



European Network of Election Monitoring Organizations International Observation Mission Ukraine Parliamentary Elections 2006	Європейська мережа організацій ,що спостерігають за виборами Міжнародна місія спостереження Парламентські вибори в Україні - 2006
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ENEMO INTERIM REPORT ON PRE-ELECTION PERIOD February 24 – March 15, 2006

Kyiv, March 16, 2006

For the 2006 parliamentary elections, the European Network of Election Monitoring Organizations (ENEMO) has deployed 42 long-term observers throughout Ukraine in preparation for 340 short-term observers. Since February 24, ENEMO long-term observers have monitored the election campaign and election administration of the March 26, 2006 parliamentary election.

In the reporting period (February 24 – March 15) ENEMO's observation shows significant improvement from the 2004 presidential elections for campaigning by political parties with an atmosphere generally free of pressure, intimidation or harassment. Similarly there are no reports of centralized misuse of administrative resources and observers report isolated cases of pressure or intimidation of employees by their directors and/or employers.

Throughout Ukraine the election campaign is assessed as free of serious incidents. Parties campaign primarily through paid media advertisements, televised debates and direct distribution of campaign materials. In few cases political parties have voiced complaints about attacks on campaign workers or campaign tents and on illegal or unethical campaigning against them. ENEMO observers will follow up on these complaints.

ENEMO observers note that the Central Election Commission (CEC), functions professional, fair, and transparent. This is a significant improvement from the first two rounds of the 2004 Presidential elections. Meetings are conducted transparently and are open to observers. Decisions are made on a swift and unbiased basis. The CEC has devoted efforts to informing voters with the information about their rights and election process. Finally, the drastic decrease in the abuse of administrative resources all over the country can be traced to the impartial activities of the CEC.

However the difficult conditions of organizing local and regional elections concurrently with parliamentary elections provide challenges of coordination. ENEMO notes concern related to the functioning of lower-standing election commission (see later section), which ultimately are the responsibility of the CEC.

With regard to election administration, ENEMO observers have noticed serious problems with formation and preparation of precinct election commissions and quality of voter lists. While these administrative problems varied to different extents in the regions, the lack of members in precinct commissions due to low qualification, poor payment and fear of criminal liability remain the main issues. As a result the electoral calendar deadlines are not met and heavy delays are reported.

Election Administration

ENEMO observers witnessed difficulties in the work of District Election Commissions (DEC) and Precinct Election Commissions (PEC). Key concerns were two-fold: staffing of election commissions and their organizational set-up.

A significant number of PECs were staffed below the minimum required by election legislation and thus unable to commence functioning by February 18th, as required under the election law.

Staffing problems are caused, among other reasons, by citizens unwilling to be registered as PEC members, causing commissioners to resign. The resignation of PEC members for various reasons is ongoing and makes effective election administration most difficult. The right of citizens to check whether their name is included in the voter list is therefore jeopardized, leading to the possible disenfranchisement of significant numbers of voters.

ENEMO observers noted non-functioning PECs in Zakarpattya Oblast (DEC 70, on March 10th), Simferopol (DEC 1, March 13th), Odesa Oblast (DEC 137, March 15th), Zaporizhzhya (DEC 71, March 15th), Khmelnytsky (DEC 197, March 12th). A significant number of PECs were reported as non-functioning in Luhansk oblast as of March 6th. This problem has since been remedied.

In Cherkasy Oblast, (DEC 203), a high number of PECs have had membership changes as of March 9th. For example, 12 out of 17 commissioners in PEC # 84 have resigned since the original nomination. They have since been replaced. In Chernivtsi (DEC 210, March 6th), the Chairperson has changed three times.

Observers also noted cases of insufficient organizational support for PECs. Most prominent were missing safes, stationary, stamps, heating, or transportation. While connected to the previous concern about membership, this puts additional strains on the functioning of election commissions and will need to be remedied before Election Day for an orderly organization of the vote.

For example, ENEMO observers in Chernivtsi (DEC 209), Kharkiv (DECs 173, 174, 176) and L'viv (DEC 121) noted concerns with logistics.

In some cases, the requirement of the new election law establishing a ceiling number of voters per PEC (2500 individuals) was not followed. For example, in Sumy, 32 PECs exceeded the maximum amount of voters.

Voter Registration

The voter registration has seen significant improvements since 2004. However, despite advances, voter lists continue to be a key concern. The lists are marred with inaccuracies, including missing information, repetition of voter names, and elimination of entire buildings and streets. Evidence

indicates that the problems with the voters lists are not deliberate attempts to tamper with or influence the composition of the electorate on election day, but rather problems reflecting the low quality of the voter lists working groups. The problems with the voter lists are further exacerbated by the slow formation of the PECs.

In most cases repetition of names on the voters lists is a result of the automatic translation from Russian to Ukrainian.

ENEMO observers report that entire buildings or blocks of streets are absent from voters lists including in Donetsk (DEC 46 and 47), Sumy (DEC 158), Kirovohrad (DEC 56 and 60) and reported in Zhytomyr, Zakarpattya, and Kharkiv. Additionally in Simferopol (DEC 139) several buildings were reported absent from Polivaya Street. In many of these cases when the precinct election commissions are formed and working, these oversights were corrected quickly. However, due to the slow formation of the PECs, many regions continue to have inaccurate voter lists including.

In Kirovohrad oblast, (DEC 79), the working group on voters' lists identified 10,000 changes necessary to the voters list. Following a thorough review of the list, the problem was identified that voters' names were repeated several times. Also in the Kirovograd oblast (DEC 99) in Aleksandriya (PEC 7) duplication of names was found throughout the list.

Also reported, in Perechyn district of Zakarpattya 460 people formally submitted their registration for the mobile ballot box, however 150 of them were not listed on the voter lists to "vote at home".

In the Odesa Oblast in DEC 137, of the PECs working, the voters lists are incomplete lacking the date of birth for all voters registered on the voter lists.

In Crimea, 240,000 voters received their voting invitation on the "out of country" voting form. While the PEC listed on their invitations matched their local PEC, the title of the form caused confusion for the voters. According to the Chairman of TEC #4, the invitations were chosen because they were less expensive than the regular forms. Due to the limited financial resources, the Commission would be unable to recall invitations and to print correct copies.

The observation mission has also received complaints from political parties on the quality of the voter lists however in many cases either the political parties do not submit formal complaints or the complaints cannot be substantiated.

Reports on Campaign Violations

ENEMO observers everywhere in Ukraine noted a dramatic improvement in comparison to the 2004 Presidential Elections. Parties and Blocs are widely free to campaign, both on the national and local level. Parties had access to paid advertisement, which was evident in omnipresent television and billboard advertisements, especially in cities.

However, ENEMO observers received isolated incidents of campaign violations from interlocutors:

- Pressure on employees was reported in city Znamenka in the Kirovograd oblast (DEC 100). The general manager of State Department of the Railway and Transport, forced his workers to distribute campaign materials of the Party Vidorodzennya and demanded them to vote for

the party. Workers were threatened that support of another party would cause their dismissal from work. The workers were also intimidated that in case Party Vidorodzennya does not win a place in Parliament, the train depot would be privatized and the workers (around 2600 people) would be left without work.

- In city Aleskandriya, in the Kirovograd oblast, the mayor of the city, who is representing Party of Regions and the chairman of the City Department of Public Education, is reported to have pressured state institutions (schools, hospitals) forcing them to participate in political agitation for Party of Regions.
 - In Sumy, on February 24th, the campaign tent of the Party of Regions, which is situated on Kurskii Street, was attacked. According to the representatives of Party of Regions, the people who attacked the tent were detained for 15 days in jail.
 - PORA-PRP reported intimidations against local campaign workers in Hertsia in Chernivtsi oblast by unidentified individuals. An official complaint was registered.
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ENEMO GENERAL INFORMATION

ENEMO – European Network of Election Monitoring Organizations – is a group of 18 leading civic organizations from 16 countries of Eastern and Central Europe and Central Asia. ENEMO member organizations have monitored more than 140 national elections and trained more than 180 000 observers.

ENEMO seeks to support the international community's interest in and support for democracy in the OSCE region, to assess electoral conditions and the political environment, and to offer accurate and impartial observation reports. ENEMO international observation missions evaluate the electoral process using international standards for democratic and fair elections (1990 Copenhagen Document) and benchmarks in the assessed country's legislation and constitution.

Opinion of the international community about election process in the countries where ENEMO is being deployed, is largely based on ENEMO's statements and findings.

On October 27, 2005, ENEMO, together with 20 other leading intergovernmental and international organizations, endorsed a set of Principles for International Election Observation at the United Nations. Other signatories included the OSCE, European Commission, Parliamentary Assembly of the Council of Europe, the UN Election Assistance Mission and other international organizations.

During the 2004 Presidential Elections in Ukraine, ENEMO was one of the largest among the international election monitoring missions. It deployed 50 long-term observers and twice 1000 short-term observers and monitored the election process during all three rounds of the elections in all regions of Ukraine.