



DELEGATION OF UKRAINE

STATEMENT
at the 2006 Human Dimension Implementation Meeting

As for delivery by the Member of the Central Election Committee M.Okhendovsky

WORKING SESSION 10
DEMOCRATIC ELECTIONS

(Warsaw, 9 October 2006)

Dear Ladies and Gentlemen!

On 26th March 2006 Ukraine conducted elections to the Verkhovna Rada, the national Parliament. All four hundred and fifty members of parliament were elected under an entirely proportional system in a single nationwide constituency for the first time in Ukrainian history. Candidates could only run for office on a party or a bloc list. The election lists of candidates could be submitted for registration to the Central Election Commission only by parties, which were founded at least one year prior to Election Day. Thus, independent candidates, not affiliated to any party or block were deprived of the right to be elected, which fact was widely discussed on national level, being obviously inconsistent with 1990 OSCE Copenhagen Document and allegedly – with the Constitution of Ukraine. The new Parliament was elected for a five-year term; one year longer than the tenure of the previous Parliament. The applicable threshold for the parties and election blocks to be eligible for seat allocation was lowered from four to three per cent.

According to the opinion of the overwhelming majority of international observation missions including the mission of the OSCE Office for Democratic Institutions and Human Rights, the 26 March parliamentary elections were conducted largely in line with OSCE, Council of Europe commitments and other international standards for democratic elections. Overall, civil and political rights were respected, including the fundamental freedoms of expression, association and assembly. An

inclusive candidate registration process and a vibrant media environment provided for genuine competition. This enabled voters to make informed choices between distinct political alternatives.

Therefore, there exist all grounds to deem the last elections as the first free ones held in Ukraine. Previous elections were often declared to be free, not being such in reality.

We may confidently say today that during the last years Ukraine made a considerable progress in the issue of development of democratic institutions and the observance of political rights in general, and the right for fair and democratic elections in particular, which is consistent with our OSCE and the Council of Europe commitments.

It is worth mentioning that during the last elections the participation of parties and blocs, representing broad political spectrum was facilitated by an inclusive candidate registration process. The media, nationwide and local, electronic and printed, provided a comprehensive coverage of the campaign and enabled parties and blocs to communicate their messages to the electorate. The campaign unfolded in a largely unhindered, dynamic and competitive environment and was generally free from incidents. The Central Election Commission of Ukraine tried to do its best in administering the elections in an overall transparent, consensual and professional manner, respecting all legal deadlines. Implementation of long standing OSCE/ODIHR recommendations resulted in legislative provisions for domestic non-partisan observers to be formally accredited by the Central Election Commission. A countrywide overhaul of voter lists in an attempt to address deficiencies identified in previous elections, despite the condensed timeframe, demonstrated political will and a measure of improvement. The performance of the law enforcement agencies during the campaign and on the Election Day was appropriate.

However, we understand that there is still much to be done on the legislative level to address a number of shortcomings noted during the campaign.

Particularly, we need to improve the procedure for formation of polling station election commissions, which were to be formed by political parties and only a few of

them were able to provide the legally required number of nominees for membership in a timely manner. In about 1 400 polling stations of the total of 34 039 that administered voting on election day the number of registered voters still exceeded the legally foreseen maximum of 2 500. The simultaneous conduct of parliamentary and local elections resulted in a lengthy voting and counting process, contributing to overcrowding in a significant number of polling stations. The currently applicable legal requirements regarding campaign financing require improved reporting mechanisms in order to increase accountability and transparency.

The consolidation of the progress made by Ukraine in meeting the OSCE election-related commitments needs to be continued, especially in key areas such as:

- The establishment of a centralised voter register – a respective draft law is now under the Parliament consideration;
- The harmonisation of the various election-related laws, possibly under a single Election Code, which is proposed by the Central Election Commission;
- Strengthening and continuing the current focus on discouraging the use of administrative resources in election, including through civil servant training;
- A further increase of professionalism of the lower level election commissions.

For these ends we shall continue to pay appropriate attention to the recommendations offered by the OSCE/ODIHR observation mission during the last election process and thereafter. We also appreciate the cooperation established and fruitfully existing between the Central Election Commission of Ukraine and other Ukrainian authorities on one hand and the OSCE Project Coordinator in Ukraine on the other (His Excellency Ambassador James Shumeiker).

Thank you for your attention, dear ladies and gentlemen!