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# PASSPORTIZATION, DIMINISHED CITIZENSHIP RIGHTS, AND THE DONBAS VOTE IN RUSSIA'S 2021 DUMA ELECTIONS

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# TCUP REPORT

Temerty Contemporary Ukraine Program  
Ukrainian Research Institute  
Harvard University

TCUP Report: Passportization, Diminished Citizenship Rights, and the Donbas Vote in Russia's 2021 Duma Elections

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# PASSPORTIZATION, DIMINISHED CITIZENSHIP RIGHTS, AND THE DONBAS VOTE IN RUSSIA'S 2021 DUMA ELECTIONS

## Executive Summary

### PASSPORTIZATION

Referring in this paper to the extraterritorial naturalization of Donbas residents en masse, passportization is one of Russia's preeminent foreign policy tools to deepen the potentially explosive deadlock in the implementation of the Minsk Agreements. In this deadlock, passportization can serve as a tool of ambiguous Russian extraterritorial governance over the Donbas while keeping violence at a comparatively low level, or as a tool to justify a full-scale Russian military intervention to "protect" its citizens from, for example, a purported "genocide."

### RUSSIA'S GOAL

Russia does not necessarily want more citizens or territories: Russia's ultimate goals are far-ranging security guarantees to prevent Ukraine's further integration or membership with NATO. Passportization is one of the instruments to achieve this overarching goal.

### SECOND-CLASS CITIZENS

Passportization of residents of the non-government-controlled areas of the Donbas does not endow these Ukrainians with full membership of the Russian state; they are "second-class citizens" with diminished rights. This becomes especially apparent with regard to not only international non-recognition, but also pensions, social benefits, and voting rights.

### LEGITIMACY DEFICIT

Due to this "diminished citizenship," Russia suffers from a legitimacy deficit in the self-proclaimed "People's Republics" of Donetsk and Luhansk—the "DPR" and "LPR." Enforcing voting rights for Donbas residents in the 2021 Duma elections therefore served the purpose of legitimizing Russia in the residents' eyes: It suggested that integration with Russia is continuously advancing.

## DONBAS VOTER TURNOUT

In the 2021 Russian Duma (parliamentary) elections, the turnout among eligible passportized Donbas residents was above 40 percent. Of the roughly 200,000 voters, three quarters voted electronically at de facto polling stations (so-called “information centers”) on the territory of the “DPR” and “LPR”; one quarter travelled to polling stations in the neighboring Rostov region in Russia. With the whole adult population of the “DPR” and “LPR” as a reference point, less than 10 percent of Donbas residents took part in the Duma elections.

## DONBAS VOTERS SUPPORT UNITED RUSSIA

Donbas voters are pro-Russian: They have much more favorable views toward United Russia than Russians in the Rostov region. On average, the presence of Donbas residents at respective Rostov polling stations, and at the seven Rostov electoral districts, adds 25 percent to the United Russia result. This is paradoxical, as United Russia follows the official Russian reading of the Minsk Agreements—reintegration of the Donbas with Ukraine on Russian terms—while Donbas residents voted for integration with Russia. But the official results give a distorted picture of support for United Russia, as workplace mobilization and electoral manipulations were widely reported.

## FAST-TRACKED PASSPORTS NOT RECOGNIZED

Ukraine’s policy to counteract passportization and the involvement of Ukrainian citizens in Russian elections has a legal foundation: Ukraine does not allow dual citizenship. The fast-track passports are not recognized, and passportized Donbas residents are still considered Ukrainian—and not Russian—citizens. Russian elections with the involvement of Donbas residents are declared illegal and the Russian parliament illegitimate. But beyond this legal foundation, Ukraine lacks a coherent, long-term strategy on how to reintegrate Ukrainians in the “DPR” and “LPR.”

## U.S. AND EU SHOULD SUPPORT UKRAINIAN SOVEREIGNTY

The reaction of the United States and the EU to Russia’s passportization has been weak; a mere non-recognition of these passports is not sufficient. Instead, the West should acknowledge that passportization and the development of Russian electoral infrastructure in the Donbas fundamentally erodes the political part of the Minsk Agreements by undermining the possibility of having free and fair local elections according to OSCE standards. The U.S. and the EU should reinvigorate their support of Ukrainian sovereignty without pushing Ukraine deeper into the “sequency trap” with political concessions.

## UKRAINE URGENTLY NEEDS A LONG-TERM STRATEGY

Ukraine urgently needs a coherent long-term policy toward its citizens in the non-government-controlled territories. Policy suggestions from various actors range from hawkish (stripping Donbas residents with Russian passports of Ukrainian citizenship) to conciliatory (de facto recognition of some documents issued by the “DPR” and “LPR”). This hodgepodge of proposed policy responses unmistakably sends the wrong signals to Donbas residents. Instead, Ukraine should deepen its engagement with Donbas residents by making public services more accessible, including by a speedy digital transformation of state services. Better Ukrainian public services would be a powerful tool to counteract Russia’s creeping passportization of the Donbas.

# Passportization, Diminished Citizenship Rights, and the Donbas Vote in Russia's 2021 Duma Elections

## INTRODUCTION: RUSSIA'S PASSPORTIZATION OF THE DONBAS

### Passportization and Russian-Ukrainian relations in 2021: Deepening the deadlock

Ukrainian-Russian relations are in an explosive deadlock: There is a fundamental disagreement over the sequencing of the implementation of the Minsk Agreements in line with the Steinmeier Formula. The parties to the conflict also disagree on how to create the preconditions for any settlement processed by effectively implementing a ceasefire at the contact line and the de facto borders with the non-recognized separatist People's Republics (Åtland 2020). With the Russian military build-up at the de jure Russian-Ukrainian border in November and December 2021, the danger of a Russian military intervention in East Ukraine and an open war between Ukraine and Russia looms large.

Already in April 2021, Dmitrii Kozak, the deputy head of the Russian Presidential Administration responsible for the Donbas, said that Russia would be forced to protect its own citizens residing in the Donbas—precisely those citizens that Russia “created” by means of passportization—if the situation develops toward a “[massacre like in Srebrenica](#)” orchestrated by the Ukrainian army. Such a military intervention to protect Russian citizens would mean “[the end of Ukraine](#)” as a state. Kozak echoes Russian President Vladimir Putin, who has recently stated that, in his view, the “[situation in the Donbas resembled genocide](#).” Putin's and Kozak's *genocide motif* appeared to suggest that

Russia's passportization was aimed precisely at creating a justification for outright military intervention, repeating the pattern of the Russian-Georgian war in 2008.

Moreover, in 2021, Russia repeatedly signaled its discontent with how the Minsk Process is progressing. Recently, both Putin and foreign minister Lavrov declared that if Ukraine passed the draft law “On the principles of state policy of the transition period,” which outlines steps Ukraine would implement after the Donbas returned under its control, [it would mean Ukraine had left the Minsk Agreements once and for all](#).

However, it would be premature to conclude the Minsk Process is dead and that a full-scale Russian military intervention is the next logical step for the Russian leadership to take. In a lengthy article on Ukraine in July 2021, [Putin made it clear that he does not consider Ukraine a sovereign state](#), therefore negotiating with the Ukrainian leadership about the Donbas made little sense. During the military build-up in November and December 2021, Russia became increasingly explicit about “[red lines](#)” it wanted to define in terms of security related to the Donbas and the Black Sea region more broadly. Most importantly, [Russia demands legally binding guarantees that Ukraine will not join NATO](#), about the non-deployment of strike weapons systems, and the limitation of NATO military exercises in the Black Sea region.

Russia, therefore, is not so much interested in grabbing more territory or naturalizing more people, but rather in striking a grand bargain with leading NATO members on European security. Just like the military build-ups at the Ukrainian borders in spring and winter 2021, passportization is an instrument to achieve this overarching goal. That is why, in an [interview with the French newspaper \*Politique Internationale\* on 13 July, 2021](#), Kozak asserted: “The decision to hand out passports [in the Donbas] should not be seen as an instrument or a sign of the subsequent integration of the ‘DPR’ and ‘LPR’ into Russia.” He further claimed that “once the situation will be solved, the necessity for this decision [to hand out passports in a fast-track procedure] will disappear. And the general rules for naturalization into the Russian citizenship will be restored.” One should recall that a fulfillment of the Minsk Agreements with far-ranging autonomy for the Donbas would potentially give Donbas residents a veto over Ukraine’s NATO membership. But in a situation where neither a grand bargain with the West on regional security nor the implementation of the Minsk Agreements is imminent, Russia created a new demographic reality in its “buffer enclaves” by handing out hundreds of thousands of passports to Donbas residents, who in 2021 took part in Russia-wide elections for the first time. These material infrastructures and institutions will be ever harder to remove in the future: Russia is cementing its grasp over Ukraine—be it with or without the implementation of the Minsk Agreements.



Leaders of Belarus, Russia, Germany, France, and Ukraine at the 11–12 February 2015 summit in Minsk.

By Kremlin.ru, CC BY 4.0, <https://commons.wikimedia.org/w/index.php?curid=38345346>

## Russia’s passportization policy of the Donbas since 2019 and diminished voting rights

Since April 2019, residents of the Russia-backed separatist-controlled parts of Donetsk and Luhansk regions can become Russian citizens via a simplified procedure. This fast track was made possible by a [presidential decree issued by Putin](#), which accelerated the naturalization process from at least eight years to under three months.<sup>1</sup> Proof of residence must be provided using identity documents issued by the People’s Republics of Donetsk and Luhansk; [Russia has recognized these IDs since February 2017](#). There is no single trustworthy source that would allow us to give an exact estimate of the number of passportized Donbas residents and therefore the size of the electorate. By mid-August 2021, the approximate number of newly passportized Donbas residents appears to be about [530,000—around 250,000 in the LPR and 280,000 in the DPR](#).

But these passports handed out in the specialized migration offices in the Rostov region have at least **three** characteristics that distinguish them from “regular” Russian passports: **First**, Ukrainian law does not allow for dual citizenship and considers “passportization” null and void. Legally, Ukraine still considers Donbas residents who received Russian citizenship according to the 2019 fast-track decree as Ukrainian citizens only. **Second**, in case the applicant opts for an international passport in addition to the Russian domestic ID, these international passports are not recognized by most countries, including the United States and European Union member states. In its conclusions of 20 June 2019, for instance, the European Council noted that passportization is contrary to both “[the spirit and the objectives](#)” of the Minsk Protocol. For international travel, the Ukrainian passport would still be the document of choice for these new Russian citizens passportized under the fast-track decrees. The **third** crucial feature of these Russian passports is that they do not document one’s place of residence (a feature of regular domestic Russian passports). Instead, DPR and LPR residents use their IDs from the People’s Republic authorities in order to document their place of residence; these IDs must be acquired before they apply for Russian fast-track citizenship.

<sup>1</sup> This and the following paragraphs are largely based on Burkhardt (2020).

This dual status of nominally being a Russian citizen while lacking residence on the state territory of the Russian Federation is the foundation for this new form of “diminished citizenship.” This is because residence on the territory of the Russian Federation documented as place of residence (*mesto zhitel'stva*, colloquially called *registratsiia*) is the precondition for many rights and duties associated with Russian citizenship. Hence, voting rights of Russian citizens in the People's Republics are diminished as compared to voting rights of Russians residing in the Russian Federation, or elsewhere in the world in states recognized by Russia.<sup>2</sup> They can only vote in federal referendums and federal presidential and parliamentary elections, but not in regional or local elections. In the Duma elections in September 2021, Russian citizens from Donbas were only allowed to vote for the candidates on the party list but not for those in the single-member electoral districts, precisely because they do not have residency in Russia. Moreover, “diminished

<sup>2</sup> There are two important characteristics that make the Russian citizenship of Donbas residents more “diminished” than Russians elsewhere in the world. First, Russian migrants and expatriates can vote at polling stations at Russian embassies and consulates. Since Russia does not operate embassies or consulates in the DPR/LPR, this is not possible for Donbas residents. Moreover, in parliamentary elections, Russians living abroad both vote for parties and direct candidates in single-mandate districts (somewhere in Russia). But DPR/LPR residents with fast-track passports are only allowed to vote for parties, but not for direct candidates.

citizens” cannot get elected in Russia themselves unless they relocate to Russia. Lastly, residents of the DPR and LPR cannot vote at their place of residence (i.e. on the territory of the DPR and LPR) as Russia has so far refused to open polling stations there. This is different in other internationally non-recognized territories in the post-Soviet space: In the 2021 Duma elections, Russia opened polling stations in Abkhazia and South Ossetia (Georgia), and in Transnistria (Moldova) despite resistance and diplomatic protests by the respective parent states, [Georgia](#) and [Moldova](#). Official diplomatic representation is a precondition for opening polling stations on specific territories. Even though Russia does not formally recognize Transnistria, a Russian consular service point (*Punkt vyezdnogo konsul'skogo obsluzhivaniia*) was opened in Tiraspol in 2012. In [Abkhazia](#) and [South Ossetia](#), Russia opened embassies after the formal recognition as independent states in 2008.

In sum, passportization can be viewed as a securitized version of fast-track preferential, extraterritorial naturalization targeted at breakaway territories such as the Donbas. Its outcome is citizens with “less-than-full” citizenship: Newly minted Russian nationals are in fact non-residents with a diminished citizenship, something that has become particularly obvious during the 2021 State Duma elections.

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## DIMINISHED VOTING RIGHTS OF DONBAS RESIDENTS: THE 2021 DUMA ELECTIONS

### The test run: The Donbas vote at Russia's 2020 constitutional referendum

The 2020 constitutional plebiscite was the first Russia-wide national vote in which Donbas residents with Russian passports could cast their ballot. The Donbas electorate could not vote on the territories of the non-recognized Republics but needed to travel to the adjacent Rostov region in Russia where 12 polling stations were specifically designated for them. From 25 June to 01 July 2020, [the LPR organized bus trips](#) from various cities to

polling stations in Donetsk, Novoshakhtinsk, Gukovo and Krasnyi Sulin, and [the DPR](#) to Avilo-Uspenka, Kuibyshevo, Pokrovskoe, and Taganrog (all in the Russian Rostov region).

According to official results, 77.92 percent of voters in Russia voted “yes” and 21.27 percent rejected constitutional amendments with a Russia-wide turnout of almost 68 percent. In the Rostov region, 83.54 percent voted “yes” and 15.94 percent “no” with a turnout of 78.4 percent. Neither the Russian Central Election Commission



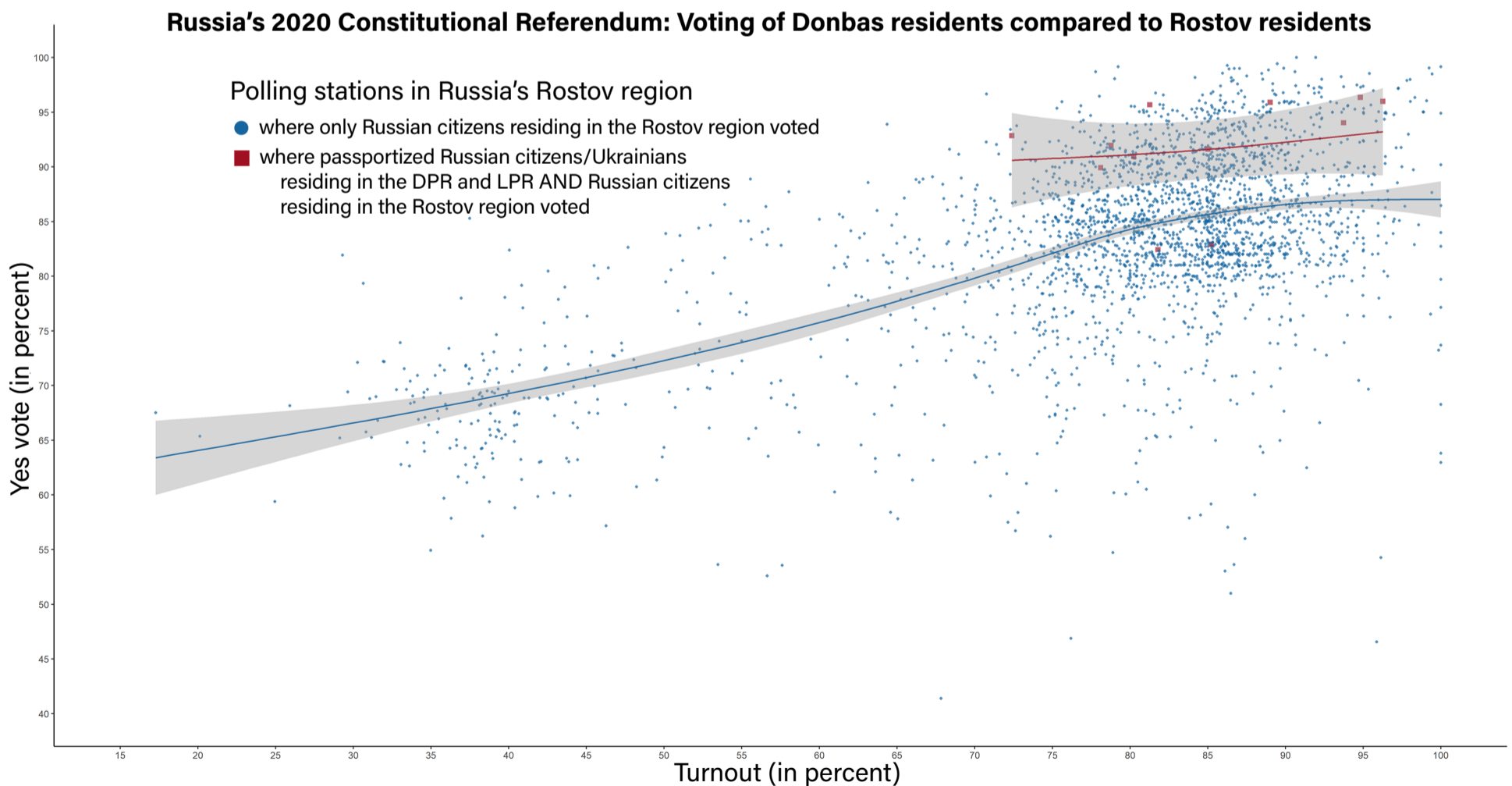
nor the Rostov region nor the self-proclaimed People's Republics disclosed any information of how Donbas residents with Russian passports voted.

But according to [one leak from 02 July 2020 by the war correspondent Aleksandr Sladkov](#), 12,507 voters from the DPR and 9,477 from the LPR cast their ballot in the constitutional plebiscite. According to Sladkov's assessment, this number was so low for three reasons: First, there was little campaigning for the constitutional plebiscite in the People's Republics. Second, the trip was burdensome due to four border crossings and the summer heat. And third, there was no electronic voting that would have allowed Donbas residents to cast their ballots remotely.

Our data analysis shows that roughly 22,000 voters might come close to the actual number of those who cast their ballot. Once Donbas residents arrived at one of the twelve polling stations in the Rostov region either by shuttle bus or individually, they were included in the voter list of the respective polling station on the spot. Polling places

with Donbas residents, on average, show a much higher number of total voters per polling station, and therefore also a higher turnout.

However, due to the lack of information on the total number of eligible Donbas voters, the turnout can only be approximated. If we assume that, among [220,000 residents of the non-recognized territories with Russian passports, approximately 80 percent were above 18 years of age](#) and therefore eligible to vote, the **Donbas turnout** would have been **slightly above 10 percent (12.5 percent)** with the above figures). In the Rostov region, the total number of voters was 2,512,938, hence the Donbas share of the total amount of voters in this southern Russian region was **below 1 percent (0.88 percent)**. As for voting results, our analysis shows (see Figure 1) that the 12 polling stations where Donbas residents voted are in the upper right quadrant with a turnout of between 70 and 95 percent. **On average**, the yes vote for constitutional changes was **eight percent higher at polling stations with Donbas residents** as compared to those with Rostov residents only. In reality, this figure



**Figure 1:** Russia's Constitutional Referendum: Voting at polling stations with (red) and without (blue) Donbas residents compared. Authors' analysis based on official Russian electoral data.

is likely to be much higher as both the total number of voters per polling station as well as [media reports](#) suggest Donbas residents voted only at some of the 12 polling stations officially designated for them.

Overall, this suggests that the Donbas turnout was low both in absolute and in relative terms. On the other hand, Donbas voters on average were significantly more in favor of constitutional changes—and therefore pro-Putin/-regime—than voters from the neighboring Rostov region.

## The Donbas vote in Russia's 2021 parliamentary (State Duma) elections

The 2020 constitutional plebiscite was a crucial test run for the 2021 State Duma elections. By September 2021 the number of eligible Donbas voters had **almost tripled**. As they could be instrumentalized to boost the vote for the ruling party, United Russia, the Russian Presidential Administration, and the Central Election Commission spent considerable effort to increase the Donbas turnout. **First**, campaigning within the self-proclaimed People's Republics was pursued more actively, predominantly by United Russia, and workplace mobilization was stepped up. **Second**, electronic voting was introduced in seven Russian regions, including the Rostov region, which would allow Donbas voters to cast their ballots remotely at their place of residence in the self-proclaimed People's Republics without crossing the border to Russia. **Third**, transportation from the non-recognized territories to the Rostov region and back was scaled up. Together, these efforts had the effect of an **upsurge in the (official) turnout of eligible Donbas voters from about 12.5 percent in 2020 to an estimated 42 percent in 2021**. Of the whole population in the non-recognized People's Republics, **less than 10 percent of residents of full age took part in the 2021 Duma elections**. Crucially, it should be noted that **three quarters of this boost in turnout was achieved due to electronic voting**.

## Party positions and the electoral campaign in the Donbas

The political positions of Russian parties regarding the Donbas differ considerably. This divergence of views

potentially could have allowed for a pluralistic electoral campaign in the Donbas, but as of May 2021, United Russia dominated the scene, and all other parties were virtually absent. United Russia's monopoly, however, was ambivalent: While rhetorically supporting the continued integration of the People's Republics with Russia, the implementation of the Minsk Agreements—and therefore the reintegration of the People's Republics with Ukraine—remained its official party position.

The systemic (i.e. generally loyal) parliamentary opposition parties—the Communists (CPRF), the far-right Liberal Democratic Party of Russia (LDPR), and “A Just Russia—For Truth”—expressed a much more radical position regarding the future of the Donbas than the ruling United Russia party by either supporting the recognition of the independence of the People's Republics or by entirely “integrating” them (i.e. annexation following the Crimean precedent). While the de facto leadership of the People's Republics and Russian citizens residing in Donbas saw the elections as a vehicle to bring the self-proclaimed territories closer to Russia, especially by supporting the Kremlin party, the official position of United Russia viewed the reintegration of the People's Republics into Ukraine according to the Minsk Agreements as the goal. In contrast to the systemic opposition, the non-systemic opposition party Yabloko and the leading opposition figure Aleksei Naval'nyi called upon the Russian leadership to fulfill its part of the obligations in the Minsk Agreements, i.e. to withdraw all Russian troops and to grant Ukraine control over its side of the Ukrainian-Russian border.

During the electoral campaign, the ruling party United Russia took many symbolic steps to suggest a closer integration of the People's Republics with Russia.<sup>3</sup> [On 10 May, United Russia signed a cooperation agreement with the “Union of Donbas Volunteers” \(“Soiuz Dobrovol'tsev](#)

<sup>3</sup> Many observers interpreted this cooperation agreement between United Russia and the SDD as a sign that the People's Republic would be granted a bigger say in Russian politics by increasing their formal representation in political institutions such as parties or the federal parliament. The outcome of the Duma elections, however, demonstrates that the reality is different. Borodai is a close ally of Vladislav Surkov, the former point man for the Donbas in the Kremlin. But since Surkov was replaced by Dmitrii Kozak in the Presidential Administration, Surkov's influence on Russia's Ukraine policy waned. Borodai was the only representative of the SDD who ran for a Duma seat on the United Russia ballot as a rank-and-file candidate on the Rostov party list. Eventually, Borodai only received a Duma seat because [several other United Russia candidates on higher ranks on the regional party list rejected their Duma mandate](#). In sum, the SDD and Borodai will remain marginal political actors just as United Russia as Russia's Donbas policy is still an exclusive prerogative of the Presidential Administration.

*Donbassa*", SDD). The SDD is an association of Russian war veterans who fought against Ukraine alongside the Russian armed forces and the People's Republics. The SDD is headed by the DPR's former Prime Minister Aleksandr Borodai, a Russian national since birth with a strained relationship with the current leadership of the DPR the territory of which he has not been allowed to enter since 2018.

United Russia representatives, including the General Secretary Andrei Turchak, visited the Donbas People's Republics several times to attend events on the deepening integration between Russia and the DPR and LPR. On 15 July, the forum "Russia-Donbass: Unity of priorities" co-hosted by United Russia took place in Donetsk. One of the proposals put forward by the Duma deputy from Crimea Andrei Kozenko was to create a "special type of residence permit" for Russian citizens from the Donbas that would be equivalent to regular registration on Russian territory and would therefore allow Donbas residents to claim state services and benefits tied to registration, such as pensions. This proposal would have meant a major upgrade to passportization and would have brought the Donbas residents closer to full Russian citizenship with more benefits attached. Kozenko's proposal, however, was not an official United Russia party position and demonstrates that these electoral campaign events were more about symbolic politics rather than about upscaling the citizen rights of Donbas residents.

In mid-July, the de facto DPR leader Denis Pushilin declared that he would become a United Russia party member. By early September, more than 4,000 Donbas residents had become "supporters" of United Russia, a status that is transformed into party membership after a six-month trial period.<sup>4</sup> The key event of United Russia's electoral campaign took place on 08 September at the memorial complex "Saur Mogila" in the DPR where United Russia's General Secretary Andrei Turchak linked the liberation of the Donbas from Nazi Germany in 1943 to the defense against Ukrainian forces in 2014.

## Electronic voting in the Donbas

During the 2021 Duma elections, electronic voting was used for the first time for federal elections in Russia. The

<sup>4</sup> Both the DPR leader Denis Pushilin and the LPR's Leonid Pa-sechnik officially became party members of United Russia at a United Russia party congress held on 04 December 2021.

Moscow city government had tested e-voting in regional parliamentary elections, and it was applied during the 2020 constitutional plebiscite in Moscow and Nizhnyi Novgorod. In the 2021 Duma elections, a total of seven Russian regions offered voters the additional option to cast their ballot electronically. While Moscow used its own blockchain platform it had already tested in the previous two years, the six other regions (Sevastopol,<sup>5</sup> Rostov, Kursk, Iaroslavl', Nizhnyi Novgorod, and Murmansk) operated electronic voting on the state digital services platform Gosuslugi, developed and run by the Russian federal government.

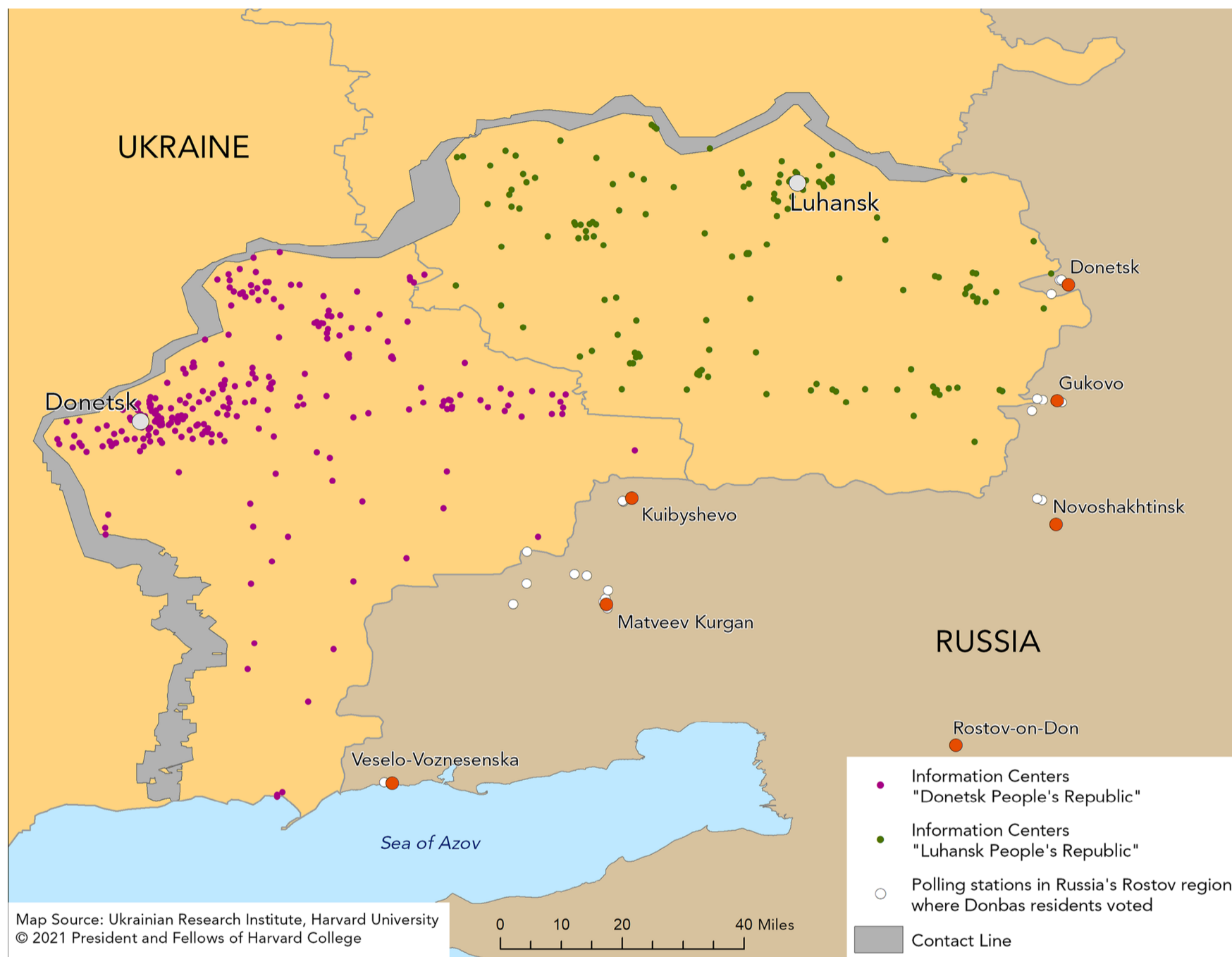
On 25 May 2021, the Russian Central Election Commission (CEC) announced that seven regions, including the Donbas neighbor Rostov, would take part in the e-voting scheme. In theory, all 83 Russian regions could participate in remote voting, but each region had to file a formal application with the CEC by 17 March.<sup>6</sup> But at that time, the Rostov region had not been among the applicants; its application was submitted later in April. Covid-19 infection rates certainly might have played a role in why Rostov finally opted to participate in e-voting.<sup>7</sup> The more likely explanation is that the Kremlin decided to facilitate the voting process for Donbas residents to the maximum (without officially opening polling stations) by linking the Donbas to Rostov's electronic electoral districts. This made sense from an organizational point of view: The capacity to transport voters from the Donbas to Rostov onsite polling stations by bus and train was limited, so e-voting was the only viable option to boost turnout from the Donbas compared to 2020 without opening full-fledged polling stations in the non-recognized territories.

On the one hand, some of the Kremlin's political strategists saw the Donbas voters as a "Ukrainian electoral reserve" that potentially could be mobilized in support of the ruling party, United Russia. On the other hand, it was also obvious that they were "second-class citizens" since their voting rights were diminished compared to other Russian citizens living abroad or in other non-recognized de facto states in the post-Soviet space. In spring 2021, several proposals were floated in the media that indicated available options for

<sup>5</sup> Internationally not recognized as a Russian region, but as part of Ukraine.

<sup>6</sup> The Russian Federation has 83 internationally recognized federal "subjects" (i.e. regions). Since the annexation of Crimea in 2014, Russian official statistics count 85 regions including Crimea and Sevastopol.

<sup>7</sup> Online interview with the Rostov representative of the Russian independent election monitoring movement Golos, 24 September 2021.



**Map 1:** Russia's election infrastructure in the Donbas and the neighboring Rostov region. Data sources: Information Centers of the LPR: <https://mir-lug.info/infocentry>; Information Centers of the DPR: <https://dnronline.su/adresa-infocentrov-dnr/>; Polling stations in Russia's Rostov region: Authors' calculation based on official voting results.

how to treat passportized Donbas residents. Generally, Donbas residents were considered to be Russians living abroad since they do not have residence permits in Russia. But treating Donbas residents as "ordinary" Russians living abroad would have required the Russian Foreign Ministry to organize polling stations on the non-recognized territories. Since Russia does not recognize the self-proclaimed People's Republics, it also does not operate diplomatic representations there, but only in the government-controlled areas of Ukraine.

The standard argument explaining why Russia did not

open polling stations in the two Donbas territories is that Russia wanted to avoid additional sanctions by the West. It is, however, questionable that the EU or the U.S. would have passed new sanctions, or even that Russia would have been afraid of targeted sanctions against a few officials. When Russia opened polling stations in other contested de facto states in the post-Soviet space, namely in Abkhazia, South Ossetia, and Transnistria, both parent states, Georgia and Moldova, condemned this provocative step by Russia, but no targeted sanctions were imposed to deter Russia from opening polls there again.

The more likely explanation is that Russia wanted to stick to its official line of non-recognition of the two People's Republics and to the policy of keeping these territories within Ukraine according to Russia's view of the Minsk Agreements, and therefore official polling stations were not considered a viable option. Other suggestions lobbied for fine-tuning the existing electoral legislation to cater to the specific needs of Donbas voters. Duma deputy and Donbas supporter Konstantin Zatulin proposed one unified voting district for all Russians living abroad (approximately 1.8 million voters), which would have allowed Donbas voters to vote for parties and for candidates in a single-mandate district. This, however, was an intricate matter since the number and size of all voting districts would have had to be amended, a bureaucratically complex and politically sensitive issue.

Instead of amending the voting districts, a compromise was reached: the Rostov region would be included in the e-voting scheme and Donbas residents treated as "diminished" Rostov voters. This provided the technical opportunity to significantly boost the Donbas electoral turnout while refraining from other, potentially more risky and complex solutions in terms of domestic and foreign policy. This intermediate compromise solution, however, had several drawbacks in terms of the perception of Russia in the self-proclaimed People's Republics since it clearly demonstrated the diminished status of the passportized Donbas residents. **First**, Donbas residents were only allowed to vote for political parties, not for direct candidates in single-mandate districts (neither in the Rostov region nor elsewhere in Russia). This implies that the Kremlin did not see the Donbas vote as a crucial resource to bolster United Russia candidates in more competitive regions and to fight Aleksei Naval'nyi's Smart Voting strategy (initially, there were some speculations that the Donbas vote might be ascribed to the 15 relatively competitive electoral districts in Moscow). **Second**, there was a technical problem to be solved. To register to vote online through the Russian Gosuslugi platform, an individual social insurance account number (the Russian abbreviation is SNILS) is indispensable. But Donbas residents receive their Russian passports without SNILS because this number is normally tied to residency in Russia and is the precondition for receiving pensions and social benefits. That is why the Russian passport of Donbas residents has been described by some observers as a "suitcase without a handle" or a "blank form."

According to a representative of the volunteer movement "Donetsk Republic," in April 2021 **less than three percent**

**of Russian passport holders** in the Donetsk People's Republic had also acquired a SNILS number, and even fewer had a verified account on Gosuslugi, mostly because this takes a multi-day trip to the Rostov region to complete all the necessary paperwork. This was even though the de facto head of the Donetsk People's Republic, Pushilin, started a public campaign among local residents to acquire a SNILS number already in January 2021. Like other Russian voters, Donbas residents needed to register online with Gosuslugi between 02 August and 13 September to be able to vote online in the Duma elections. The active media campaign launched in March with information on what advantages SNILS would entail for Donbas residents, such as free medical care at Russian clinics, online registration for the Russian Unified State Exam (EGE) that would allow graduates of DPR schools to qualify for entry to Russian universities, and so-called "mothers' capital" for the first and second child in the family (crucially, Russian pensions are still limited to residency on Russian territory). But the campaign to motivate Donbas residents to register for a SNILS number got off to a slow start despite the prospect of enhanced access to social benefits. This was because passportized Donbas residents could not sign up for this social security number on the territory of the People's Republics. They were still required to embark on a tedious one-day trip to the Rostov settlements Pokrovskoe, Matveev Kurgan, or Kuibyshevo.



LPR residents attend e-vote training at an information center. Source: <https://lug-info.com/news/okolo-9-tys-chelovek-posetili-trenirovku-deg-v-infocentrah-lnr-od-mir-luganshine>

The process could only be sped up by **three measures**: **First**, the People's Republics introduced simplified fast-track procedures to register for SNILS and sign up for a Gosuslugi account. By using the same infrastructure as for "passportization," Donbas residents in the [DPR \(starting 26 June\)](#) and [LPR \(starting 01 July\)](#) did not have to commute to the Rostov region anymore but could register at local de facto migration offices. **Second**, there is evidence that government agencies and state-run enterprises increasingly [put pressure on employees](#): Human resources departments ran lists of employees and the status of their SNILS, Gosuslugi, and (as of August) electronic voting registration. Those employees not on the list ran the risk of losing benefits or even getting fired. According to official news reports, which are impossible to verify, by the end of October 2021, [more than 230,000 residents of the DPR](#) applied for SNILS. In the LPR, the last available official number is [256,000 residents](#) who turned to the call centers operated by the "migration offices" to inquire about SNILS by 09 September 2021; the actual number of registered SNILS (and Gosuslugi account holders) is likely to be much lower. And **third**, the People's Republics opened so-called "Information Centers;" the [DPR opened up to 255 centers](#) beginning on 26 July, and the [LPR opened 144 centers](#) beginning on 02 August. Officially, these "Information Centers" provided consultations on how to register for SNILS, Gosuslugi, and electronic voting, largely by relying on volunteers from public organizations tightly controlled by the People's Republics such as "*Mir Luganshchina*" in the LPR. As a rule, these "Information Centers" were opened in local schools that [competed for the right to host](#) such centers since this came with new computer hardware.

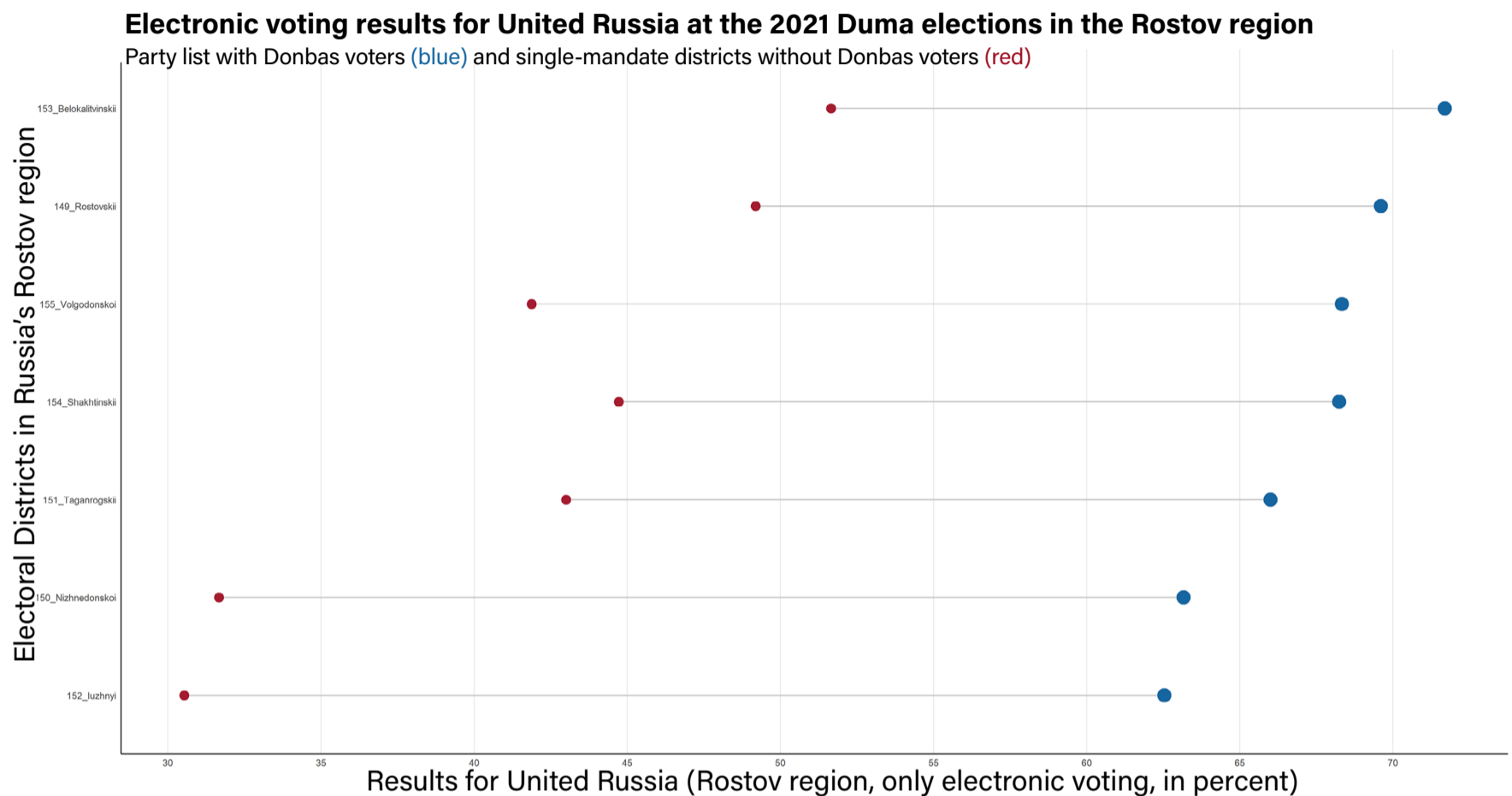
But these "Information Centers" should not be viewed as service centers that provided technical assistance to Donbas residents. In fact, they operated as **de facto polling stations** where a large part of online voters cast their election ballot during the 2021 Duma elections. To conduct electronic voting in the war-torn Donbas territories, these "Information Centers" were more necessary for on-site voting than in the seven Russian federal regions where remote voting was held. This is because the Donbas Republics are much poorer than the average Russian regions with fewer computers and virtually no experience with Russian digital government services. Even in Russia proper, there were numerous technical issues with voter registration that related both to incompatibilities of various state databases, as well as problems with personal devices. Moreover, both in Russia, and even more so in the People's Republics, electronic

voting was seen as an efficient way of [mobilizing state-dependent workers to vote](#). The "information centers" made it easy and put pressure on employees to vote electronically during work hours, as they went there collectively rather than voting in private.

Just as in the other e-voting regions, the People's Republics conducted a test run ("[training session](#)") for e-voting at the "Information Centers" between 07 and 09 September (reportedly, in the LPR, around 9,000 voters took part in the test run alone), which clearly demonstrates that the main purpose of the Centers was to act as de facto polling stations.

In the Rostov region, the difference in the result for United Russia was 67 percent in e-voting compared to 51.6 percent overall, with an official e-voting turnout of 92 percent. Rostov was the second most important of the seven e-voting regions in terms of the total amount of votes cast remotely; Moscow took the lead with almost two million e-votes, compared to the Rostov region with 277,858. Due to the specifics of electoral rules—in particular that Donbas residents were only allowed to vote for party lists, but not for single-mandate districts—it is possible to isolate at least some of the voting results of the Donbas even though the Russian Central Election Commission solely published results for the Rostov region as a whole. According to our calculations, 162,092 Donbas residents officially registered for electronic voting, and these eligible voters were equally ascribed to one of the seven electoral districts of the Rostov region (23,156 per district). Of these 162,092 registered voters, **151,869 actually cast their ballots**, which amounts to an official turnout of Donbas residents in the electronic vote of **93.7 percent**, just slightly above the overall turnout of 92 percent for the whole Rostov region.

More importantly, it is possible to estimate the Donbas effect on United Russia results in the seven Rostov electoral districts by comparing the results of United Russia on the party list and the United Russia candidate in the respective single-mandate district. According to our calculations, the difference in turnout in the seven Rostov districts between the party segment (with Donbas residents) and the single-mandate segment is only two percent, **while United Russia received 25 percent more in the party segment than the United Russia candidate in the single mandate district (whereas the CPRF received 10 percent less)**.



**Figure 2:** Electronic voting results of United Russia: Party lists with Donbas voters (blue) and single-mandate districts without Donbas voters (red) compared. Source: Authors' calculations based on official election results.

In sum, we conclude that the presence of e-voters from the Donbas **increased the vote for United Russia on average by 25 percent across electoral districts (see Figure 2), revealing that Donbas e-voters were considerably more pro-United Russia, and therefore pro-regime, voters than average Rostov e-voters.**

## The Donbas vote at Rostov polling stations

In March 2021, when the electoral rules for Donbas voters were still not yet clearly delineated, the DPR's leader, Denis Pushilin, complained in the official newspaper of the Russian Federal Assembly, *Parliamentary Newspaper (Parlamentskaia Gazeta)*, that Donbas voters would like to have "more comfortable, or one might even say, decent conditions for expressing their will" in the upcoming Duma elections. This disappointment with voting rights certainly reflected the somewhat humiliating experience in the 2020 constitutional referendum. Therefore, in addition to the main progress—the electronic vote—the non-recognized territories strove to improve conditions

for voters who did not want to participate in remote voting.

**First**, trains and buses to polling stations in the Rostov region from the DPR and LPR were offered free of charge. In 2020, voters still had to pay a reduced but symbolic price ranging from 150 to 450 rubles (roughly between 2 and 6.5 USD). **Second**, border crossings were temporarily limited for non-Duma election-related crossings, which considerably sped up border crossing. **Third**, the transfers to the Rostov polling stations were largely split into two parts to speed up border control (during the 2020 constitutional vote, border control took up to four hours). Donbas voters reached the Ukrainian-Russian border by the bus provided by the People's Republics, crossed the border on foot, and then took another bus made available by Russian authorities to reach the polling stations in the Rostov region. Crucially, the provision of transportation by Russian authorities unmistakably demonstrates that the Kremlin was in full control of the electoral process in the Donbas Republics.

And **lastly**, voters received candy and were even taken to some tourist attractions on the way, again in

consideration of criticism from the previous year that voters had to spend one day on the road without any free time and with the obligation to pay for their own food. Even though these shuttle services were organized by the de facto Ministry of Transports of the People's Republics, the transport was supported by companies and public organizations such as "Donetsk Republic." It can be presumed that Russia heavily subsidized and coordinated the process. In addition to the increased number of eligible voters due to advancing passportization, streamlining the physical transport of people across the border also contributed to the higher turnout.

On 12 August 2021, the Rostov regional election commission published a [list of 91 polling stations](#) where Russian citizens without permanent registration could vote. This is common practice in Russia, but these types of polling places are usually intended for homeless, migrants, and other types of Russian citizens without a valid residence permit on the Russian territory. In the case of the Rostov region, the number was considerably increased to account for the large number of Donbas residents, a special category of Russian citizens without official registration on Russian territory. These 91 polling

stations were distributed across the whole Rostov region even though the bus and train shuttles from the People's Republics were destined for approximately one-fifth of these precincts located along the border. The [DPR published its list of fifteen polling stations](#) on 06 September where DPR residents with Russian passports could vote; the LPR kept them secret. But again, due to the specificities of electoral law that allowed Donbas residents to vote only for party lists, and the fact that they were added to voter lists upon arrival at one of the polling stations, it is possible to identify the polling places. According to our assessment, at least **47,794 Donbas residents** voted at no fewer than **25 polling stations** in the Rostov regions, with Donetsk (Rostov region), Kuibyshevo, Matveev Kurgan, Veselo-Voznesenska (Neklinov district), Gukovo, and Novoshakhtinsk being the main destinations (see Map 1 on page 11).

This largely corresponds to the [official number of Donbas voters of 49,800](#) announced by Andrei Burov, the head of the Rostov central election commission on 20 September, which indicates that our method is sufficiently precise. Now, we can investigate further how these 25 polling stations used by Donbas residents differ from the



Voting at a polling station in Kamenolomny. Photo by Konstantin Volgin for the "Caucasian Knot" ("*Kavkazskii uzel*") <https://www.kavkaz-uzel.eu/articles/351442>



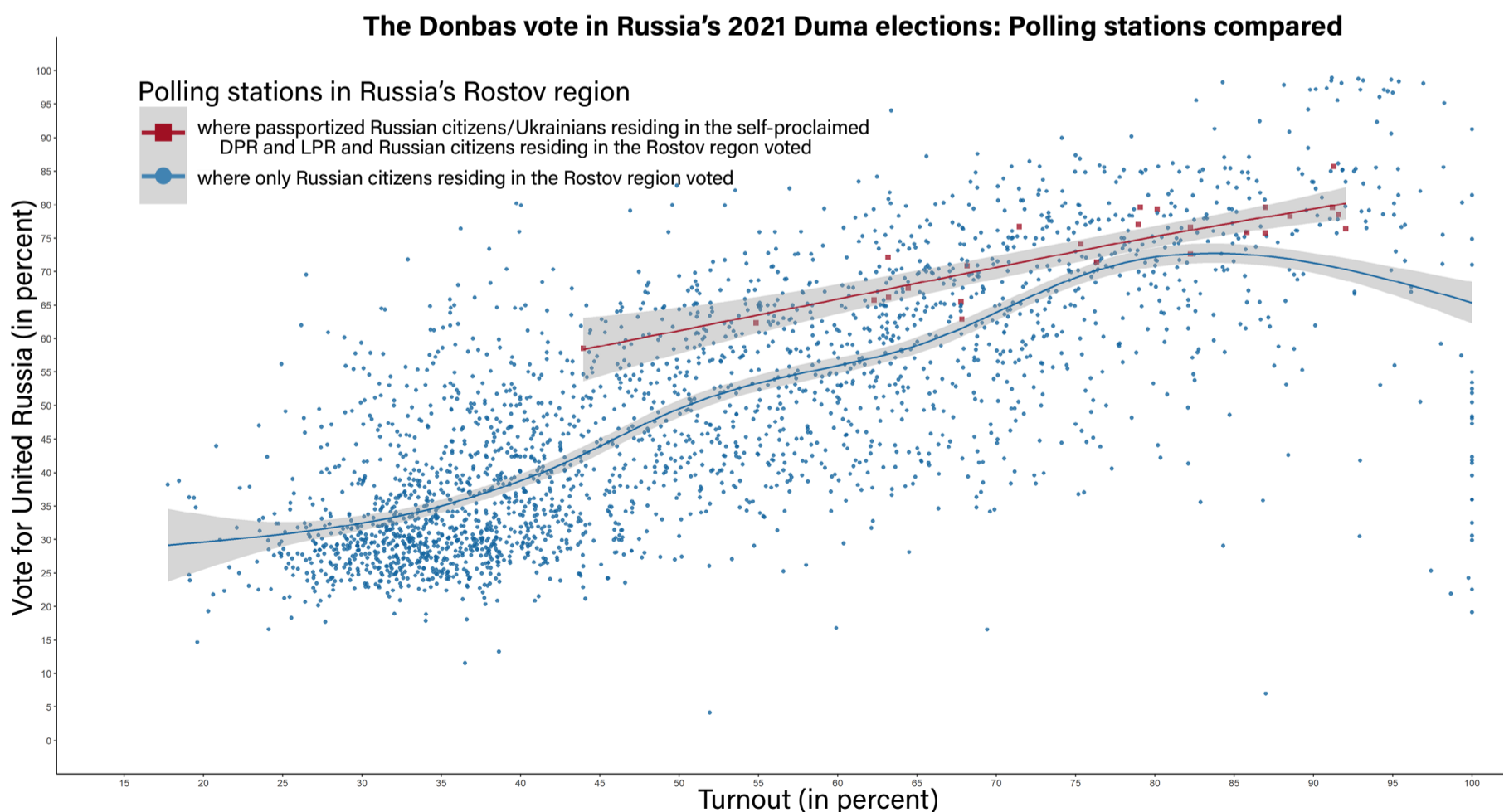
remaining 2,589 polling stations in the Rostov region. The results are summarized in Figure 3: At polling stations **with Donbas residents**, the turnout was predominantly 60 percent or higher. **United Russia on average received 25 percentage points more in polling places with Donbas residents present.** Just as with the electronic vote, newly passportized Donbas residents appear to be significantly more pro-United Russia, pro-regime than the average “traditional” Russian voters in the Rostov region.

### Donbas residents: “Patriotic” Russian voters or “diminished citizens”?

Several months ahead of the Duma elections, the head of the DPR Denis Pushilin claimed that Donbas residents

are a “patriotic electorate” eager to “take part in the long-awaited determination of the fate of their Fatherland (*Otechestvo*).” In a similar vein, the LPR’s Leonid Pasechnik said that active voting means strengthening integration with Russia.

At first glance, there seems to be at least some substance to these statements, given that the number of active Donbas voters increased from slightly above 20,000 in 2020 in the constitutional plebiscite to approximately 200,000 in the 2021 Duma elections. Moreover, as the presence of Donbas voters adds around 25 percent to United Russia in electoral districts and polling stations, it indeed appears that Donbas residents are considerably more “patriotic” voters—that is, with more favorable views towards United Russia and the Kremlin—than the average voter in Rostov, or across Russia.



**Figure 3:** The Donbas vote in Russia's 2021 Duma elections: Polling stations with and without Donbas residents compared. Authors' calculations based on official election results.

However, even if we take the official results at face value, the outcome is more sobering for the People's Republics. If we assume an upper margin of 750,000 passportized Donbas residents with around 80% of voting age, then the turnout of Donbas residents would be **just above 33%**, lower than in any Russian region, with the Irkutsk region having an official turnout of 37%. With a lower margin of 600,000 passportized Donbas residents and around 80% of voting age, the turnout of Donbas residents would **increase to almost 42%**, comparable to such Russian regions as Novgorod, Omsk, Tomsk, Arkhangelsk in the lower turnout quartile of the 2021 State Duma elections. This turnout is of course a far cry from turnout of above 70% in "electoral sultanates" such as Bashkortostan, Tatarstan, Kemerovo or the North Caucasus Republics. But contrary to turnout, United Russia voting results appear to be on a similar level as in those very sultanates where United Russia officially received between 70 and 80% of the vote.

This discrepancy between a comparatively low turnout and a comparatively high vote for United Russia makes the Donbas vote special and warrants an explanation. In this respect, the conclusions in our paper on voter turnout and "patriotic"—pro-Kremlin—voting behavior of Donbas residents remains preliminary and warrants further analysis of quantitative and qualitative data in future elections.

However, anecdotal evidence from media reports on the 2021 Duma elections suggests that both the turnout and the United Russia vote (in the electronic vote) are considerably lower than reported and in our calculations based on official numbers. In other words, it is fair to assume that turnout and voting results were manipulated in favor of United Russia.

**First and foremost**, it is important to note that voting results are not representative of political views in the non-government-controlled Donbas, **as less than 10 percent of Donbas residents aged above 18 years have officially taken part in the Russian Duma elections**. As one experienced Donbas observer from Ukraine noted, it is likely that around 70 percent of Donbas residents remain apolitical and refrain from unequivocally taking sides for either Russia or Ukraine.<sup>8</sup>

**Second**, there is ample evidence both from independent media as well as from official People's Republics media resources that the turnout was mainly manufactured by

what is usually called "workplace mobilization," i.e. the mobilization of employees in the public sector, which is institutionally and socio-economically dependent on the state. In the Donbas, this workplace mobilization ranged from lists of Russian citizenship, SNILS, and Gosuslugi accounts kept by employers to monitor the loyalty of employees, to informal pressure to register with Gosuslugi, to collective voting at the "Information Centers" or the polling stations in the Rostov region. State-dependent employers exerted pressure on their employees to increase turnout. Whether there were direct instructions to vote for United Russia remains unclear, but the almost exclusive presence of United Russia during the electoral campaign as well as official propaganda by the People's Republics governments that portrayed United Russia as the only party that would bring the Donbas closer to Russia suggest that dependent voters clearly understood what vote was expected from them. The monopoly of United Russia and the ban on other Russian parties campaigning in the Donbas provides further evidence that the Kremlin tightly controlled the electoral process.

**Third**, evidence of outright electoral falsification largely relates to electronic voting, while earlier concerns that Donbas voters could be used for "carousels"—repeated voting at multiple polling stations in the Rostov region—did not materialize.<sup>9</sup> But reports suggest that Donbas voters were forced to hand over their private email addresses with which they registered for Gosuslugi. On 18 September, a video on YouTube appeared in which a person voted en masse on behalf of LPR residents on the Gosuslugi website with the help of a list of email addresses and passwords he had collected.

Moreover, at the "Information Centers" in the People's Republics, voters often appeared in large groups, especially on Friday during working hours, indicating that employers kept tabs on voting activity of their employees with lists. This suggests that quite a considerable share of the electronic vote in the Donbas was falsified on purpose.

However, **fourth**, it should also be considered that at least some voters were genuine in expressing their choice. On social media,<sup>10</sup> voters argued they voted for peace and recounted witnessing shooting at their place of

8 Online interview with representative of Golos in Rostov region, 24 October 2021.

9 These narratives were collected by means of a close reading of the Telegram channel of the public organization "Donetsk Republic."



Donbas residents fill out paperwork to become Russian citizens. Photo: Dmitry Stechin. Source: <https://www.kp.ru/daily/27265/4398337/>

residence or on the way to the respective polling station in the Rostov region. In this view, voting for United Russia brought the Donbas Republics closer to Russia, and therefore closer to peace (as in Crimea). Others engaged in what might be called “prospective pocketbook voting”: By voting for the pro-Kremlin United Russia party, they hoped that the Russian government would reward this with increased socio-economic subsidies of the two Donbas People’s Republics. And lastly, the older generations in particular described voting as a civic duty and even recalled ritualized voting in the Soviet Union.

Overall, we were able to provide a detailed assessment of the Donbas vote. But given the reservations raised in this section, the results calculated from official data should not be taken at face value.

## Ukraine’s reaction to Russia’s passportization and the Duma elections: Between “building a wall” and “convalidation”

The Ukrainian government has not yet offered a consistent response to passportization. Nonetheless, there is a **legal foundation** that underlies Ukraine’s non-recognition of the passports. In a note from 1 May 2019, the Ukrainian Ministry of Foreign Affairs stated that it would not recognize the Russian passports handed out to Ukrainians residing in the Donbas. In accordance with international law, Ukraine considers passportization illegal. Moreover, the Ministry also emphasized that

passportization “openly contradicts” the Russian party’s obligations under the Minsk Agreements and “testifies to its intentions to continue the war against Ukraine not only with military but also legal means.” Moreover, the Cabinet of Ministers issued documents to implement Ukraine’s commitment not to recognize Russian passports issued by migration offices in the Rostov region. In line with Art. 2 of the Ukrainian law “On Citizenship,” citizens who acquire citizenship of a foreign state are still regarded exclusively as Ukrainian citizens because of Ukraine’s prohibition on dual citizenship.

Beyond this legal foundation, however, Ukraine’s political discourse offers a broad spectrum of policy options ranging from hawkish to conciliatory. In his comments, President Volodymyr Zelensky consistently refers to passportization as a threat, since it enables the Russian Federation to intervene under the pretext of “protecting its citizens.” He also condemns Russian efforts to engage Donbas residents as voters in Duma elections as “slavery.” At the same time, Zelensky emphasizes that Ukrainian citizens in the Donbas shall not be criticized, and that the coercive nature of passportization needs to be taken into account. An emphasis on the coercive nature of passportization was also made by Oleksiy Reznikov, former Ukrainian Minister of Reintegration of Temporarily Occupied Territories (he resigned on 03 November 2021).

On the more hawkish end of the political spectrum, a group of MPs (representing the “European Solidarity” and “Holos” parties) registered Draft Law 5822 on 23 July 2021, suggesting amending the law “On Citizenship” in a way that the voluntary acquisition of Russian citizenship would be regarded as grounds for losing Ukrainian citizenship. But the draft law was not sufficiently elaborated: It lacked legal substance and did not offer enforcement mechanisms. Therefore, it was widely referred to in the media as “populist” and “dysfunctional.” Others note its “unconstitutional” character since the Constitution of Ukraine prohibits depriving Ukrainian citizens of their citizenship. Many experts argue that Russian passport holders’ automatic denial of Ukrainian citizenship would worsen attitudes toward Ukraine, rather than contribute to reintegration. In December 2021, Zelensky proposed the third draft bill to reform the law “On Citizenship.” The major innovation of this bill would be to allow dual citizenship, but crucially only for “friendly” states. Since Russia is an “enemy,” Russians would still need to relinquish their Russian citizenship to become a Ukrainian citizen. Importantly, the bill upheld the established norm that Ukrainians in Crimea and

the non-government-controlled areas of the Donbas could not be stripped of their Ukrainian citizenship if they had been naturalized as a Russian citizen. One major exclusion was made in the proposal for those who signed up for military service in the Russian army: They would automatically lose their Ukrainian citizenship. Even though it is unclear whether the bill will be passed by the Rada, it demonstrates that Ukraine’s citizenship legislation is in flux.

The Ministry of Reintegration advocates a more reintegration-friendly “convalidation” approach concerning documents other than passports from occupied territories. The key objective behind “convalidation” is to make the life of occupied territories’ residents easier, *inter alia*, with respect to education, the functioning of border control points, and digitalization. In this vein, passportization is seen as an “act of coercion,” and Ukraine’s commitment not to recognize Russian passports issued to Donbas citizens remains. Nevertheless, since the non-recognized public authorities in Donbas issue numerous documents (such as school-leaving certificates, graduation degree certificates, documents that confirm birth and death), Ukraine may recognize these documents to ease the lives of Ukrainians from non-government-controlled territories. Even though the “convalidation” approach has not yet been introduced in a thorough manner, Ukraine has been close to de facto recognizing school diplomas from the DPR and LPR (although officially denying it), and has therefore facilitated enrollment in Ukrainian universities.<sup>11</sup>

In sum, the **policy options debated range between the extremes of pro-reintegration “convalidation” and “building a wall”** between the government-controlled and non-controlled territories. According to a statement by Zelensky in June 2021 which he repeated in December 2021, building a wall—both physically and metaphorically—would only be possible after an all-Ukrainian referendum on such a wall. A referendum would, however, only take place after a complete breakdown of negotiations on the Donbas with the United States, Russia, and the EU within the Normandy format. The latter approach (including the stripping Russian passport-holders of Ukrainian citizenship) is addressed in Russian/pro-Russian media as Ukraine’s de facto recognition of the DPR and LPR independence and is thus opposed by the Ministry for Reintegration and the

<sup>11</sup> Online interviews with two representatives of the Ukrainian Ministry of Reintegration of Temporarily Occupied Territories, 3 and 9 June 2021, respectively.

expert community. In the latter's view, breaking ties with Donbas and refusing to protect the rights of Ukrainian citizens there would violate the Constitution.

Ukraine's official reaction to the involvement of Donbas residents in the 2021 Duma elections focused mostly on non-recognition. On 23 July 2021, the Ministry for Foreign Affairs of Ukraine published a note of strong protest as a response to the Russian Federation's Central Electoral Commission's decision to allow the population of occupied Donbas to vote in the Duma elections. This was regarded by the Ministry as a step "toward further integration of Ukraine's temporarily occupied territories' population into the political and socio-legal space of the Russian Federation." Shortly after the elections on 22 September, the Ukrainian Rada passed a resolution declaring the Russian State Duma elections "illegal" and the newly elected Russian parliament as "illegitimate" due to the involvement of Donbas residents. Moreover, Zelensky issued a presidential decree on 05 October to sanction individuals and entities for organizing and taking

part in the Russian State Duma elections.

Even though the U.S. and the EU condemned the conduct of Russian parliamentary elections in Crimea and the involvement of Donbas residents, Ukraine's calls for a tougher reaction and further sanctions largely fell on deaf ears. Nonetheless, it is crucial for the West to understand that the Donbas residents' engagement in the Duma elections are seen by the Ukrainian expert community as an argument supporting the impossibility of conducting local elections in the non-government controlled areas, as required by the Minsk Agreements and advocated for by some of the international partners (e.g. Germany advocates for the Steinmeier Formula). As Zelensky put it once: "No local elections at machine gun points."

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## CONCLUSIONS: IMPLICATIONS FOR RUSSIA'S STRATEGY FOR THE DONBAS, THE MINSK AGREEMENTS, AND CONFLICT RESOLUTION

Already in June 2021, the deputy chairman of the Russian Central Election Commission, Nikolai Bulaev, stated that the electronic vote of Donbas residents was an "experiment" to test the technological infrastructure to significantly expand its use in the future. Shortly after the Duma elections, the Kremlin signaled that e-voting will likely be used in the 2024 presidential elections, across Russia and potentially also abroad. Indeed, taken together, Russia's ongoing passportization of the Donbas, the involvement of Donbas residents in the 2020 constitutional referendum, and especially the recent 2021 Duma elections showcase how Russia's external governance in non-recognized territories and states in the post-Soviet space works in the present and how it could expand in the future.

**First**, through passportization, Russia did not contribute

to "freezing" the status quo of the territorial conflict in the Eastern regions of Ukraine. Instead, passportization became an effective instrument of external governance, deepening the divisions between the population of the non-government-controlled Donbas and the rest of Ukraine.

**Second**, passportization also serves as a tool to expand the effective governance of the people living in the separatist entities, without recognizing the territory its citizens reside in as either independent or belonging to the Russian state. The analysis of the 2021 Duma elections provides further testimony of how Russia's passportization strategy builds new infrastructures and governance mechanisms in the Donbas, such as de facto polling stations ("information centers") and digital services used to dole out social benefits (the Gosuslugi

platform). It demonstrates that these governance mechanisms and infrastructures cannot and will not be easily removed even in the unlikely event of the implementation of the Minsk Agreements, and/or new international negotiation formats and agreements to settle the conflict.

**Third**, Russia not only advances the use of digital tools at home, but also effectively employs them as an instrument of external governance in the Donbas, as we have seen with the electronic vote in the 2021 Duma elections. In the future, digitalization of elections as well as of government services provided by the Russian state to its citizens might further disentangle the state's governance of its new citizens from control over the territory they live in. Through 2024, Russia plans to align the socio-economic level of the two Donbas "People's Republics" with the neighboring Rostov region at 2019 levels with a [12.3 billion USD subsidy](#). The "diminished citizenship" of passportized Russians in the Donbas points to a legitimacy deficit of Russia within the "People's Republics" due to the non-recognition and non-annexation of the two territories. Russia aims to compensate for this legitimacy deficit with the expansion of voting rights, and by means of the digital infrastructure, also through the expansion of some social rights and benefits.

## Based on our research, we propose two policy recommendations:

### 1) The United States and the EU: Acknowledge what goals Russia pursues with passportization and adapt policies accordingly to strengthen Ukraine's sovereignty

The predominant views on passportization in the United States and the EU appear to be that Russia creates citizens in the Donbas to have a pretext for a potential full-scale military intervention to protect these very citizens, or that an annexation—creeping or wholesale—is imminent. While both cannot be ruled out altogether, our emphasis on the diminished character of citizenship, and in particular of voting rights, of passportized Donbas residents requires shifting the focus to the political part of the Minsk Agreements, namely local elections

according to OSCE standards, and a "special status" for the Donbas. The military conflict and conducting Russian elections with Donbas residents should be seen as large-scale gerrymandering whereby Russia is continuously influencing the political preferences and allegiances of Donbas residents to the detriment of the Ukrainian government. Therefore, it is crucial to understand that the Minsk Process and the Steinmeier Formula regarding the sequencing of local elections and special status for the separatist entities are essentially reduced *ad absurdum*. Nevertheless, the international community—notably the United States and Normandy Format members Germany and France—seem to hold onto the strategy that a de facto failed peace agreement is better than no peace agreement in this protracted conflict setting to avoid new violent escalations. Without new international negotiations, and a new agreement as a result thereof, the Minsk Agreements cannot be declared as "failed." Instead, they will remain in a "limbo between failing and the imperative of not failing." Overall, we concur with Allan Duncan (2020) that implementation should not be understood as finding a mid-point between Russia's and Ukraine's positions since the "Minsk conundrum," or the "sequency trap," cannot be resolved easily. Instead, strengthening Ukraine's sovereignty should be the cornerstone of the West's policy.

The Biden administration has confirmed that the Minsk Agreements remain the basis for conflict settlement within the framework of the Normandy format. But while France and Germany will remain the lead negotiators, Undersecretary of State Victoria Nuland stated on 16 December 2021 that the U.S. stands ready to engage in a "[parallel effort in support of the Normandy Format](#)" in order to "[get] Russia to live up to its obligations in creating a sequence that makes it possible for Ukraine to do some of the things on its side of the Minsk ledger." Nuland's framing suggests that the U.S. is clearly aware of the sequencing dilemma of the Minsk Accords. In a briefing on 07 January 2022, Secretary of State Antony Blinken put this even more bluntly: "[It's Russia that has failed to implement any of its Minsk commitments](#), indeed is actively violating many of them, and refuses to acknowledge it's a party to the conflict." Therefore, while the Biden administration's assessment of the Minsk Process is clear-sighted, the challenge that lies ahead is two-fold: First, Russia is likely to demand more pressure on Ukraine in the Minsk Process from the U.S. in exchange for some concessions in bilateral U.S.-Russia talks on security starting in January 2022. Hence, the United States should remain adamant that

Ukraine's sovereignty and territorial integrity—including decisions on foreign and defense alignments—are not negotiable and should follow through on the commitment that "if Ukraine is on the agenda, then Ukraine is at the table," even if Moscow applies more military pressure to force NATO to make far-ranging security guarantees. Second, it will be of the utmost importance to maintain close transatlantic cooperation as any discussion on European security needs to happen in "coordination and with participation of the European Union." Ahead of the U.S.-Russia talks, the EU's top diplomat Josep Borrell sent a stark warning against the U.S. and Russia creating "spheres of influence" on the continent in a

Overall, the U.S. and the EU should keep in mind that—unlike heavy weaponry or Russian troops which in theory could be removed quickly in the wake of a conflict settlement—citizenship and the ensuing socio-political and electoral relationship of passportized Donbas residents with Russia as the naturalizing state will remain a long-term challenge.

"new Yalta deal." As Russia will likely try to drive a wedge between transatlantic allies during the negotiations, close coordination will be crucial not only to prevent further escalation, but also to make progress in the Minsk Process by disentangling the "sequencing trap." Overall, the U.S. and the EU should keep in mind that—unlike heavy weaponry or Russian troops which in theory could be removed quickly in the wake of a conflict settlement—citizenship and the ensuing socio-political and electoral relationship of passportized Donbas residents with Russia as the naturalizing state will remain a long-term challenge.

## 2) Ukraine: Treat Donbas residents in the non-government-controlled areas as full—and not second-class, diminished—Ukrainians and deepen engagement with these citizens

Our analysis of voting results in the 2021 Duma elections suggests that Donbas voters are starkly pro-Russian with significantly more favorable views towards the Russian government than average voters in the neighboring Rostov region. Nevertheless, it is crucial to stress that only

slightly more than one-third of the eligible Donbas voters with Russian passports—or approximately one-tenth of the current overall population of the "People's Republics" aged over 18—cast their ballot in the 2021 Duma elections. In other words, the large majority does not yet have a Russian passport and did not vote in the Russian parliamentary elections. It is this overwhelming majority that gives Ukraine considerable leverage to reach out to its citizens and strengthen its engagement with Donbas residents. Zelensky has recently set out to replace bureaucracy with the app "Diia"; a speedy digital transformation of the Ukrainian state could make public services such as pensions, social benefits, or the renewal of Ukrainian

documents much more easily accessible to Donbas residents. But most importantly, it is indispensable for the Ukrainian government to devise a coherent, long-term strategy to engage with Donbas residents in the non-controlled territories, rather than swaying back and forth between the extremes of "convalidation" and "building a wall." And indeed, a "people-centered approach" (Marangé 2019) including the Ministry for Reintegration's "convalidation" of de facto acknowledging at least some of the "People's Republics" documents in combination with improved accessibility of Ukrainian public services with digitalization could counterbalance Russia's creeping passportization of the Donbas.

## References

- Allan, Duncan. 2020. "The Minsk Conundrum: Western Policy and Russia's War in Eastern Ukraine." Chatham House Research Paper, <https://www.chathamhouse.org/2020/05/minsk-conundrum-western-policy-and-russias-war-eastern-ukraine>.
- Åtland, Kristian. 2020. "Destined for deadlock? Russia, Ukraine, and the unfulfilled Minsk agreements." *Post-Soviet Affairs*, 36(2): 122-139.
- Burkhardt, Fabian. 2020. "Russia's 'Passportisation' of the Donbas. The Mass Naturalisation of Ukrainians Is More Than a Foreign Policy Tool." German Institute for International and Security Affairs, SWP Comment 2020/C 41, <https://www.swp-berlin.org/en/publication/russias-passportisation-of-the-donbas>, DOI: 10.18449/2020C41.
- Marangé, Céline. 2019. "A People-Centered Approach to Conflict Resolution in Ukraine." *War on the Rocks*, <https://warontherocks.com/2019/07/a-people-centered-approach-to-conflict-resolution-in-ukraine>.
- Osipian, Ararat, and Alexandr Osipian. 2006. "Why Donbass votes for Yanukovich: Confronting the Ukrainian Orange Revolution." *Demokratizatsiya*, 14(4): 495-517.
- Shapovalova, Natalia, and Valentyna Romanova. 2020. "Second-Class Citizens? Kyiv's Policy towards the Residents of the Conflict-Torn Eastern Regions of Ukraine through the Lens of Citizenship," in: Filippov, Alexander, Hayoz, Nicolas, and Herlth, Jens (eds.) *Centres and Peripheries in the Post-Soviet Space. Relevance and Meanings of a Classical Distinction*: Peter Lang International Academic Publishers.
- Shelest, Hanna, and Maryna Rabinovych (eds.). 2020. *Decentralization, Regional Diversity, and Conflict. The Case of Ukraine*: Springer International Publishing.
- Wittke, Cindy. 2019. "The Minsk Agreements—more than 'scraps of paper'?" *East European Politics*, 35(3): 264-290.



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