
P R E S S R E L E A S E

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Ukrainian Parliamentary Elections Result in Backslide for Democracy and Fairness

Kyiv, Ukraine – Based on the pre-election environment and irregularities witnessed on Election Day, the Committee for Open Democracy believes results of Ukraine’s October 28th Parliamentary elections to be flawed – primarily in the single mandate districts – due to use of administrative resources, carousel voting, and intimidation. The Committee for Open Democracy had 145 officially accredited observers from 12 countries mobilized throughout Ukraine to monitor polling stations on Election Day. In addition to observing polling stations in Ukraine, as well as at polling stations at the Ukrainian embassy and consulate in Moldova. This is the third time the Committee for Open Democracy has observed elections in Ukraine. The Committee has also observed past elections in Moldova, Montenegro and in Georgia.

“Unfortunately, this parliamentary election falls short of the democratic standards Ukraine met in the parliamentary elections of 2006 and 2007. It is disappointing to see this deterioration in Ukraine’s democratic development,” said Committee for Open Democracy President Tom Nolan. In addition, the pre-election environment was tainted by the imprisonment of several leading opposition figures on questionable charges (as noted by numerous diplomatic missions and international organizations). Throughout the campaign, the ruling party maximized the use of administrative resources to the fullest effect. While it is normal for a party in power to make use of all resources at its’ disposal to win elections, the use of administrative resources in this election exceeded that of past elections in Ukraine and needs to be addressed in order to create a “level” playing field for all parties in future elections.

On Election Day Committee observer noted multiple credible reports of carousel voting and a disproportionately high number of request for the mobile ballot box. Of the hundreds of polling stations visited by Committee observers, more than 10% of the sites had mobile ballot box requests in excess of 2%. Traditionally in Ukraine, mobile ballot box requests at polling stations rarely exceed 2% of the number of registered voters. While some of this can be explained by some parties and candidates being well organized, excessive use of the mobile ballot box and subsequent problems with some voters claiming that they didn’t write requests for the mobile ballot box suggests impropriety. This is another reason to eliminate the use of this antiquated relic from the one party Communist rule under the Soviet Union.

For the first time, video camera surveillance was provided at every polling station. The opinion is still out on the effectiveness of the video surveillance in improving the transparency of the election, but in general, it was a step in the right direction. However, it should also be noted that video surveillance ended before the vote count and the sheer amount of time required to monitor and view the video footage amounts to more than 400,000 hours (34,000 polling sites multiplied by 12 hours at each site) of needed review time. It should also be noted that the video feed was not in real time but rather in a delay of up to 5 minutes. This time delay could lead to the impression that not all video captured at the polling site is accessible to the audience and that some editing may occur. Additionally, statements from the Central Election Commission indicate that the digital video archive may be available only to "law enforcement" and elections administration officials but not to the public or to the observer community. If the video surveillance technology is to continue to be used as a tool of transparency this video archive must be available - in its entirety - to the public and the monitoring community. Given the large financial outlay required for video surveillance and the

consistently slow vote count of paper ballots in Ukrainian elections, the Committee for Open Democracy recommends that Ukraine invest in an optical scan counting system to reduce fraud as well as provide results in a timely manner.

A hostile attitude toward officially accredited international observers, first witnessed in the National Local Elections in October 2010 (and specifically in Odesa city), was sadly repeated in some areas of the country. The hostility and uncooperativeness of some commissioners is contrary to the invitation of President Victor Yanukovich and the general cooperative attitude of the Ukrainian Ministry of Foreign Affairs. The hostility toward international observers was the worst in polling station #77 in District 212 of Kyiv city where commissioners erected a metal barrier wall to prevent officially accredited observers from exercising their legal rights under Ukrainian law to witness the vote count. The Committee for Open Democracy calls on the government and legal system of Ukraine to fully investigate this matter, and if commissioners are found in violation of Ukrainian law, that they prosecute those individuals involved in accordance with the law. In addition, at this polling site in Kyiv city as well as at others around the country, commissioners refused to provide protocols with official tabulated results to both domestic and international observers – in clear violation of both the letter and spirit of Ukrainian legislation.

Voting in “special” polling sites such as hospitals, prisons and military bases was once again problematic and the number of ballots provided to those polling sites often far exceeded the number of registered voters. The slow vote count in single mandate constituencies combined with credible evidence of changing of results protocols (between the local polling stations and the District Election Commissions) is indicative of active attempts to thwart the will of the voters. In addition, when observing official results in many single-mandate districts for both the individual candidate and the proportional ballot, historically improbable numbers of voters ‘officially’ split their votes between opposition on the proportional, and ruling party for the majoritarian candidate. This discrepancy between Ukraine’s historic patterns – and of those witnessed globally in parliamentary systems – suggests further impropriety.

The Committee believes that the pre-election environment was marred by the abuse of administrative resources selective enforcement of the law. In addition, Election Day irregularities, including the changing of protocols, have flawed the process. While the vote results of the National Party List ballot appear to reflect the will of the Ukrainian voters, the Single Mandate results are questionable in more than 40 districts. The Committee for Open Democracy calls on the Ukrainian government to return to the democratic election standards witnessed in 2006 and 2007 so that the Ukrainian people will enjoy the European standards of living that they deserve.

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The Committee for Open Democracy is an objective, non-profit organization that monitors and observes elections internationally for adherence to democratic standards of fairness, reflecting the will of the voters. More information can be found at www.committeeforopendemocracy.org, or their [Facebook](#) page.