to stop the downward trend. To make matters worse, United Russia was also saddled with many regional governors who also had relatively little public appeal. For this reason, only 31 governors were selected to lead regional party lists, and in some cases where the governors were unpopular and left off the party list, the party's own Duma campaign organizations were allowed actually to campaign *against* their own governors.⁴ Since a strong United Russia result in such cases would represent endorsement of the criticism directed against them, one has to wonder how motivated such governors were to put full effort into generating large vote totals for their own party.

In another unexpected development, the debates, constrained as they were, wound up being noteworthy. For one thing, the state-owned Rossiia 1 television channel broke with recent tradition and not only scheduled debates for a time when people would actually watch them (at 10:50 p.m. between popular shows on weekdays), but broadcast them live, assigned a popular television personality to host them (Vladimir Solov'ev), and even advertised them as being dramatic events worth watching. At least one of these debates produced a significant moment in the campaign: The tenacious Zhirinovskiy managed to goad United Russia representative Aleksandr Khinshtein into bursting out "Better to be a party of swindlers and thieves than a party of murderers, robbers, and rapists!"⁵ Others picked up on this to claim in later debates that United Russia had itself *admitted* it was a party of swindlers and thieves. According to one measure, close to a fifth of people watching TV at that time had this debate on.⁶

The Other Parties Allowed to Run

Another major surprise was the autumn surge of the A Just Russia (Spravedlivaia Rossiia) Party led by Sergei Mironov. Some observers had pronounced the party all but dead after Mironov was drummed out of his former post of Federation Council chief. It reportedly also came under Kremlin attack, with campaign material confiscated by authorities and several of its ads blocked from appearing on a major state television network.⁷ While other parties attacked it mercilessly for being a puppet

of the Kremlin, pointing to Mironov's long association with Putin, A Just Russia managed to pull off a remarkable comeback thanks to two considerations. For one thing, while Mironov himself was often seen as a Putin stooge, the party had managed to attract quite a number of strong political figures, including regional notables with strong local followings. One example is economist Oksana Dmitrieva, whom some were touting as a potentially strong challenger to Putin for the presidency were she to run. Secondly, A Just Russia managed to turn itself into a credible receptacle for anti-United Russia votes through an aggressive campaign attacking the party. While some of its critical ads were blocked, it still managed to air others that blasted official corruption and declared that "swindlers and thieves" (a clear implicit reference to United Russia) were not needed.⁸

Helping A Just Russia's chances was a voting strategy propagated by Naval'ny and reported both on the Internet and in print publications like *The New Times*: To weaken United Russia, voters should neither boycott the election nor spoil their ballots, but instead cast their votes for any party other than United Russia they expect to clear the 7-percent threshold necessary to win a delegation in the next Duma.⁹ A Just Russia proved to be less unacceptable among the three non-United Russia parties widely expected to clear 7 percent, and surged to an impressive third-place finish with 13 percent of the vote. The Communist Party also clearly benefited from this strategy, netting over 19 percent in the official ballot (up from just 12 percent in 2007) count and even more according to analysts who argue large-scale fraud took place. Zhirinovskiy's Liberal Democratic Party of Russia garnered 12 percent, up from 8 percent in 2007. Even Yabloko, written off for dead by many observers after receiving only about 1 percent of the official vote count in 2007 and having lost all of its delegations in regional legislatures, surged back to life with over 3 percent of the vote (meaning that it now qualifies for federal funding) and several delegations in regional legislatures. Yabloko officials claim observer reports indicate they actually received more than 7 percent of the vote.

Implications

All this combined to produce a drop in the number of people who turned up to vote for United Russia and a rise in ballots cast for all the other significant parties. Moreover, how the system reacted seems to reveal that such genuine expressions of public opinion still matter

4 *Vedomosti*, December 1, 2011, p.2.

5 *Kommersant*, November 28, 2011, p.2.

6 E.g., the statement made by A Just Russia leader Sergei Mironov in his debate with United Russia representative Oleg Morozov broadcast on First Channel, November 29, 2011, 18:25.

7 *Vedomosti*, November 28, 2011, p.2.

8 For example, an ad broadcast on First Channel, November 29, 2011, 07:25, after a debate and before the popular morning program "Dobroe Utro Rossii."

9 See articles in the Russian-language journal *The New Times*, November 28, 2011.

even in the otherwise highly manipulated Putinite system and despite the widely cited reality of fraud. Evidently panicked by the dropping ratings, officials of various levels scrambled to find ways to manufacture votes by hook or by crook. While these rightly generated outrage, what is perhaps most interesting is that they failed even to give the party a symbolic majority in the official vote count. A system built to perpetrate wholesale ballot box fraud without regard to public opinion would surely have generated the two-thirds majority that regime leaders clearly hoped for just months before the vote. But it turns out that even the attempts to generate enough fraud to eke out a bare United Russia majority in Duma seats were often sloppy and were frequently exposed (sometimes apparently by people within the system). This, in turn, stoked the voter anger that led tens of thousands marching to Bolotnaia Square.

The system can clearly pull off a certain level of fraud relatively smoothly, as observer and analyst accounts

of the 2007–08 cycle indicate. But 2011 suggests that beyond a certain measure—and especially when it is seen as producing a result dramatically out of step with intense public opinion that is obvious on an everyday level—fraud starts to become very difficult or costly to pull off and can itself begin to threaten the stability of the system as a whole.

The impact on the March 2012 presidential race of course remains to be seen, but at a minimum the events of the fall call into question whether Putin can win without a runoff. And in the bigger picture, they indicate that regimes like Russia's are in fact more vulnerable than is often thought, with public opinion being one particularly powerful threat, especially when combined with an election where at least some opposition is on the ballot and where a transfer of the presidency is soon anticipated.¹⁰

About the Author

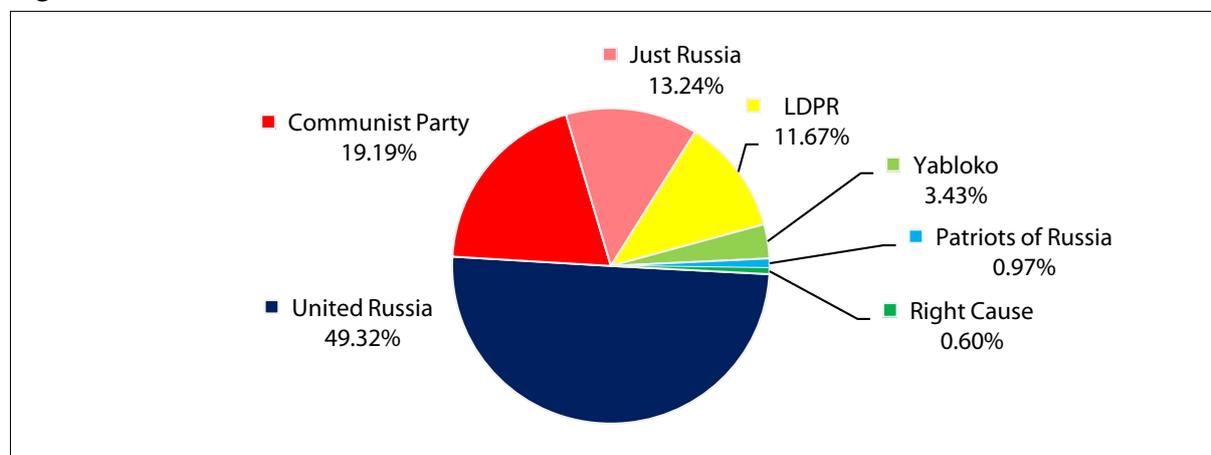
Henry E. Hale is Associate Professor of Political Science at George Washington University and Director of the Institute for European, Russian, and Eurasian Studies at the University's Elliott School of International Affairs.

¹⁰ Henry E. Hale, "Regime Cycles: Democracy, Autocracy, and Revolution in Post-Soviet Eurasia," *World Politics*, v.58, no.1, October 2005, pp.133–65.

DOCUMENTATION

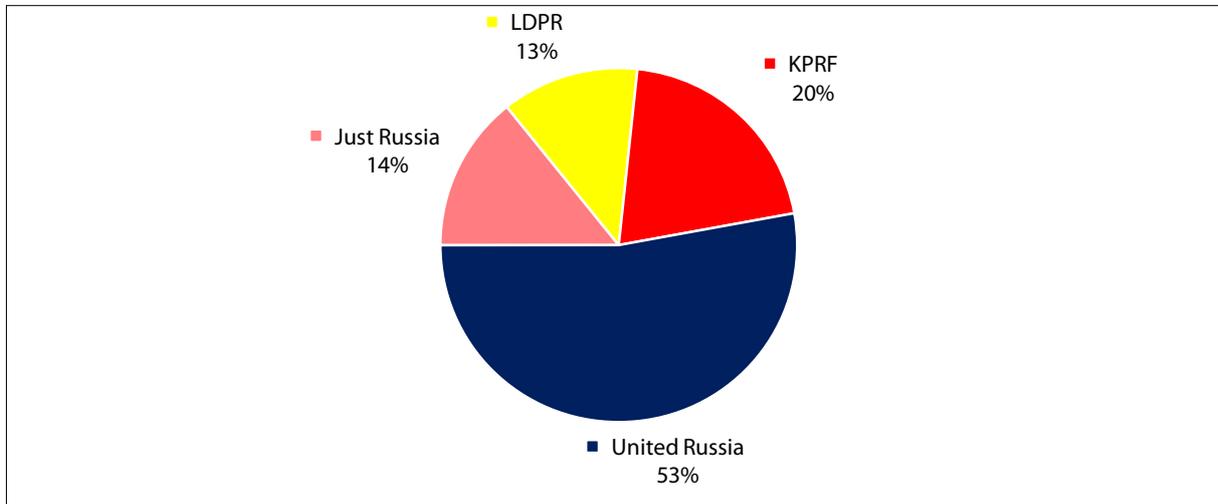
The Result of the Duma Elections

Figure 1: Final Result of the Duma Elections, 4 December 2011



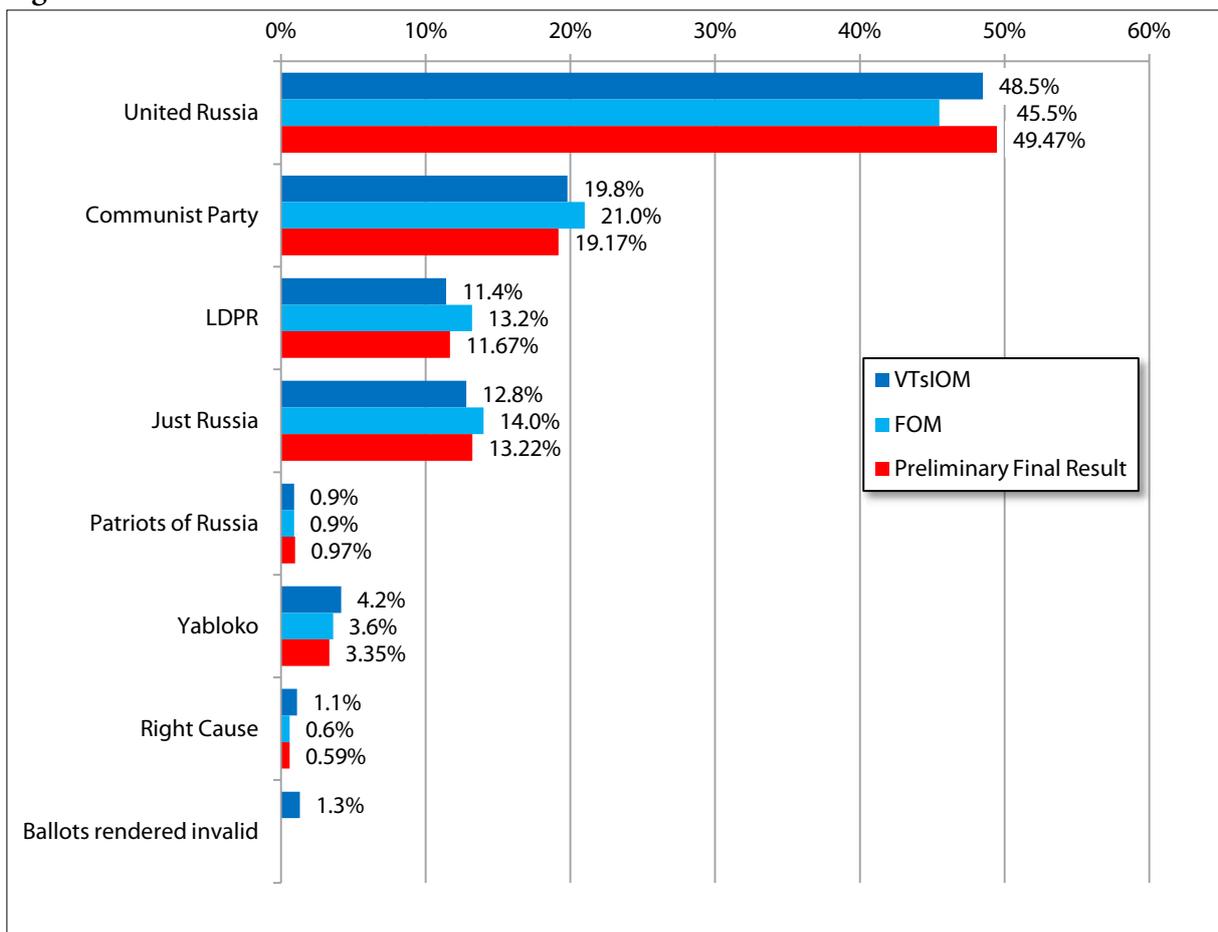
Source: Central Election Commission of the Russian Federation, http://www.vybory.izbirkom.ru/region/region/izbirkom?action=show&root=1&tvd=100100028713304&vrn=100100028713299®ion=0&global=1&sub_region=0&prver=0&pronetvd=null&vibid=100100028713304&type=242

Figure 2: Allocation of Seats in the Duma



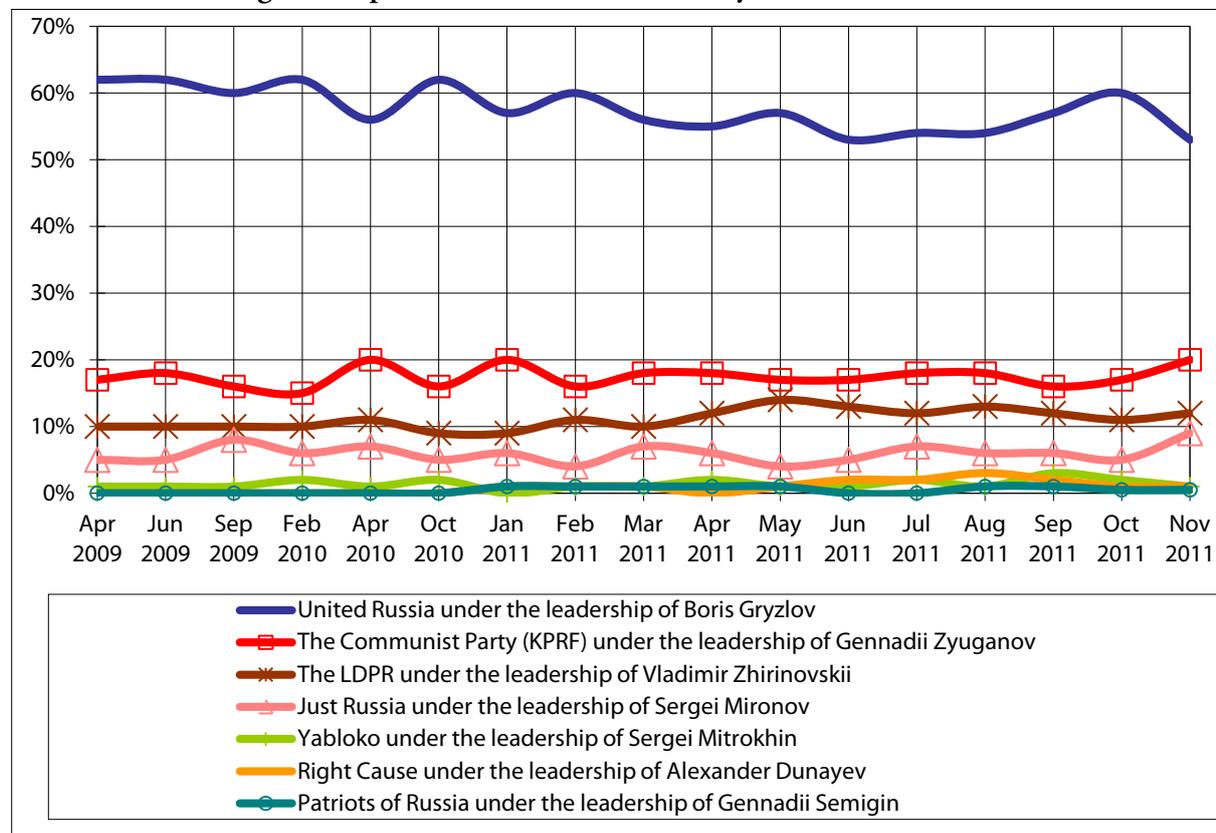
Source: Central Election Commission of the Russian Federation, Rossiiskaia gazeta, 10 December 2011, <http://www.rg.ru/printable/2011/12/10/duma-itogi-dok.html>

Figure 3: Exit Polls and Final Result



Sources: VTsIOM, <http://vybory.wciom.ru/index.php?id=566&uid=11217>; Public Opinion Foundation (FOM), <http://fom.ru/partii/10270>, 6 December 2011

Figure 4: For Which Party Would You Vote If Duma Elections Were To Take Place Next Sunday? (Percentage of Respondents Who Indicated They Would Vote, 2009–November 2011)



Source: representative opinion polls by Levada Center, 2009–2011, last polls conducted on 18–21 November 2011, <http://www.levada.ru/25-11-2011/noyabrskie-reitingi-odobreniya-i-doveriya-reitingi-partii>; data from August 2009 to January 2011 from: *Reitingi Partii*, Levada Center <http://old.levada.ru/press/2011082505.html>.

DOCUMENTATION

International Election Observation. Russian Federation, State Duma Elections—4 December 2011. Statement of Preliminary Findings and Conclusions

Moscow, 5 December 2011, <http://www.osce.org/odihr/85757>.
[Extract from pp. 1–2]

Preliminary Conclusions

The preparations for the 4 December State Duma elections were technically well administered across a vast territory, but the elections were marked by the convergence of the State and the governing party. Despite the lack of a level playing field during the electoral process, voters took advantage of their right to express their choice. Although seven parties ran, the prior denial of registration to certain political parties narrowed political competition. The contest was also slanted in favour of the ruling party as evidenced by the lack of independence of the election administration, the

partiality of most media, and the undue interference of state authorities at different levels. This all did not provide the necessary conditions for fair electoral competition. The legal framework, however, was improved in some respects and televised debates provided one level platform for contestants.

The legal framework is comprehensive and provides an adequate basis for the conduct of elections. However, structurally, the legal framework is overly complex and open to interpretation, which led to its inconsistent application by various stakeholders, often in favour of one party over the others. Laws guaranteeing the right of assembly were in some cases applied restrictively, undermining contestants' rights. Numerous amendments to the legal framework were adopted since the last elections. A number of changes improved certain elements of the electoral process, although the recent reduction of the parliamentary threshold to five per cent did not apply in these elections.

The Central Election Commission (CEC) adopted detailed instructions to facilitate preparations for the elections. It held regular sessions and took most decisions unanimously, without debate. The manner in which the CEC dealt with complaints undermined contestants' rights to effective and timely redress. Representatives of most political parties expressed a high degree of distrust in the impartiality of election commissions at all levels and questioned their independence from various state administration bodies.

The denial by the Ministry of Justice of registration to a number of political parties reduced the choices available to voters. In one case, the European Court of Human Rights recently ruled that the state's disbanding of one party was disproportionate and constituted an unlawful interference in the party's internal functioning.

The campaign lacked vibrancy. OSCE/ODIHR observers noted unequal treatment of contestants by the election administration, local authorities and service providers in favour of the governing party. Political parties in some regions filed formal complaints about seizure of campaign materials, unequal access to billboard space, and undue restrictions on the right to hold rallies. Thus, the playing field was slanted in favour of United Russia.

In the campaign, the distinction between the state and the governing party was frequently blurred by taking advantage of an office or official position, contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document. Campaign materials for United Russia and voter information materials in Moscow bore a clear resemblance to one another. Observers received numerous credible allegations of attempts by local state structures to influence voter choice and to pressure them into voting for the governing party.

Most broadcast media covered the election campaign to only a limited extent. From 5 November to 2 December, state media were required by law to provide equal opportunities to all candidates. In line with these requirements, all parties contesting the elections could participate in national televised debates, which provided them with one level platform for reaching out to voters. The majority of television newscasts monitored were dominated by reports of state officials' activities. The coverage of all monitored broadcasters except one channel favored the governing party.

Observation of elections by international and political party observers is provided for by the electoral law. However, it is of concern that the legislation and the manner in which it was applied limited the quantity of international observers and their activities in several aspects. An undefined complaint by the CEC about the pre-electoral mission of PACE put PACE's participation in the observation of the elections at risk. In addition, the law does not allow observation of parliamentary elections by domestic civil society groups.

Nevertheless, certain groups actively monitored the preparation for the elections and the campaign. Last minute pressure and intimidation of a key domestic observer group, however, aimed to obstruct and discredit its work. It was noteworthy that so many websites were down during election day.

During voting, election officials were observed to be dedicated and experienced and procedures were followed overall. However, the quality of the process deteriorated considerably during the count, which was characterized by frequent procedural violations and instances of apparent manipulation, including several serious indications of ballot box stuffing.

Result protocols were not publically displayed in more than one-third of polling stations observed. Throughout election day, observers also reported a number of instances of obstruction to their activities, in particular during count and tabulation.



Statement of the GOLOS Association on the Results of the Elections of Deputies for the State Duma December 4, 2011

Moscow, 6 December 2011

The GOLOS Association has conducted a large-scale monitoring of the State Duma elections. Longterm observers monitored the conduct of the election campaign in 48 Russian regions. Additionally, some 2000 short-term observers were deployed to 40 Russian regions as correspondents of the newspaper *Grazhdansky Golos* to observe the voting and vote-counting at over 4000 polling stations.

During the election campaign, GOLOS ran a “Violations’ Map” [<http://www.kartanarusheniy.ru/>], a web-site where Russian citizens were able to post violations they witnessed over the course of the election campaign. The Map has collected over 5000 reports, many of which are supported with videos and photos.

During the last week of the election campaign, as well as on the Election Day itself, the GOLOS Association faced a massive and coordinated intimidation campaign, which involved a court prosecution (the Association was fined 30,000 Rubles for an ostensible violation of electoral legislation), a mud-slinging campaign in the press, intimidation of its correspondents and staff members, DDoS attacks against its web-sites and hacking of its email inboxes. As a result, the Violations’ Map as well as the GOLOS web-site were not accessible on Election Day.

During the voting and vote-counting on Election Day, the Association collected over 1,500 reports of violations via a special telephone hot-line. Short-term correspondents of the Association were systematically observing procedures established by law at polling stations. The experts of the Association have been collecting, systemising and analysing this information throughout the entire campaign. The Association has built up a large database related to violations of the electoral code during the State Duma election campaign. In this statement, GOLOS draws attention to the most significant irregularities of this campaign.

Preliminary Conclusions

Drawing from the data collected during the long and short term observation, the GOLOS Association states that the voting and counting process, as well as the previous stages of the election campaign to the State Duma, including the process of nomination and registration of candidates, setting up of the election commissions and the process of campaigning, were overshadowed by numerous violations of electoral legislation, which could have affected the will of voters and, consequently, could have distorted the adequate representation of citizens’ interests in the highest representative body in this country. Therefore, the GOLOS Association concludes that the December 4 elections of the deputies of the State Duma were not free and fair and that they did not comply with Russian electoral legislation and the international electoral standards.

General Assessment of the Election Campaign

The election campaign was characterised by repressive political party legislation and its biased implementation. Russian citizens were denied the right to freely associate and to establish political parties, which allowed for limited political competition. About a dozen attempts to establish new political parties before the election were unsuccessful.

The procedures for setting up election commissions failed to guarantee the independence of those bodies. On the contrary, according to the GOLOS observations, many experienced former commission members were replaced by incompetent bureaucrats with close ties to the authorities and the party “United Russia”.

In the course of the campaign, public servants at all levels, as well as heads of enterprises and other organisations, were openly campaigning for United Russia. They were using their offices to force their subordinates and employees to campaign and to vote for United Russia. Besides, United Russia enjoyed exclusive access to the press, while press coverage of the campaigns of other parties was generally superficial especially in the last month of the campaign.

Results of the Election Day Reporting Via the GOLOS Hot-Line

The most common and evident violation observed was the denial of access and removal of persons from polling stations, who, according to the law, were permitted to observe the voting and vote counting (official observers, commission members with an advisory vote). GOLOS received a considerable number of reports documenting cases where those persons were allowed to enter polling stations only after voting had started, which is contrary to the current electoral legislation. In many cases ballot boxes were sealed without observers.

In some cases the observers and other accredited persons were removed from polling stations following direct instructions from upper-level commissions (such as in Ivanovo). Most observers were denied access and/or removed from polling stations in Ivanovo, Tomsk, Samara and Astrakhan. There are numerous reports of violation of observers' rights such as bans on photo and video recording, forcing the observers to stay in places without direct access to the voting and counting processes, restrictions on moving around in the polling stations, denial of access to commission documents, non-acceptance of complaints and/or refusing to review the complaints on electoral violations.

The other most common violations reports received through the hot-line include:

In the course of voting:

- lists of voters are not properly bound;
- mass-voting using absentee certificates and group voting combined with illegal transportation of voters;
- multiple voting combined with organised transportation in buses;
- voting with temporary residential registration without absentee certificates;
- illegal denial of the right to vote with proper temporary residential registration;
- irregularities on voter lists: illegal marks, "dead souls", missing voters;
- ballot stuffing;
- irregularities during mobile voting.

In the course of vote-counting:

- non-observance of the order of particular stages of the vote count;
- non-observance of the procedures of sorting and counting of ballots;
- failure to issue certified copies of the protocols immediately after the signing by the commission members.

Election Day Observation by GOLOS Correspondents

On Election Day, the correspondents of the newspaper *Grazhdansky Golos* filled out specially designed forms following the legally established electoral procedures. These forms were later combined into regional databases and then into a joint federal database.

According to the analysis of the forms filled out by the GOLOS short-term observers during the course of Election Day, the most common irregularities include:

- the results of counting of issued ballots were not announced (48%),
- information on candidates' income and property was not available at polling stations (47%),
- the final meeting of polling station commissions did not take place at all (41%),
- information on the number of invalidated ballots and on the number of ballots issued by the electoral commissions was not entered into the enlarged copy of the final protocol on time (36%).
- recounting of ballots (50%),
- mismatch in the verification balances (41%).

Assessment of the Tentative Election Results

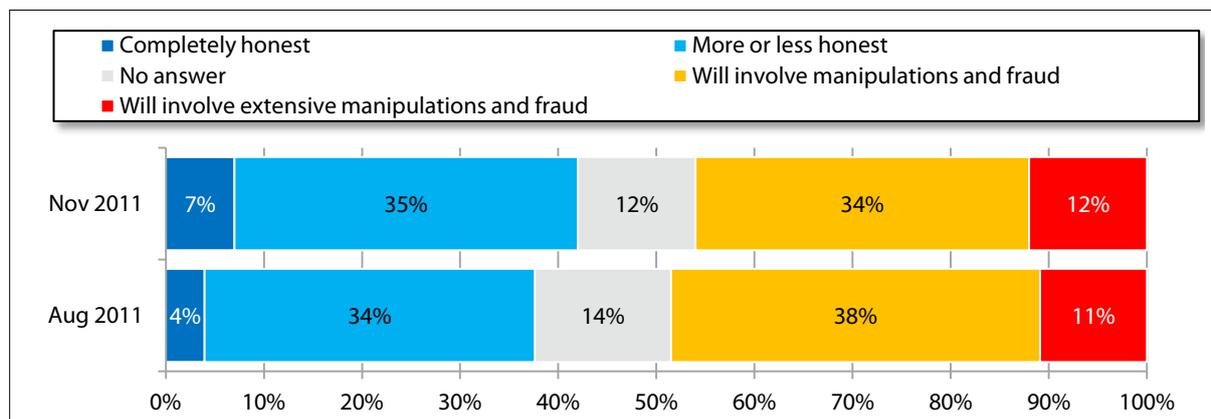
The results of the elections significantly differ from region to region. In 32 regions United Russia received less than 40% of votes (the lowest performance is in the Yaroslavl regions with 29%), in another 32 regions the party received from 40% to 60%, in 7 regions its numbers vary from 60% to 70%, in 5 regions the range is from 70% to 80%, in three regions it received 80% to 90% and in four regions it commanded over 90% of the vote. The Chechen Republic set the record with 99.5% for United Russia. The increasing number of votes for United Russia is coupled with the increasing turnout. Thus, in the Chechen Republic the official turnout shot up to 99.5%.

GOLOS also draws attention to the significant difference in United Russia's performance in different districts of the Moscow region, where the official results for United Russia range from 22% to 67%. Since the Moscow electorate is quite homogenous, this difference might testify to electoral falsifications. Statistical analysis of the official elections results also points to massive falsifications.

OPINION POLL

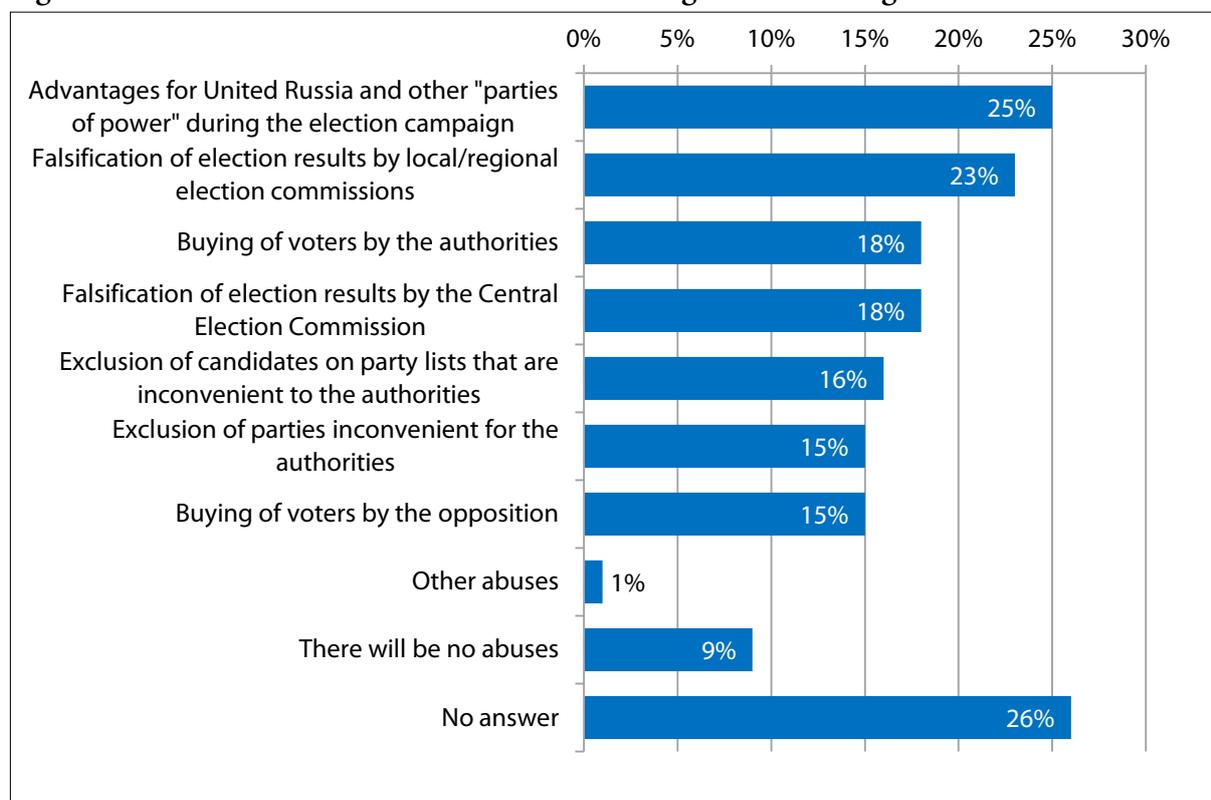
Pre-Election Assessment of the Fairness of the Elections

Figure 1: Will the Duma Elections Be Honest or Will They Involve Manipulations and Election Fraud?



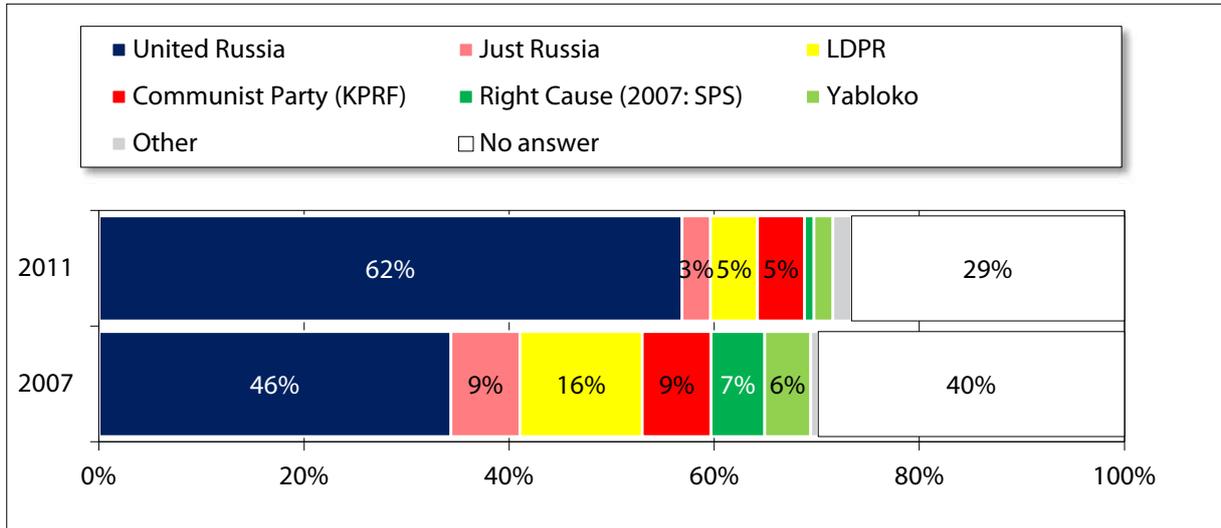
Source: representative opinion polls by Levada Center, 2011, latest polls conducted on 18–21 November 2011, <http://www.levada.ru/25-11-2011/noyabrskie-reitingi-odobreniya-i-doveriya-reitingi-partii>.

Figure 2: Will We Be Confronted with the Following Abuses During the Duma Elections?



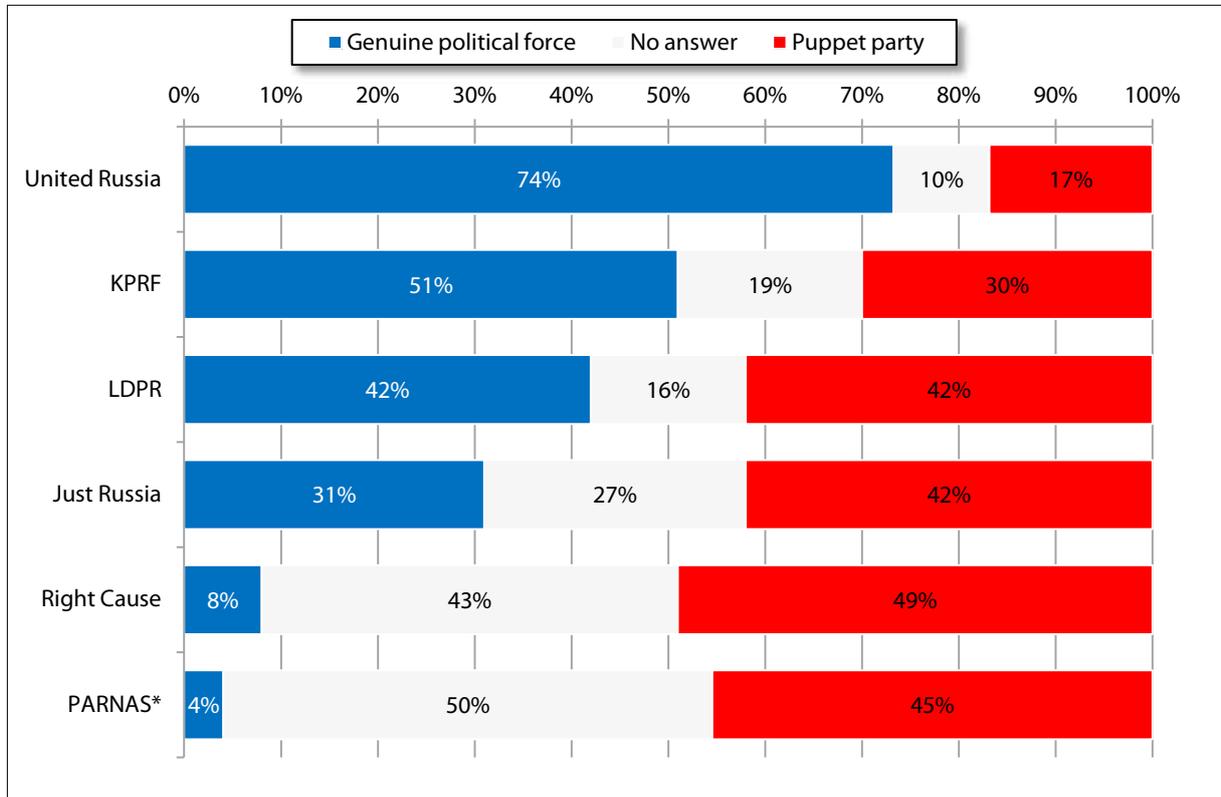
Source: representative opinion polls by Levada Center on 19–23 August 2011 <http://old.levada.ru/press/2011091301.html>

Figure 3: For the Benefit of Which Party Will Manipulations and Falsifications of Election Results Be Carried Out? (Percent of Those Who Assume Abuses Are Possible During the Pending Elections)



Source: representative opinion polls by Levada Center in 2007 and on 19–23 August 2011 <http://old.levada.ru/press/2011091301.html>

Figure 4: Genuine Political Force or Puppet Party Controlled “By the Kremlin”? (July 2011)

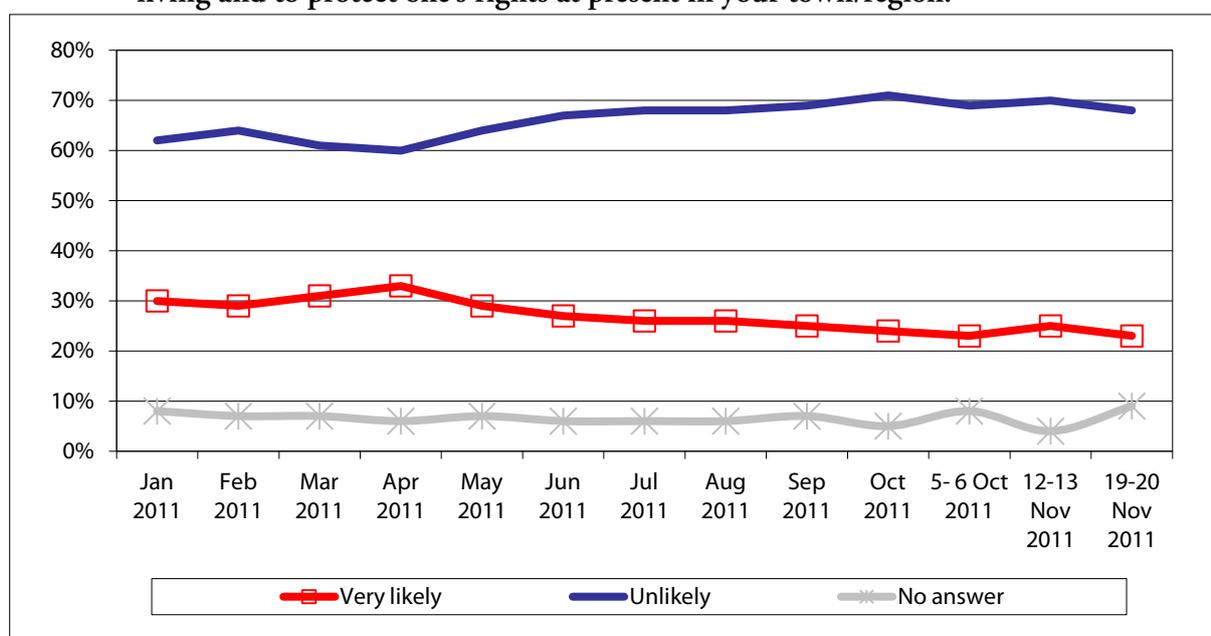


* Party of Popular Freedom

Source: representative opinion polls by Levada Center <http://old.levada.ru/press/2011082301.html>

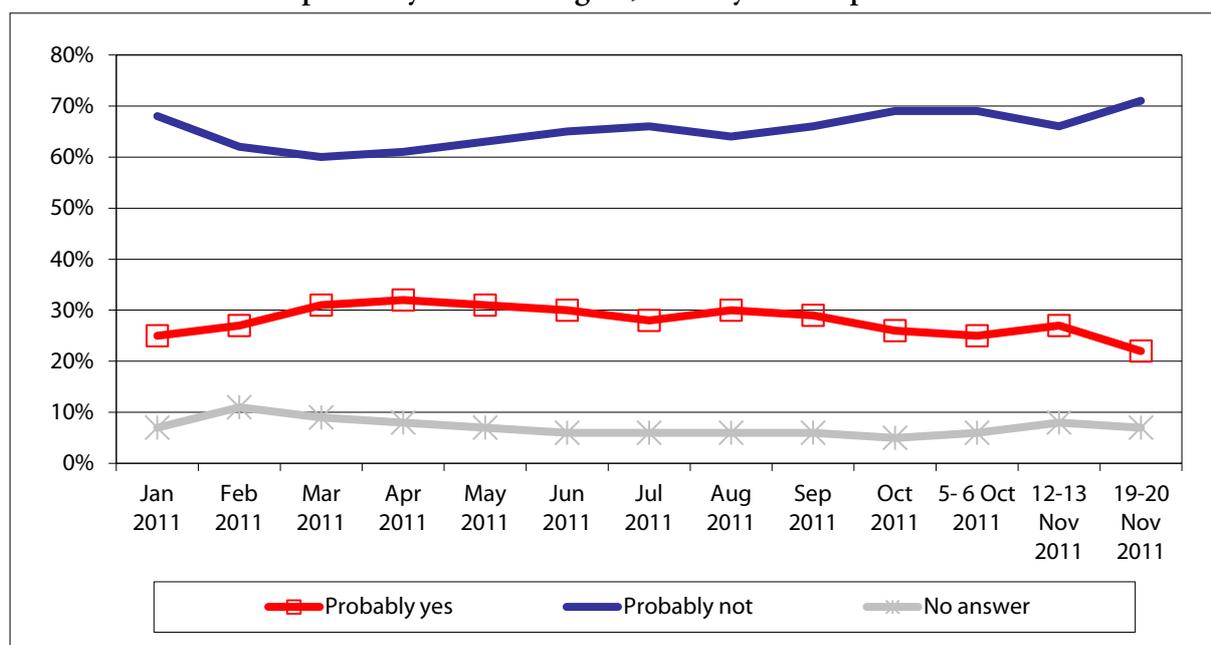
Pre-Election Inclination to Protest

Figure 1: In your opinion, how likely are mass protests against the decline of the standard of living and to protect one's rights at present in your town/region?



Source: opinion polls conducted by VTsIOM from January 2011 to 19–20 November 2011, <http://old.wciom.ru/novosti/press-vypuski/press-vypusk/single/112101.html>

Figure 2: If mass protests against the decline of the standard of living and to protect one's rights were to take place in your town/region, would you take part?



Source: opinion polls conducted by VTsIOM from January 2011 to 19–20 November 2011, <http://old.wciom.ru/novosti/press-vypuski/press-vypusk/single/112101.html>



The Limits of Managing Russia's Party System

By Alexander Kynev, Moscow

Abstract

The absence of effective representative institutions means that Russia has no parties that can operate in the normal sense of the word. Voters increasingly do not trust them. Over the years, the authorities adopted electoral legislation that had the effect of reducing the number of parties and increasing central control over their activities. Medvedev's reforms led to a further deterioration of the situation, with the extension of the presidential term to six years and the parliamentary term to five years. The existing parties are losing their ideological coherence as their various regional branches start to represent a variety of different interests. A change in Russia's political system could lead to a rapid change in its party system as well.

Weak Parties

One should not draw an analogy between Russian political parties and the parties familiar in the West. It would be a mistake, though, to view the Russian party system as a complete fiction, with the parties no more than ornamental constructs.

Russia's political parties are weak, and their internally-defined ideological identity raises many questions, but they do represent definite social networks that have core electorates characterized by differing degrees of cohesion, numerical strength, and long-term stability.

The key factors determining the nature of the party system in Russia today are the specific features of the country's state institutions. Extraordinary events interrupted a process of natural evolution that the party system was undergoing in the 1990s. Afterwards, it became clear that the country's parliament had lacked the traditional parliamentary functions right from the start—namely, the powers defined in Russia's 1993 constitution—and that a president with no party affiliation had taken powers that were, in practice, unlimited.

In many respects, this system, in which power is concentrated within an executive branch that is strongly dependent on the personality of the leader, created the conditions that resulted in the gradual degradation of societal structures, the degeneration of the electoral mechanism, the step-by-step elimination of free political competition and the creation of a system of “managed parties”.

As the legislative bodies do not have any real power, the public sees only diminishing reason for the parties' existence, despite the introduction of a mixed majority-proportional representation electoral system for State Duma elections in 1993 and the subsequent transition to pure proportional representation in 2007. Under the present circumstances, in which the parties are obviously not in a position to implement their programs, competition among parties is changing from a battle of ideas and programs into a battle for parliamentary offices and seats: the programmatic and ideological confrontation is becoming the simulacrum of one. That kind

of simulation promotes widespread mistrust of political parties among the public, as opinion surveys have long been documenting.

Thus, the result is not simply that Russia lacks a sustainable and stable party system: no parties, in the traditional meaning of the term, exist in Russia at all. The absence of fully-fledged parliamentary institutions and the lack of separation of powers mean that parties cannot exist and operate in the normal fashion.

The Emergence of the “Managed Party” System, 2000–2010

The creation of a regime in the form of a super-presidential republic brought with it—despite the introduction of elements of proportional representation, officially intended to stimulate the development of parties—a gradual tightening of the rules regulating the formation of civic organizations.

Vladimir Putin launched a new round of legislative reform governing political parties and elections. First, the Federal Law “On political parties”, which came into force on July 14, 2001, decreed that from July 14, 2003, political parties became the only type of entity that could compete in elections at the national or regional level. This provision effectively banned, regional political parties as of that date, while the number of parties entitled to participate in national elections was reduced. The requirements for registering a party were expanded to include a minimum national membership of 10,000 persons and regional representation in the form of regional branches with at least 100 members in at least one half of the regions.

The 2001 legislation also required political parties to submit a list of their members to the Ministry of Justice when registering their regional branches. This requirement hindered the development of opposition parties since citizens in several regions balk at joining such a party, knowing that the authorities would be aware of their affiliation. Experience has shown that security and judicial authorities are actively involved in the verification of membership numbers. Taking current practices

in Russia into account, it is not hard to imagine that citizens might often refuse to confirm their membership in a party to authorities when subjected to what amounts in practice to psychological pressure.

The structures of the parties themselves are authoritarian as well: their governing bodies have nearly unlimited options to expel any given number of members, or even an entire regional branch.

In December 2004, the legislation on political parties became five-times more potent: the national minimum for party membership was increased to 50,000. In 2006 the parties had either to subject themselves to an examination with respect to the new provisions or to disband. In 2007, many parties were dissolved by court order. Parties already represented in the Duma were given a privileged status by law to the disadvantage of other parties. These benefits included the exemption of the Duma parties from the requirement to either submit signatures of supporters or pay a deposit when nominating their candidates. Moreover, the Duma parties enjoy a privileged position when nominating their representatives to electoral commissions.

The legislation included requirements for party membership numbers that obviously could not be met in practice (i.e. the parties that in reality existed as a collection of officials were forced to simulate a mass membership), with the result that all parties are potentially in violation of the regulations.

Extension of Governmental Control

Meanwhile, the inspection authorities in Russia fail to provide equal treatment to the various political parties and civic organizations; no uniform standard is applied to their activities and there are no uniform sanctions levied for regulatory violations. Most of the provisions in the national legislation can be met only if the registration and supervisory authorities are well disposed towards the organization involved. A policy of double standards is in place: certain regulations apply for some organizations but not for others.

The members of the bodies responsible at the national level for registering parties, supervising their activities and certain matters associated with their budgets are directly appointed by the president and are accountable to him. Thus the executive authority has de facto secured an exclusive right to decide who will be permitted to run in elections to representative bodies—and who will not. Hence the parties are de facto “under the thumb” of the state bureaucracy.

In the years that followed, the laws on political parties and elections were repeatedly tightened. In 2005 the formation of electoral blocs was banned, uniform dates were introduced for regional elections, the requirements

for registration of candidates were increased... In 2006 the parties were barred from including representatives of other parties on their candidacy lists. Parliamentarians are no longer permitted to switch their party affiliation while in office. The spring of 2007 saw the adoption of provisions providing for vacant seats to be filled at the discretion of the party leadership, regardless of the place the new members may have held on the electoral lists.

The State Duma has been elected according to a system of purely proportional representation since 2007. At the same time the threshold for party representation raised from 5 to 7%. The threshold was also raised to 7% in most of the regional legislative elections as well during the period from 2007 to 2011.

The regulations governing state funding of political parties have also contributed to creating de-facto governmental control over the political parties. For instance, as of January 1, 2009, parties that win more than 3% of votes receive funding amounting to 20 rubles per vote-received per year, instead of the five rubles they received previously. In conjunction with this support for “stronger” parties, an additional financial burden was laid upon their weaker counterparts: all parties that receive less than 3% of the vote must reimburse the costs incurred for the airtime provided at no cost for campaign ads and the free advertising space in the newspapers, a move that has forced several parties to disband in the face of looming bankruptcy.

In conjunction with the reform of political parties in May and June 2002, the Duma adopted the new Law “On basic guarantees of electoral rights and the right of citizens of the Russian Federation to participate in a referendum”. That law requires at least 50% of the members of regional parliaments to be elected from party lists. This reform was part of Putin’s general policy towards the regions, one designed to ensure that the regional parliaments are dependent on the central powers in Moscow at least to the same degree that they are on the governors of their particular regions.

That same period saw party lists introduced in ever more municipal elections, initially on a voluntary basis. In 2010, this time under President Medvedev, the Duma passed a law requiring the introduction of a system of mixed or purely proportional representation for cities and districts whose local councils were made up of more than 20 members.

Thus there has emerged a system in which political representatives are dependent to the utmost degree on party bureaucracies, which are, in turn, equally dependent on the state bureaucracy. In the environment of the managed party system, pure proportional representation created the mechanism for de-facto control of all political representatives, and this is the reason for its introduction in more and more areas.

The Permitted Parties

The dramatic decrease in the number of parties permitted to participate in legal political competition can be depicted as follows. In the Duma elections of 2003, 44 political parties were able to take part; 37 of them were still around by early 2006; in the Duma elections of 2007 their numbers were down to a mere 15.

Currently there are seven parties: United Russia; the Communist Party (KPRF); Zhirinovskiy's party, the Liberal Democrats (LDPR); Just Russia; Yabloko; Patriots of Russia and Just Cause.

There has been no successful attempt to establish a new party since 2004, with the exception of the Kremlin-friendly Right Cause project, despite the formation of several dozen initiative groups.¹ In the run-up to the 2011 Duma elections, the refusal to register the Party of Popular Freedom (PARNAS) drew a lot of attention. Four leaders of the democratic opposition serve as co-chairmen of this party, Mikhail Kasyanov, Vladimir Milov, Boris Nemtsov and Vladimir Ryzhkov. In April 2011, the European Court of Human Rights declared that the forced dissolution in 2006 of the Republican Party of the Russian Federation had been in violation of the law. The Russian authorities have not complied with the ruling however: in an interview, Justice Minister Alexander Kononov proposed that the former party leaders should establish a new party rather than reconstitute the earlier one.

Medvedev's "Reforms"

Notwithstanding his formally modernization-friendly rhetoric, the actual policy of the new president with respect to several genuinely important issues has entailed a further deterioration of the situation: the presidential term of office has been extended to six years, the parliamentary term to five; civic organisations no longer have the right to put up their own candidate lists for municipal elections; the mayor is no longer directly elected in many places and the option of submitting a deposit in order to register candidates has been eliminated at all levels.

The reduction in the minimum number of members required to register a party at the Justice Ministry is merely symbolic. As of 1 January 2010 it was lowered from 50,000 to 45,000 and as of January 1, 2012, it will be lowered again, to 40,000 members, which does little to change the repressive nature of the law.

Parties that receive 5–7% of the vote at Duma elections have been granted a few minor privileges (they now obtain "consolation seats": one seat for a percentage of

5–6, two seats for 6–7%). Parties that have won between 5–7% of the vote may now be involved in the formation of election commissions and can register candidates and candidate lists at elections at any level without having to submit signature lists. In addition, they are no longer threatened in the periods between Duma elections with dissolution on the grounds that they lack regional representation (regional branches with the required minimum membership in at least half of the Russian regions) or sufficient total membership.

On March 20, 2011, President Medvedev signed an act amending the law "On basic guarantees of electoral rights..." and the law "On the general principles for organizing local self-government". Under that act, at least half the members of local councils in city and urban municipalities must be elected from party lists if the council has a total of 20 or more members.

The Evolution of the Parties and the Limits to Their Manageability

The artificial preservation of the existing party system and the de-facto impossibility of forming new parties are not the only results to emerge from the conditions applied to the activities of parties in Russia discussed above.

Right from the start, the formal transformation of extremely weak and quite often fictitious parties into structures through which citizens are supposed to exercise their right to run for office entailed considerable risks of corruption associated with the introduction of the party lists.

As one would have expected, the membership of the regional branches of most parties started to become ideologically diffuse. In many respects the collective self-identity of the parties had already been weak before, for institutional reasons. The purchase, by persons who had the necessary financial and administrative resources at their disposal, of several of these party branches only served to consolidate the transformation of many local party branches into PR structures with no ideological pretensions. Naturally, the parties do have a core that is more or less ideological in character, but the degree to which that ideology has roots in the membership of the various parties differs. The cores themselves do not exist because, but rather in spite of the general circumstances. These ideological cores have been retained to the greatest extent on the left (KPRF) and among the liberals (Yabloko and earlier the Union of Right Forces Party [SPS]). Under pressure from the generally applicable rules of the game though, those parties are also gradually losing them.

The developments described above have resulted in a situation in which the regional branches within the parties are becoming less and less similar, both in terms of their real interests and the formal positions espoused by their leaders.

1 The other ostensibly "new" projects of that year (the Patriots of Russia and A Just Russia) are, in reality, old parties that have changed their names and leadership).

Due to the diminishing number of parties, elite groups have flocked to the few that remain, with the lack of any alternative dictating the choice of new party in many respects.

United Russia, which is the party most attractive to the career-conscious politician or businessman, faces the greatest challenge in this respect. By and large, one can find former members of all currently or formerly existing parties represented among United Russia's members. The party's Moscow headquarters worked hard, using both formal and informal methods, to acquire as many representatives of influential local groups as possible for their lists, in order to gather up their constituencies. This, of course, led to even more intense ideological erosion in a party that had been structured from the outset as a conglomerate of the nomenklatura at all levels. In some regions, de-facto "parties within the party" emerged: "agrarian groups" and similar groupings of Duma members from the United Russia faction took shape. At the national level, "clubs" have formed within the party itself (Center for Social and Conservative Policy, Club "4th of November", State Patriotic Club). However any attempt to introduce strict party discipline within United Russia or promote this or that particular group of elites in specific regions would inevitably be felt as a snub by the other groups and deter the voters who look to them for guidance.

For that reason, the personnel policy within United Russia is growing ever more evocative of a centrifuge: On the one hand, there is an ongoing attempt to include any person who has won any sort of election, at whatever level, and regardless of who he may have been before. On the other hand, the mass of conflicting groupings within the party makes it impossible to strike a balance among them, resulting in open battles between people who are nominally fellow party members.

In the run-up to the elections, one could observe Duma members and candidates switching from nominally right-wing parties to left-wing parties, and vice versa.

Candidates and the Prestige of Parties

On the whole, the party lists tend up to be drawn up according to the principle under which potential candidates have to take a position on a list determined on the basis of what the idiosyncratic hierarchy of status permits. Members of the elites try first to secure a spot on United Russia's list and, failing that, snag a spot on the list of some other party. The situation recalls that of students applying to several universities at a time, just to be on the safe side.

About the Author

Aleksandr Kynev is the head of Regional Programs at the Foundation for Information Policy Development in Moscow. See p. 20 for information about the election observation activities of GOLOS and the context of the project for which the present analysis was written.

Thus the formal normative strengthening of the role of political parties goes hand in hand with an even more powerful trend toward internal destruction and the loss of a distinctive profile. The loss of profile has been affecting the KPRF with increasing force: once the most intensely ideological of parties, it now lacks the strength to resist this general trend.

In defence of the parties, it may be said, firstly, that their dependency on the state is not of their own choosing, and, secondly, that a change in the political situation and possible divisions among the elites would quite probably bring changes to the strategic approaches taken by the party leaders.

These specific features of the Russian party system are responsible for producing not only the phenomenon of flurries of candidates switching from one party to another, but also for a type of voter behaviour in which voters can opt for any of the "alternatives" to United Russia with ease—basing the choice on their judgement as to what voting behaviour might be most productive (voting for the alternative that did best in the opinion polls, for instance), which individual candidate is more worthy personally of support, or which campaign, positive or negative, struck the voter as being superior. Protest voters in today's Russia have been de-ideologized; the division of the constituency is between the "party of power" (status quo) and "the other guys". Although differences in ideology, in style and elsewhere do exist among the "alternatives", they are not essential in the present situation.

Conclusions

What have the central powers achieved through this process of changing the party and electoral system and is it now possible to manage elections at the national and regional level? Formally, that possibility exists in many respects: from outside it appears that one single party is supreme. In practice, however, the contradictions among local interest groups in the regions have not by any means disappeared, only the format in which they are resolved has changed. The competition among the parties has now been replaced by one within the parties, sometimes expressed in public internal party conflicts and scandals, sometimes with juicy intrigues and anonymously waged media wars. In many cases both go on simultaneously.

Hence if the general political or economic situation in the country were to change, the apparently managed party system might undergo rapid change as well.

Translation: Alison Borrowman

Russian Legislation on Elections to the State Duma

By Arkadiy Lyubarev, Moscow

Abstract

The Russian authorities have made a number of changes in the country's electoral legislation since the first State Duma elections in 1993. The key features of the current system have been in place since 2007. This article describes the most salient features of the law.

Frequently Changing Electoral Laws

Two laws govern the election of State Duma members: the federal law "On basic guarantees of electoral rights and the right of citizens of the Russian Federation to participate in a referendum" and the federal law "On the election of Deputies of the State Duma of the Russian Federation". The former is a framework law that lays out the general provisions relating to all elections in the Russian Federation, while the latter is specific to the lower house of the parliament. There are some contradictions between these two laws, and determining which of them applies when a discrepancy occurs depends on the prevailing political climate.

Russian electoral legislation suffers from an unusual degree of instability. In the past, a new law was adopted for each Duma election: in 1995 for the 1995 elections, in 1999 for the 1999 elections, 2002 for the 2003 elections and 2005 for the 2007 elections. The amendments to the legislation that were passed in the period from 2005 to 2007 were more radical than those of the preceding ten years. The Duma election law of 2005 continues to apply, though it has been the subject of several amendments.

From 1994 to 2005 all legislators made an effort to adopt the amendments in packages, so electoral legislation was amended once or twice between elections. Since 2006 amending electoral legislation has become a continuous process. In 2006 and 2007 the authorities amended the law on basic guarantees eleven times and they amended the law on the Duma elections eight times. Between 2008 and 2011 the law on basic guarantees was subject to 28 amendments, while the law on Duma elections underwent 17 amendments.

Current Electoral Provisions

The fundamental provisions concerning the elections to the State Duma have been unchanged since 2007. All 450 members are elected through a system of proportional representation in a single federal district. The candidate lists that are drawn up by the political parties must be divided into one central section and one section listing groups of regional candidates, each of which must correspond to a specific territory (a region, one part of a region or a group of regions). The defini-

tion of the territories into which the list is divided is up to the parties themselves, with due regard to the legal regulations. These require that the territories are contiguous and, taken together, cover the entire territory of the Russian Federation. The candidates on the central section of the list are the first to be assigned seats in the Duma based on the election results. The other seats available to each party are then distributed among the regional groups on the list in proportion to the voting results from those regions. The parties set up their own campaign funds to finance their campaigns, and have the option to set up both a central budget for the party as a whole and one for each regional branch.

The regulations governing how the candidate lists are drawn up have undergone several changes. In 2007 no more than three candidates could be named on the central section of the list and there had to be at least 80 regional candidate groups. Now the central section can contain up to ten candidates and 70 is the minimum number of regional groups required.

The maximum permissible expenditure from election campaign budgets, the campaign financing "cap", has been raised. In 2007 the limit for the party's central campaign budget was 400 million rubles and that for the "consolidated" budget, i.e. the total sum of the maximums for the central and regional campaign budgets, was 1,818 billion rubles. The cap of the central budget has now been raised to 700 million rubles and the cap for the consolidated budget to 3,405 billion, making for an 87% increase.

The representation threshold remains at 7%, meaning that a party must obtain no less than 7% of the votes cast in order to obtain its share of seats proportional to the voting results. Under the new provisions though, parties that get between 5% and 6% of the vote are awarded one "consolation seat"; two seats are awarded for vote totals between 6% and 7%. It should be noted here that with a total of 450 Duma members, 5% corresponds to approximately 23 seats and 7% to approximately 32.

Pursuant to a constitutional amendment adopted in 2008, the State Duma is no longer elected every four years, but now serves a five-year term.

The most important changes that have occurred relate to the registration of party lists. The key change here is the elimination of electoral deposits. Four of the 11 lists registered in 2007 were registered on the basis of a deposit.

At present there are only 7 registered political parties. The lists of the four parliamentary parties were registered automatically. The other parties must submit signature lists in order to register their lists.

Reducing the number of signatures required has not made registration easier. In 2007, 200,000 signatures were required, as was the case in 1995, 1999 and 2003; now the figure is 150,000. The main problem in winning registration for the Duma elections is not the number of signatures required but the number of invalid signatures the lists are permitted to contain: invalid signatures may not exceed 5% of total signatures. Thus, of the seven signature lists submitted in 2007, three were not registered because they exceeded the five-percent rejection rate while the other four lists came close to reaching the cutoff line as well, at 4.6–4.8%. Minor changes have also been made to the regulations concerning submission of documents to the Central Election Commission and the arrangement and verification of the signature lists.

The 2007 version of the law included a provision requiring parties that received less than 3% of the vote to reimburse the media for the costs of the broadcast time and print media space provided to them at no cost during the election campaign. There was also a provision saying that parties that did not pay for the “free” broadcast time and print space provided to them were not eligible to receive free media exposure in the next elections. This regulation contributed in no small part to the decision of five parties that participated in the 2007 elections to disband within one year.

The OSCE recommended in 2004 that this regulation be revoked. While the authorities did remove the offending provision, they replaced it with a new regulation, under which a party that receives less than 3% of the vote automatically loses its entitlement to free broadcasting time and advertising space. In the 2011 Duma elections, Yabloko and the party “Patriots of Russia” fall under that provision. “Right Cause”, as a new party, is entitled to free broadcast time and advertising space.

Some changes that were supposed to ensure equal conditions for all parties have been introduced to the provisions regulating the use of venues for campaign events. The owners or occupiers of premises that are made available to a political party are now obliged to notify the relevant regional electoral commission in writing, setting out the terms of the arrangement. The electoral commission must then inform the other political parties about it.

There have also been some amendments to the regulations that govern voting by absentee certificate and voting outside of the polling station. Additional rights have been defined for persons with visual impairments.

Overall, the amendments to the legislation on Duma elections made between 2008 and 2011 do not concern matters of principle; they leave the existing foundation undisturbed. One of the new elements, the elimination of the electoral deposit, was intended to reduce competition, but its impact has been greater on elections at the regional and local level. Of primary significance for the Duma elections is the reduced number of parties. A whole set of amendments was designed to make the elections more just, but they are hardly of major significance and in all probability any positive impact from them will be diminished by inadequate application of the regulations in question.

Shortcomings

The strict regulations on registering candidates and party lists continue to represent one of the major shortcomings of electoral legislation in Russia; they effectively allow the electoral commissions to filter out unwanted candidates and engage in political discrimination.

Other faults can be found in the provisions of the law addressing the makeup of electoral commissions. Only parties that are already represented in the State Duma and the regional parliaments are guaranteed the right to send representatives with full voting powers to the electoral commissions at all levels. In most of the regions, there are only four such parties. There is also a provision stating that each party can only be represented by one person in the electoral commissions, with the result that party representatives form a minority in the vast majority of electoral commissions. The majority of the members of the electoral commission are individuals who are dependent, in one way or another, on the administration. Although the law asserts the independence of the electoral commissions from the executive authority, in reality the commissions are highly dependent on it and, in many cases, are quite simply an appendage of the executive.

With respect to the campaign, while the law asserts the principle of equality among the parties, provisions in the law itself deviate from that principle: as mentioned above, political parties that were less successful in the previous elections are no longer entitled to free airtime or advertising space. Of greater significance, however, is the fact that equality among the parties is not ensured in practice, as witnessed by the indirect electoral advertising for the governing party in the state-owned media, the use of officials and their subordinates to carry out the

campaign of that party, and the obstruction of opposition party campaign activities.

The law does not prevent the use of “locomotives”, i.e. when a party assigns top spots on its list to high-ranking officials (the president, ministers, governors, etc.) who have no intention of serving in the parliament and the purpose of whose candidacy is to use their prominent public office to confer advantages on the favored party.

The regulations governing the casting of votes, their count and the determination of election results are formulated in great detail, but they nonetheless have certain lacunae that can be exploited for the purposes of

falsification. More importantly, in many places, authorities do not comply with these regulations, leaving open broad opportunities for falsification.

The transparency of elections dropped considerably in 2005 thanks to a restrictive new provision. Since that time, only registered candidates and those parties whose lists have been registered for the election can send observers to the polling stations. At the same time the administration of Russian elections has improved because results from every polling station are promptly (within a few hours) posted on the Internet.

Translation: Alison Borrowman

About the Author

Arkadiy Lyubarev is a Doctor of Jurisprudence and a leading expert for the GOLOS association.

The texts by Alexander Kynev and Arkadiy Lyubarev in the present issue of the Russian Analytical Digest are a result of the cooperation between the Russian NGO “The Association of Non-Profit Organizations ‘In Defense of Voters’ Rights’ GOLOS” and the European Exchange in Berlin for the purpose of observing the Russian Duma elections 2011, supported by the German Association for East European Studies (DGO) and the Heinrich Böll Foundation.

Further information on the elections can be found on the following web sites:

www.golos.org (in Russian and English)

<http://www.kartanarusheniy.ru/> (in Russian)

www.european-exchange.org (in English)

<http://blog.boell-net.de/blogs/russland-blog/default.aspx> (in German)

Founded in 2000, the Russian NGO “The Association of Non-Profit Organizations ‘In Defense of Voter’ Rights’ GOLOS” organizes independent observation of elections in the Russian Federation and defends voters’ rights; since 1 September 2011 GOLOS has been monitoring the election process for the State Duma elections 2011 and the concurrent regional and local elections.

The European Exchange, Berlin, aims to strengthen civil society in the Eastern neighbor states of the European Union and supports local independent election observation networks in Belarus, Moldova and Ukraine since 2007.

ABOUT THE RUSSIAN ANALYTICAL DIGEST

Editors: Stephen Aris, Matthias Neumann, Robert Orttung, Jeronim Perović, Heiko Pleines, Hans-Henning Schröder, Aglaya Snetkov

The Russian Analytical Digest is a bi-weekly internet publication jointly produced by the Research Centre for East European Studies [Forschungsstelle Osteuropa] at the University of Bremen (www.forschungsstelle.uni-bremen.de), the Center for Security Studies (CSS) at the Swiss Federal Institute of Technology Zurich (ETH Zurich), the Resource Security Institute, the Institute of History at the University of Zurich (<http://www.hist.uzh.ch/>) and the Institute for European, Russian and Eurasian Studies at The George Washington University. It is supported by the German Association for East European Studies (DGO). The Digest draws on contributions to the German-language Russland-Analysen (www.laenderanalysen.de/russland), the CSS analytical network on Russia and Eurasia (www.res.ethz.ch), and the Russian Regional Report. The Russian Analytical Digest covers political, economic, and social developments in Russia and its regions, and looks at Russia's role in international relations.

To subscribe or unsubscribe to the Russian Analytical Digest, please visit our web page at www.res.ethz.ch/analysis/rad

Research Centre for East European Studies at the University of Bremen

Founded in 1982, the Research Centre for East European Studies (Forschungsstelle Osteuropa) at the University of Bremen is dedicated to the interdisciplinary analysis of socialist and post-socialist developments in the countries of Central and Eastern Europe. The major focus is on the role of dissent, opposition and civil society in their historic, political, sociological and cultural dimensions.

With a unique archive on dissident culture under socialism and with an extensive collection of publications on Central and Eastern Europe, the Research Centre regularly hosts visiting scholars from all over the world.

One of the core missions of the institute is the dissemination of academic knowledge to the interested public. This includes regular e-mail newsletters covering current developments in Central and Eastern Europe.

The Center for Security Studies (CSS) at ETH Zurich

The Center for Security Studies (CSS) at ETH Zurich is a Swiss academic center of competence that specializes in research, teaching, and information services in the fields of international and Swiss security studies. The CSS also acts as a consultant to various political bodies and the general public. The CSS is engaged in research projects with a number of Swiss and international partners. The Center's research focus is on new risks, European and transatlantic security, strategy and doctrine, area studies, state failure and state building, and Swiss foreign and security policy.

In its teaching capacity, the CSS contributes to the ETH Zurich-based Bachelor of Arts (BA) in public policy degree course for prospective professional military officers in the Swiss army and the ETH and University of Zurich-based MA program in Comparative and International Studies (MACIS); offers and develops specialized courses and study programs to all ETH Zurich and University of Zurich students; and has the lead in the Executive Masters degree program in Security Policy and Crisis Management (MAS ETH SPCM), which is offered by ETH Zurich. The program is tailored to the needs of experienced senior executives and managers from the private and public sectors, the policy community, and the armed forces.

The CSS runs the International Relations and Security Network (ISN), and in cooperation with partner institutes manages the Crisis and Risk Network (CRN), the Parallel History Project on Cooperative Security (PHP), the Swiss Foreign and Security Policy Network (SSN), and the Russian and Eurasian Security (RES) Network.

The Institute for European, Russian and Eurasian Studies, The Elliott School of International Affairs, The George Washington University

The Institute for European, Russian and Eurasian Studies is home to a Master's program in European and Eurasian Studies, faculty members from political science, history, economics, sociology, anthropology, language and literature, and other fields, visiting scholars from around the world, research associates, graduate student fellows, and a rich assortment of brown bag lunches, seminars, public lectures, and conferences.

The Institute of History at the University of Zurich

The University of Zurich, founded in 1833, is one of the leading research universities in Europe and offers the widest range of study courses in Switzerland. With some 24,000 students and 1,900 graduates every year, Zurich is also Switzerland's largest university. Within the Faculty of Arts, the Institute of History consists of currently 17 professors and employs around a 100 researchers, teaching assistants and administrative staff. Research and teaching relate to the period from late antiquity to contemporary history. The Institute offers its 2,600 students a Bachelor's and Master's Degree in general history and various specialized subjects, including a comprehensive Master's Program in Eastern European History. Since 2009, the Institute also offers a structured PhD-program. For further information, visit at <http://www.hist.uzh.ch/>

Resource Security Institute

The Resource Security Institute (RSI) is a non-profit organization devoted to improving understanding about global energy security, particularly as it relates to Eurasia. We do this through collaborating on the publication of electronic newsletters, articles, books and public presentations.

Any opinions expressed in Russian Analytical Digest are exclusively those of the authors.

Reprint possible with permission by the editors.

Editors: Stephen Aris, Matthias Neumann, Robert Orttung, Jeronim Perović, Heiko Pleines, Hans-Henning Schröder, Aglaya Snetkov

Layout: Cengiz Kibaroglu, Matthias Neumann, Michael Clemens

ISSN 1863-0421 © 2011 by Forschungsstelle Osteuropa, Bremen and Center for Security Studies, Zürich

Research Centre for East European Studies • Publications Department • Klagenfurter Str. 3 • 28359 Bremen • Germany

Phone: +49 421-218-69600 • Telefax: +49 421-218-69607 • e-mail: fsopr@uni-bremen.de • Internet: www.res.ethz.ch/analysis/rad