




Policy Brief


“Elections” in Donbas: more European involvement needed to change the status quo

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On November 11, so-called “elections” were held in the occupied territories of Donetsk (DNR) and Luhansk (LNR), in the Eastern area of Ukraine commonly referred to as Donbas. The two self-proclaimed People’s Republics of Donetsk and Luhansk chose their leaders and the deputies of people’s councils. The outcome was far from unexpected, especially with potential challengers to the role being excluded from the ballot.

In both regions the electoral results confirmed the status quo of the candidates already serving as the acting heads to the republics and to the respective political parties. Leonid Pasechnik won in Luhansk with 68.3% of votes, while in Donetsk the winner was Denis Pushilin, receiving 60.85% of the votes. However, no international institution monitored the electoral process, which indeed attracted many reports of [bribery and rigging, irregular procedures and acts of intimidation of the population](#)¹.

Even the extremely high turnout — 80.1% of eligible voters in the DNR and 77% in the LNR, according to the results published by the separatist authorities — is difficult to confirm, as it is impossible to determine the exact number of those eligible to vote. The resolution to organize elections in the two Republics was reached because of the void of power left after the death of former DNR leader Alexander Zakhartchenko, killed by a bomb blast at the end of August 2018, and the political destitution of former LNR head Igor Plontitsky in November 2017.

International reactions: Western rejection and Russian approval

The elections took place at the middle of numerous appeals from the international community and the Ukrainian institutions to the Russian Federation regarding the dangers of organizing elections in the occupied territories. Before the event, the authorities in Kyiv were confident that [no one would recognize the illegal results](#)², as they fell outside the standards of both the Ukrainian legislation and represented a direct violation of the [agreements concluded in Minsk](#) in February 2015³. Moreover, Ukrainian President Petro Poroshenko denounced the responsibility of the Russian Federation as the organizer, calling for the imposition of new sanctions to show that “[the patience of the West is not unlimited](#).”⁴

The Ukrainian rejection for the legal significance of the results is fully backed up by Western powers. [French President Emmanuel Macron and German Chancellor Angela Merkel joined Poroshenko in a statement](#)⁵ on November 11 condemning the so-called elections as a threat to the territorial integrity and sovereignty of Ukraine. The European Union clearly expressed its opposition to the organization of illegal and illegitimate “elections”. The issue was also included in the agenda of the [EU Foreign Affairs Council](#)⁶ meeting, in which the European Union reiterated “its full support for the independence, sovereignty and territorial integrity of Ukraine”, recalling that “the implementation of the Minsk agreements by all sides remains key to reaching a sustainable political solution to the conflict” and underlying the responsibility of the Russian Federation in this regard.

Indeed, the Minsk agreements provide for the holding of local elections within the framework of the Ukrainian legislation and under the OSCE standards and observation. For its part, Russia argues that

¹ <https://www.rferl.org/a/donbas-separatists-using-cheap-eggs-salary-hikes-corny-videos-to-get-out-the-vote/29592241.html>

² <https://www.president.gov.ua/en/news/prezident-pro-provedennya-fejkovih-viboriv-na-okupovanomu-do-50958>

³ <https://www.ft.com/content/21b8f98e-b2a5-11e4-b234-00144feab7de>

⁴ <https://www.president.gov.ua/en/news/prezident-ochikuyu-sho-za-provedennya-fejkovih-viboriv-na-do-50862>

⁵ www.europe1.fr/international/vote-separatiste-en-ukraine-des-elections-illegales-et-illegitimes-pour-macron-et-merkel-3798650

⁶ <https://www.consilium.europa.eu/en/press/press-releases/2018/11/10/declaration-of-the-high-representative-on-behalf-of-the-eu-on-the-elections-planned-in-the-so-called-luhansk-people-s-republic-and-donetsk-people-s-republic-for-11-november-2018/pdf>

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Minsk measures only regulate local elections, thus assuming that procedures for the election of the republics’ heads and parliamentary elections should be altogether not related to the agreements. Russian Foreign Ministry spokeswoman [Maria Zakharova](#) added that the vote was necessary in order to fill the “power vacuum after Zakharchenko’s death and to prevent an exacerbation of the situation”⁷.

However, the United States firmly believe in the existence of a different reasoning behind the organization of the sham “elections”, which was supposed to help Russia to create an appearance of political and popular legitimacy for the leaders of the two occupied regions. State Department spokeswoman [Heather Nauert](#) defined the illegal process as “an attempt by Moscow to institutionalize its Donbas proxies”⁸, adding that “the international reaction proves it was mistaken”. The United States joined their European partners dismissing the vote as illegitimate, since “these entities [the so-called Donetsk and Luhansk People’s Republics] have no place within the Minsk agreements or within Ukraine’s constitutional government, and they should be dismantled along with the illegal armed formations”.

Increased European involvement needed to revive the Minsk agreement

For the time being, the Minsk agreements are at an impasse, with the process left half-forgotten in the waiting room while all interested parties seem to be waiting for the outcome of the Ukrainian presidential elections scheduled for March 2019. On the one hand, no Ukrainian presidential candidate is willing to accept the political costs of opening a dialogue and tipping the balance on such a sensitive subject just a few months before the election date.

On the other hand, the Russian Federation is more than benefitting from this situation. Creating frozen conflicts in its area of interest, often referred to as “Near Abroad” in the Russian political discourse, is a well-known security strategy that can be observed in numerous countries at its borders and is often exploited as a leverage in foreign policy negotiations. Moscow is also determined to show a strong front to the international community, pressing instead for Kyiv to unilaterally implement the political part of the agreements.

Russian President Vladimir [Putin](#) was reported saying that “generally speaking, the Ukrainian authorities have shown no wish so far to implement the Minsk Accords. They have been doing nothing for the implementation of those agreements. Nothing is happening”⁹. What is more, Putin is also keeping an eye out for next year’s Ukrainian presidential elections, in the hope to see the emergence of a more favourable interlocutor.

Peace talks and negotiations seem to appear with less and less urgency, even with human rights monitoring associations such as the Office of the UN High Commissioner for Human Rights ([OHCHR](#))¹⁰ and [Human Rights Watch](#)¹¹ documenting in their periodic reports evidences of continued hostilities. Such organizations reported violations and

abuses by all parties to the armed conflict against civilians and civilian infrastructure on either side of the contact line. This persistent conflict has made more than 10,000 victims, of which 2,800 civilians. Moreover, the volatile situation affects the existence of more than 600,000 people living within the range of five kilometers on both sides of the contact line and a research of the [Washington Post](#) states that nearly two million people have been internally displaced or put at risk if they remain

⁷ www.mid.ru/en/web/guest/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/3394727

⁸ <https://www.state.gov/r/pa/prs/ps/2018/11/287293.htm>

⁹ tass.com/politics/1031010

¹⁰ https://www.ohchr.org/Documents/Countries/UA/ReportUkraineMay-August2018_EN.pdf

¹¹ <https://www.hrw.org/news/2018/01/18/ukraine-failing-its-human-rights-commitments>

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in their homes¹². As the conflict enters its fifth year, it is apparent that it is gradually turning into a long-term struggle. While it may not be in its active phase, the reports of humanitarian association clearly reveal that we are a long shot away from providing solutions to all the victims of abuses. It is hard to recognize effective progress toward a ceasefire.

The Normandy format, established four years ago to bring together Ukraine and Russia with Germany and France as co-mediators, [met for the last time on June 11](#) in an attempt to revitalize the long-ignored truce agreement¹³. For their part, France and Germany promised to make proposals to Ukraine and Russia in order to build momentum for the full implementation of the Minsk Agreements. So far, the Normandy format has failed to produce practical achievements, although it

would be especially desirable to see a contribution from the Western side before the Ukrainian elections. With both Kyiv and Moscow deterred by the political internal issues from taking any risk, it is evident that a step forward towards the resolution of the conflict can only come from an external push. Putin openly remarked that holding a Normandy format meeting now, with an election campaign in progress in Ukraine, [would not make any sense](#)¹⁴.

Yet, for the European Union it would be important to send a strong signal of support to the pro-European part of Ukrainian society, with the added benefit to counter populist messages prevalent in the Ukrainian presidential electoral campaigns. Against the backdrop of the rise of populist parties in the EU calling for the lifting of economic sanctions against Russia, a more active engagement of France and Germany would remind that any sanctions relief for Russia is conditional on advances in the Ukraine peace process. This would represent a necessary revival of the currently stalled Minsk agreements, as steps towards peace will eventually come from pursuing developments within this framework or its evolution.

The international mechanisms around the Ukrainian conflict, including the talks in Minsk, the Normandy Format, and bilateral contacts between government representatives are still in place, but international mediators should take stronger stances in a context in which the parties of the conflict do not wish to engage. The prolonged stalemate may have created a temporary balance between the Ukrainian and Russian side, but it is also resulting in a low-level conflict that keeps endangering the local population and undermines willingness to compromise. As the politics around the conflict gets more complicated, the greatest threat is ultimately another escalation.

¹² https://www.washingtonpost.com/news/monkey-cage/wp/2018/04/09/the-war-in-ukraine-is-more-devastating-than-you-know/?noredirect=on&utm_term=.1d72fc2be05e

¹³ <https://www.diplomatie.gouv.fr/en/country-files/germany/events/article/ministerial-meeting-in-the-normandy-format-berlin-11-06-18>

¹⁴ <https://www.diplomatie.gouv.fr/en/country-files/germany/events/article/ministerial-meeting-in-the-normandy-format-berlin-11-06-18>

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