

Ukraine Election Watch



September 29, 2020

Ukraine will hold local elections on October 25, 2020. The National Democratic Institute offers this analysis of the pre-election environment based on: in-depth interviews conducted September 14 - 18 with representatives of the Ukrainian government, political parties, the electoral administration, civil society, the media, and domestic and international observer organizations; ongoing interaction with the full range of electoral stakeholders; and the Institute's expertise and relationships developed over almost 30 years of programming in Ukraine and conducting international election observation around the globe. This report highlights the electoral framework and administration; the campaign environment; gender and inclusion; the information environment; and the impact of the covid-19 pandemic. The Institute has assigned experts to conduct long-term, in-depth analysis of the key themes highlighted in this report and will continue to monitor the overall election process through its conclusion. NDI will issue a comprehensive assessment of the overall electoral process shortly after the elections.

Political Context

Voters' choices in Ukraine's local elections on October 25, 2020 will be more consequential than ever before. These will be the first nationwide local polls following a process of decentralization and amalgamation that has conferred enhanced powers and control over resources to mayors and councilors. The outcomes will thus matter to Ukrainians' day-to-day lives.

In presidential and parliamentary balloting in 2019, Ukraine demonstrated its capacity to conduct a credible process. Ukrainian and international observer groups, including NDI, have applauded government officials, election administrators, political parties, candidates, election observers, and citizens for collectively delivering elections that have complied with Ukraine's laws, met international standards, and reflected the will of voters.

At the same time, the upcoming local elections will be conducted under challenging conditions, including an unfamiliar and complex new election system, disruptions stemming from an ongoing conflict with Russia, and the public health risks associated with the coronavirus pandemic. These issues will test the resilience of Ukraine's electoral foundations. Concerted efforts to ensure voter and poll worker preparedness, maximize enfranchisement, and mitigate health risks will be needed.

After winning landslide victories in presidential and parliamentary elections in 2019, the ruling Servant of the People party will be facing a more competitive political landscape. Opposition parties have been rebuilding

support. Two months before election day, 40 percent of Ukrainians had not yet decided how to vote, according to [NDI research](#).¹ This uncertainty suggests that no party can take the results for granted.

The elections will also serve as a barometer of the country's democratic progress. [NDI research](#) shows that Ukrainian support for democracy and integration with the European Union remains strong. Yet optimism and confidence in the country's direction are waning, with concerns about the economy, health care, and the conflict with Russia at the forefront of citizens' minds.² A credible election process with results that reflect the will of voters and yields responsive, accountable local governance would add needed momentum to Ukraine's democratic trajectory.

Covid-related travel restrictions and other global developments have contributed to a perception within Ukraine that U.S. and European attention and diplomatic support have retreated in recent months. Any relaxation of focus leaves a void that is quickly filled by the Kremlin, particularly during high-stakes political events such as elections. More robust and visible solidarity from the international democratic community at this critical moment would reinforce Ukraine's democratic course.

Electoral Framework And Administration

On October 25, Ukrainian citizens will go to the polls to elect mayors in more than 1,400 cities, settlements, and villages. Most of the mayoral seats will be awarded to the candidate who receives a plurality of votes. In a few races, in constituencies with more than 75,000 voters, the winner must receive an absolute majority of votes cast, and a runoff election will be required if no candidate receives more than 50 percent of the votes. Voters also will elect more than 43,000 council members at the oblast, rayon, city, rayon-in-city, settlement and village level. Roughly 40 percent will be allocated to the candidates who receive the most votes in multi-mandate districts. The remaining 60 percent will be assigned based on a new open-list, proportional representation system. Voting will take place in approximately 30,000 polling stations.

In December 2019, five months after taking office, Ukraine's Verkhovna Rada (parliament) passed a new election code that harmonized the legal framework for presidential, parliamentary and local elections, in line with longstanding recommendations from citizen and international observers. In July 2020, following delays related to the covid-19 pandemic, parliament amended the code to address technical gaps and inconsistencies. The code, as currently amended, introduces the new open-list proportional system for councils representing more than 10,000 voters, and seeks to increase the participation of women, internally displaced persons (IDPs) and economic migrants, and persons with disabilities. The local elections are seen as a test run for future parliamentary elections, which under the current legislation would be conducted under a similar open-list proportional representation system.

In general, representatives of civil society, political parties and the international community who met with NDI characterized these changes as positive for Ukraine's elections. They also recognized the work the Central Election Commission (CEC) has done to prepare for the elections, given challenges related to the new election code, an evolving legal framework, and health risks introduced by the pandemic. Notably, trust in the CEC significantly increased over the course of the 2019 elections and has remained high by historical Ukrainian

¹ NDI Ukraine August 2020 telephone survey on opportunities and challenges facing Ukraine's democratic transition. Link: <https://www.ndi.org/eurasia/ukraine>

² Ibid

standards: according to [NDI research](#), 57 percent of Ukrainians now have a positive or neutral attitude toward the CEC.³

The CEC also formed an inter-agency working group to develop recommendations to preserve citizens' constitutional right to vote while minimizing covid-19 risks to voters, election officials, party agents and observers. The Cabinet of Ministers approved the working group's recommendations on September 14. On the same day, the commission submitted proposed legal changes to the president and parliament to operationalize the recommendations. The draft legislation would, among other things: give precinct election commissioners the right to screen voters and other authorized persons for symptoms of infectious diseases, including taking their temperatures; regulate access to regular polling stations for persons with elevated temperatures; require election commissioners and other authorized personnel to wear personal protection equipment (PPE); allow for the establishment of special polling stations at inpatient health care facilities where voters with infectious diseases undergo treatment; and lay out provisions for home voting for those in isolation or with confirmed cases of covid-19. Neither the draft law nor a related Cabinet of Ministers' resolution, however, allocates additional funding for the procurement of covid-related supplies, including PPE and cleaning materials.

In addition to the provisions related to covid-19, the proposed amendments also seek to address remaining technical gaps, including establishing a realistic cap for the value of campaign materials distributed to voters and providing clearer guidelines on determining the validity of a ballot. However, the draft law introduced in the Verkhovna Rada goes beyond the CEC recommendations and seeks to redefine the institutional responsibility for campaign finance oversight. The ruling Servant of the People faction, which is one of the factions introducing the amendments in the parliament, has argued that the need to address technical gaps outweighs otherwise legitimate concerns about making changes to the framework so late in the process.

Despite these efforts by the Verkhovna Rada and the Central Election Commission, significant challenges remain. In meetings with NDI, representatives of civil society, political parties and the media consistently expressed concern that the combination of a new election law and a short window to raise awareness of the changes will result in election day confusion and a high number of invalid votes. Voters will need clear information on how to vote and avoid spoiling their ballots, and election officials will require explicit instructions and training on how to determine the validity of ballots, count votes and allocate seats among parties and candidates. This is especially important given that voters in these elections will receive three to five ballots, each potentially with a different design and counted under a different set of rules. The CEC, with support from the International Foundation for Electoral Systems (IFES), is training territorial and precinct election commissions (TECs and PECs). The CEC, civil society organizations, political parties and media reported that they are planning or currently conducting voter education campaigns. They also argued that additional efforts are urgently needed.

While covid-related measures are critical to safeguarding citizens' voting rights and health, they are likely to result in a slower voting process, longer lines and potentially lower turnout. One concern, highlighted by the Ukrainian CSO Group of Influence, is the inadequacy of procedures for voting from home in the context of the pandemic. Current procedures, drafted prior to the pandemic, state that people who vote from home may not refuse entry to the election commission members, candidate and party representatives, and observers who wish to monitor the process. This provision could put voters at increased risk of exposure to the coronavirus. Also, it is unclear whether there will be sufficient funding or time available to procure protective equipment for election officials across all precincts.

Civic leaders who met with NDI also raised questions about whether territorial election commissions have the capacity, time and resources needed to fulfill all their responsibilities. Besides having to implement covid-19 mitigation measures, TECs are responsible for drawing multi-mandate territorial constituencies, aggregating

³ NDI Ukraine August 2020 telephone survey on opportunities and challenges facing Ukraine's democratic transition. Link: <https://www.ndi.org/eurasia/ukraine>

precinct-level results, identifying elected officials from territorial lists, and potentially overseeing compliance with campaign finance regulations. In addition, civic and party leaders expressed concern about political actors attempting to influence election commissions at all levels.

Of special concern for NDI's interlocutors was the decision not to conduct elections in 10 communities in Donetsk oblast and eight communities in Luhansk oblast, resulting in the disenfranchisement of almost half a million voters who have already suffered significant disruptions to their lives. The decision was based on recommendations by civil military administrations (CMAs) appointed by the president to fulfill the role of oblast administrations in the government-controlled areas of the two regions on the contact line in the conflict with Russia. The stated reason for the CMAs' recommendations, which are reportedly based on police and military assessments of the security situation in each community, is to protect citizens in areas at high risk of conflict. However, the criteria used to make these determinations is not transparent, even to the election authorities, and the decisions cannot be appealed. Even though the CEC is formally responsible for deciding whether conditions exist for elections to take place, it does not have the capacity to validate the CMAs' recommendations. In the absence of transparent criteria, these decisions have become subject to speculation that they may be politically motivated, and could contribute to divisiveness.

Recommendations

Before the Local Elections

The CEC, political parties, civil society organizations, and public and private media should conduct robust and wide-reaching voter education campaigns to familiarize citizens with the new electoral system and covid-related protocols.

The CEC should receive the fullest possible support in providing extensive training to TECs and PECs on their responsibilities.

The Verkhovna Rada and CEC should provide clear guidelines to voters and election officials on determining whether a ballot constitutes a valid vote. These guidelines should prioritize ensuring that ballots where the will of the voters is clear are deemed valid and counted accordingly.

The Verkhovna Rada should expeditiously adopt draft legislation intended to keep electoral actors safe during the covid-19 pandemic and fill gaps in existing legislation. Parliament should refrain from introducing any additional measures that could add uncertainty to the process or establish new responsibilities for the CEC, such as an election-day survey, that are unrelated to the local elections.

Election administrators should ensure reasonable consideration is provided for the safety of people voting from home during the pandemic.

The Cabinet of Ministers should allocate sufficient funds to local authorities and election administration bodies for the implementation of the covid-19 mitigation plan.

CMAs should make concerted efforts to explain to electoral stakeholders and the general public their rationale for determining that elections should not be conducted in 18

communities of Donetsk and Luhansk oblasts, including their criteria and logic, to build trust and understanding.

Political and government actors should refrain from exerting political pressure on members of the CEC and TECs.

Following the Elections

Every effort should be made to ensure that future changes to the legal framework governing elections are enacted at least one year prior to election day. This would be consistent with international best practice, and provide election authorities, political parties, candidates, observers and citizens with clear expectations about the election process.

The Verkhovna Rada should define and publicize clear and objective criteria for CMAs to determine whether elections must be canceled in specific communities, and establish an appropriate appeals process. If a CMA determines that conditions are not conducive to elections in a community, it should provide clear and convincing evidence that security concerns temporarily outweigh citizens' constitutional right to cast their vote. Once criteria are established, publicized and met, the CEC should conduct elections in these communities as soon as possible to prevent the prolonged disenfranchisement of their almost half million voters.

Campaign Environment

Candidate and party registration took place from September 15 to September 24. Parties and CSOs highlighted to NDI that the need to develop and reorganize territorial structures, identify thousands of candidates for different levels of local governance, and observe a new gender quota proved challenging in a landscape constrained by the pandemic.

Covid-19 presents parties with difficult dilemmas. Ukraine is currently operating under a green/yellow/orange/red “zone” system that imposes varying levels of restrictions on public gatherings, depending on viral spread in the community. Voters in restrictive “red” and “orange” zones will be even more dependent on traditional and social media coverage of local races when making their choices. Some parties have moved campaign operations primarily online, which risks excluding voters who lack internet access. Other parties have continued to hold limited in-person events in parts of the country where such activities are allowed, raising concerns about parties' and candidates' duty of care to prevent the spread of infection.

In [NDI public opinion research](#), Ukrainians cited roads, local medical services, communal services, and schools as their top four priorities at the local level.⁴ As of late September, most parties were still defining their platforms for the October elections. The same poll showed 40 percent of Ukrainians are undecided as to how they will vote, suggesting that parties offering credible solutions to local problems could find a supportive electorate. Multiple CSOs are tracking and publicizing campaign platforms and encouraging parties and candidates to focus on issues of concern in their communities.

⁴ NDI Ukraine August 2020 telephone survey on opportunities and challenges facing Ukraine's democratic transition. Link: <https://www.ndi.org/eurasia/ukraine>

Ukraine has made progress in recent years in reducing the use of state resources for electoral gain. However, NDI heard concerns from multiple interlocutors regarding potential abuses of administrative resources this cycle. Ahead of the campaign period, Ukrainian civic groups [OPORA](#),⁵ [Chesno](#),⁶ and the [Committee of Voters of Ukraine](#) (CVU)⁷ documented an uptick in social welfare and infrastructure projects, increased activity by incumbent deputies and mayors, and use of communal advertising spaces for promotion of prospective candidates. To an extent, the ongoing economic and health crisis, which requires some level of state assistance to those who have been affected, can make it difficult to distinguish between legitimate government aid to citizens and attempts by a ruling party to curry favor with voters ahead of elections.

The Minister of Health, who is running for the Odesa Oblast Council, has been criticized for violating regulations that forbid civil servants from campaigning during “office hours.” Furthermore, several observers noted a blurred line between President Zelenskyy’s public appearances and the campaigns of key Servant of the People candidates.

[OPORA](#) has called on governors, mayors and heads of oblast councils to sign a code of conduct for the elections.⁸ The code outlines the types of abuses of administrative resources that should be avoided, including those concerning personnel and material, budgets, law enforcement, regulatory authority, and media resources. This is a commendable initiative.

Violence has no place in an election. One opposition party reported physical attacks on party activists and campaign offices. The party noted that it had filed police reports, and those reports had led to investigations in some cases.

In 2015, the Verkhovna Rada adopted a new regulatory framework for party and campaign financing that increased transparency. However, some shortcomings that international and domestic observers have raised remain unaddressed: the process for making small individual donations is burdensome; regulation of spending prior to the official campaign is inadequate; and election administrators lack the resources to effectively monitor and enforce laws and regulations.

Political parties, CSOs and media representatives frequently raised with NDI the issue of unregulated and nontransparent “early campaigning” providing an unfair advantage to those engaging in it, and depriving voters of information regarding funding sources. In a [September 4 report](#), OPORA noted that 70 parties had engaged in “activities with elements of electoral campaigning” in August.⁹ Other CSOs reported that some parties were distributing goods to citizens before campaigning had officially begun. In addition, many parties have affiliated nongovernmental organizations, through which they are able to fundraise and conduct off-the-record campaign activities, indicating a need for further regulation of the role of party affiliates in the electoral process.

⁵ OPORA’s First Observation Report for the Preparation Process to the Local Elections 2020. Link: https://www.oporaua.org/en/report/vybory/mistsevi-vybory/mistsevi_2020/20577-pershii-zvit-za-rezultatami-sposterezhennia-opori-za-protsevom-pidgotovki-do-mistsevikh-viboriv-2020

⁶ Chesno: Surprising coincidence: the head of Kyiv Subway promotes himself at the expense of the subway budget before the local elections. Link: <https://www.chesno.org/post/4202/>

⁷ Committee of Voters of Ukraine: V. Zelenskyy uses his working trips to campaign for Servant of the People party. Link: <https://www.facebook.com/151331398241958/posts/4218317298209994/?extid=fXmlbki3xzIkqvz&d=n>

⁸ OPORA Suggests City Mayors Sign the Code of Conduct for Local Elections. Link https://www.oporaua.org/en/news/vybory/mistsevi-vybory/mistsevi_2020/20705-opora-proponuie-miskim-golovam-pidpisati-kodeks-etichnoyi-povedinki-pid-chas-mistsevikh-viboriv

⁹ OPORA’s First Observation Report for the Preparation Process to the Local Elections 2020. Link: https://www.oporaua.org/en/report/vybory/mistsevi-vybory/mistsevi_2020/20577-pershii-zvit-za-rezultatami-sposterezhennia-opori-za-protsevom-pidgotovki-do-mistsevikh-viboriv-2020

Due to the covid-19 crisis, the deadline for submitting party finance reports that would reflect pre-election spending was postponed until an as-yet undetermined date after the elections¹⁰, making that information unavailable to voters, CSOs and other stakeholders in a timely manner. Campaign finance reports are due within only days of the election, at which time they are currently expected to be reviewed by TECs. As TEC members represent parties, and have significant responsibilities beyond reviewing campaign finance reports, some parties and CSOs expressed concern that they will lack the will or capacity to enforce regulations.

Amendments to the electoral code adopted in 2019 include explicit prohibitions meant to dissuade vote-buying, restricting any “gifts” worth more than 1 hryvnia (approximately 4 cents), an amount that would have precluded even basic campaign materials. Guidance issued by the CEC on September 14 raised that cap to 63 hryvnia but has not yet been confirmed by the Verkhovna Rada. This divergence could result in electoral stakeholders having different interpretations of the regulations.

Recommendations

Political parties and candidates should develop targeted strategies for reaching voters, including those in more restrictive zones and who lack access to the internet.

Parties and candidates should develop and share policy platforms that respond to concerns that can be addressed at the local level, and encourage voter participation through a focus on policy.

Parties should conduct robust education campaigns among their activists to ensure they do not engage in fraud, vote buying, and abuse of administrative resources, and institute meaningful disciplinary measures against violators. All governors, mayors and heads of oblast councils should consider signing and abiding by OPORA’s code of conduct.

For future elections, the Verkhovna Rada should: clarify the parameters for presidential engagement in campaigns; address issues of early campaigning and campaigning by party affiliates; and define the procedures, responsibilities, and mechanisms for reporting on, and overseeing, party and campaign finances.

Gender and Inclusion

In response to years of tireless efforts by many election stakeholders, and growing public demand for a better balance between men and women in political life, the new electoral framework for the 2020 local elections provides unprecedented opportunities for enfranchisement and participation. In particular, NDI heard optimism that these elections will bring large numbers of women into local politics across the country.

For the first time in Ukrainian history, the election legislation includes an enforceable gender quota for party lists. According to the law, in communities with more than 10,000 voters, “no fewer than two candidates of

¹⁰ Chesno: Elections blindfolded: parties will reveal their donors only after the elections. Link: <https://www.chesno.org/post/4231/?fbclid=IwAR3bmR1-q6pnNEIq1WQkUKHyCGD4Jk82VRV6rohO4ckKNJNlDWrAl1XpAU>

each gender shall be present in each five candidates in the electoral lists.” In communities with 10,000 or fewer voters, lists must include at least 30 percent of candidates from each gender. TECs are prohibited from registering lists that fail to meet these requirements. These provisions represent a clear improvement. However, NDI heard concerns about potential quota circumventions. For example, some CSOs discussed the possibility of women being asked to promise to withdraw their candidacies in favor of male colleagues after the election, so that lists would comply with the quota only technically. In addition, they noted that hate speech, violence, and intimidation directed at women candidates will remain a problem.

Financial issues remain a significant barrier for women’s participation in elections as candidates. Parties often require candidates to fund their campaign costs, including deposits required for registration. Yet, on average, women have lower salaries than men and less access to other financial resources.

The new legal framework has reduced barriers to voting for internally displaced persons (IDPs). This reflects a longstanding recommendation from CSOs such as OPORA, political parties, and international organizations. Voters are now able to register to vote where they actually reside through a simplified procedure. As a result of this change, internally displaced persons (IDPs), labor migrants, students, people without a registered place of residence, and others, will be able to vote. The change could also benefit lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals who have relocated out of concern for their safety. By the September 10 deadline, 105,290 voters had applied to change their electoral addresses. The CEC, State Voter Registry (SVR), and CSOs engaged in limited public information efforts on the change in procedure. However, NDI heard concerns that greater efforts will be necessary in the future to reach the approximately 5.5 million affected voters.

Several new provisions intended to improve the accessibility of electoral information and the voting process were included in the new code. Simplified procedures for making changes to one’s voter registration status have brought improved access to voting for persons with disabilities. However, unlike the parliamentary elections, there are no provisions for voters who are blind or have low vision to vote independently. According to the election code and a CEC resolution in August 2020, there should be one wheelchair accessible voting booth in each polling station. As noted above, requirements for voting from home may raise particular concerns for persons with disabilities, and others, in the context of the pandemic. While improvements are underway, persons with disabilities will still face barriers to their participation, including lack of access to most polling stations.

LGBTI community members are still subject to homophobic harassment and intimidation, and face considerable obstacles to political participation. For the first time in any Ukrainian election, however, several openly LGBTI candidates have announced plans to run in the 2020 local elections, which advocates assess as a positive step in advancing the participation of LGBTI communities in Ukraine’s political life.

Recommendations

Before the Local Elections

Political parties should embrace the opportunities provided by the gender quota by ensuring their campaigns and candidates reflect the composition and interests of their communities.

Parties should emphasize recruiting, training and nominating women candidates to winnable positions on lists and further develop party infrastructures to support women

and marginalized groups, and integrate issues of specific concern to these communities into party platforms.

Parties and leaders should refrain from pressuring women candidates to withdraw their nominations in favor of male candidates after elections in order to circumvent quota requirements.

Following the Elections

The CEC, political parties, and civil society groups should develop robust public information efforts on the new accessibility measures for voters with disabilities and new procedures for changing voter addresses for IDPs and other people residing in places other than their permanent addresses.

The Verkhovna Rada should amend the election code to ensure the balance between men and women on party lists is maintained in the event of candidate replacement.

The Verkhovna Rada should consider adjusting candidate deposits to an amount significant enough to deter frivolous candidacies while not impeding registration of genuine candidates without significant means.

Media Environment and Information Space

Ukraine's current information environment is complex. The country is on the front lines of the Kremlin's global hybrid war. The local elections will involve a new electoral system and more than 100,000 candidates. In addition, an [NDI survey](#) in June 2020 revealed that more than half of Ukrainians feel overwhelmed, confused and stressed by covid-19 related information, which they receive primarily from television and messaging apps.¹¹ This setting represents a daunting communications challenge for all electoral stakeholders, including media outlets. Commendably, despite these hurdles, nonprofit and commercial media organizations reported to NDI extra efforts to educate voters, share party positions, spotlight women candidates, and provide venues for candidates to communicate their programs.

Highly consolidated media ownership remains a consistent feature in Ukraine. At the national level, outlets accounting for 75 percent of total television viewership are owned by just six individuals, while the public broadcaster and independent media have historically been underfunded and marginalized. According to multiple party and CSO representatives, media owners and the senior editors they appoint give preferential news coverage and access to their political allies.

The situation is much the same at the regional level, where media ownership is just as highly concentrated, in some cases more so. In light of voters' traditional reliance on television for news and information, unequal media access and unbalanced coverage mean that voters are not receiving accurate, impartial information. Further inhibiting voters' access to reliable information is the practice of candidates paying news outlets for positive coverage, a practice that has become less prevalent in recent years but remains a problem and may increase during local elections.

¹¹ NDI Ukraine July 2020 online survey. Link: <https://www.ndi.org/eurasia/ukraine>

Social media has played an increasingly important role in recent elections, and that trend is set to continue, especially in light of restrictions on in-person campaigning as a result of the covid-19 pandemic. NDI's monitoring of Facebook shows that regional branches of political parties, incumbent mayors, and regional news outlets are using the platform to discuss the elections and campaigning, and many were doing so before the official start of the campaign. [OPORA](#) found that political parties and potential candidates spent approximately \$500,000 on Facebook advertising in August.¹² Not all voters will be able to take advantage of the increasingly online campaign. Rural areas have lower internet penetration rates than do urban areas, and social media activity is higher among women, young people, those with more education, and those with higher incomes.

Disinformation remains a substantial challenge in Ukraine. Among political parties, disinformation is often defined as negative campaigning, although there is awareness among some parties of the broader problem and how it can impact voters' beliefs. Over the past several years, Ukrainians have been inundated with disinformation aimed at undermining Ukraine's relationship with the West, exacerbating internal tensions over issues of identity and language, distorting Ukrainian history, excusing or downplaying Russian aggression in Crimea, Donetsk and Luhansk oblasts, and undermining confidence in democratic institutions such as elections.

As the most popular social media platform in the country, Facebook remains a primary source for disinformation, and representatives from civil society and political parties have said that the absence of a local Facebook office makes it difficult for electoral stakeholders to engage with the company. They argue that establishing an office in the country, particularly during the elections, would enable more efficient cooperation and communication to identify and remove coordinated inauthentic behavior and other disinformation from the platform. In addition, CSOs and parties suggested the need for clear regulations related to political advertising online, particularly on social media.

Representatives from civil society organizations, including OPORA, Detector Media, and CVU, said they expect to see a surge in ongoing disinformation narratives echoing Kremlin-generated themes, including sexist and homophobic messaging targeted at women and LGBTI candidates. Additionally, new disinformation narratives are seeking to exploit fear of covid-19, criticize the government's response to the pandemic, and increase confusion about recent changes to the electoral code.

Some CSOs and parties claim that not enough is being done to confront the threat posed by disinformation. Many interlocutors expressed opposition to greater government regulation of speech, however, fearing that this could open the door to political censorship. Multiple Ukrainian, international and intergovernmental efforts to combat disinformation are underway, yet the scale of these initiatives is not commensurate with the breadth of the problem, and more can be done by the government to coordinate a unified response. Interlocutors called for enhanced funding of these efforts and an increased focus on education and media literacy as long-term solutions.

Politically active women are often the subject of sexist propaganda and media coverage. Gender-based hate speech is common in traditional and social media, including through cyberbullying, smear campaigning and fabricated content, but there is no effective mechanism for tracking, stopping, or punishing perpetrators. According to the new election code, public institutions, media, and other information agencies should avoid discrimination and sexism when disseminating election-related information. However, the law does not include sanctions for violations. The National Council on TV and Radio Broadcasting is responsible for monitoring observance of the election law by broadcast media, and a representative of the Council has reported to NDI that it will focus on sexism, among other topics, which is an important step forward.

¹² OPORA: Half a million dollars on Facebook advertising a month. September 3, 2020. Link: https://www.oporaua.org/en/news/vybory/polit_ad/20556-piv-miliona-dolariv-na-reklamu-v-facebook-za-misiats-naishchedrishi-u-serpni-politichni-partiyi

Recommendations

Ukrainian and international donors should provide sufficient funding to support independent media outlets, including the public broadcaster, as viable alternatives to oligarch-owned media.

Technology companies, especially Facebook and other social media platforms, should establish or increase their in-country presence in the period leading up to and during elections in order to ensure rapid response to complaints from electoral actors.

Political parties should voluntarily report in a timely way about their spending on political advertisement on all social media platforms, even outside the official campaign period.

Civil society organizations, the donor community, and government should collaborate to substantially increase funding and programming around monitoring and countering disinformation, on the one hand, and investing in long-term media literacy and education about disinformation on the other.

Following the elections, the Verkhovna Rada should consider empowering the CEC or other relevant governmental agencies to oversee online spending on political advertisements.

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Authors: NDI Regional Director for Programs in Eurasia Laura Jewett; former Member of the European Parliament Rebecca Harms; NDI Ukraine Director Ian T. Woodward; NDI Ukraine Deputy Director Natia Jikia; and NDI Program Director for Elections and Political Processes Mario Mitre.

Contributors: NDI Program Director Kristina Jeffers; NDI Program Manager Iaryna Odynak; NDI Long Term Analyst Coordinator Natasha Rothchild; and Long Term Analysts Tamara Sartania, Daria Paprocka, Alienor Benoist, and Calvin Garner.