



Analytical Report № 2.
Nomination Process for Candidates and Political Party Lists
Local Elections on September 13, 2015
Russian Federation

The Interregional Public Foundation for Civil Society Development “Golos-Ural”, a subsection of the Movement for the Defense of Voters’ Rights “Golos” (hereinafter referred to as “Golos”), conducts a long-term observation of the local one-day voting election in the Russian Federation, scheduled for September 13, 2015.

The objectives of this election observation include: gathering of information and analysis of problems facing candidates and political parties in the process of nomination and signature collection; evaluation of the election commissions’ degree of impartiality in relation to election participants; evaluation of the degree of involvement of state and municipal authorities and officials in the electoral process on the side of administrative (pro-government) candidates; assessment of the objectivity of media election coverage.

1. Executive Summary

As part of this study, the following characteristics and patterns were determined to be typical for the stage of nominating candidates and party lists in the observed regional and local election campaigns for September 13, 2015:

- Insufficient information transparency and insufficient service ability of election commissions;
- Discriminatory signature collection in support of candidate nominations;
- Campaigning before the start of the official nomination process and under the guise of informing the public about the official candidates’ performance;
- Unequal access to the media and negative campaigning.

The work of a number of election commissions that organize regional and local elections contains serious flaws in terms of transparency and ensuring proper nomination of candidates and party lists.

Signature collection in support of nominations for different elections is clearly discriminatory, making the elections non-competitive and casting doubt on their legitimacy. Moreover, this issue

concerns signature collection from deputies for the municipal elections of regional governors as well as from general voters in elections for regional and municipal representative bodies.

Observed election campaigns, in fact, often go beyond election campaign protocols regulated by the election legislation. Campaigning in support of the administrations' candidates and the party in power, "United Russia," is often presented as objective news coverage of the candidates' official performance. Such campaigning often involves the use of service or employment status advantages and entails skewed media coverage in favor of certain candidates and political parties.

Negative campaigning against independent candidates and opposition parties exacerbates the issue of unequal access to media outlets.

2. The Process of Nomination of Candidates and Party Lists of Candidates. Assessment of Election Commissions' Work

As part of monitoring the September 13, 2015 elections, "Golos" analyzed the websites of the ECFS (Election Commissions of the Federal Subjects of the Russian Federation) for availability of information obligatory for state bodies, as well as for information specified by electoral laws as necessary for citizens and public associations in order to smoothly facilitate candidate nomination and registration. In a number of Federal Subjects of the Russian Federation, regional and municipal election commissions were unable to provide complete, timely, and reliable informational support for the nomination of candidates and party lists. Unfortunately, election commissions often shy away from performing their appointed duties, which are especially critical at the nomination and registration stages.

Often, the conduct of election commissions of different levels, the work of regional and local administrations, as well as the work of the media, clearly separate political parties into organizations of the "first" and "second" class. "First class" parties mainly include current parliamentary parties and parties loyal to the government, and which are, as a rule, of the national-patriotic persuasion. "Second class" parties are parties from the so-called "non-systemic" opposition (oppositional forces operating outside the official political establishment), as well as regional offices of "systemic parties" whose leaders are in conflict with regional authorities.

On their websites, most election commissions of the federal subjects usually provide candidate and party forms and lists of required documents; some of them carry out explanatory work for the parties regarding the rules of filling out and submitting required forms. One of the most open and "customer-oriented" is the Election Commission of Irkutsk and Leningrad regions.

The very opposite is the case on the level of territorial and municipal election commissions, which play a major role in the organization of local elections. In some regions, candidates, parties, and observers face difficulties in finding appropriate forms and lists on election

commissions' websites; in some cases, they are even confronted with the reluctance of the commissioners to provide these lists to candidates and parties.

The task of informing candidates and parties through the work of election commissions is most challenging when it comes to the election of deputies of regional—and especially municipal—representative bodies. In addition, sometimes it seems that electoral commissions use obstacles in document preparation specifically to create an uneven playing field for election participants. In the Ivanovo region, for example, only current parliamentary parties were invited to training sessions on the preparation of candidate nomination documents. The explanation given was an alleged “technical error.”

Even when the requisite documents and forms are made available on the election commissions' websites, they are often not located in the most visible and obvious sections. Often, this information is only available on pages that normally contain links to election laws and other regulations, which clearly makes them difficult to find (for example, in Ivanovo, in the Lipetsk region, and in Krasnodar Krai).

In the Ivanovo region the necessary information for candidates and parties in the Ivanovo City Council elections is scattered across the websites of two electoral commissions. In the case of the Ivanovo City Election Commission, this information is only available in the “Commission Decisions” section (which during the campaign period contains numerous other documents, making it difficult to search for a specific document), and not, as one might expect, in the section on the elections to the Ivanovo City Council. The electronic application form for candidate nomination is extremely inconvenient to complete online, and the same problem occurs with other forms. In most cases, electoral commissions do not provide clarifications on completing the forms.

A similar situation occurred in the Krasnodar region with the election of deputies of the City Duma and the election of the Regional Governor. The website of the City election commission (as well as of the regional election commission) published only the commission's decision on various document forms with a reference to the law, which contains a sample form. The list of required documents for the nomination is available on the website; however, it is extremely difficult to find, in contrast to a similar act on the Governor elections, where the necessary information and a document list are provided in full. The Election Commission of the Tomsk region published on their website forms and lists of required documents for candidates participating in the municipal elections, although they are also not easy to find. For some reason, they are available in one of the files in the section “Calendar of Elections and Referenda.”

The lists of forms and documents required of candidates are unavailable on the website of the Election Commission of the Kaliningrad region.

Some of the documents and forms required of candidates—especially self-nominated candidates—are often absent on the websites of election commissions of the federal subjects and territorial and municipal electoral commissions. “Golos” emphasizes the evident inequality that exists between candidates nominated by political parties and self-nominated candidates. Unlike

political parties, self-nominated candidates, as a rule, do not receive any training or guidance on document preparation.

Recently, the electoral commission started recommending that parties and candidates use a specialized software product, “Preparation of Information About Candidates (Including Their Income and Assets), Authorized Representatives, and Authorized Persons.” Designed by the Central Election Commission of the Russian Federation, this software has apparently not yet been sufficiently calibrated, which only further complicates the nomination process.

According to the Central Election Commission’s website, a public testing of the software took place on May 18, 2015. During the testing, a serious blunder occurred; however, the Commission decided to recommend the use of this product anyway for the 2015 elections, which led to some difficulties in the regions (for example, in the Lipetsk region).

Refusals to Register Candidates

The most egregious mass exclusion of candidates from party lists due to problems with “the documents” took place in the Kurgan region. The Election Commission of the Kurgan region, in its decision No. 104/981-5 from June 26, 2015, excluded from the list 28 candidates from the “Communist Party “Russian Communists”” because the candidates did not manage to supply all the requisite documents in time. The Election Commission excluded four candidates in the Kaluga region on similar grounds.

In Samara, representatives of the party “RPR-Parnas” encountered difficulties during the nomination process for the election of deputies of city councils. On Saturday, July 11, the Territorial Election Committee of the Samara Districts of the City of Samara stopped working until 4 pm, which prevented a representative of the “RPR-Parnas” party to hand over documents required for the nomination of the party list of candidates.

3. Signature Collection in Support of Nominations of Candidates and Party Lists

Nomination of Candidates for the Elections of Heads of Regions

At the time of the compilation of this Analytical Report, local authorities mostly completed the nomination process of candidates for the election of Heads of Regions, including regions where “Golos” carries out long-term election observations: Irkutsk, Kaliningrad, Kaluga, Kostroma, Leningrad, Krasnodar Krai, and the Republic of Mari El.

According to media and observers, there were no serious difficulties for the candidates in the process of candidate nomination. Firstly, the level of training and responsibility of employees of headquarters for the gubernatorial candidates tends to be higher, especially in comparison to municipal elections. Secondly, there are other available avenues for weeding out “undesirable” candidates. (For example, candidates for gubernatorial elections need to enlist the support of municipal deputies and thereby overcome the “municipal filter.” None of the candidates in any

of the regions can overcome this obstacle without the goodwill of the current Head of the region and the “United Russia” party. Third, the actual level of competition in gubernatorial elections is so low that current Heads do not seriously need to fear their competitors.

Opposition candidates for the post of the Head of the region are in the first place faced with the already traditional problem of passing the “municipal filter.” In the Leningrad region, pressure is exerted on municipal deputies from the “United Russia” party, and municipal deputies are afraid to offer their support to candidates not approved by the governor.

Candidate Nomination in Elections to the Regional Legislative Assemblies and the Representative Bodies of Local Self-Government

According to the current “rules of the game” in the elections to the regional legislative assemblies and the representative bodies of local self-government, parliamentary parties and parties that received more than 3% of the votes in the last elections to the State Duma (for example, the party “Yabloko”), as well as parties that have at least one seat in the regional legislative assembly (only in the appropriate region), are exempt from collecting voter signatures. This is a significant benefit to these parties, as it places them in a privileged position in relation to other parties.

For parties that do not have the “parliamentary privilege,” i.e. parties that are not exempt from collecting voter signatures, the most important stage of the election campaign is precisely the process of signature collection. Difficult legal requirements, as well as the occasional malevolence of election commissions and opposition from the administration and the police, complicate signature campaigns.

In Kostroma, where signature collectors from the party “RPR-Parnas” were subjected to increased police scrutiny, difficulties already arose with the opening of a polling account, which is used to pay for the production of signature sheets; this delayed the start of the signature collection campaign by a few days.

According to data from the “Map of Violations” from the Kaluga region, on July 6, during signature collection in support of the nomination of the party list of candidates for the “Civil Initiative” party, the authorities drew up an administrative offense report for the collectors. The reason was that the two-person collector team used a table and chairs for their convenience.

In the Kostroma region, the opposition is facing artificially created problems during public events. Maxim Tokar, a volunteer of the party “RPR-Parnas,” was detained in Kostroma during a one-man picket in support of registration of the party list. The volunteer was allegedly arrested for holding a mass public event and not a one-man picket and was sentenced to an administrative fine in the amount of 20,000 Rubles.

As expected, there was “black PR” against the “Democratic Coalition” with calls not to give

signatures to their representatives and with accusations that their supporters were preparing a “maidan” (mass protests) - in regions where the elections are held. For example, leaflets with such accusations appeared in Kostroma and Magadan.

4. Monitoring of Campaigning in the Media

The lack of serious competition for incumbent and acting governors and, as a consequence, little interest from voters in the upcoming elections of Heads of Regions, motivates candidates who are currently in positions of power to resort to mobilization techniques in order to increase the “legitimacy” of the election already at the start of the election campaign.

In such cases, “mobilization” goes far beyond ordinary voters. For example, in the Kaliningrad region on June 24, 2015, the Kaliningrad City Council held two meetings at which employees of the Council received an order to provide mass registration of Kaliningrad residents on the website of the supporters of the current governor Nikolai Tsukanov (website: [зацуканова.рф](http://za-tsukanova.ru)). Attendance at both meetings for employees of the city council and deputies’ assistants was compulsory.

Common practice for incumbent governors during elections is their increased “ceremonial activity,” i.e. attending the openings of various facilities in the region, including those unrelated to regional budget or regional public authorities.

For example, in the Leningrad region in late June, Alexander Drozdenko made several “working visits” as Acting Governor to different areas of the region, where he participated in various public events: opening of new construction sites, breaking of ground for new schools, Orthodox culture festivals, and so on. Information about these “working visits” appeared regularly on the administration’s website, and the sheer number of such trips increased dramatically compared to other months. Obviously, other candidates do not have the opportunity to participate in such events and, accordingly, do not have the capacity to maintain their positive image or to cause newsworthy events. In addition, as Acting Governor, Drozdenko sends out various public greetings. According to media reports, on July 5, Drozdenko congratulated Ignatius, the Bishop of Vyborg and Priozersk, with a decade of his consecration, and on July 8 he sent to residents of the region, and especially to young families, his greetings on the “Day of Family, Love, and Loyalty.” It is important to mention that sub-line 3, line 5, Art. 40 of the Federal Law №67-FZ, “On Basic Guarantees of Electoral Rights...” stipulates that the “distribution on behalf of a citizen who is a candidate, of greetings and other materials not paid from the appropriate electoral fund” is considered to an abuse of official position.

As noted in Analytical Report No. 1, “Golos” draws particular attention to the use of “administrative resources,” namely the advantages of an official position in support of certain candidates and parties. As a rule, such support from officials goes to candidates from the “United Russia” party.

In the Vladimir region, for example, observers noted increased activity on the part of some employees of the regional administration before the upcoming elections to the Council of People's Deputies of Vladimir, and, in particular, of the chairman of the Committee for Cooperation with Local Governments, Public Authorities, and Civil Society Institutions of the Regional Administration, Oleg Leukhin. Mr. Leukhin regularly participates in the activities of the election headquarters of the "United Russia" party. In Vladimir, where the deadline for nominations is July 29, "United Russia" is in no hurry to present the list of its candidates and officially nominate them. However, there are increasingly more events with participants from the top three candidates on the municipal election list of "United Russia."

City officials explicitly raised the topic of the upcoming elections during their "working" and "official" meetings with residents and labor groups. For example, according to Samara regional media, the Head of the Samara administration, Oleg Fursov, keeps having meetings with labor groups of major industrial enterprises and social institutions. During these meetings, Fursov conducts explanatory conversations about what kind of deputies they should elect.

In connection with intra-party voting in the "United Russia" party and the protracted non-disclosure of election results to the public in some regions, "Golos" emphasizes the following emerging practice: the winners of primaries, announced by the party as future candidates, are in fact already actively conducting pre-election campaigns in the media and in their districts. They do that even before submitting official nomination notifications to the election commissions, and, accordingly, prior to the opening of electoral accounts. While they technically don't yet have the official status of "United Russia" candidates, they nonetheless represent the party at various official events, thereby increasing their popularity among voters.

The "Day of Family, Love, and Loyalty" proved to be a convenient occasion this year for personal and party PR activity in almost all regions of the election. Campaigning in the media now happens under the guise of increasingly prominent coverage of "future candidates" as officials participating in public events, or under the guise of informing the public about the performance of the officials' appointed duties.

According to the law, an election campaign starts with the nomination of candidates and a party list, i.e. with the submission of documents to the election commission. Accordingly, prior to the submission date, public activities of candidates and parties are not restricted by election campaigning rules. As already mentioned, some parties and candidates successfully use this rule to delay document submission, while in the media and in the public sphere they are actively positioning themselves as candidates and are, in fact, already leading an election campaign. The ruling party uses this strategy in combination with "administrative resources." In many regions, such as in Lipetsk, Nizhny Novgorod, and the Orel region, future candidates of "United Russia" were more active than others in organizing and celebrating the "Day of Family, Love, and Loyalty" on July 8. In Tomsk, since early July, some "United Russia" candidates were taking advantage of the fact that the party had not yet submitted its list of candidates and began, on

behalf of the party, to hand out social security cards to residents of one of the areas (Akademgorodok). In the Kostroma region, despite the lack of formal reasons for campaigning, “United Russia” actively used the results of the primaries as a campaigning tool.

There was campaigning in favor of certain candidates from “United Russia” at public events organized by state or municipal authorities and financed with public funds.

As usual, Councils of Territorial Governments are actively campaigning prior to the start of the election. CPGs—created, as a rule, within the boundaries of electoral districts—receive funding from the city budget (1 million Rubles). Councils are often headed personally by the candidates from the “United Russia” party, who organize celebrations (which often end with the distribution of gifts) for children and veterans in the name of CPGs, and conduct inspections of property improvements (as in the Lipetsk region). A similar practice exists in other regions.

Meanwhile, opponents of the current government are also trying to use the uncertainty of the electoral law in their favor. For instance, in the Omsk region, the Governor candidate from the Communist Party, State Duma Deputy Oleg Denisenko, placed at least 100 banners with his picture around Omsk. The financing of this activity did not come from the election funds, from which only 1,000 Rubles have been spent so far. A familiar and very common technique in the regions is hidden campaigning in the mass media for the candidates—usually administrative—under the guise of informing the press about their current work. A typical case is the almost daily coverage in regional media of the activities of the Acting Governor of the Krasnodar Territory, Veniamin Kondratyev. Similarly, in the Irkutsk region, state and state-friendly media offer almost daily coverage of the successful work of the Acting Governor. A very common practice of illegal campaigning via the media is the printing of “special editions” of various newspapers. Moreover, as a rule, these special editions have increased circulation. For example, in the Samara region the near-weekly special editions of the *Samara Newspaper* have a circulation of 250,000. According to experts, the approximate cost of such circulation is 1 million Rubles. Special editions are almost entirely devoted to the activities of the governor Merkoushkin and the “United Russia” candidates that he supports. *Russian Post* employees distribute the newspaper to the Samara citizens’ mailboxes.

Traditionally, “locomotives”—leaders of party lists who are unlikely to eventually occupy the MP seats—are involved in hidden campaigning in favor of the “United Russia” party. Some of them, such as a State Duma deputy Nikolai Bulaev from Ryazan, third on the “United Russia” list in the elections to the Ryazan Regional Duma, held meetings with journalists, summarizing Bulaev’s work and speaking about the upcoming elections.

As a general rule, such media stories—emerging in the course of an election campaign to dramatize the performance of certain officials, and benefitting individual candidates as well as their parties—are not financed from election funds. Moreover, election campaigning in the media at this time is not officially permitted.

A similar situation exists in the Nizhny Novgorod region, where there is active but covert advertising in support of individual candidates and parties, primarily from “United Russia,” in a number of news resources. There is an increased tendency to showcase, quote, and otherwise

reference candidates and the party itself in news programs where “United Russia” representatives increasingly appear as experts.

At the same time, there is information that some media flatly refuse to post reports about other parties. For instance, in the Kostroma region, a major private media company, “National Media Group,” believed to be loyal to the governor Sergei Sitnikov, refused to place any materials about the “Party Action,” regardless of how much money they were offered for the publication.

In recent years, a characteristic feature of election campaigns for a single day of voting was a significant and substantial displacement of election campaign timing. This is especially true for candidates from the party in power and other administrative candidates, because in their case campaigning involves the various information reports to highlight the progress and outcome of the primaries, reports on their professional performance, and official events involving the participation of government representatives. Such campaigning activities include taking advantage of official positions and exclusive access to media with a large audience. At the nomination stage, before campaigning in the media is allowed, there are often different forms of covert campaigning.

5. Smear Campaigns During Elections

Smear campaigns often exacerbate information inequality of candidates and their unequal access to the media. Methods for informational pressure are very diverse. In the Vladimir region, the “Civic Platform” party came under fire in a smear campaign. In early July, first in Kovrov and then in Vladimir, banners appeared on several advertising structures with the image of the regional party branch leader, Alexander Filippov, depicted as President Obama’s puppet. The posters, which are dotted with signposts “fifth column,” shows an image of Filippov and emblems of his Party, making it obvious who the target of the banners is, as well as what their pre-election campaigning character is meant to be.

In addition, in Vladimir, Vyazniki, Murom, and Petushki, the “Civic Platform” party was banned from holding pickets with the distribution of party literature on the pretext that the designated areas had already been booked for other activities. At the same time, in Aleksandrov, Kovrov, and Gus-Khrustaniy, local administrations accepted the same notices for public events. In Kostroma region, a number of allegedly pro-gubernatorial media (the TV channel “Russia,” the website smi44.ru, etc.), published critical material against the “Party Action.” Moreover, there are election materials have been distributed in the Kostroma, Kaluga, and Novosibirsk regions that contain exclusively negative information about opposition parties and movements, such the “Democratic Coalition.”

Smear-campaign materials were being circulated not only against parties from the “non-systemic opposition,” but also against “systemic opposition” and parliamentary parties. In particular, in some regions, there are such materials against the Communist Party and “Yabloko” party (Ivanovo region).

In some regions, regional authorities attempted to weaken potential contenders of “United Russia” in preparation to the upcoming elections. As a result, a number of “systemic” political

parties underwent changes in regional leadership, especially those that, in contrast to the position of the federal leadership, actively participated in protest actions or voiced sharp criticism of the Heads of the Regions in recent years.

In late June in the Lipetsk region, the regional leadership of the political party “Motherland” was replaced. It is believed that the reason for this was the activity of the former Regional Office leadership in defending the rights and legitimate interests of citizens of the region to protect the environment.

6. Conclusions and Recommendations

The current practice of collecting voter signatures does not serve to strengthen the institution of elections and to enhance the quality of representation, but only discriminates against self-nominated candidates and non-parliamentary political parties. The requirement of collecting signatures unnecessarily limits the opportunities available to such candidates and parties, putting them at a disadvantage in relation to other election participants who are exempt from collecting signatures. The “municipal filter” for the election of regional governors actually makes it impossible to conduct elections in a genuinely competitive way, i.e. without the consent of the regional administration and/or the “United Russia” party.

Campaigns coinciding with the run-up to the elections and nominations often go beyond the scope of regular election campaigns regulated by the electoral law. Recently, their role in the electoral process and in determining election results has increased. At the same time, campaigns often include unfair competition, the use of administrative resources, and considerable inequality among candidates in regard to access to media outlets and balanced media coverage. Publication of negative propaganda materials exacerbates this unequal media access.

The findings above allow “Golos” to issue the following recommendations:

To the electoral commissions:

- Customize official websites for utmost information transparency;
- Ensure that candidates and parties have complete and accurate lists of forms and documents required for the nomination and registration of candidates;
- Fine-tune the specialized software product “Preparation of Information About Candidates (Including Their Income and Assets), Authorized representatives, and Authorized Persons,” as well as support other research activities in the field of automation for the elections;
- Nullify the number of refusals to register because of errors or incompleteness of data in the submitted documents by conducting consultation with candidates and parties;
- Ensure equality of all candidates and parties in regard to access to information, nomination procedures, verification of signatures, and other electoral activities;
- Tighten control over campaigning activities carried out outside the election funds using administrative resources and unequal access to the media;

- Cease hidden forms of campaigning carried out under the guise of informing about the candidates' professional performance.

To public authorities vested with the legislative initiative:

- Abolish collection of signatures of deputies for the municipal elections of heads of regions, or cut their number to 1-3% to ensure competitive elections;
- Abolish collection of voter signatures in the elections of deputies of the legislative and representative bodies of regional and local authorities, or reduce their number to 0.5%;
- Provide enough time for the nomination and registration of candidates and parties, enabling them to deploy a full-fledged election campaign;
- Oblige the heads of regions and municipalities that are candidates for election to go on vacation for the period of the election campaign.

To candidates and political parties:

- Adhere to the principles and methods of fair competition in election campaigns;
- Do not resort to using administrative resources;
- Offer voters only accurate information about themselves and their opponents;
- Prepare for the elections well in advance;
- Be careful and organized during preparation and provision of documents for the nomination and registration at election commissions.

To the media:

- Provide equal opportunities to all candidates and parties to access print space, airtime, and network resources;
- Do not express political and electoral preferences when presenting the news;
- Ensure objectivity and equality of candidates and parties in media coverage of elections;
- Refrain from publishing custom paid campaign materials of a negative character.

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