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RUSSIA ELECTION ALERT #8

Duma elections 2021

While the State Duma elections are still some time off, early indications are that the authorities will take unprecedented efforts to keep the non-systemic opposition out of the State Duma and to undermine independent election observation. Associates to prosecuted Alexei Navalny are being subjected to intense attacks already, and Navalny's Smart Voting campaign will be all but impossible to conduct due to the likely labelling of participating opposition candidates as affiliates to a 'foreign agent'. This branding could have tangible consequences, such as *Roskomnadzor* blocking candidates' websites for 'unlawful campaigning'. This label is also likely to be used to undermine independent domestic election observers. More on developments ahead of the Duma elections in our newest Russia alert here.



Voter during Russia's Single Voting Day 2020. Source: ft.com / © AP)

Russia's next State Duma elections are scheduled to be held in September. A number of recent developments offer a glimpse of how they may be conducted.

The prosecution of Alexei Navalny upon his return to Russia in January as well as the mass arrests during protests in his support mark a new level of repression and disregard for the rule of law. Especially the manner in which the trial against Navalny was organized suggests that the authorities are less concerned than before about giving its treatment of the political opposition an air of legality. In these conditions, the authorities may show little hesitation in denying, without valid reason, registration of opposition politicians who intend to contest the upcoming election.

This will probably apply in particular to prospective candidates who are affiliated with Alexei Navalny and his Anti-Corruption Foundation, such as Lyubov Sobol and Ivan Zhdanov, who have announced that they plan to run in single-member districts in Moscow. While state-controlled television until recently rarely mentioned Navalny, he and his associates are now subjected to frequent and intense

attacks. Lyubov Sobol alone is currently a target in several criminal investigations. Given the intense pressure against Navalny associates, it seems unlikely that any of them will be allowed to register as candidates in the State Duma election.

One of the main concerns related to the elections for the authorities is the Smart Voting campaign of Alexei Navalny and his team. Smart Voting has been successful in preventing the election of a large number of United Russia candidates in regional and municipal elections in cities across Russia since 2018. Smart Voting has achieved this by calling on people to vote for one particular opposition candidate - even if that candidate is far from perfect - in order to prevent the opposition vote from becoming fragmented. In 2021, the Anti-Corruption Foundation plans to roll out Smart Voting in State Duma elections for the first time, and to as many districts as possible.

It becomes increasingly clear, however, that the Smart Voting campaign will be all but impossible to conduct. With Navalny locked up and members of his team facing prosecution, organizing Smart Voting will become harder. Second, the State Duma is currently reviewing amendments to existing legislation that will create two types of new candidates: a 'candidate carrying out the function of a foreign agent' and a 'candidate who is affiliated with someone carrying out the function of a foreign agent'. A candidate with either one of the two designations has to mention it on the lists used for collecting signatures and on a surface covering at least fifteen percent of their campaign materials. The designation is also printed on ballots next to the name of the candidate. Some have suggested that the new legislation may be used to label candidates who are selected for Smart Voting as 'candidates who are affiliated with someone carrying out the function of a foreign agent', so that many candidates will seek to disassociate themselves from Smart Voting.¹ Harsh criticism in recent weeks of Navalny from the leaders of the three parties in the Duma other than United Russia and even from fellow liberal Grigory Yavlinsky, founder of the Yabloko party, are an indication that their parties will likely not coordinate with the Smart Voting campaign.

Also, on 17 February the State Duma adopted amendments to the Code of the Russian Federation on Administrative Offenses, granting the Central Election Commission the authority to request the Federal Service for Supervision of Communications, Information Technology and Mass Media (*Roskomnadzor*) to block websites for unlawful campaigning.² There is some suspicion that the new legislation will be used in particular to obstruct the Smart Voting campaign.³

A noticeable trend are statements by top-ranking politicians about the need to ward off foreign interference in the elections. On 17 February, in a meeting with the four faction heads in the State Duma, Putin remarked that the votes of Russians have to be defended against foreign meddling.⁴ Duma chairman Volodin and Federation Council chairwoman Matvienko have made similar statements in the preceding few weeks.⁵ It is well possible that this perceived threat of foreign interference will be used to justify the non-admission in the election of opposition candidates such as Lyubov Sobol and Ivan Zhdanov, as well as efforts to thwart Smart Voting. In addition, the narrative about non-interference could be employed to undermine the election observation activities of the Golos movement and other

¹ E.g. "Gosdume predlozhenno srochno rasshirit' krug "inoagentov". Za shchiot kogo?, see <https://www.bbc.com/russian/news-54965166>

² The amendments can be consulted at <https://sozd.duma.gov.ru/bill/1059597-7>

³ "Internet tishiny. Blokirovka nezannoi agitatsii trevozhit oppozitsiiu" *Kommersant* 22 January 2021, see <https://www.kommersant.ru/doc/4654988>

⁴ "Putin zaiavil ob obiazannosti vlastei zashchitit' vybory ot vmeshatel'stva", 17 February 2021, see <https://www.rbc.ru/rbcfreenews/602ce36b9a794704d5f7e4e5>

⁵ "Matvienko ne iskluchila popytok vneshnego vmeshatel'stva v vybory v RF", *Rossiiskaia Gazeta* 20 January 2021, see <https://rg.ru/2021/01/20/matvienko-ne-iskliuchaet-popytok-vneshnego-vmeshatelstva-v-vybory-v-rf.html>

organizations. When it still existed as a formal organization rather than as a movement, Golos was forced to register as a ‘foreign agent’, and its election observation activities have long been delegitimized by the Russian state.

Finally, a surprising development has been the merger of the Just Russia (Spravedlivaia Rossia), For Truth (Za Pravdu) and Patriots of Russia (Patrioty Rossii) parties.⁶ In recent years, the formal requirements for political party registration have been relaxed, leading to a large batch of new parties. For some time, it has been assumed that many of these new parties, such as the For Truth party of nationalist Zakhar Prilepin, would run in the State Duma elections as spoiler parties and in doing so take away some votes from (more credible) opposition forces while staying below the five percent electoral threshold. The announced merger of the three parties therefore may signal a shift in the strategy of the presidential administration for the upcoming election.

The substantial support for Alexei Navalny, the West’s reaction to his prosecution, and the success of Smart Voting in recent elections likely all impact how the presidential administration will approach the State Duma elections. While the elections are some time off, early indications are that the authorities will take unprecedented efforts to keep the non-systemic opposition out of the State Duma.

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⁶ “Spravedlivaia Rossiia, Za pravdu i Patrioty Rossii podpisali manifest ob ob’edinenii”, 28 January 2021, see <https://tass.ru/politika/10568081>