

THE INTERNATIONAL REPUBLICAN INSTITUTE



ADVANCING DEMOCRACY WORLDWIDE

UKRAINE PARLIAMENTARY ELECTIONS

SEPTEMBER 30, 2007

ELECTION OBSERVATION MISSION FINAL REPORT

Ukraine Parliamentary Elections

September 30, 2007

Election Observation Mission Final Report



The International Republican Institute

1225 Eye Street, NW
Suite 700
Washington, DC 20005
www.iri.org

This report is made possible by the generous support of the American people through the United States Agency for International Development (USAID) under Cooperative Agreement No. 121-A-00-07-00701-00. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of USAID or the United States Government.

TABLE OF CONTENTS

Executive Summary	3
I. Introduction	5
II. Pre-Election Period	7
A. Political Situation in Ukraine 2006-2007	
B. Leading Electoral Blocs and Parties in the 2007 Elections	
C. Campaign Period	
III. Election Period	15
A. Pre-Election Meetings	
B. Election Day	
IV. Post-Election Analysis	19
V. Findings and Recommendations	21
VI. Appendix	25
Appendix I. IRI Preliminary Statement on the Ukrainian Elections	
Appendix II. Election Observation Delegation Members	
Appendix III. IRI in Ukraine	

Executive Summary

The International Republican Institute (IRI) received funding from the United States Agency for International Development to deploy a 28-member international delegation to observe the election process for the September 30, 2007, snap parliamentary elections in Ukraine.

The September 30 elections were called by President Viktor Yushchenko after considerable political turmoil resulted in a gridlocked government. The hope for the poll was that it would resolve a bitter political struggle between Ukraine's two feuding leaders, President Yushchenko and Prime Minister Viktor Yanukovych.

The IRI delegation concluded that the 2007 election broadly met international standards. The pre-election environment maintained an open campaign atmosphere, preserved the freedom of the media, and avoided the abuse of administrative resources for partisan political purposes.

Election Day was also free of rampant violations, although it suffered from the hastiness in which the elections were called. The most common difficulty observed by the delegation was the flawed voter lists. The questionable quality of the lists – which contained mistakes ranging from misspelled names to the inclusion of names of deceased persons – was a complaint consistently registered by political party leaders, local campaign officials, election commission workers and Ukrainian voters. Overall, however, Ukrainian voters were able to cast their ballots freely and their votes were counted according to the law, ensuring their right to vote.

In general, the September 30 snap-elections were conducted in accordance with the law, administered in good faith, and met international standards for democratic elections. These elections were the second democratic elections administered by the

Yushchenko government and continued to advance Ukraine down its path of democratic development.

I. Introduction

The September 30, 2007, parliamentary elections in Ukraine were the second nationwide elections to be conducted by the government of President Yushchenko. These elections were called in an attempt to resolve the ongoing constitutional crisis that had arisen as a result of the political standoff between President Yushchenko and Prime Minister Yanukovich. As it was during the March 2006 elections, attention was focused on the Yushchenko administration and the Ukrainian political parties to see if they would deliver a democratic pre-election period and voting process or whether presidential and parliamentary administrative resources would be used to influence the outcome of the vote.

To observe the election process, IRI deployed an election observation mission consisting of 28 members, including representatives from Canada, Georgia, Great Britain, Lithuania, and the United States. Delegates monitored more than 150 polling stations in Cherkasy, Chernihiv, Dnipropetrovsk, Kharkiv, Kyiv, Ivano-Frankivsk, Luhansk, Odesa, and the Autonomous Republic of Crimea.

This report will summarize the pre-election, Election Day, and post-election findings of IRI's election observation mission. This report will also make recommendations for improvement of Ukraine's election administration.

II. Pre-Election Period

A. *Political Situation in Ukraine 2006-2007*

The hope for the September 30, 2007, poll was that it would resolve a bitter political struggle between Ukraine's two feuding leaders. Ukrainian politics has long been mired in a power struggle between President Yushchenko and Prime Minister Yanukovych. Both men were rivals during the 2004 presidential campaign. Following an attempt by the authorities to fraudulently certify Yanukovych a winner of the presidential vote, mass protests took place in Kyiv and throughout Ukraine that became known as the Orange Revolution. The courts ordered a re-vote, which Yushchenko won. Before his election to the presidency however, Yushchenko agreed to a series of measures that reduced presidential powers and increased those of the Prime Minister and the parliament, leading to repeated conflicts between legislators, the cabinet of ministers and the President, culminating in Yushchenko's decision this year to dissolve Parliament and call an early vote.

The previous parliamentary elections took place on March 26, 2006, 14 months after President Yushchenko's inauguration. While the Yushchenko administration oversaw the most democratic elections in Ukraine's recent history, his political party, Our Ukraine, came in third in the 2006 polls, receiving 13.95 percent of the national vote. The Party of Regions of Ukraine led the polls with 32.14 percent, followed by the Bloc of Yulia Tymoshenko (BYuT) with 22.29 percent. The Socialist Party of Ukraine gained 5.69 percent and the Communist Party of Ukraine 3.66 percent.

Since no single political party received 226 seats in the parliament, (the amount necessary to nominate the Prime Minister), the political parties that entered parliament were required by law to form a coalition within one month of the certification of official election results from the Verkhovna Rada and Cabinet of Ministers publications. After months of negotiations, the formerly allied political forces,

BYuT and Our Ukraine, were unable to form a coalition. Viktor Yanukovych's Party of Regions then forged a ruling coalition with the Socialist Party of Ukraine and the Communist Party and nominated Yanukovych for the post of Prime Minister. On August 3, 2006, President Yushchenko agreed to Yanukovych's nomination as Prime Minister.

Following the Parliamentary approval of Yanukovych, leaders of the Party of Regions, the Socialist Party of Ukraine and the People's Union Our Ukraine signed a document entitled the Universal of National Unity (the Universal). It served as a compromise between Yushchenko and Yanukovych, and a road map for major policy issues, including the status of the Russian language and Ukraine's membership in the North Atlantic Treaty Organization (NATO). The Universal stated the country's future would be a European one, as a part of NATO, the World Trade Organization (WTO) and the European Union.

However, the Universal was not legally binding, and soon after signing it, Yanukovych violated many of the stipulated agreements. This led to repeated conflicts between Yushchenko's Presidential Secretariat and Prime Minister Yanukovych's Cabinet of Ministers. By the fall of 2006, it quickly became clear that Yanukovych did not intend to be bound by the Universal. He reversed his position on NATO integration, delayed WTO membership, and pursued a decidedly pro-Russian foreign policy orientation.

In March 2007, some of Yushchenko's supporters in Parliament defected to Yanukovych's coalition, most prominently the faction of Anatoly Kinakh, the President's former National Security Advisor. Yushchenko had accused Yanukovych's majority coalition in Parliament of trying to usurp power. He then ordered the dissolution of the Verkhovna Rada. In his address to the Ukrainian nation on the eve of his decision, the President said that his dissolution of Parliament was motivated by "an acute necessity to preserve the

nation, its sovereignty and territorial integrity.” This ended the shaky power-sharing deal based on the Universal of National Unity.

Yushchenko’s initial decree scheduled new elections for May 27, less than eight weeks from the day of disbanding the Verkhovna Rada. The President’s decision to dissolve the Verkhovna Rada resulted in weeks of street rallies in Kyiv. The Prime Minister’s backers, as well as those in favor of the snap elections, held rallies on Kyiv’s Maidan in an attempt to re-create the atmosphere of the 2004 Orange Revolution, but without much success.

Yanukovych’s supporters in Parliament responded by calling an emergency session and passing a resolution declaring the presidential decree unconstitutional. The deputies also voted against allocating money for the new elections. The maneuvers pushed Ukraine into its worst political crisis since the Orange Revolution in 2004.

Deputies from the majority coalition sent an appeal to the Constitutional Court, asking it to rule on the legality of Yushchenko’s decree. The Constitutional Court of Ukraine also registered an appeal from the President of Ukraine, asking it to review the decision of the Cabinet of Ministers, adopted April 3 to ensure implementation of the Verkhovna Rada resolutions, voted on after the dissolution of the Parliament. The confrontation over the dissolution of the Parliament revealed the weak state of Ukraine’s judicial system as its highest court was unable to produce a verdict on these politically-charged cases.

On May 27, 2007, Yanukovych, as well as Oleksandr Moroz, Speaker of Parliament and leader of the Socialist Party, agreed to a date for new elections and the Rada’s passage of laws to facilitate the elections. In making this concession, Yanukovych dropped his earlier insistence on a Constitutional Court decision.

The agreement stipulated that elections could be held if the Constitutional provision on the lack of a quorum in the Rada is

met, i.e., that one-third of the members resigned. Yushchenko's Our Ukraine and Yulia Tymoshenko's BYuT deputies immediately announced plans to resign. The new agreement shifted the dissolution of the Rada from the shaky ground used by Yushchenko – that the Yanukovych-Moroz coalition was getting deputies to switch factions, which was illegal under the Constitution – to the firmer Constitutional basis that the Rada could be dissolved if it lacks a quorum.

By June 1, the Rada had passed the legislation required for holding elections, and the government and Rada had appropriated the funds needed.

Following the agreement to hold new elections on September 30, 2007, President Yushchenko began to publicly discuss the need for wide-ranging constitutional reform in Ukraine. The goal of the reform would be to clarify the roles of the president, prime minister and the parliament vis-à-vis each other and to avoid confrontations that had led to political crises in the past.

Currently, Ukraine's major political parties are working on their own versions of the Constitution. It has been implied that in the future, the Ukrainian people will be able to choose one version in a referendum.

On Thursday, August 2, 2007, Ukrainian politicians officially began the electoral campaign for the snap parliamentary elections scheduled for September 30, 2007. The political parties held congresses and presented their election programs and lists of candidates.

B. Leading Electoral Blocs and Parties in the 2007 Elections

The Verkhovna Rada is a 450-member unicameral body. Previously, half of Ukraine's deputies were elected via a party list system, while the other half were elected in single-mandate elections. This changed with the July 7, 2005, election law, under which the parliamentary

elections were conducted, which established a full-party list system. Additionally, parties had to pass a three percent threshold of total number of ballots cast to seat candidates from their lists.

In the 2006 parliamentary elections, five parties or blocs passed the three percent threshold required to win representation in the Parliament. The parties were the Party of Regions, the Bloc of Yulia Tymoshenko, the Bloc of Our Ukraine, the Socialist Party, and the Communist Party.

For the 2007 parliamentary elections, the Central Election Commission (CEC) registered 21 electoral blocs and political parties. Prominent blocs and parties registered in 2007 were:

1. The Party of Regions of Ukraine, led by Prime Minister and 2004 presidential candidate Viktor Yanukovich;
2. The Bloc of Our Ukraine - People's Self-Defense OUPSD), a merger of the People's Self Defense Party, Rukh Party, the Ukrainian People's Party, the Christian Democrats, PORA, and some smaller parties and movements. The bloc is led by People's Self Defense Chairman Yuri Lutsenko;
3. The Bloc of Yulia Tymoshenko, led by the former Prime Minister Yulia Tymoshenko;
4. The Socialist Party, led by Speaker of Parliament Oleksandr Moroz;
5. The Communist Party led by Petro Symonenko;
6. Bloc of Lytvyn, led by former Speaker of Parliament Volodymyr Lytvyn; and
7. The People's Opposition Bloc of Vitrenko led by former parliamentary deputy, Nataliya Vitrenko.

C. Campaign Period

Through monitoring of the news media, meetings with election commissions, and regular contact with political parties, campaigns and civil society organizations in all regions of the country, IRI closely followed the 2007 parliamentary elections campaigns. IRI found that, as in 2006, the pre-election environment was dramatically improved relative to election campaigns in 1998, 1999, 2002 and 2004.

IRI recognized the reduced use of administrative resources, open campaign environment, maintained media freedoms and continued cooperation with international observers. However, one issue that remained problematic was the condition of voter lists.

- **Less Use of Administrative Resources**

The Yushchenko government showed restraint from using administrative resources for partisan political purposes, this was consistent with 2006 election findings. There were a few registered complaints of elected officials campaigning on behalf of some parties, and some debate on whether the use of the President's image on campaign materials for OUPSD, to which he is a member, was an abuse of administrative resources (though legally not a violation).

- **Open Campaign Environment**

Like the 2006 election, campaign activists were able to campaign freely. It should be noted that obstacles to campaigning were more regional in nature. Though rare, locally-organized impediments to a free campaign environment did include campaign workers and volunteers being asked to leave an area, vandalization of campaign materials or other forms of intimidation. However, campaign rights were usually restored by local authorities shortly thereafter. This supports the observation noting the reduced use of administrative resources, as it appeared there was no

centrally designed systematic infringement on campaign rights as had occurred prior to 2006.

- **Maintained Media Freedoms**

The 2006 elections represented the most free mass media environment in Ukraine's history, and the 2007 election maintained that threshold of media freedom. During meetings with IRI, none of the national or local party headquarters' leaders said they had been denied media coverage. Campaigns were able to buy advertising and journalists were able to report campaign-related stories openly. Nevertheless, concern remained over the tendency of journalists or media outlets to accept payment for favorable news coverage.

- **Courts Used to Resolve Disputes**

IRI received reports from throughout the country that campaign lawyers filed lawsuits when it was believed a campaign's rights under the law had been denied. A tangible example of this occurred during the party registration process with the CEC in early August. Initially, the CEC refused to register BYuT, claiming its party list did not contain the addresses of its candidates, which it believed was required by law. BYuT filed a claim with the Kyiv district courts, and the court ruled that the CEC needed to review its initial decision. Subsequently, the CEC voted overwhelmingly to reverse its decision and formally registered the bloc.

- **Voter Lists Remain Problematic**

It was clear that many of the mistakes on the voter lists from the 2004 and 2006 campaigns had not been corrected. Some districts had outdated lists, carried over from the 2006 election. This could have been due to the last-minute nature of these elections. Mistakes ranged from misspellings of names (translated from Russian to Ukrainian) to duplicate registered voters, residences omitted from the voter lists and deceased persons remaining on the lists.

III. Election Period

For the purpose of this report, the election period encompasses the duration of the election observation mission, which was conducted from September 25 to October 3, 2007.

The delegation attended a full-day briefing on the election process and political situation in Ukraine upon their arrival in Kyiv. Representatives from BYuT, OUPSD, Bloc Lytvyn, and the Socialist Party briefed the delegation on each party's campaign and its perspective on the political situation and campaign period. In addition, representatives from the U.S. Embassy, the independent media, legal experts, and IRI staff discussed the political and legal aspects of the elections and the media coverage surrounding it.

A. Pre-Election Meetings

Upon arrival in their respective regions, delegates conducted a series of meetings with local election officials, media representatives and political party activists. These meetings provided the teams with the most up-to-date information about each region as well as the opportunity to be informed of issues that they should watch for on Election Day.

Overall, IRI observers found that local election officials, regional political party leaders, and representatives of the media had positive expectations for Election Day. They did not report any serious violations that took place in the pre-election period, which was not the case prior to the 2006 elections. During the September 2007 parliamentary elections, no serious violations of campaign rights were reported in any of the 10 regions visited by IRI observers.

During the pre-election meetings, people repeatedly expressed their concern regarding the voter lists.

B. Election Day

On Election Day, delegates arrived at their first Precinct Election Commission (PEC) at 6:30 A.M., one half hour before polls opened at 7:00 A.M. Delegates witnessed the sealing of empty ballot boxes and the signing of the ballot security protocols by PEC workers. Throughout the day, delegates continued to visit polling sites to observe the conduct of elections. After visiting a PEC, each team recorded their observations as well as phoned-in their results.

This was the first time IRI employed the use of an automated phone system to gather real-time information on what each team was witnessing in their respective oblasts in Ukraine. To facilitate this process, each team was provided a mobile phone and multiple-choice questionnaire to complete after observing a PEC. The automated system mimicked this questionnaire, enabling IRI observer teams to input their observations and also leave detailed voicemails of specific positive and negative items observed.

Delegates visited, on average, between 12 and 15 PECs, varying the length of stay at each site as necessary, based on perceived or visible violations. In total, IRI visited 158 polling stations throughout Ukraine.

Delegates arrived at their last PEC at 9:30 P.M., one half hour before the closing of polls. At the PEC closing, delegates paid careful attention to whether commission members followed procedures on proper closing, vote tabulation and delivery of ballots to the District Election Commission (DEC).

As in 2006, the IRI election observation team noted that the various political parties were fairly represented as members of polling stations and district election commissions. Most political parties fielded observers, who were present at nearly every polling station. Some of IRI's observer teams, however, did note an apparent lack of authenticity of these party observers. In these rare instances,

the party observers appeared to represent a party only in name, and seemed to serve no poll watching purpose. Additionally, there were a few cases phoned in by IRI observer teams, where the political party observers appeared to be assisting voters into the voting booths and perhaps influencing their votes.

The most significant and widespread problem with the administration of the 2007 elections was the fact that these were snap elections. Last-minute changes to election administration procedures offered little opportunity for election commissioners to properly prepare for the elections. The voter lists appeared to suffer the most as a result of these circumstances and were repeatedly cited as a major problem by political party regional campaign managers, party poll watchers, PEC members and other election representatives and leaders in the oblasts visited by IRI observer teams.

IRI observed that the voter lists did prove problematic at many polling stations. More than 50 percent of the polling stations visited by IRI observers had at least one voter turned away because the voter was not on the voter list.

Additionally, requests for the mobile ballot box remained high. At more than 80 percent of the polling stations IRI visited, there had been 10 or more requests for the mobile ballot box.

Another consistent observation of IRI teams was the presence of police inside polling stations. It was not clear if this was merely a lack of understanding on the part of PEC members that police stationed inside of the PEC was in fact a violation of the election code or if this was an attempt to influence voters. Usually, IRI found that simply asking a PEC chairman why the police were inside the PEC resulted in the relocation of the police outside the PEC.

The compressed timeframe to organize the elections also hindered the ballot tabulation process at PECs, Territorial Election Commissions (TEC) and DEC, emphasizing the need for sufficient preparation

time and carefully executed trainings of poll workers prior to Election Day.

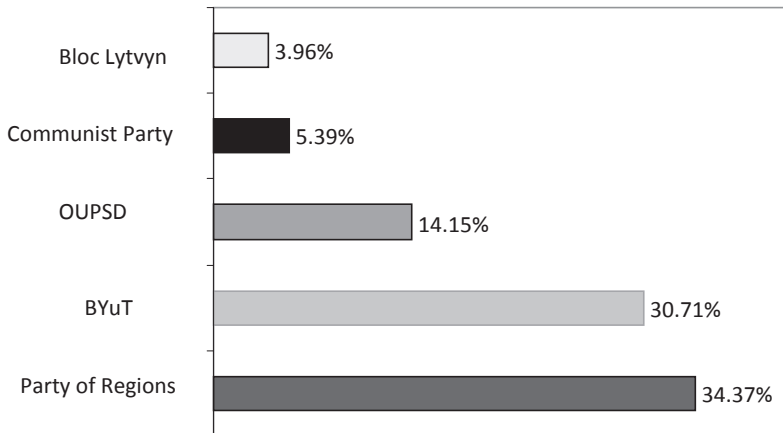
Nonetheless, in more than 80 percent of PECs IRI visited, commissioners were perceived to have at least a good amount of knowledge of their duties and the ability to execute them. Also, most election commissioners did have sufficient knowledge of the electoral code, and if they were unsure, referred to the copies of the law they had been provided, and were able to prevent any irregularities which could have influenced the outcome of the elections.

IRI observers concluded that the overall election process was fair, transparent, free of intimidation or tension, administered in good faith and in accordance with the law. Furthermore, the environment was relatively peaceful and calm, campaigns operated openly and Ukrainians were able to exercise their right to vote freely.

IV. Post-Election Analysis

In the run-up to the election, the Party of Regions led in the majority of public opinion polls, followed by BYuT and OUPSD. No single party was expected to win enough seats in parliament necessary to nominate the prime minister.

The final election results were surprising due to the fact that BYuT won 30.71 percent of the vote, nearly surpassing the Party of Regions; another surprise was the failure of the Socialist Party to pass the three percent threshold. In total, five political parties passed the three percent threshold. Final elections results follow:



Following the CEC's announcement of election results, the Socialist Party and several other political parties filed a complaint with the Ukrainian courts, attempting to invalidate the election results based on the argument that the election itself was unconstitutional. However, the case was thrown out by the courts and the election results were certified.

Since no single political party received the 226 seats necessary to nominate the prime minister, the political parties that entered the parliament were forced to form a coalition within one month after official election results were certified and printed in the Verkhovna

Rada and Cabinet of Ministers publications. In 2006, this process was excessively protracted. According to the law, in the event that no coalition was formed, the president had the power, though not the obligation, to dismiss the parliament and call for new elections. However, on November 29, BYuT and OUPSD formed a 227-seat governing coalition.

V. Findings and Recommendations

IRI's recommendations on both the pre-election environment as well as the Election Day process are based on the findings of IRI's pre-election observations, the Election Day observation, as well as an understanding of the Ukrainian electoral system which the institute has cultivated from more than 13 years of work in the country. IRI's programs have included election observation missions to five parliamentary elections and three presidential elections, as well as broad-based training in political techniques at the grassroots level throughout the country.

IRI determined that the 2007 parliamentary elections benefited from the previous precedent set by the 2006 elections, which were deemed to be the most democratic in Ukraine's modern independent history by the international community.

Nonetheless, the electoral process suffered because of the questionable constitutionality of the elections and the hastiness under which it was called. The Presidential decree dissolving Parliament was highly politicized and thus paralyzed the judicial system. The Constitutional Court was unable to remain apolitical. Furthermore, weaknesses witnessed by IRI in its 2006 observation failed to be improved upon in the 2007 elections. Such problems as experienced with voter lists -- which could have resulted in the disenfranchisement of thousands of voters, and the sluggish vote count -- need to be improved.

IRI did commend the political parties and nongovernmental organizations which were all active in the election observation process. All polling stations visited by IRI observer teams had a visible presence of political party poll watchers, in particular.

The IRI election observation mission to Ukraine analyzed the strengths and weaknesses of the elections and the electoral system

in its entirety and offers recommendations for improvement, as follows:

1. Finding: The Constitutional Court, which has failed to make any ruling on the constitutionality of snap-elections, continues to set a dangerous precedent for the judicial system in Ukraine. The judicial system has historically been unable to make fair and impartial rulings, and is still engulfed in speculation of bribery and submission to political influence.

Recommendation: Ukraine must begin to build a firm tradition of rule of law and judicial review. IRI encourages the President and the Parliament to act to guarantee that the rule of law be a paramount priority, using their respective executive and legislative abilities to provide a democratic foundation for the judicial system. IRI recommends that the President and the Parliament refrain from using the Constitutional Court as a political tool. Claims filed should be allowed to run their due course under the law. In order to avoid politicizing the appointment or removal of federal judges, nonpartisan evidence should be presented in support of such actions. It is crucial for the courts to be impartial, independent and function exclusively outside the realm of politics, safeguarding the constitution and protecting Ukraine and its citizens.

2. Finding: In 2006, the election was both parliamentary and local, resulting in an excessive number of ballots for voters and an excessively tedious ballot-count for poll workers. Even with fewer ballots, the 2007 elections caused poll workers to stay awake and work through the night in order to count the ballots. Some DEC's, particularly in the Eastern Donetsk and Luhansk oblasts, as well as the Autonomous Republic of Crimea, were unable to efficiently count ballots and verify election results. This incited speculation of fraud and demonstrated the inconsistency in election administration throughout the country.

Recommendation: IRI suggests that the Parliament allocate funds for the CEC to obtain and make use of technological advances in ballot counting. A standardized electronic system, if used properly, would both expedite the vote count as well as lessen the possibility for manipulation.

3. Finding: IRI observer teams recorded widespread complaints related to the flawed voter lists. The most common grievances cited were: deliberate duplicate or twin voters, residences mysteriously created or omitted from lists and deceased persons appearing on the lists. These inaccuracies did result in problems for some voters.

Recommendation: To address these issues, IRI references its 2006 recommendation that Parliament consider the appropriate legislation to allow the CEC to create a national, computerized database of voters. As stated in the 2006 report, the creation of a permanent voter registry would allow voter information to be updated according to changes in voter's lives (marriage, death, age eligibility, change of address, foreign residency etc.). This registry would prevent local polling station commissions from having to correct mistakes in the final days before an election and would help eliminate the concerns over voter lists.

VI. Appendix

Appendix I. IRI Preliminary Statement on the Ukrainian Elections

October 1, 2007

Kyiv, Ukraine – The International Republican Institute’s (IRI) election observation delegation found that Ukraine’s September 30, 2007, Parliamentary elections broadly met international standards. However, problems continue to negatively affect the electoral process, some seen in previous elections and some particular to Sunday’s elections. The delegation urges the government, Parliament, election officials and the courts to resolve these issues well in advance of the 2009 Presidential election.

Despite the problems, IRI’s delegation wishes to note some positive aspects. Election officials at polling stations and territorial commissions should be commended for providing a calm, peaceful environment on Election Day. The major political parties should also be commended for their efforts in the process; party activists served as members of polling station commissions, territorial election commissions and as observers.

IRI found that during the campaign period, parties and candidates were allowed to campaign freely and had access to media outlets. Journalists were allowed to cover the campaign without undue interference, and parties were able to purchase time on television, radio and in newspapers without restriction.

Importantly, the use of administrative resources during the campaign was limited.

However, while Ukraine continues to demonstrate improvements in various aspects of election administration, problems with the voter lists continue to undermine confidence in the elections with reports of inaccuracies persisting. Last minute regulations by the Central

Election Commission (CEC) created confusion among the electorate and possibly led to the disenfranchisement of hundreds of thousands of voters. After conducting five elections in less than three years Ukraine should be beyond the problems seen in these elections. The delegation urges the Ukrainian Parliament and election officials to address the quality of the voter lists to ensure their accuracy for the next election. This effort will require the commitment of all of Ukraine's political parties, and IRI urges them to take a positive role in fixing this weakness.

Reports and allegations of fraud also undermined public confidence in the process. IRI has received some credible reports of various forms of voter fraud. The delegation urges the Ukrainian Parliament to conduct hearings on these allegations and to strengthen criminal penalties. Additionally, the CEC and the Prosecutor General's Office should address these serious matters.

The ability of the judicial system to act as an equal and independent branch of government was called into question. Doubts of the judiciary's impartiality and inability to make decisions in a timely manner calls into question its ability to resolve anticipated election disputes.

IRI's 30-member [delegation was actually 28 members] international delegation included representatives from Canada, Georgia, Lithuania, the United Kingdom and the United States. Delegates monitored at more than 150 polling stations in Cherkasy, Chernihiv, Dnipropetrovsk, Ivano-Frankivsk, Kharkiv, Luhansk, Odesa, Zhytomyr oblasts, as well as the city of Kyiv and the Autonomous Republic of Crimea.

IRI's delegation was led by The Honorable Michael Trend, former member of the British Parliament. Other delegates included Audronius Azubalis, member of the Lithuanian Parliament; Mamuka Chodkhonlidze, member of the Georgian Parliament; Giorgi Davladze, member of the Georgian Parliament; Alison B.

Fortier, member, IRI Board of Directors; The Honorable Bohdan Futey, U.S. Court of Federal Claims; Tamaz Jorbenadze, member of the Georgian Parliament; Irakli Kavtardze, member of the Georgian Parliament; Ed Komarnicki, member of the Canadian Parliament; Stephan M. Minikes, member of IRI's Board of Directors and former United States Ambassador to the Organization for Security and Cooperation in Europe; and Alexandre Zarnadze, member of the Georgian Parliament.

IRI staff also served as observers and assisted in the mission. IRI staff were led by Judy Van Rest, Executive Vice President and Stephen B. Nix, Eurasia Regional Director.

Since 1993, IRI has worked to help strengthen political parties and good governance in Ukraine at both national and local levels. IRI also works with youth, women and civil society to increase their participation in the political process. IRI monitored Ukraine's 1998, 2002 and 2006 Parliamentary elections. In addition, IRI monitored the country's 1999 and 2004 Presidential elections.

IRI has monitored more than 140 elections since 1983.

Appendix II. Election Observation Delegation Members

Delegates

1. Michael Trend, Former Member of the British Parliament, Westminster Foundation
2. Audronius Azubalis, Lithuanian Member of Parliament
3. Mamuka Chodkhoneli, Georgian Member of Parliament
4. Giorgi Davladze, Georgian Member of Parliament
5. Alison Fortier, Member of IRI Board of Directors
6. Judge Bohdan Futey, United States Court of Federal Claims
7. Tamaz Jorbenadze, Georgian Member of Parliament
8. Irakli Kavtaradze, Georgian Member of Parliament
9. Ed Komarnicki, Canadian Member of Parliament
10. Ambassador Stephan Minikes, former Ambassador to the Organization for Security and Cooperation in Europe
11. Alexandre Zarnadze, Georgian Member of Parliament

IRI Staff

1. Judy Van Rest, Executive Vice President
2. Stephen B. Nix, Eurasia Regional Director
3. Dovile Adomaityte, Coordinator, Regional Parliamentary Program, Lithuania
4. Diana Bowen, Resident Program Officer, Indonesia
5. Cynthia Bunton, Asia Regional Director
6. Stephen Cima, Resident Program Officer, Pakistan
7. Michael Druckman, Assistant Program Officer, Armenia, Georgia and Azerbaijan
8. Lisa Gates, Press Secretary
9. Michael Getto, Director, Regional Parliamentary Program, Lithuania
10. RYTE Jonaityte, Program Officer, Lithuania
11. Andrea Keerbs, Resident Program Officer, Ukraine

12. Elizabeth Knight, Assistant Program Officer, Ukraine and Moldova
13. Mark Lenzi, Resident Country Director, Georgia
14. Brian Mefford, Resident Country Director, Ukraine
15. Meghan Redd, Program Assistant, Central Asia
16. Peter Sondergaard, Resident Country Director, Kyrgyzstan
17. Alex Younoszai, Application Developer

Appendix III. IRI in Ukraine

Since 1994, the International Republican Institute (IRI) has been actively supporting democracy in Ukraine. Through a broad spectrum of programs, IRI is helping Ukrainian people learn the skills needed to build a strong, stable democracy.

Political Party and Candidate Development

A cornerstone of a thriving democracy, political parties should epitomize the people they represent. As political parties mature in Ukraine, IRI has begun to focus on building national parties which represent the needs of the people. To ensure Ukraine has vibrant political parties responding to the concerns of their constituents, IRI conducts trainings on party structure and organization, coalition building, campaign techniques and member recruitment. IRI also works with parties to encourage them to create issue-based agendas and avoid personality-based politics.

IRI is currently conducting trainings designed to strengthen political parties at the grassroots level. IRI trains political party activists on the latest get-out-the-vote techniques as well as helps political parties formulate their platforms and target messages by identifying priority issues to Ukrainian voters through nationwide surveys. IRI also provides training to political party-nominated poll watchers on their rights and responsibilities with regards to election observation.

Local Elected Officials Program

Democracies are not defined by elections alone. How a government governs in the interim periods is equally as critical to the success of democracy. To ensure Ukraine's elected officials are representing the citizens of Ukraine, IRI provides substantive training to newly-appointed staff members at all levels of the Ukrainian government.

Since the March 1998 parliamentary elections IRI has conducted trainings for oblast and city deputies who have been re-elected and deputies who have been elected for the first time. These trainings include instruction on the budget process, local government structure, coalition building, rights and responsibilities of deputies and working with constituents. The level of the educational programs depend on the experience levels of the deputies. IRI also works with local level deputies, providing instruction on how to maximize their ability to solve specific local community problems by exercising their rights and responsibilities as provided by the Law on Local Self-Government of Ukraine.

Public Opinion Research

IRI has conducted numerous nationwide surveys in Ukraine to provide political parties information and analysis on the opinions of voters. Successful survey programs were conducted by IRI ahead of the 2002 parliamentary, 2004 presidential and 2006 parliamentary elections. Poll results were used by the parties to further develop their messages to voters. In addition, IRI shares its polling and analysis work with the government of Ukraine, enabling it to identify important areas of policy reform and governance.

While polling reveals the quantitative aspects of public opinion, focus groups reveal the qualitative aspects. In the run-up to the 2006 parliamentary elections, IRI conducted a series of focus groups that assisted IRI in targeting its programs and helped political parties develop their campaign messages. IRI conducts focus groups on a regular basis and uses the findings to assist Ukraine's leadership in developing economic and legislative policies and implementing reforms that are democratic in nature and responsive to the public's needs.

Election Monitoring

Election monitors have proven critical to ensuring open and transparent elections. To continue this tradition, IRI conducts poll watcher training to coincide with Ukraine's local, parliamentary and presidential elections. Participants learn the purpose and duties of poll watchers as well as the rights specified for poll watchers in Ukraine's election law.

In the lead-up to the 2004 presidential election, IRI provided a grant to the Center for Political Education to conduct regional poll watcher training seminars for members of any political party who were designated by their parties to be poll watchers. As a result of this training, poll watchers were instrumental in highlighting serious problems in the November 2004 run-off, which Ukraine's Supreme Court agreed with when they nullified the results and set a date for a second run-off election.

IRI also has solid experience directing international election observation missions in Ukraine. IRI has deployed delegations to observe every parliamentary and presidential election since Ukrainians voted for independence in 1991. In 2004, IRI sponsored international election observation missions for the October 31 first-round, November 21 run-off and December 26 repeat run-off Presidential elections. IRI observers found numerous instances of fraud and intimidation in the first two rounds of voting.

IRI also deployed election monitors for the 2006 parliamentary and local elections in Ukraine. More than 130 observers from the United States and former Soviet Union countries monitored as Ukrainians voted for parliamentary and local representatives under a new election system and elected a Parliament with expanded powers. IRI observers found that the 2006 election reflected the will of the Ukrainian people and was the most open and transparent in Ukraine's post-Soviet history.

During pre-term parliamentary elections in Ukraine that took place on September 30, 2007, IRI's 28-member international election observation delegation experienced a calm and peaceful environment on Election Day. IRI found that during the campaign period, parties and candidates were allowed to campaign freely and had access to media outlets. Journalists were allowed to cover the campaign without undue interference, and parties were able to purchase time on television, radio and in newspapers without restriction. Importantly, the use of administrative resources during the campaign was limited. IRI also stated that parliamentary elections in Ukraine broadly met international standards.

Youth Development Program

IRI's youth program is designed to increase the professional skills of young adults in politics and works directly with youth auxiliaries of political parties to help facilitate a common goal of attracting more young people to the democratic process in Ukraine.

By conducting regular seminars on the oblast (state) level, IRI provides young political activists with the knowledge necessary to increase structural development within their organizations and new member recruitment. At IRI seminars participants also learn how youth can get involved in the local self-government process, strategy and tactics of communication and the basics of working with mass media. A special session is devoted to the development of internal as well as external leadership skills.

IRI youth seminars are open to all political forces irrespective of their ideology. Through trainings led by young politicians, local elected officials and high ranking state officials, youth activists learn leadership skills that will help them bring together young people of different ideologies to work together as a team.

Development of Nongovernmental Organizations

IRI's work in Ukraine is not limited to political parties and elected officials. Nongovernmental organizations (NGO) also play an active role in the formation and development of a democratic society. IRI works directly with NGOs which encourage civic involvement and political awareness.

The program conducted for NGOs helps to develop the professionalism of the organizations, increase their management skills and assist them in becoming eligible for international funding. NGOs are selected for participation based upon their proven abilities to promote social change democratically. In 2004, 2006 and 2007, these NGOs collaborated on joint activities such as poll watcher training, election monitoring and youth voter turnout activities.

IRI assisted these qualified NGOs in creating regional Youth Political Leadership Schools (YPLS). In these schools, young people are taught the skills of effective political leadership in five month courses. They hear from foreign and Ukrainian political experts and are required to develop and manage their own civic project in their community during the course of their study in these classes. Many of the YPLS's graduates have gone on to become more active in promoting and participating in politics.

Women's Initiatives

IRI has worked with Ukrainian women's groups over the past several years to increase their participation in the political process. As a result, many Ukrainian women are increasingly at the forefront of issue advocacy in their communities and are taking on leading roles in Ukraine's national government.

IRI conducts a number of women-focused trainings to increase participation in civic life and to introduce Ukrainian women to their peers in other countries. IRI hosted a two-day conference on the role

of women in promoting civic reforms. Women from across Ukraine had an opportunity to hear from international delegates from Iraq, Moldova, Sweden, Russia and Azerbaijan on their experiences as advocates for issues important to them, their families and their communities. Conferees also attended sessions on election campaign planning, coalition building negotiation techniques, engaging women in politics and working with media for politically-active women.



The International Republican Institute
1225 Eye Street, NW, Suite 700
Washington, DC 20005

(202) 408-9450 phone
(202) 408-9462 fax

www.iri.org