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Hastily Organized Elections in Ukraine Would Undermine Democracy and the Conflict Settlement

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Recent reports from both US and Russian media following the Riyadh negotiations suggest that the two powers have agreed on a sequenced settlement for Ukraine: first, a ceasefire; second, elections in Ukraine; and only thereafter, the signing of a final peace agreement. This DGAP Memo argues that such a sequence would be a grave mistake. As it would leave Ukraine politically and militarily more vulnerable, it could empower Russia to escalate again and destabilize Ukraine internally.

According to the Ukrainian constitution, neither elections can be held nor the constitution be amended in times of martial law. In practice, this means that ending the martial law that has been in place there since February 2022 is an essential precondition to organizing any elections.

Tying the peace agreement to holding elections would result in highly asymmetric commitments from Ukraine and Russia. Keeping essential security considerations in mind, a dilemma thus arises: Would Russia remain committed to the settlement process once Ukraine lifts martial law? By doing so, Ukraine would lower most of its defenses in a hardly reversible way and face a fragile domestic situation. Russia could use this opportunity for a renewed attack as well as smaller hybrid operations. Meanwhile, as the discussions stand now, Russia would

not be required to make any irreversible concessions, leaving Moscow with the possibility to escalate.

DEMOCRATIC LEGITIMACY

Free and fair elections require sufficient preparation to ensure an even playing field for all political parties, the safety and security of voters, and media pluralism. Hastily organized elections could undermine Ukraine's democratic integrity, damaging both the legitimacy of the political system and the state itself. Moreover, if the elections are not fully democratic, Moscow could exploit this as a pretext for rejecting the results and then stall the settlement process.

Discussions about elections have also been fueled by Ukrainian authorities and opposition parties. While planning for future elections is necessary, it must not be rushed. While Ukrainian authorities estimate that elections could be held within four months after martial law ends, election experts and civil society groups argue that at least nine to twelve months are needed. Besides, the parties represented in Ukraine's parliament had previously agreed that elections should not take place less than six months after the suspension of martial law.

During the three years of martial law, Ukraine's media landscape has changed considerably. Many opposition-oriented outlets have been closed, suspended, or deprived of funding. Regional media has also been affected by the war, including offices that have been destroyed. In addition, the halt of USAID funding has implications for media, civil society, and groups that observe elections. Ensuring freedom of speech and that all candidates have equal access to media will

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be key for the organization of free and fair elections.

Moreover, trust in traditional media has eroded and the main channels through which Ukrainians now receive their news are social media platforms: You-Tube (41 percent), local Telegram channels (39 percent), nationwide Telegram channels (37 percent), and Facebook (36 percent). A campaign orchestrated by Russia could use Telegram, chatbots, and paid advertisements to exploit public frustration and sow doubt about traditional candidates – both in government and the opposition – and promote new political actors.

Furthermore, the electoral framework needs to be adjusted because Ukraine's legislation does not currently stipulate what happens when elections are postponed. Therefore, it will be necessary to introduce procedures for holding the first post-war elections and guaranteeing the rights of citizens. According to an <u>electoral roadmap</u> prepared by the Ukrainian elections observation organization Opora, several steps must be taken before lifting the martial law to ensure these elections are legitimate. They include legal amendments, the prevention of Russian interference, and Ukraine's further progress related to EU accession, including the revision of the electoral code.

Meanwhile, if elections get organized hastily, the combination of these factors would provide Russia with significant leverage over the election process, thus enabling Moscow to influence the outcome and use the electoral campaigns to fuel polarization.

JUST AND FAIR PARTICIPATION IN ELECTIONS

Given that Ukraine is in an active state of war, the feasibility of organizing elections in frontline areas remains a critical challenge in terms of security and infrastructure. Polling stations would be critically vulnerable to Russian attacks; even the possibility of strikes would decrease voter turnout. Ensuring that the men and women serving in the

Tying peace to elections would leave Ukraine politically and militarily vulnerable

armed forces can exercise their right to vote constitutes another problem. Of the roughly one million Ukrainian soldiers, approximately 400,000 to 500,000 serve in areas close to the frontline. Even with a ceasefire in place, the line of contact would become critically vulnerable on election day when soldiers would need to rotate out from their positions to cast their ballots or gather around mobile ballot boxes.

With around 20 percent of Ukraine under occupation, the Ukrainian citizens living in these areas would hardly be able to exercise their voting rights in a free and fair manner. If elections take place before a final peace agreement, this will probably mean that Russian authorities will have full control over the voting there. The same applies to those Ukrainian citizens who found shelter, voluntarily or less so, in Russia during the war.

Moreover, registering voters will be a challenging and time-consuming exercise. Around <u>7.6 million</u> Ukrainians fled the country and there are around

4.6 million internally displaced people (IDPs). A solution must be found for how these millions of IDPs and refugees

how these millions of IDPs and refugees abroad – many of whom have no home left to return to – could vote and have their voices represented.

Further, lifting martial law could trigger new waves of emigration as a response to not only the grave social and economic situation in the country but also to uncertainties regarding the sustainability of any conflict settlement. Based on a poll from December 2024, 21 percent of Ukrainians – at least six to seven million people – would leave the country if borders get reopened.

Ukraine's Electoral Commission has started working on updating the country's voter rolls and list of polling stations. Yet, in the current context, bringing this work to completion will be a complex exercise. And electronic voting could be highly vulnerable to Russia's cyber interference.

RUSSIA'S GAME IN ELECTIONS: POSSIBILITIES FOR INTERFERENCE

The demand of the authoritarian regime in Moscow for elections in Ukraine is not only ironic but deeply strategic. While Russia itself remains an authoritarian regime, it seeks to delegitimize Ukraine's democratically elected leadership to weaken it both at home and abroad. Russia's idea of holding elections in Ukraine has been echoed by some US representatives, suggesting they might become part of the negotiation conditions imposed by the United States.

Russian electoral interference has evolved significantly in recent years, and no tactic is off-limits. Its actions in Moldova, where it funneled \$39 million into influence operations, provide a clear example of its capabilities. If Ukraine holds elections under current

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conditions, Russia could use similar tactics to sway the outcome in its favor.

Although Russia is unlikely to openly support pro-Russian candidates – given Ukraine's strong anti-Russian sentiment – it could back figures who capitalize on public discontent. In Ukraine, there is strong public support for regaining occupied territories but growing skepticism about the government's overall direction. Russia could exploit this skepticism and key grievances, such as war fatigue, economic hardship, and divisions over reform efforts, to polarize society and advance its interests.

Ukraine's declining trust in institutions further exacerbates this vulnerability. In 2022, 43 percent of Ukrainians believed their country was adequately prepared for war. By 2024, this figure had dropped to 13 percent.

7.6 million displaced Ukrainians must not be excluded from voting

Russian-backed actors could manipulate such sentiments to fuel distrust in established parties. In combination, the developments described here could lead to a parliament that, although not openly pro-Russian, will advocate for Russian interests.

MILITARY ASPECTS

The issue of lifting martial law has direct military implications too. First, the mobilization and increasing militarization of Ukraine's economy is based on the martial law. Once it ends, the economy would start shifting back into peace mode, making it complicated to react swiftly to a potential new outbreak of hostilities.

Second, ending martial law and opening the borders would also significantly erode Ukraine's military capabilities. This is because there are still millions of men of military age (from 18 to 60 years old) who, despite Ukraine's law on mobilization, did not refresh their data at its military recruitment centers - supposedly due to their reluctance to serve. Once martial law gets lifted and borders get reopened, however, there is a high chance that many of these men would decide to go abroad to avoid the possibility of getting drafted. Hence, should hostilities erupt again, Ukraine would be facing an even graver shortage of military personnel than the one with which it is struggling now.

CONCLUSION

Making the final peace settlement conditional on first holding elections in Ukraine would be a serious strategic mistake. Should Russia decide to escalate again, despite the ceasefire agreement, Ukraine would be a lot more vulnerable than it is today with martial law still in place. Russia's flagrant violation of the Minsk agreements with its full-scale invasion in 2022 demonstrates that Moscow is not reluctant to disregard its earlier commitments should it feel that this best serves its interests. Hence, neither the United States nor Europe should push Ukraine to lift martial law and hold elections before a final, sustainable, and properly guaranteed peace agreement - including security guarantees - is in place.



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