



Office for Democratic Institutions and Human Rights

UKRAINE

EARLY PARLIAMENTARY ELECTIONS

26 October 2014

OSCE/ODIHR Election Observation Mission
Final Report



Warsaw
19 December 2014

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I. EXECUTIVE SUMMARY

Following an invitation from the Ministry of Foreign Affairs of Ukraine, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 19 September 2014 to observe the 26 October early parliamentary elections. The OSCE/ODIHR EOM assessed compliance of the election process in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. For election day, the OSCE/ODIHR EOM joined forces with delegations of the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament and the NATO Parliamentary Assembly to form an International Election Observation Mission (IEOM).

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 27 October 2014 concluded that the elections “marked an important step in Ukraine’s aspirations to consolidate democratic elections in line with its international commitments. There were many positive points to the process, such as an impartial and efficient Central Election Commission, an amply contested election that offered voters real choice, and a general respect for fundamental freedoms. The newly elected parliament should take the political responsibility to ensure that key reforms are passed to prevent certain bad practices noted in this statement from becoming entrenched. As well, grievances should be resolved with respect for the rule of law and through democratic institutions.” While voting, and to a lesser extent the vote count, were assessed positively by IEOM observers, significant problems were noted during the tabulation process in some election districts, including cases of manipulation of results.

The elections took place in a challenging political, economic and security environment. The overall context was characterized by the illegal annexation of the Crimean peninsula by the Russian Federation, ongoing hostilities in the east of Ukraine, and the continued *de facto* control of parts of Ukraine’s territory by illegal armed groups. Despite the September Minsk agreements aimed at establishing a ceasefire in the east, fighting continued. While the electoral authorities made resolute efforts to organize elections throughout the country, they could not be held in substantial parts of the eastern regions (*oblasts*) of Donetsk and Luhansk and in Crimea.

The legal framework is generally adequate for the conduct of democratic elections, although it remains fragmented and lacks clarity in many cases. Amendments to the parliamentary election law adopted in 2013 and 2014 addressed some recommendations made previously by the OSCE/ODIHR and the Council of Europe’s European Commission for Democracy through Law (Venice Commission) but did not address some concerns noted previously. Candidate rights remain restricted, and members of parliament (MPs) lose their mandate if they leave or fail to join the parliamentary faction of the party for which they were elected. The elections were conducted under a mixed proportional-majoritarian system, which has long been the subject of controversy in Ukraine and is viewed by many stakeholders as being particularly vulnerable to fraud. Despite this and notwithstanding public demand, the outgoing parliament did not reform the electoral system.

The Central Election Commission (CEC) as the main body responsible for administering the elections operated independently, professionally and overall collegially. Although its performance was affected by the sizeable workload and by shortened deadlines in place for early parliamentary

elections, it met all legal deadlines. However, the transparency of the CEC's work was decreased by the practice of holding preparatory meetings behind closed doors before formal sessions, with substantial discussions among CEC members taking place at these preparatory meetings rather than at its sessions, which were open to parties, candidates, observers and the media.

District Election Commissions (DECs) were formed for 213 of the 225 election districts outside Crimea based on party nominations. The manner in which DEC members were appointed gave an advantage to parties with a faction in the outgoing parliament. While OSCE/ODIHR EOM observers assessed electoral preparations by 80 per cent of the around 180 DECs visited as good or adequate, the performance of DECs was affected by lack of time and, occasionally, resources and funding. More importantly, the incessant turnover of DEC members affected the stability, efficiency and general work of DECs. Two thirds of DEC members, including those in executive positions, were replaced, mainly by the nominating parties. This high turnover is believed to partly have been the result of wide-scale corruption among electoral subjects, aimed at allowing some interested contestants to obtain a majority in, and hence control over, certain election commissions. This raises concerns regarding the independence and impartiality of election commissions.

Precinct Election Commissions (PECs) were formed by DECs, based on nominations from political parties participating in the proportional component of the elections, as well as majoritarian candidates. PEC formation was generally assessed as orderly and mostly in line with procedures, although some irregularities were noted, such as submission of nomination documents collected during previous elections, of false signatures or of copies of IDs without the nominee's prior consent. In addition, many names were submitted by more than one electoral subject. As in the case of DECs, many PEC members were replaced, which affected the work of both DECs and PECs.

OSCE/ODIHR EOM interlocutors expressed confidence in the accuracy of the centralized State Voter Register (SVR). Voter lists were distributed and made available for public scrutiny within the legal deadlines or with small delays. Almost 31 million voters were included in the voter lists at polling stations where voting took place, out of a total of almost 36 million included in the SVR. In Donetsk and Luhansk *oblasts*, the majority of local Register Maintenance Bodies dealing with voter registration were temporarily closed. Internally displaced people and other voters from the Crimean peninsula and from Donetsk and Luhansk *oblasts* could temporarily transfer their voting address under a simplified procedure, although only a limited number of these voters availed themselves of this opportunity, since this entailed travel, expense and risk.

Candidate registration was generally inclusive and provided voters a wide choice among different parties and candidates. The CEC registered almost 6,700 candidates on party lists and in single-mandate constituencies. However, the CEC rejected over 640 nominations on technical grounds, due to minor omissions or mistakes, often without notifying nominees and allowing them to correct mistakes, which appears to be contrary to the election law. Furthermore, the approach of individual CEC members who reviewed nomination documents lacked uniformity, which resulted in widely varying rates of rejections for certain parties and *oblasts*. Forty-nine rejected nominees were ultimately registered following court decisions.

The election campaign was competitive and became more vibrant as election day approached, although it was subdued outside urban centres. Some interlocutors claimed that they chose to run less lavish campaigns in order to save costs to fund the armed effort in the east and because of concerns about the appropriateness of high campaign spending in light of ongoing hostilities. While candidates were generally able to campaign freely in most parts of the country, the campaign was marred by violent incidents, which increased markedly in the last ten days of the campaign. The OSCE/ODIHR EOM received a high number of credible allegations of vote buying and provision

of commodities or services to individuals or groups paid for by candidates, with many cases being investigated by the authorities. Unlike in past elections, the misuse of administrative resources was not raised as an issue of predominant concern. However, President Petro Poroshenko and, to a lesser extent Prime Minister Arseniy Yatsenyuk, took unfair advantage of their positions with televised appeals to voters to elect a pro-reform parliament during the campaign-silence period.

While the 2013 amendments to the election law introduced some limited additional measures to increase the transparency of campaign finances, several previous OSCE/ODIHR and Venice Commission recommendations have yet to be addressed. Enforcement mechanisms and sanctions remain weak, and several aspects such as in-kind campaign contributions are unregulated. Due to special provisions for early parliamentary elections, which required less reporting from contestants on their campaign finances before election day, voters had little information about the amounts or sources of contestants' campaign funds. Public perceptions of corruption are pervasive and undermine public confidence in the political and electoral processes. The issue of corruption in politics, and in society more generally, was an important campaign topic, which many stakeholders cited as a key challenge across different aspects of the process.

The media environment is lively and diverse and the legislation generally provides a sound framework for freedom of the media, but generally affected by the lack of autonomy of the media from political or corporate interests. Ongoing hostilities in the east affected Ukrainian broadcasters' ability to transmit and continued to jeopardize journalists' safety in the area. A court ban on the retransmission of six Russian TV channels over alleged threats to national security remained in place during the election period. The election law obliges state and private broadcast media to cover the campaign by providing equal conditions to contestants. However, regulatory bodies proved unable overall to ensure respect for the law by media during the campaign period. The National Television and Radio Broadcasting Council failed to take timely action to address violations, and its decisions on detected violations were not made public. The presence among its members of two candidates from the Petro Poroshenko Bloc raised concern over possible conflict of interest. State media complied with their obligation to grant contestants free airtime and print space.

OSCE/ODIHR EOM media monitoring showed that while media coverage was dominated by the crisis in the east, contestants generally received extensive coverage, even though it was focused on a limited number of parties and candidates. News coverage of the campaign by the state-owned *First National Channel* was limited, but in a welcome initiative, the state broadcaster organized debates among the political parties competing in the proportional part of the elections. National private TV channels provided varied coverage to different contestants, but they sometimes misrepresented their political affiliation and often showed a bias towards or against certain parties or candidates. Three political parties purchased over half of all paid advertising. Several media violated the campaign-silence period, most notably *First National Channel*, which broadcast a one-hour interview with President Poroshenko the day before election day.

The participation of national minorities in the elections was adversely affected by the crisis in the east and the illegal annexation of Crimea, which made it difficult or impossible to organize elections in those parts of the country where nearly half of the 14 million citizens who identify themselves as native Russian speakers, as well as the Crimean Tatar minority, live. The Roma minority's participation was negatively impacted by frequent lack of identity documents and by illiteracy of some Roma voters. Parts of the legal framework are not conducive to national minority representation, and some minority representatives said that it was difficult for them to obtain eligible positions on parties' candidate lists. While recent amendments to the election law provide that ethnic composition should be taken into account when delineating electoral districts, constituency boundaries were not redrawn ahead of these elections, which drew official protests

from the Hungarian and Romanian minorities. Intolerant speech directed at national minorities was not observed, although campaign rhetoric by several candidates was nationalistic and aggressive in tone. Debate about language policy was subdued or absent from the campaign.

The registration and accreditation of observers was inclusive. Almost 350,000 party and candidate observers were accredited. Of the 37 civil society organizations, which were granted permission to have official observers, 23 eventually registered a total of over 35,000 citizen observers. The most comprehensive citizen observation efforts were mounted by *OPORA* and the Committee of Voters of Ukraine. The CEC also registered over 2,300 international observers. The OSCE/ODIHR EOM noted isolated cases where citizen observers were hindered in their observation efforts, in violation of the law.

The legislation guarantees equality of women and men in public and political life. While the share of women on party lists increased to around one quarter compared to the 2013 elections, only around 13 per cent of single-mandate district candidates were women. In total, 50 women were elected to parliament, including 48 on party lists and 2 in single-mandate districts. Women were well represented in the election administration, accounting for 5 of the 15 CEC members, including one of the two deputy chairpersons, 54 per cent of DEC members, and 72 per cent of PEC members in polling stations observed by the IEOM during voting.

The law allows all participants in the election process to file complaints and appeals, either to election commissions or to courts. The handling of complaints by election commissions compromised the right to effective remedy, as a significant part of complaints were rejected on formal grounds, for minor deficiencies. This practice left complainants without effective redress, contrary to OSCE commitments, and undermined public trust in the electoral dispute resolution. In addition, election commissions rarely considered complaints in sessions, thereby undermining the transparency and collegiality of the process. The adjudication of electoral disputes by courts was marked by non-uniform interpretation of the law, often by the same court, and district courts dismissed a large number of cases on procedural grounds.

In most of the country, election day proceeded calmly, with few disturbances and only isolated security incidents reported. The CEC put voter turnout at 52.4 per cent. It started posting detailed preliminary election results disaggregated by polling stations on its website at around 23:00 on election night. Due to the efforts of the election administration to ensure voting in as much of the country as possible under extraordinary circumstances, voting took place in part or all of 12 of the 21 election districts in Donetsk *oblast* and in 5 of the 11 districts in Luhansk *oblast*.

IEOM observers assessed the opening of polling stations positively in all but 7 of the 249 polling stations where it was observed and reported only very few minor procedural problems and short delays in opening. Voting was assessed positively in 99 per cent of the 3,175 observation reports filed by IEOM observers, with no regional or urban-rural variations. Voting was generally orderly and well organized, with only few cases of overcrowding or tension reported. Voting procedures were adhered to in the overwhelming majority of polling stations observed, although some issues with regard to the secrecy of the vote were noted. Apart from group voting, which was noted in 2 per cent of polling stations observed, only a few isolated cases of more serious procedural violations were reported. Party and candidate proxies or observers were present in an impressive 99 per cent of polling stations observed during voting, and citizen observers in 29 per cent.

IEOM observers assessed 10 per cent of the 340 vote counts they observed negatively. Among the problems noted were failure to properly follow counting procedures, in particular prescribed reconciliation procedures, and to enter certain figures in the results protocols before the opening of

ballot boxes. Some 20 per cent of PECs observed had problems completing the results protocols. IEOM observers also noted that on occasion, unauthorized people were present during the count and participated or interfered in it.

The tabulation process was assessed negatively by IEOM observers in 60 of the 171 DEC's where it was observed. They noted organizational problems that resulted in overcrowding, cases of tension and unrest, the presence at DEC premises of unauthorized people who frequently interfered in the process, and frequent problems with the quality of PEC protocols. In most DEC's, it was not possible to observe the data entry of results, due to security measures. Some DEC's took long breaks during tabulation, in violation of the law; in some cases, results from these districts were being updated on the CEC website while the DEC was ostensibly taking a break. The process in several DEC's was blocked, either due to failure of DEC members to perform their duties, or due to interference by at times armed individuals. In a few DEC's, the tabulation process was marred by serious irregularities, including manipulation of results, and recounts were ordered in several DEC's. Almost 40 per cent of DEC protocols had to be corrected. The CEC announced the official results for the proportional component of the elections and for all but two majoritarian races on the legal deadline of 10 November, with some CEC members attaching dissenting opinions.

II. INTRODUCTION AND ACKNOWLEDGMENTS

The President of Ukraine, Petro Poroshenko, on 26 August 2014 called early parliamentary elections for 26 October.¹ Following an invitation from the Ministry of Foreign Affairs of Ukraine, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 19 September 2014. The OSCE/ODIHR EOM was headed by Tana de Zulueta and consisted of 21 experts and 80 long-term observers (LTOs), who were based in 23 locations throughout the country. On election day, 756 long-term and short-term observers were deployed by the OSCE/ODIHR. Members of the OSCE/ODIHR EOM were drawn from 39 OSCE participating States and 2 Partners for Co-operation.

For election day, the OSCE/ODIHR EOM joined forces with delegations from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament and the NATO Parliamentary Assembly to form an International Election Observation Mission (IEOM). The IEOM deployed some 930 observers from 43 countries on election day.

The OSCE/ODIHR EOM assessed compliance of the election process in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference on 27 October 2014 and is available on the OSCE/ODIHR website.²

The OSCE/ODIHR EOM wishes to thank the minister of foreign affairs of Ukraine for the invitation to observe the elections, the Central Election Commission (CEC) for its co-operation and for providing accreditation documents, and the Ministry of Foreign Affairs for its co-operation and assistance. The OSCE/ODIHR EOM also wishes to express appreciation to other national and local

¹ President Poroshenko dissolved parliament after no governing coalition emerged for more than 30 days. On 24 July, the Ukrainian Democratic Alliance for Reforms (UDAR) and *Svoboda* factions along with 20 independent members of parliament (MPs) left the government coalition to allow for a dissolution of parliament.

² All OSCE/ODIHR election observation mission reports on Ukraine are available on the OSCE/ODIHR website at: <http://www.osce.org/odihr/elections/ukraine>.

state institutions, election authorities, political parties, candidates and civil society organizations for their co-operation, and to the OSCE Project Co-ordinator in Ukraine, the OSCE Special Monitoring Mission to Ukraine, embassies of OSCE participating States and Partners for Co-operation, and international organizations accredited in Ukraine for their co-operation and support.

III. BACKGROUND AND POLITICAL CONTEXT

The 2014 early parliamentary elections were conducted under particularly difficult political, security and economic circumstances.³ Challenges to Ukraine's territorial integrity that started in the spring culminated with the loss of government control over some parts of Donetsk and Luhansk regions (*oblasts*). After several months of heavy fighting, a nominal ceasefire has been in effect since the signing of the Minsk Protocol and an implementation memorandum on 5 and 19 September, respectively.⁴ Violations of the agreement and the casualty count continued to mount throughout the pre-election period, however. While the electoral authorities made resolute efforts to organize elections throughout the country, they could not be held in substantial parts of the two easternmost *oblasts* and on the Crimean peninsula, which was illegally annexed by the Russian Federation in March.⁵

Events over the past year have transformed Ukraine's political landscape. Petro Poroshenko was elected the country's new president on 25 May. The Party of Regions (PoR), which won the last parliamentary elections in 2012, did not formally participate in these elections.⁶ Candidates of the United Democratic Alliance for Reform (UDAR), one of the five political parties to pass the five per cent threshold in 2012, competed as part of the newly formed Petro Poroshenko Bloc (PPB) party. The Communist Party of Ukraine (CPU) contested the elections while formal proceedings to ban its activities were ongoing.⁷ Meanwhile, several new or previously little-known parties including People's Front (PF), Self-Reliance (*Samopomich*), Opposition Bloc (OB) and the re-established Strong Ukraine (SU) registered party lists and majoritarian candidates. Other prominent contestants included the Radical Party of Oleh Lyashko (RP), All-Ukrainian Union – *Batkivshchyna*, Civil Position (CP) and *Svoboda*. Approximately two-thirds of the incumbent MPs stood for re-election.

IV. THE ELECTION SYSTEM AND LEGAL FRAMEWORK

Parliament is composed of 450 members and is elected for a five-year term, on the basis of a parallel proportional-majoritarian electoral system. One half of the MPs are elected on the basis of proportional representation with closed party lists in one single nationwide constituency, and the other half are elected in single-mandate districts under a plurality system (first-past-the-post).

³ According to the latest World Bank report, the Ukrainian economy is expected to contract by 8 per cent in 2014. See: <http://www.worldbank.org/en/news/press-release/2014/10/02/staying-on-the-reform-path-critical-to-restoring-growth-and-stability-in-ukraine>.

⁴ A law awarding special status to the territories in Donetsk and Luhansk *oblasts* was adopted by parliament on 16 September and signed by the president on 16 October. In early November, the president and several MPs urged parliament to repeal the law.

⁵ A so-called 'referendum' held on the Crimean peninsula on 16 March, in breach of Ukraine's Constitution, was followed by decisions of the two chambers of the Russian parliament to include Crimea and Sevastopol as federal subjects of the Russian Federation. See Venice Commission Opinion No. 762/2014, adopted on 21 March 2014, available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2014\)002-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2014)002-e).

⁶ Contestants formerly affiliated with PoR stood as self-nominated candidates or were nominated by other parties, mainly Opposition Bloc (OB) and Strong Ukraine (SU).

⁷ Proceedings to ban activities of the CPU were initiated by the Ministry of Justice on 8 July.

Political parties must receive at least five per cent of all votes cast in order to participate in the distribution of mandates in the proportional component. The mixed electoral system has long been a subject of controversy in Ukraine, and the majoritarian component of the system has been viewed by many interlocutors to be particularly vulnerable to fraud.⁸ Despite this and notwithstanding public demand, the outgoing parliament did not reform the electoral system.

Following the reinstatement of the 2004 constitutional amendments, MPs will lose their mandate if they fail to join or if they leave the parliamentary faction of the political party for which they were elected. This is at odds with Paragraph 7.9 of the 1990 OSCE Copenhagen Document and has been repeatedly criticized by the Council of Europe's European Commission for Democracy through Law (Venice Commission) in the context of the 2004 Constitution of Ukraine.⁹

Parliamentary elections are regulated by the Constitution, the Law on the Election of People's Deputies (hereinafter, election law), the Law on the Central Election Commission (CEC), the Law on the State Voter Register, other laws, and regulations of the CEC. The legal framework for parliamentary elections was amended in 2013 and in the beginning of 2014, addressing some recommendations made previously by the OSCE/ODIHR. The amendments, among others, provided for criteria for the establishment and delimitation of single-mandate districts and required considering the interests of national minorities in this process, provided for correction of mistakes and inaccuracies in candidate registration documents, reduced the number of voters allocated to polling stations, and lowered the amounts of electoral deposits.

At the same time, these changes did not address a number of concerns noted previously. Candidacy rights remain restricted due to the disproportionate limitations for those with a prior criminal record, regardless of the gravity of crime committed, and due to the excessive five-year residency requirement; both provisions are contrary to Ukraine's commitments as an OSCE participating State and other international obligations.¹⁰ Other concerns include the lack of provisions allowing for the formation of party blocs, and the existing formula for the composition of District Election Commissions (DECs) and Precinct Election Commissions (PECs) that puts parties with parliamentary factions at an advantage. Despite long-standing OSCE/ODIHR recommendations, the legal framework also continues to be fragmented and lacks clarity in many cases. The ambiguity of the law was aggravated by repeated instances of non-uniform application of certain provisions by the courts as well as by the CEC, resulting in legal uncertainty and in uneven conditions for contestants.

Changes to the legal framework were on the agenda of parliament throughout the pre-election period. On 14 October, parliament adopted amendments to the Criminal Code that increased liability for election-related offenses. These amendments followed earlier recommendations by the OSCE/ODIHR and were generally viewed as a welcome development by electoral stakeholders. Parliament also attempted but failed to pass amendments to the election law. Legislative initiatives to make changes to the election law, particularly amendments to facilitate access to the polls for

⁸ See the OSCE/ODIHR and Venice Commission Joint Opinions on this issue, mainly CDL-AD(2011)037, para.22, and CDL-AD(2013)016, para.15.

⁹ See Report on the Imperative Mandate and Similar Practices, available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2009\)027-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2009)027-e).

¹⁰ See paragraph 7.5 of the 1990 OSCE Copenhagen Document, paragraph 15 of the 1996 UNHRC General Comment No. 25 and Section I.1.1.c of the Code of Good Practice in Electoral Matters of the Venice Commission (available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2002\)023rev-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2002)023rev-e)). Article 2.9 of the election law also contains limitations on voting rights of those declared incompetent by court. While restrictions on voting rights of persons with mental disabilities are not specifically considered as contrary to the principle of universal suffrage, the emerging case law of the European Court of Human Rights calls for proportionality of such restrictions (see *Alajos Kiss v. Hungary*).

citizens participating in the anti-terrorist operation, were considered by parliament as late as on the week preceding election day. Initiatives to change the election law were also brought by the CEC, which on 14 October adopted a resolution asking parliament to consider amendments to several provisions of the law.

Consideration should be given to undertaking a comprehensive electoral reform, which should harmonize election legislation regulating all types of elections and address other pending long-standing recommendations of the OSCE/ODIHR and the Venice Commission. The reform, inter alia, should eliminate undue restrictions on candidacy rights, as well as restrictions on the freedom of mandate. Restrictions on electoral blocs could be lifted in order to promote the competitiveness of the electoral process and wider representation in parliament. Electoral reform needs to be undertaken well in advance of the next elections, and the process should be transparent and inclusive.

V. THE ELECTION ADMINISTRATION

The parliamentary elections were administered by a three-level system of election commissions, comprising the CEC, 213 DEC in as many single-mandate constituencies, and some 29,977 PECs.¹¹ No election bodies could be formed in Crimea.¹²

In the CEC, 5 of the 15 members, including one of the two deputy chairpersons and the secretary, are women. Women were well-represented at the DEC level, where they accounted for 54 per cent of all members. As of 31 October, 97 DECs were chaired by women, while there were 106 female deputy chairpersons and 144 secretaries. Women chaired 68 per cent of observed PECs and accounted for 72 per cent of PEC members in these polling stations.

A. THE CENTRAL ELECTION COMMISSION

The CEC is a permanent body with the responsibility, among other things, to ensure the implementation and protection of citizens' electoral rights and providing for the uniform implementation of the election law. Its 15 members are appointed for a seven-year term of office by parliament, on the proposal of the president. Most of the current CEC members were appointed in June 2007, but under recent amendments they continued in office as parliament did not appoint replacements.¹³ The CEC regulates all technical aspects of the elections, establishes the single-mandate election districts, appoints DECs, controls the functioning of the State Voter Register and allocates the election budget.¹⁴ In addition, the CEC is tasked with registering all majoritarian candidates and parties' candidate lists, registering party and candidate proxies, as well as citizen

¹¹ In Donetsk and Luhansk *oblasts*, elections did not take place in 9 out of 21 and in 6 out of 11 single-mandate constituencies, respectively. Only in six single-mandate constituencies in Donetsk and one single-mandate constituency in Luhansk *oblast*, elections were held in all polling stations. According to Article 96.11 of the election law, a DEC is obliged to establish election results "regardless of the number of precincts where voting was declared invalid." The DECs in Donetsk and Luhansk *oblasts* where the elections did not take place could not establish election results as they did not receive a single PEC results protocol, and consequently did not submit DEC results protocols to the CEC.

¹² On 15 April, parliament passed the Law on Ensuring the Rights and Freedoms of Citizens and the Legal Order on the Temporarily Occupied Territory of Ukraine. According to this law, voting did not take place in Crimea.

¹³ Two members were replaced in April 2014. An amendment to the Law on the CEC promulgated on 13 March enables CEC members to continue to fulfill their functions after the seventh year of their appointment without specifying a term for termination of the mandate.

¹⁴ The necessary funds for these elections were provided by the government, albeit with a considerable delay. The CEC on 28 August requested some UAH 980 million (approximately EUR 55 million). On 8 September, the Cabinet of Ministers decided to allocate some UAH 957 million.

observer organizations, accrediting international observers, and exercising control of parties' campaign financing.

The CEC operated independently and collegially overall. The performance of the CEC was affected by the sizable workload that the CEC had to deal with within the shortened deadlines in force for early elections.¹⁵ Nevertheless, the CEC met all legal deadlines. Between 27 August and 26 November, the CEC passed 1,381 resolutions; most of them were adopted unanimously and all were published on the CEC website.

In general, CEC sessions were open to parties, candidates, observers and the media and were announced in advance on the CEC website.¹⁶ The transparency of the CEC's work was decreased by the practice of holding preparatory meetings behind closed doors, unlike during the early presidential election, when observers were allowed to attend such meetings. The sessions lacked substantive discussion, which was taking place during the preparatory meetings, and observers were usually not provided with draft decisions or other materials, apart from the session agenda.¹⁷

B. DISTRICT ELECTION COMMISSIONS

On 5 September, the CEC formed 213 DEC, based on nominations from political parties.¹⁸ Four parties represented by a faction in parliament were guaranteed representation in DEC. The remaining seats were filled by lottery, from among nominees of parties eligible to nominate DEC members. Parties represented by a parliamentary faction that registered candidate lists could also participate in the lottery, thereby gaining an advantage over other contestants and having additional chances to increase their representation in commissions.¹⁹ The DEC chairpersons, deputy chairpersons and secretaries (so-called executive positions) were assigned based on each party's proportional share of the total, nationwide DEC membership.

OSCE/ODIHR EOM observers visited around 180 DEC, many more than once. Although in about 80 per cent of cases observers assessed electoral preparations by DEC as good or adequate in the run-up to the elections, the work of DEC was negatively affected by a number of factors. DEC in general expressed concerns regarding lack of sufficient time for preparations. At an initial stage, a few DEC faced impediments due to lack of operational resources or delayed funding.²⁰ Other DEC experienced problems due to obstruction by the DEC chairperson or other DEC members, or due to lack of trust among the members.²¹ Nevertheless, the biggest impact on the work of DEC was caused by incessant turnover of DEC members.

¹⁵ Each CEC member receives printed copies of draft resolutions. Several CEC sessions which had more than 50 points on the agenda were postponed due to lack of sufficient printing capacity.

¹⁶ Several CEC sessions were not announced at all or took place earlier than had been announced.

¹⁷ The Law on the CEC stipulates that the commission must act in an open and public manner and allows observers and proxies to participate in discussions on all issues. Furthermore, the CEC Rules of Procedures allow invited persons to attend CEC 'preparatory' meetings. The OSCE/ODIHR EOM was allowed to observe five preparatory meetings before election day.

¹⁸ According to Articles 27.2 and 107.2 of the election law, subjects eligible to submit nominees for DEC membership are: a) political parties who have their faction registered in the parliament, b) political parties who have registered candidates for the proportional component of the elections, and c) political parties who had their candidates registered for the proportional component of the last parliamentary elections.

¹⁹ This practice is at odds with Section II.3.1.e of the Code of Good Practice in Electoral Matters of the Venice Commission, which states that political parties should be equally represented on election commissions.

²⁰ For instance, DEC 36, 37, 40, 77, 92, 117 and 206. OSCE/ODIHR EOM observers reported that in some cases, operational expenses were covered by private funds of DEC members.

²¹ For instance, DEC 21, 28, 40, 112, 182 and 188.

The initial appointment of DEC members was followed by a high number of replacements, including of members in executive positions, which increased the CEC's workload and negatively affected the stability, efficiency and general work of DECs. Between 9 September and 14 November, 2,496 of the initially appointed 3,821 DEC members (67 per cent) were replaced, including 593 executives.²² Replacements occurred in all DECs;²³ 716 DEC members were replaced in Donetsk and Luhansk *oblasts* (443 and 273 replacements, respectively), notably in DECs, which according to the CEC were not functioning before election day and where eventually elections did not take place.²⁴ Replacements continued up until and after election day, during the tabulation process.²⁵ Most replacements (93 per cent) were requested by nominating parties.²⁶ The highest number of replacements was initiated by UDAR (239 replacements), followed by PoR (171 replacements) and the Party of Greens (166 replacements).

Consideration should be given to introducing deadlines for replacements of election commissioners before election day, thereby ensuring stability of the election administration, avoiding additional workload for the CEC and a negative impact on the performance of DECs.

According to OSCE/ODIHR EOM interlocutors, the high turnover of DEC members was also the result of wide-scale corruption among electoral subjects. Namely, political parties who obtained their seats and quotas for executive positions traded/sold these seats to other interested electoral subjects so that these could gain a majority in election commissions and hence obtain control over the decisions and activities of the respective commissions.²⁷ This raises concerns regarding the independence and impartiality of the election administration and calls for action to strengthen the independence of commissioners.²⁸

In order to further promote integrity, transparency, accountability and rule of law among election commissions, a combination of coordinated anti-corruption measures by electoral stakeholders needs to be introduced in this regard. Such measures could also serve to guarantee the integrity and achieve independence of the election administration from political interference, and ensure honest performance of their duties.

While electoral authorities made resolute efforts to organize elections throughout the country, the hostile security environment in parts of Donetsk and Luhansk *oblasts* negatively affected electoral preparations in a high number of electoral districts there. Some DECs had to replace appointed PEC members due to fear of these members to serve in PECs.²⁹ In an effort to facilitate their work, the

²² Of the 2,496 replaced members, approximately 7 per cent were reappointed as nominees of different electoral subjects than the ones that had nominated them initially.

²³ In 46 DECs, two thirds or more of commission members were replaced, while in DECs 52, 59 and 60 all members were replaced.

²⁴ Voting did not take place in DECs 41–44, 51, 54–56 and 61 in Donetsk *oblast* and DECs 104, 105 and 108–111 in Luhansk *oblast*. These DECs were responsible for 1,732 PECs with some 2.3 million registered voters.

²⁵ For instance, DECs 13, 25, 38, 49, 50, 59, 60, 77, 79, 94, 106, 107, 112, 114, 128, 130, 132, 138, 140, 182, 198 and 222.

²⁶ In some isolated cases, DEC members were either unaware of being replaced by the respective parties (DEC 66 and 189 and 205) or replacements could not properly name the parties that had nominated them (DEC 40). Other reasons for replacements were resignations for personal reasons, refusal to take the oath of DEC membership, or violations of election law.

²⁷ According to the CEC, the 'market capacity' for trading commissioner seats or quotas is as high as USD 57 million (USD 207,000 per DEC).

²⁸ Articles 1, 5.1 and 10 of the United Nations Convention against Corruption highlight the importance of adopting necessary measures by State Parties, in accordance with the fundamental principles of domestic law, to combat corruption in the public administration and enhance transparency, integrity, accountability and rule of law. See: http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

²⁹ For instance, DECs 47 and 48 in Donetsk *oblast*.

offices of several DEC's were moved to government-controlled areas within these *oblasts*.³⁰ Seventeen DEC's that were fully or partly operational on election day and night included territories within their boundaries, which during the course of observation were not under government control.³¹

C. PRECINCT ELECTION COMMISSIONS

PECs were formed by DEC's based on nominations from political parties that have their faction in the parliament, parties that participated in the proportional component of the elections, and from majoritarian candidates registered in the respective districts. OSCE/ODIHR EOM observers reported that overall, DEC's formed PECs by the legal deadline of 10 October.³² In general, OSCE/ODIHR EOM observers assessed the PEC formation process as orderly and mostly in line with formal procedures although irregularities related to the submission of nominations for PEC members were noted later on. Regrettably, OSCE/ODIHR EOM observers were consistently denied access to DEC's IT rooms to observe the processing of nominee lists.³³ In addition, a number of factors negatively affected PEC formation. In particular, data processing problems with the CEC's analytical system *Vybory*, mistrust among DEC members towards each other or the process, as well as prolonged discussions involving party/candidate proxies and observers during the allocation of executive positions overburdened DEC's during PEC formation.

The workload of DEC's was also increased by the need to exclude duplicate names of nominees submitted by more than one electoral subject.³⁴ Different interlocutors informed the OSCE/ODIHR EOM that the high number of duplicate names is explained by the fact that nominees either applied to various electoral subjects to be guaranteed employment in a commission, or that nominating subjects used, without prior permission of the respective individuals, application documents collected during previous elections.³⁵ The submission of applications with false signatures or copies of IDs without the nominee's prior consent raises questions regarding the validity of such documents, which are an integral component in the PEC formation process.

Replacements of PEC members started shortly after PECs were formed and continued up until election day, thereby affecting the work of both DEC's and PECs. In some cases, half or more than half of commissioners were replaced within the territory of certain DEC's. As reported to the OSCE/ODIHR EOM, the high number of replacements was caused, among other reasons,³⁶ by corrupt practices described above for DEC's, which raise questions regarding the integrity and

³⁰ According to CEC Resolutions No. 1165, 1396, 1442, 1524, 1973, 2005 and 2033, DEC's 45, 51, 53 and 59 in Donetsk *oblast* and DEC's 104 and 114 in Luhansk *oblast*.

³¹ DEC's 45–50, 52, 53, 57–60 and DEC's 106, 107, 112–114 in Donetsk and Luhansk *oblasts*, respectively. These DEC's were responsible for 1,459 PECs with some 2.6 million registered voters.

³² DEC's 36, 38, 40, 67, 68, 70, 83, 113, 114, 128, 163, 192, 194 and 200 were reported to experience problems during the PEC formation process. DEC's 33, 68 and 171 had to repeat the lottery for PEC formation because of errors. DEC's 68 and 70 could not prepare and submit PEC formation protocols due to technical problems related to the “*Vybory*” system.

³³ On 6 October, the CEC adopted Resolution No. 1493 to ensure the safety and protection of those components of the “*Vybory*” system that are located in DEC premises.

³⁴ Duplicate names are identified by the “*Vybory*” system and thus removed from each respective list of nominees. For instance, in DEC 92 some 300 duplicate names were removed.

³⁵ Nominating subjects had to submit their list of nominees supplemented by the application forms signed by the nominees and copies of their IDs.

³⁶ The main reasons conveyed to OSCE/ODIHR EOM observers were related to unwillingness of nominees to serve on executive positions while they were willing to work as members, PEC nominees being unaware of their nomination and appointment (such cases were confirmed by OSCE/ODIHR EOM observers in DEC's 127, 137–139, 183, 185 and 188), low remuneration, and personal or health reasons. Furthermore, in order to comply with legal deadlines, parties frequently nominated inexperienced or very young nominees and were later compelled to replace such members with more experienced ones who were not selected during the lottery.

independence of commissions at the polling-station level.³⁷ This is especially so in light of identified falsifications documented in Section XIV, Tabulation and Announcement of Results.

Serious consideration should be given to revising the method of formation of DEC and PECs. Effective measures must be taken to develop the institutional capacity and stability of DEC and PECs by strengthening recruitment, hiring and training methods in order to ensure and enhance impartiality and professionalism of commissioners. In any case, the principle of equal representation in the commissions should be respected.

Upon a request from the CEC, the International Foundation for Electoral Systems (IFES) conducted training for DEC and PEC members. OSCE/ODIHR EOM LTOs in general assessed the training sessions they attended positively. However, the replacement of a high number of commissioners diminished the effectiveness of the training in practice.

The OSCE Project Co-ordinator in Ukraine (PCU), upon the CEC's request, launched an online training tool for election commissioners and other electoral participants. Unfortunately, on the eve of the elections this training platform was hacked and rendered inaccessible for one day. The CEC website was also subject to denial-of-service attacks, but continued to function on election day.

VI. VOTER REGISTRATION

Voters are registered automatically in the centralized State Voter Register (SVR). The CEC supervises the central SVR office, 27 Registration Administration Bodies and 756 Register Maintenance Bodies (RMBs), which continuously update and maintain the SVR.³⁸ According to the official CEC final results protocol, 30,921,218 voters were included in the voter lists at polling stations where elections took place.³⁹ Some 815,640 homebound voters were registered to vote at their place of stay, and 461,544 voters were registered to vote at Ukrainian diplomatic and consular offices abroad.⁴⁰

Interlocutors expressed confidence regarding the accuracy of the voter register. Preliminary voter lists, voter invitation cards and final voter lists were extracted from the SVR and compiled separately for each polling station by RMBs. OSCE/ODIHR EOM observers reported that almost all PECs for which handover was observed received the preliminary voter lists within or shortly after the deadline. PECs made preliminary voter lists available for public scrutiny the day after they received them in order to allow voters to verify their records and request amendments, if necessary. Final voter lists were printed and distributed to PECs on 23 October.

Due to the security situation in Donetsk and Luhansk *oblasts*, as of 25 October, 54 of the 96 RMBs in these *oblasts*, which were responsible for 3.2 million registered voters, were temporarily closed. The 42 operational RMBs in these *oblasts* were responsible for some 2 million voters.⁴¹ Consequently, around 1,460 of the 3,899 PECs received the preliminary voter lists.

³⁷ Paragraph 20 of the 1996 UNHRC General Comment No. 25 emphasizes the need to conduct the electoral process fairly, impartially and in line with established laws compatible with the Covenant. Section II.3.1.b of the Venice Commission's Code of Good Practice in Electoral Matters stipulates that independent and impartial electoral commissions must be set up at all levels.

³⁸ Access of the 31 RMBs on the Crimean peninsula to the SVR was blocked as the territory remains occupied.

³⁹ The total number of registered voters as of the 20 October legal deadline was 35,828,401, which includes registered voters from the Crimean peninsula, as well as voters from the electoral districts where elections did not take place due the hostile security situation.

⁴⁰ According to CEC Resolution No. 1651 of 10 October, 112 PECs were formed in 72 countries.

⁴¹ The actual number of functioning RMBs varied over the course of observation.

The election law allows all eligible voters to change, on a temporary basis, their voting address.⁴² On 7 October, 19 days before election day, the CEC adopted a simplified procedure to facilitate the participation of internally displaced persons (IDPs) and other voters from Donetsk and Luhansk *oblasts* in these elections.⁴³ Voters from the Crimean peninsula could temporarily transfer their voting address under a similar simplified procedure. However, these simplified procedures in place for voters residing in territories which are currently not under government control required two out-of-region trips, for registration and voting, and entailed travel, expense and especially, risk.⁴⁴ As of the 20 October deadline, some 190,200 voters had requested to temporarily change their voting address, including some 25,000 military personnel, 3,600 voters from the Crimean peninsula⁴⁵ and some 32,800 voters from Donetsk and Luhansk *oblasts*.

The Ukrainian authorities should take effective measures to alleviate impediments/obstacles for the temporary re-registration of voters from the Crimean peninsula, in order to further facilitate the participation and exercise of constitutional rights of these voters. In this respect, procedures regarding their registration and voting should be simplified to the maximum extent possible, and electoral and governmental authorities should intensify their efforts to inform residents in these territories of the means by which they can vote.

Overall, and similar to the presidential election in May 2014, voter information and education in these elections proved to be insufficient. Voter education spots on national broadcast media were almost absent.⁴⁶ In this respect, a targeted nationwide voter information or awareness campaign to inform and improve the understanding of hundreds of thousands of IDPs regarding the simplified procedure for registration could have contributed to an increased number of registration and participation of IDPs.⁴⁷

For future elections, serious consideration could be given to adopting an effective voter-information and education strategy and to carrying out a voter information campaign focused, among others, on awareness-raising for IDPs and for voters residing on the Crimean peninsula.

⁴² Such voters have to justify their requests. Requests must be made no later than five days before election day. Voters who temporarily transfer their voting address outside their respective single-mandate constituency are only entitled to the proportional ballot.

⁴³ According to CEC resolution No. 1529, voters from Donetsk and Luhansk *oblasts* did not need any justification when requesting temporary changes of their voting address. On 6 October, the CEC adopted Resolution No. 1495 that allowed any RMB to enter changes to the voter registration records of residents of these *oblasts*.

⁴⁴ The National Security and Defense Council website, as well as Ukrainian news sources reported about the distribution on election day of leaflets in territories of Luhansk *oblast* not under government control, which threatened residents with criminal liability and loss of pensions if they voted in the parliamentary elections, and execution if they served as election commissioners (<http://www.rnbo.gov.ua/news/1848.html>). For problems facing the Crimean Tatar community, see Section X, Participation of National Minorities.

⁴⁵ The total number of voters registered on the Crimean peninsula as of 20 October was 1,799,918.

⁴⁶ On a national scale, voter information spots were posted on the CEC's SRV webpage and on social media pages of civil society organizations. Other outreach efforts reported by OSCE/ODIHR EOM observers were of local character and limited to certain *oblasts* only.

⁴⁷ Paragraph 11 of the 1996 UNHRC General Comment No. 25 underscores the importance of voter education and registration campaigns as necessary measures to ensure the effective exercise of political rights by an informed community.

VII. CANDIDATE REGISTRATION

Candidate nomination lasted from 28 August to 25 September. Candidates in single-mandate districts could be nominated by political parties or through self-nomination. Parties are entitled to put forward electoral lists of no more than 225 candidates for the nationwide election district and one candidate per single-mandate district. A person could be nominated either on a party list or in one single-mandate district, but not both. The CEC had to decide on more than 7,000 registration requests within five days of receiving a nomination.⁴⁸ The process was generally inclusive and provided voters a wide choice among different parties and candidates. A total of 6,684 candidates were registered; 3,128 candidates on 29 party lists and 3,556 candidates in single-mandate districts, of whom 1,405 nominated by parties and 2,151 self-nominated.⁴⁹

The election law requires a financial deposit and a variety of documentation for the registration of candidates or party lists, such as the decision of the party on the nomination of candidates (for party-nominated candidates only), autobiographies of the candidate(s) with detailed personal information, and a statement from each candidate consenting to terminate any activities incompatible with an MP's mandate if elected. The CEC did not establish templates or provide clear instructions for completing these forms, which resulted in the rejection of over 640 nominations on technical grounds due to minor omissions.⁵⁰ This practice appears to be contrary to the election law.⁵¹

Although most resolutions on candidate registration were adopted unanimously, the approach of individual CEC members in reviewing nomination documents lacked uniformity. According to CEC Resolution No. 177, all CEC members were assigned specific parties or *oblasts* (and single-mandate districts within those *oblasts*) and reviewed candidates' documents from the respective party or *oblast*. Some CEC members opted to inform candidates about errors or omissions and to allow them to correct such deficiencies, while others did not. While 7 CEC members proposed rejection of candidates for less than 5 per cent of nominations they reviewed, 1 CEC member proposed to reject half of the applications she reviewed; 5 CEC members proposed to reject over 20 per cent of the applications reviewed by them. All their proposals were adopted by the CEC.

Some CEC decisions were appealed to the Kyiv Administrative Court of Appeal and, subsequently, to the High Administrative Court; ultimately, 49 candidates were additionally registered based on court decisions.⁵²

Template forms for nomination documents could be developed by the CEC in order to minimize the possibility for omissions or technical errors made by candidates. Effective notification mechanisms

⁴⁸ According to the CEC chairperson, the period during which prospective candidates could submit their documentation was overly long in light of the generally shortened deadlines for the early elections.

⁴⁹ A total of 235 candidates in single-mandate districts withdrew after being registered.

⁵⁰ A total of 404 candidates' registration was rejected due to missing incompatibility statements, 214 rejections were due to missing data in the autobiography and 27 rejections due to wrong or missing dates of submission indicated on the documents.

⁵¹ Article 60.3 of the election law states that errors and inaccuracies detected in documents submitted by candidates for registration shall be subject to correction and shall not be a reason for refusing to register a candidate. Also, Paragraph 24 of the 1990 OSCE Copenhagen Document states that "[any] restrictions on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law."

⁵² In three cases, the CEC did not respect court decisions to register rejected candidates. In two of these cases, the CEC after rejecting the candidates returned the original documents to them; after the court decisions, it could not obtain the originals from the candidates and therefore failed to register them. In one case, which was adjudicated after election day, the CEC reasoned that a candidate could not be registered and included in a party list after election day.

could be introduced so that prospective candidates are informed by the election administration of cases where mistakes or omissions were found in their nomination documents, enabling them to correct such mistakes.

Equal rights of men and women, including in public and political life, are guaranteed by the Constitution and are further protected by the election law and the Law on Ensuring Equal Rights and Opportunities of Women and Men. However, the level of women's representation remains low. While around a quarter of the candidates on party lists were women, an increase of 6 percentage points compared to the 2012 elections, women accounted for only approximately 13 per cent of all single-mandate candidates. Amendments to the Law on Political Parties adopted in 2013 introduced a 30 per cent quota for women on party lists, but the law remains silent on the ranking of candidates on party lists, and there are no enforcement mechanisms in place. The nexus of the continued use of a mixed electoral system and the high cost of running for parliament in Ukraine was cited by some OSCE/ODIHR EOM interlocutors as a main reason for the low number of women candidates, especially in single-mandate constituencies. In total, 50 women were elected to parliament, including 48 on party lists and 2 in single-mandate districts.

Notwithstanding possible changes to the electoral system, women's underrepresentation in parliament should be addressed through stricter enforcement mechanisms and/or additional special temporary measures that could create more equitable conditions for all candidates.

VIII. THE CAMPAIGN ENVIRONMENT AND CAMPAIGN FINANCE

The campaign was competitive and became more vibrant closer to election day, although it remained subdued outside the urban centres, especially in rural areas. Billboards, banners and posters, particularly those of *Batkivshchyna*, PPB, PF, CP, RP, SU and some majoritarian candidates were numerous and prominently displayed in cities, towns and along major roads. Only a few large rallies were held, with contestants generally opting to hold smaller meetings with voters. Many parties and some candidates used social media to reach out to the electorate, targeting especially the young urban vote. Some interlocutors claimed that they chose to run less lavish campaigns in order to save costs to fund the armed effort in the east and because of concerns about the appropriateness of high campaign spending in the light of ongoing hostilities. Many contestants started to campaign before they were officially registered as candidates by the CEC.

The OSCE/ODIHR EOM observed 87 rallies and meetings with voters. Although candidates were generally able to campaign freely in most of the country, the campaign was marred by violence that targeted several contestants, their staff and events, leading some to significantly alter their campaign strategies.⁵³ The number of violent incidents increased markedly in the last ten days of the campaign, effectively limiting some contestants' ability to campaign, at odds with paragraphs 7.6 and 7.7 of the 1990 OSCE Copenhagen Document.⁵⁴ Some candidates and other election stakeholders were subjected to so-called 'street lustration', where targets were thrown into trash

⁵³ The Ministry of Internal Affairs informed the OSCE/ODIHR EOM on 11 November that it had registered a total of 3,711 elections-related complaints and incidents between 25 August and 25 October.

⁵⁴ Paragraph 7.6 of the 1990 OSCE Copenhagen Document states that participating States will "respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities". Paragraph 7.7 requires that participating States "ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution".

bins, with several enduring other forms of humiliation meant to supplant an official lustration process. Several contestants expressed their approval of these events, aimed predominantly at publicly shaming individuals accused of corruption or incumbent MP candidates who voted in support of the 16 January laws curtailing democratic freedoms.⁵⁵ Many OSCE/ODIHR EOM observers reported sighting or receiving reports of destroyed campaign offices or tents, and in many cases systematic defacement of campaign posters and billboards of some contestants.⁵⁶ Aggressive and at times violent rhetoric and frequent use of negative PR, often through distribution of derogatory materials aimed at discrediting competitors, also intensified towards the end of the campaign period.

The authorities and law enforcement agencies should take steps to ensure that all cases of violence and intimidation against election stakeholders are investigated promptly in an independent and impartial manner and perpetrators are brought to justice in accordance with the law. Efforts should be stepped up to ensure that all contestants are able to reach out to the electorate on an equal basis and without fear of violence or retribution.

Many election stakeholders commented to OSCE/ODIHR EOM observers that despite its relative brevity, the campaign, especially in single-mandate constituency elections, was in many cases characterized by unfair practices. The OSCE/ODIHR EOM received a high number of credible allegations of vote buying and provision of commodities or services to individuals or groups paid for by candidates, with many cases being investigated by the authorities.⁵⁷ Some candidates made use of charity funds to deliver goods or services, including school equipment, building work, medical examinations and legal counsel, at little or no cost to potential voters. Billboards and posters bearing a striking visual resemblance to the campaign materials of several political parties, among others the PPB, *Batkivshchyna*, PF and RP, but concealing their actual name went on display a day before the elections, in an apparent attempt to circumvent campaign-silence provisions. A number of reports were made to OSCE/ODIHR EOM observers of SMS text messages being sent to voters on election day, inviting them to vote for OB. Similarly, several trucks featuring RP advertisements were observed in Kyiv on election day, in an apparent breach of the election law.

The campaign environment was heavily influenced by continued violence in Donetsk and Luhansk *oblasts*, and the uncertainty over the future status of these regions. Themes of national unity, territorial integrity and defense, decentralization and ‘special status’ for the territories in the east dominated the campaign rhetoric. Other pressing issues, such as lustration and reforms of the economy, judiciary, law enforcement and the election law were also raised. Most parties also focused on the country’s foreign policy, especially the EU Association Agreement and relations with NATO and Russia. Issues of equal participation of men and women in elections and the country’s political life more broadly received very little attention in the campaign and generally did not feature prominently in party or candidate programmes. Some interlocutors remarked that the campaign was overly focused on personalities and featured what some described as ‘populist’ slogans, to the detriment of a substantive debate on issues deemed critical to Ukraine’s future, and on national, rather than regional themes, even in the case of majoritarian elections.

⁵⁵ Cases of ‘street lustration’ of individuals associated with the former government, including candidates and other election stakeholders, were reported by OSCE/ODIHR EOM observers from Kyiv city, as well as from Chernihiv, Dnipropetrovsk, Kirovohrad, Vinnytsya, Zaporizhya and Odesa *oblasts*. OSCE/ODIHR EOM observers reported that an investigation in one such case was opened in Odesa.

⁵⁶ OSCE/ODIHR EOM observers saw or received reports of destroyed campaign offices or tents from Dnipropetrovsk (CPU, OB, RP, PPB, and one self-nominated candidate), Ivano-Frankivsk (RP), Kharkiv (CPU, OB), Odesa (*Batkivshchyna*), Sumy (CPU) and Zaporizhya (RP) *oblasts*.

⁵⁷ As of 18 November, the Ministry of Internal Affairs was investigating 432 electoral violations, most of which pertained to allegations of vote buying.

Public perceptions of corruption are pervasive in Ukraine, and threaten to undermine confidence in the political process.⁵⁸ Corruption was not only an important campaign topic, but was evoked by many stakeholders as a key challenge across different aspects of the elections, including with reference to the nomination of candidates by political parties, the election administration, the campaign itself and candidates' ability to reach a wide media audience.

Voters were offered a choice among a wide range of parties and candidates, including a high number of civil-society activists, journalists and commanders of volunteer battalions fighting in the east. A number of OSCE/ODIHR EOM interlocutors remarked that several factors may have diminished some voters' ability to make an informed choice on election day. Many incumbent contestants shed their previous political affiliation, or associated with other political parties, while several independent candidates enjoyed forms of more or less overt support of certain parties. Others used campaign slogans and graphic design features of certain political parties, although the latter publicly disputed having endorsed their candidacies. Moreover, majoritarian elections included a high number of so-called 'clones' with names similar to those of other candidates,⁵⁹ as well as 'technical' candidates who did not campaign and according to interlocutors only registered to obtain representation in election commissions.⁶⁰ Some parties withdrew their majoritarian candidates in favor of other contestants at a late stage of the process.

Unlike in past elections, the misuse of administrative resources was not raised as an issue of predominant concern. Several candidates holding executive or high administrative positions took official leave to campaign, while several others remained in office. The high visibility of some state, regional and local officials at public events was deemed by a number of interlocutors as providing an undue advantage to affiliated contestants,⁶¹ as were the continued sessions of parliament and the passage or signing into law of several key legislative acts, including an anti-corruption package and a lustration law, during the campaign period.⁶² President Petro Poroshenko and to a lesser extent Prime Minister Arseniy Yatsenyuk took unfair advantage of their positions with appeals to voters to elect a pro-reform parliament on the eve of election day, during the campaign-silence period, at odds with paragraph 5.4 of the 1990 Copenhagen Document.⁶³

The authorities and political parties should take steps to safeguard a clear separation between political parties and the state. Electoral contestants should make stronger efforts to refrain from using public office to gain an unfair electoral advantage during the campaign period.

⁵⁸ Ukraine was ranked 144th out of 177 countries in Transparency International's Corruption Perception Index 2013, with a score of 25 out of 100 (see: <http://www.transparency.org/cpi2013/results>).

⁵⁹ There is indication that the presence of 'clone' candidates may have affected the result of at least one single-mandate constituency election (DEC 68).

⁶⁰ PEC members nominated by so-called 'technical' candidates are widely seen as representing the interests of other contestants, who allegedly use them to unduly gain more influence in these PECs.

⁶¹ For example, on 12 October President Poroshenko gave a major address to the nation, which was broadcast by media countrywide. Government ministers' and the prime minister's speeches, especially with reference to the security situation in the east, provided an additional platform for some contestants to reach out to the electorate.

⁶² For instance, on 9 October the president signed into law lustration legislation, and on 14 October parliament passed a series of laws, including on the prosecutor's office and an anti-corruption package, all of which answered some of the key public demands that underpinned the *Maidan* events earlier in the year.

⁶³ President Poroshenko is the honorary chairperson of the PPB, while Prime Minister Yatsenyuk is the chairperson of PF. Paragraph 5.4 of the 1990 OSCE Copenhagen Document calls for "a clear separation between the State and political parties; in particular, political parties will not be merged with the State".

A. CAMPAIGN FINANCE

The 2013 amendments to the election law introduced only limited additional measures to increase the transparency of campaign finances. The law stipulates that parties with candidate lists and majoritarian candidates must establish electoral funds from which all campaign expenses must be paid directly by bank transfer.⁶⁴ The source of funds is limited to a party's or candidate's own resources and private donations from individuals. Donations from anonymous sources or foreign citizens are not permitted. There are no limits on individual donations, however, and in-kind contributions are not regulated.

According to the law, interim and final financial reports on the receipt and use of funds must be submitted by political parties to the CEC and by majoritarian candidates to the respective DEC. The election commissions are required to publish these reports, analyze them, and to publish the respective analyses. However, because of the short campaign period, most contestants were not required to submit interim financial reports during these elections, as legal deadlines preceded the completion of candidate registration. In addition, in the case of early parliamentary elections, individuals wishing to register as candidates are not required to submit financial declarations to the CEC. Consequently, voters had little information about the amounts or sources of contestants' campaign funds before election day. As of 27 November, 28 of 29 political parties' and 996 majoritarian candidates' final financial reports were published on the CEC website. As reported by OSCE/ODIHR EOM observers, several DECs appeared unaware that they are required to analyze financial reports submitted by majoritarian candidates.

Measures to increase transparency of campaign finance and accountability, and to strengthen existing or introduce effective and proportionate sanctions for non-compliance with disclosure regulations should be given consideration. The capacity of the CEC and the DECs should be further developed to meet their obligations to analyze and publish party and candidate financial reports during and after the campaign period.

A number of previous OSCE/ODIHR and Venice Commission recommendations with regard to campaign finance have not been addressed.⁶⁵ The 2014 Council of Europe's Group of States against Corruption (GRECO) report on the transparency of party funding concluded that Ukraine has implemented satisfactorily only three of the sixteen recommendations contained in the Third Round Evaluation Report.⁶⁶ The absence of public financing for political parties or election campaigns, insufficient measures to enhance transparency, as well as a lack of enforcement mechanisms were named by some OSCE/ODIHR EOM interlocutors as reasons why wealthy donor and business interests continue to wield disproportionate influence over the campaign process.

⁶⁴ The size of an electoral fund for a party with a proportional candidate list may not exceed 90,000 minimum salaries (some UAH 112.5 million or less than EUR 7 million), while for a majoritarian candidate it may not exceed 4,000 minimum salaries (some UAH 5 million or just over EUR 300,000).

⁶⁵ See CDL-AD92013)016 and CDL-AD(2013)026. See also OSCE/ODIHR opinion on Draft Amendments to Some Legislative Acts of Ukraine concerning Transparency of Financing of Political Parties and Election Campaigns issued in September 2014, <http://www.legislationline.org/topics/country/52/topic/16>.

⁶⁶ See: [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3\(2013\)14_Ukraine_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3(2013)14_Ukraine_EN.pdf).

IX. THE MEDIA

A. MEDIA ENVIRONMENT

The media environment is lively and diverse, with a wide range of media outlets. Television remains the main source of information, but Internet sources are increasing their audience and role.⁶⁷ There are a high number of print media outlets, but their readership is limited. State-owned television and radio, which includes national, regional and municipal channels, is currently undergoing a transitional period, pending its transformation into a public-service broadcaster.⁶⁸

The media environment is generally affected by the lack of autonomy of the media from political or corporate interests, which restricts independent reporting, both at the national and regional level. Furthermore, the limited advertising market and low professional standard of journalism contribute to the practice of paid-for news items, known as '*jeansa*'. A number of OSCE/ODIHR EOM interlocutors reported about the extensive use of this malpractice during the pre-election period in print and audiovisual media. Instances of articles with features of paid material not clearly marked as such were also observed by the OSCE/ODIHR EOM; such articles potentially misled voters about the true source of election-related material.

The election law should clearly define how print media should mark paid election-related material. In addition, self-regulatory bodies such as the Journalist Ethics Commission could consider reinforcing professional standards and media literacy through training programmes for journalists.

B. THE LEGAL FRAMEWORK

The Constitution guarantees freedom of speech and prohibits censorship, and the media legal framework generally provides for media freedom. Nonetheless, ongoing hostilities in the east affected Ukrainian broadcasters' ability to transmit and continued to jeopardize journalists' safety in the area, as they are hindered in their work, receive constant threats, and have been abducted and killed.⁶⁹ A court ban on the retransmission of six Russian channels over alleged threats to national security remained in place during the campaign period.⁷⁰

The election law provides that both state and private media should cover the campaign by providing equal conditions to candidates and political parties. Contestants are granted free airtime and print space in state national and regional media; the CEC is responsible for the allocation of the free time and space.⁷¹ Paid campaign materials are allowed on both state and private media, without any purchasing limit for the contestants.

⁶⁷ See the Media Consumption Survey in Ukraine released by Internews on 6 October 2014: <http://umedia.kiev.ua/engine/download.php?id=63>.

⁶⁸ The Law on Public Television and Radio Broadcasting of Ukraine will not be effectively enforced before 2015. The introduction of this law was a long-standing OSCE/ODIHR recommendation.

⁶⁹ See Statement by Ukrainian and Russian media organizations adopted following a meeting at the Office of the OSCE Representative on Freedom of the Media, at: <http://www.osce.org/fom/124537?download=true>.

⁷⁰ The ban, which is not uniformly respected, was imposed by decisions of the Kyiv Administrative Court, at the request of the National Television and Radio Broadcasting Council, which claimed that these channels were airing broadcasts that incite hatred, in violation of national legislation and Article 7 of the European Convention of Transfrontier Television.

⁷¹ CEC Resolutions No. 1421 and No. 1422, adopted on 1 October 2014, and No. 1492, adopted on 6 October, defined the modalities for allocating free airtime and space in state national and regional media within the limits of the funds allocated from the state budget for the elections.

Overall, regulatory bodies proved to be unable to ensure respect of the election law by media outlets during the pre-election period. The National Television and Radio Broadcasting Council (NTRBC) is the responsible body for supervising audiovisual media. The presence among its members of two people running on the proportional list of PPB raised concerns about a possible conflict of interest and the independence of the body. The NTRBC monitored national and regional broadcasters and issued warnings to media outlets that were not abiding by the law. However, the decisions on detected violations were not made public during the pre-election period, which lessened the body's effectiveness.⁷² The NTRBC did not take timely action even when a media violation concerning a contestant was ascertained by a court decision, namely in a case regarding the dissemination of false information about a candidate by a national broadcaster.⁷³ With regard to the same case, the CEC declared that it was not in a position to apply sanctions and referred the question about its competence to the Constitutional Court.

Consideration should be given to ensuring the independence of the NTRBC during the whole duration of its mandate and to ensuring that any possible conflicts of interest of individual NTRBC members during the pre-election period are avoided. Furthermore, consideration should be given to enhancing the capacity of the regulatory body to oversee and fully ensure the broadcast media's compliance with the legislation, as well as to address media-related complaints and impose effective sanctions for possible violations during the election campaign. Decisions of the independent regulatory body should be taken in a timely manner and made public.

Civil society organizations made a positive contribution by monitoring national and regional media, regularly publishing their results during the campaign period, and holding roundtables to draw the attention of stakeholders and public opinion to the main violations detected.

C. OSCE/ODIHR EOM MEDIA MONITORING



OSCE/ODIHR EOM media monitoring showed that during the campaign period local broadcasters mainly covered the campaign in the news and by offering paid airtime, to the detriment of a public debate among contestants, while national broadcast media covered the campaign in a variety of formats such as news, current affairs programmes, talk shows, debates, interviews, and paid advertising.⁷⁴ Nevertheless, the political discourse in the media was dominated by the crisis in the east, rather than topics related to political parties' electoral platforms. Generally, contestants received extensive coverage, although it was focused on a limited number of parties and candidates.⁷⁵ In addition, in several instances, broadcast media while covering and hosting candidates did not present them as such, while in other cases candidates were labeled with different political affiliations than the ones under which they were registered for these elections; this may have confused voters and have limited their ability to make an informed choice on election day. State national and regional broadcasters complied with their obligation to offer free airtime to all

⁷² The NTRBC's authority is limited to issuing warnings. A public final report on the pre-election period will be released after the elections.

⁷³ Oleh Lyashko, leader of RP, filed a suit to the Podolski District Court in Kyiv against *LLC Studio 1+1*, a private national TV channel that reported false information aiming to discredit him. The Court acknowledged the violation of the election law and ordered the TV channel to provide the candidate with the right to reply. All decisions were disregarded by the TV channel, which did not provide the candidate with the right to reply. Channel *1+1* is widely seen as being controlled by Ihor Kolomoiskyi, the current governor of Dnipropetrovsk oblast.

⁷⁴ On 26 September, the OSCE/ODIHR EOM commenced a quantitative and qualitative media monitoring of the state-owned *First National Channel*, private TV channels *Inter*, *5 Channel*, *ICTV*, *1+1* and *TRK Ukraina*, as well as two private regional TV channels, *ZIK TV* (Lviv) and *A/TVK* (Kharkiv).

⁷⁵ Only 9 political parties received more than 2 per cent coverage on editorial programs in all national TV channels monitored.

contestants, yet a number of majoritarian candidates did not avail themselves of this opportunity. Voter education spots were almost absent on national broadcast media.

The news coverage of the campaign by the state-owned *First National Channel* was limited, and 55 per cent of relevant news was devoted to the work of state institutions.⁷⁶ In a positive initiative, the channel organized and broadcast on prime time “National Debates” among political parties competing in the proportional part of the elections.⁷⁷ In the remaining editorial programmes, PF, *Batkivshchyna* and PPB received the highest amount of the airtime (13, 12 and 11 per cent, respectively).

National private TV channels provided varied coverage to different political contestants. In particular, *5 Channel* devoted a total of 38 per cent of its coverage to President Poroshenko and PPB.⁷⁸ *TRK Ukraina* offered considerable amounts of coverage to OB (21 per cent). Some broadcasters covered specific contestants with a negative tone; namely, *1+1* devoted negative editorial coverage to RP leader Oleh Lyahsko, while *Inter* covered *Samopomich*’s leader Andriy Sadovyy in a negative tone. Three political parties purchased 54 per cent of all paid advertising on the monitored national channels, namely PF (20 per cent) and PPB and *Batkivshchyna* (17 per cent each).

A major violation of the campaign silence period occurred on *First National Channel* on the eve of election day, when President Poroshenko was invited for a one-hour live interview on prime time. Moreover, on the same day several national TV channels broadcast televised appeals to voters by both the president and prime minister to elect a pro-reform parliament.

X. PARTICIPATION OF NATIONAL MINORITIES

According to the 2001 census,⁷⁹ 77.8 per cent of citizens of Ukraine are ethnic Ukrainians, 17.3 per cent are ethnic Russians, and the remaining 5 per cent comprise Belarusians, Bulgarians, Crimean Tatars, Jews, Hungarians, Moldovans, Poles, Roma, Romanians, Germans and other small minority groups. Twenty-nine per cent of the population, or approximately 14 million people, consider Russian as their native language.

The participation in this election of approximately half of this Russian-speaking community, who reside in Donetsk and Luhansk *oblasts* and on the Crimean peninsula, as well as the Crimean Tatar minority in Crimea, was diminished due to the inability of the Ukrainian authorities to organize elections in the districts where these communities live.⁸⁰ Crimean Tatar representatives informed the OSCE/ODIHR EOM that their community was too intimidated by increased repression against them in Crimea to raise suspicion by traveling outside the territory on election day.⁸¹

⁷⁶ Namely the president, prime minister, government and National Security and Defense Council.

⁷⁷ Seven debates, each with representatives of four political parties, took place from 13 to 23 October. All parties except the CPU agreed to participate.

⁷⁸ *5 Channel* is owned by President Poroshenko.

⁷⁹ The next census was originally scheduled for 2011 but was postponed to 2016.

⁸⁰ According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Situation Report No. 18, as of 31 October 2014, there were 442,219 IDPs in Ukraine, while approximately 488,466 people had fled to neighboring countries. See: <http://reliefweb.int/report/ukraine/ukraine-situation-report-no18-31-october-2014>. Non-governmental organizations (NGOs) estimate that the true number of IDPs may be twice as high, due to their reluctance to register.

⁸¹ Since the annexation of Crimea in March, nine Crimean Tatars have disappeared and three have been found dead, two during the parliamentary election period. The community also complains of interrogations and searches of their homes.

Roma representatives also informed the OSCE/ODIHR EOM that the voter participation of their community continued to be negatively impacted by the lack of identity documents, preventing many Roma from being included in the SVR. OSCE/ODIHR EOM observers also observed that illiteracy prevented some Roma from casting their ballot. General Comment 25 of the UN Human Rights Committee (1996) notes that the states are obliged to adopt positive measures to assist citizens overcome difficulties, such as illiteracy or language barriers, that may compromise their ability to exercise their voting rights.

The electoral framework should be amended to provide for positive measures, in line with international obligations, to overcome obstacles to voting such as illiteracy or language barriers.

While national minority representatives throughout the regions of the country reported no obstacles to their participation, they were also observed to be disengaged from electoral or political processes. Communities and organizations often emphasized to the OSCE/ODIHR observers that their activities were not political in nature and that they took no special interest in elections. Although most interlocutors indicated that their communities would probably vote, some expressed a lack of faith in the electoral process altogether, while others saw certain risks associated with national minorities' open political involvement. They sought to resolve problems at the local level instead, as they did not feel that their specific concerns were represented in parliament, except occasionally in the area of language policy.

Aspects of the electoral legislation are not conducive to national minority representation. Requirements for political parties to draw their base from two-thirds of the country's *oblasts*, the five per cent threshold for party lists, a lack of legal provisions for electoral blocs and the lack of special measures promoting minority participation limit the possibilities for minority parties or their representatives to enter parliament.⁸² Former and current MPs running as national minority representatives informed the OSCE/ODIHR EOM that obtaining eligible positions on the lists of major parties was challenging, especially if their community is not sufficiently large or does not vote reliably as a bloc. Altogether, only four candidates on the lists of major parties explicitly campaigned as representatives of a national minority in these elections.⁸³

While some candidates did publish campaign materials in minority languages or conducted campaign events in areas with heavy minority populations, the OSCE/ODIHR observers reported that platforms and campaign events rarely included mention of issues, such as language policy or education, concerning minority communities. In the proportional contests only one major party included national minority concerns, and specifically that of the Crimean Tatar minority, in its platform.⁸⁴

Some national minority representatives also informed the OSCE/ODIHR EOM that they consider themselves to have been disadvantaged in majoritarian contests. While Article 18 of the election law was amended in 2013 to incorporate recommendations that ethnic composition be taken into account when drawing the boundaries of single-mandate electoral districts, constituency boundaries were not redrawn before these elections. This prompted official protests from the Hungarian and Romanian minorities that the delimitation of electoral districts from 2012 in Zakarpattia and

⁸² See, among others, the Council of Europe Parliamentary Assembly Report, The functioning of democratic institutions in Ukraine, Doc 12814, 9 January 2012, 15.3, available at: <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta12/ERES1862.htm>.

⁸³ Mustafa Dzhemilev, Refat Chubarov, Laszlo Brenzovych (all PPB) and Vadym Rabinovich (OB).

⁸⁴ PPB included the promotion of national minority interests as the third point in its party platform.

Chernivtsi *oblasts* respectively, would again prevent them from securing a majoritarian MP.⁸⁵ Despite the fact that several candidates in majoritarian contests in these *oblasts* came from a national minority background, none explicitly campaigned as national minority representatives in these elections. Some informed OSCE/ODIHR EOM observers that to do so could alienate significant numbers of non-minority voters in their districts.

If the current electoral system is retained, the CEC should complete the implementation of Article 18 of the election law regarding the delineation of single-mandate electoral districts well in advance of the next election cycle, and in full consultation with national minorities.

Intolerant speech directed at national minorities was not observed, although campaign rhetoric by several candidates was nationalistic and aggressive in tone.⁸⁶ Debate about language policy was subdued or absent, in contrast to prior election campaigns.

XI. CITIZEN AND INTERNATIONAL OBSERVERS

The election law provides for observation of the election process by international and citizen observers. NGOs whose involvement in the election process and its observation is stipulated in their statute and who have been registered with the CEC can nominate citizen observers, who should be accredited by DEC. In addition, each candidate in single-mandate electoral districts has the right to nominate proxies and observers to represent the candidate and observe the election process. Observers enjoy broad and comprehensive rights during the entire election process, including the right to attend DEC and PEC sessions and to receive copies of results protocols.

The registration and accreditation process for election observers was inclusive. Almost 350,000 party and candidate observers were registered by the CEC; of these, 222,622 observers of political parties, and 127,124 of candidates running in single-mandate constituencies. While 37 NGOs applied and were granted permission to have official observers, only 23 eventually registered observers. A total of 35,645 citizen observers were registered, including observers from *OPORA* and the Committee of Voters of Ukraine (CVU). The CEC registered 2,321 international observers from 20 international organizations and 21 foreign states.

OSCE/ODIHR EOM observers reported that on 14 October, an *OPORA* observer was questioned by the police in Uman (Cherkasy *oblast*) for filming a meeting of DEC 200, which called the police. According to Article 78.9 of the election law, observers are allowed to make audio or video recordings. DEC 87 (Ivano-Frankivsk *oblast*) banned an *OPORA* observer from attending its sessions, without prior warning. According to Article 78.11 of the election law, a DEC should issue a warning prior to banning an observer from commission meetings. The Ivano-Frankivsk District Administrative Court found the DEC decision contrary to the election law.

⁸⁵ The Romanian Community of Ukraine sent a letter to the CEC and the president; the Cultural Association of Hungarians in Ukraine sent a letter to the CEC and also filed official complaints with the CEC, as well as the Kyiv Administrative Court of Appeal, which were dismissed on procedural grounds. The High Administrative Court upheld the decision of the appellate court.

⁸⁶ One incident of hate speech and depictions of violence against the Russian community in campaign posters was observed in connection with the campaign of the *Svoboda* candidate in DEC 223 in Kyiv. The candidate disavowed these posters, stating that they were black PR against him.

XII. COMPLAINTS AND APPEALS

Electoral complaints and appeals are regulated by the election law and the Code of Administrative Proceedings. All participants in the electoral process are granted the right to submit complaints and appeals, which can be filed either to superior election commissions or to courts.⁸⁷ If the same complaint is filed with both the election administration and the judiciary, the election commission is required to suspend consideration of the complaint pending resolution in the court. It has been a long-standing recommendation of the OSCE/ODIHR and the Venice Commission to clarify the concurrent jurisdiction of election commissions and courts over electoral disputes.⁸⁸ Recommendations from previous OSCE/ODIHR reports that remain unaddressed include among others the development of special forms for complainants to complete when filing a complaint or appeal with instructions to the complainant where to file the complaint or appeal and adoption of simplified filing procedures to reduce the observed occurrences rejected complaints on procedural grounds.

Consideration should be given to simplifying the electoral dispute resolution system. Furthermore, consideration could be given to the development of a complaint form, which should help ensure that complainants understand the required documents for filing a complaint with an election commission or the courts and which instructs complainants on where to submit their complaint.

The handling of complaints by election commissions compromised the right to effective remedy, as a significant part of complaints was dismissed on technical grounds. The election law prescribes in detail the format for filing complaints with election commissions, including a long list of information to be indicated. Any minor deficiencies or omissions in submitted complaints, such as failure to indicate complete contact information of the complainant, were considered by election commissions as grounds for rejection. Over 85 per cent of complaints submitted to the CEC were dismissed on such minor technical grounds, and OSCE/ODIHR EOM observers confirmed that this pattern also prevailed in DEC and PECs. This practice left complainants without effective redress, contrary to OSCE commitments, and undermined public confidence in the electoral dispute resolution.⁸⁹ In addition, complaints at all levels of the election administration were rarely considered in sessions, but were handled in private by individual members of commissions, thereby undermining the transparency and collegiality of the process.⁹⁰

The law should be amended to disallow dismissal of complaints based on deficiencies in format, and election commissions should give full and impartial consideration to the substance of all complaints, respecting the right to effective remedy.

As of 7 November, some 333 election-related complaints were filed with the Kyiv Administrative Court of Appeal, of which 242 were subsequently appealed to the High Administrative Court. Most of the cases adjudicated by these courts in the pre-election period concerned candidate registration. While compressed timeframes envisaged by law for electoral disputes were met, the adjudication of candidate registration cases was marked by non-uniform interpretation of the law by different

⁸⁷ The general deadline for filing complaints, either with courts or commissions, is five days, with two days for the review of complaints. Different deadlines apply to complaints filed on election day.

⁸⁸ See, among others, CDL-AD(2013)016, para. 98. See also the Code of Good Practice in Electoral Matters, p.II.3.3.C.c.

⁸⁹ Paragraph 5.10 of the 1990 OSCE Copenhagen Document requires that “everybody will have effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”.

⁹⁰ Of 442 complaints lodged with the CEC as of 6 November, only 57 were considered in full session.

panels of judges of the same court, in both instances.⁹¹ This effectively undermined legal certainty, as well as the principle of equality before the law.

On election day, the High Administrative Court adjudicated an appeal by PF regarding non-registration of a candidate on its proportional list and invalidated the respective CEC resolution, despite the fact that this resolution had been twice appealed and upheld before election day, in both the Kyiv Administrative Court of Appeal and the High Administrative Court.⁹² The 26 October ruling of the High Administrative Court, effectively ordering the CEC to register a candidate after voting took place, was not complied with by the CEC, which contended in its resolution of 1 November that registration of a candidate after election day would be unconstitutional and contrary to democratic principles. The CEC further upheld its decision and refused to register the candidate even after its resolution of 1 November was reversed by the same courts again, on 6 November and 10 November, respectively.

The election law should be amended to eliminate the existing gaps and inconsistencies so as to reduce the scope for non-uniform application of the law and the resulting problems in the adjudication of electoral disputes. The CEC should adopt additional regulations wherever the law does not provide sufficient detail. Both the CEC and the courts should refrain from delivering inconsistent decisions and should treat like cases alike. Consideration could be given to procedural rearrangements in the higher courts so that electoral disputes are adjudicated by the same panels, or that other safeguards are provided against inconsistent application of law by the same court.

District courts adjudicated a moderate number of election-related cases, although the recourse to courts intensified in the post-election period, mostly related to alleged irregularities during counting and tabulation. A large number of cases observed by the OSCE/ODIHR EOM were dismissed on procedural grounds, while inconsistent application of law persisted in many instances. Judicial review demonstrated a particularly inconsistent application of provisions regarding the burden of proof, as in a number of cases complaints against election commissions were rejected on grounds of insufficient evidence provided by the complainants, contrary to the requirements of Article 71.2 of the Code of Administrative Proceedings, which shifts the burden of proof in suits against the public administration to the defendants.

According to information from the Prosecutor General's office, as of 7 November law enforcement agencies opened 359 criminal cases related to the elections. A large number of these, concerned attacks on candidates or other participants of the electoral process (which were mostly investigated as hooliganism), as well as vote-buying and falsification of electoral documents.⁹³

Most OSCE/ODIHR EOM interlocutors pointed to a lack of confidence in the judiciary, as well as law enforcement agencies. Pressure on courts was reported by OSCE/ODIHR EOM interlocutors, political parties and media throughout the campaign, but especially with respect to adjudication of complaints concerning counting and tabulation in Donetsk and Luhansk *oblasts*. Higher court judges accepted there was indirect pressure on them, specifically referring to rallies in front of court

⁹¹ This was acknowledged by both courts' judges, who informed the OSCE/ODIHR EOM that each panel had discretion in applying the law according to their judgment while not being bound by any prior decisions of either superior courts or the same court.

⁹² The resolution of the CEC rejecting the registration of candidate Oles Gorodetskiy was first upheld by the Kyiv Administrative Court of Appeal on 29 September and by the High Administrative Court on 2 October. The second appeal of the PF, considered on grounds of new evidence, was rejected by both courts, on 16 and 20 October respectively.

⁹³ Overall, 45 criminal cases of hooliganism, 2 of intentional homicide, 6 of threats to life, 34 of vote buying and 26 of falsification of documents, as well as 6 cases of violations of campaign-finance regulations were reported.

buildings, presence at some hearings of representatives of volunteer battalions, regular threats to subject judges to ‘street lustration’, as well as constant calls by CEC members, to initiate official “investigations” over certain decisions of the courts, among other things.

XIII. ELECTION DAY

In most of the country, election day proceeded calmly, with few disturbances. Only isolated security incidents were reported by IEOM observers during voting hours, but tensions in some districts rose during tabulation. The CEC reported voter turnout at 52.4 per cent. It started posting detailed preliminary election results disaggregated by polling stations on its website at around 23:00 hrs. on election night. A total of 4,495 observation forms were received from IEOM observers: 249 forms on opening, 3,175 forms on voting, 340 forms on the vote count, 732 forms on tabulation at DEC, and some 800 forms with comments on different issues related to the election-day process.⁹⁴

A. OPENING AND VOTING

All but 7 of the 249 openings of polling stations observed were assessed positively, and IEOM observers reported very few minor procedural problems, mainly related to the sealing of ballot boxes. One in five polling stations observed opened for voting with slight delays. In 98 per cent of the polling stations observed, party and candidate proxies were present. During the opening, unauthorized people were present in 11 of the polling stations observed.

Out of 3,175 observations of voting, IEOM observers’ overall assessment was positive in 99 per cent of cases, with no variations between different regions or polling stations in urban and rural areas. In 3 per cent, IEOM observers reported that not all election material was present and in the same percentage the layout of the polling stations was assessed as inadequate. Campaigning was noted outside 3 per cent and inside 1 per cent of polling stations observed. There were relatively few cases of overcrowding (3 per cent, often due to inadequate layout) or of large groups waiting outside to vote (3 per cent). In 56 of the polling stations observed, IEOM observers reported tension or unrest. Over one half of polling stations observed were not readily accessible to people with disabilities, and in over one quarter, the layout was not adequate for disabled voters (53 and 27 per cent, respectively).

Party and candidate proxies or observers were present during voting in an impressive 99 per cent of polling stations observed, and citizen observers in 29 per cent. Other international observers were present in 13 per cent of polling stations observed. Unauthorized people were present in 161 polling stations observed; police was present in 72 polling stations without having been called by the PEC chairperson and local authorities’ representatives and non-accredited party activists were present in 27 and 24 polling stations, respectively. In 32 instances, these unauthorized people interfered in the process.

IEOM observers reported that voting procedures were adhered to in the overwhelming majority of polling stations observed and assessed the organization of the voting process as well organized in 96 per cent of cases. Voter identification procedures were followed with few exceptions. In 15 per cent of polling stations observed, however, small numbers of voters were turned away, mainly because they could not present a valid identification document or could not be found on the voter list of that particular polling station. In 4 per cent, not all voters marked their ballots in secrecy or folded them properly before depositing them in the ballot box. Apart from group voting (2 per

⁹⁴ The IEOM did not deploy observers in Donetsk and Luhansk *oblasts*, due to the security situation there.

cent), only a few isolated cases of more serious procedural violations were observed, including series of seemingly identical signatures on the voter list (1 per cent), people being allowed to vote without presenting a proper ID (1 per cent) and proxy and multiple voting (in 8 and 2 polling stations, respectively). In 3 per cent of polling stations observed, the ballot boxes were not properly sealed. Official complaints were filed in 5 per cent of polling stations observed.

B. COUNTING

IEOM observers assessed 10 per cent of the 340 vote counts they observed negatively. In 2 per cent of the polling stations where the count was observed, unauthorized people were present and in 4 per cent, non-PEC members interfered in the count. There were no differences in the assessment of the counting between the urban and rural polling stations. In 8 per cent of the polling stations observed, counting procedures were not properly followed. Some of the procedural problems reported during the count included frequent cases where prescribed reconciliation procedures were not followed and where figures were not entered in the results protocols before the opening of the ballot boxes. In 15 per cent of the polling stations where the count was observed, the number of signatures on the voter list was not announced, and in the same percentage the number of unused counterfoils was not announced. The number of invalid ballots was not announced in 6 per cent. In 28 per cent, PEC members did not vote on contested ballots.

Some 20 per cent of PECs had problems completing the results protocols, and 15 per cent revised figures established earlier. In 6 cases, PEC members did not agree on the figures entered in the protocols. IEOM observers reported 36 cases of pre-signed results protocols and 32 cases of significant procedural errors or commissions. Tension or unrest was reported in 2 per cent of the polling stations where the count was observed. Party and candidate observers or proxies were present at all counts observed, and citizen observers at 29 per cent. Deliberate falsification of voter list entries, results or protocols was reported by IEOM observers in 7 cases. Official complaints were filed in 3 per cent of polling stations where the count was observed.

XIV. TABULATION AND ANNOUNCEMENT OF RESULTS

The tabulation of results lasted more than two weeks. Results for the proportional component of the elections and for all but two single-mandate districts (DECs 38 and 63, where recounts were ordered by district courts)⁹⁵ were established on the legal deadline of 10 November. One of the two CEC deputy chairpersons attached her dissenting opinion to the final CEC results protocol for the proportional component of the elections. CEC members also expressed dissenting opinions regarding certain single-mandate district results protocols.⁹⁶ In total, 157 of the 396 DEC results protocols for the proportional and the majoritarian component (39.6 per cent) had to be corrected.⁹⁷

OSCE/ODIHR EOM observers assessed the tabulation process negatively in 60 (116 reports) of the 171 observed DECs. The negative assessment was largely due to a combination of various factors. For instance, OSCE/ODIHR EOM observers noted that in 56 DECs (84 reports), packed election materials submitted by PECs had apparently been tampered with. Poor and inefficient organization

⁹⁵ Recounts were ordered in DEC 38 and 63, by the District Administrative Courts in Dnipropetrovsk and Zhytomyr respectively, following, in both cases, complaints by candidates against irregularities and falsifications during counting and tabulation. The decision of the Dnipropetrovsk District Administrative Court was later appealed by the DEC, but the appeal was consequently withdrawn by the Chairman of the DEC in a unilateral manner, without a supporting decision by the commission.

⁹⁶ For instance, dissenting opinions were expressed by the CEC members regarding DECs 30, 79 and 182.

⁹⁷ Of the 157 DEC corrected protocols, 120 were ordered to be corrected by the CEC, 5 were ordered to be corrected by courts, and the remaining 32 protocols were initially corrected by DECs themselves.

of receipt of election materials by DEC members in often inadequate DEC premises led to overcrowding, which negatively affected the tabulation process in 61 DEC members (105 reports). The fact that many PECs had to wait for extended hours to be processed by DEC members led to irritation of already exhausted commissioners, thereby contributing to overall discontent and tension.

Consideration should be given to rearranging practical aspects of the counting and tabulation processes, so as to facilitate the receipt and processing of election materials on election night. For instance, paper packages for election materials used by PECs could be replaced with sturdier packages to avoid damage during transportation and thus unnecessary consequences at DEC members.

Cases of tension or unrest were observed in 72 DEC members (115 reports), while attempts to disrupt the process were observed in 21 DEC members (33 cases). In some cases, these led to deteriorated conditions at DEC members that made it impossible to establish results without intervention of the CEC. OSCE/ODIHR EOM observers reported that members of DEC members 22, 37, 112, 140 and 216 were threatened during the tabulation process. They also reported eight cases of attempts to disrupt or sabotage the work of DEC members by DEC members themselves.⁹⁸ In some cases, DEC members were forced to stop tabulation due to bomb threats⁹⁹ or attack with Molotov cocktails, e.g. in DEC 66 (Zhytomyr *oblast*). Serious tensions were also observed at DEC 217 (Kyiv city), where large numbers of armed members of a volunteer battalion, whose commander was a candidate in the district, were present around and inside the DEC.

OSCE/ODIHR EOM observers reported 58 cases of unauthorized people being present in the premises of DEC members; in 31 of these cases, such individuals were either directing or interfering in the process. In this context, serious problems occurred in DEC 59 in Donetsk *oblast*, where the tabulation process was blocked by armed members of the “Dnipro 1” volunteer battalion, the deputy commander of which was a majoritarian candidate in that district.¹⁰⁰ At a later stage, tabulation resumed and the CEC established the results for DEC 59 by the legal deadline.

As reported by OSCE/ODIHR EOM observers, the close race in certain districts triggered arguments and mutual accusations among candidate representatives, who in addition exerted pressure on DEC members by treating any DEC decision as biased and taken in the interest of certain candidates.¹⁰¹ Thus, the checks and balances of the multi-party DEC composition, rather than serving their intended purpose, were used as a loophole by those interested in the outcome of the elections, to intervene and attempt to achieve their objectives or to disrupt the process. This underscores the importance and the need to strengthen the independence and impartiality of election commissions.

Many PEC protocols appeared to be of poor quality. OSCE/ODIHR EOM observers filed 305 reports from 125 DEC members regarding the submission of incomplete protocols. Furthermore, figures in PEC protocols did not reconcile in 153 DEC members observed (406 reports). Some DEC members returned up to 50 per cent of PEC protocols for corrections, which further prolonged the tabulation process.¹⁰²

⁹⁸ In DEC members 49, 50, 59, 106, 112, 114, 140 and 216.

⁹⁹ For instance, DEC members 33, 79, 128, 152 and 207.

¹⁰⁰ According to CEC Resolution No. 2106 of 31 October, the CEC received statements regarding violations of the law at DEC 59, where electoral documentation was removed by armed people. In addition, after replacements of DEC members, new members were prevented from taking their oath of office by other DEC members, who refused to respond to requests of the CEC to let the newly appointed DEC members take up their positions. As a result, nine members of DEC 59 who were obstructing the DEC’s work and thus the tabulation process were dismissed by the CEC.

¹⁰¹ For instance, in DEC members 22, 132 and 182.

¹⁰² For instance, DEC members 126 (Lviv *oblast*), and 166 (Ternopil *oblast*).

OSCE/ODIHR EOM observers submitted 114 reports from 69 DEC premises that PEC protocols were changed in DEC premises by PEC members, contrary to the law.¹⁰³

Consideration should be given to revising the methodology of training for PEC members, with more emphasis on the vote count and completion of results protocols.

The election law obliges DEC premises to work without breaks until the election results are established in the district. In practice, however, the lengthy tabulation process was exacerbated by long breaks announced by some DEC premises.¹⁰⁴ An analysis of PEC data collected by the OSCE/ODIHR EOM from the beginning of tabulation demonstrates that during the period of time for which DEC premises announced breaks and closed their premises, the PEC website was reporting that PEC protocols were being processed. In some cases, up to 90 per cent of PEC protocols were processed during such breaks.¹⁰⁵

In 81 DEC premises, OSCE/ODIHR EOM observers were restricted in their observation, and in 46 DEC premises, they did not have full co-operation from the DEC, which decreased the transparency of the tabulation process. OSCE/ODIHR EOM observers reported that the data entry process was often not accessible for citizen and/or international observers, or for other authorized people who were not commission members. In 152 DEC premises (196 observations), international observers were not able to observe and report on the data entry of election results, as they were not granted access to the room where results were entered into the *Vybory* system.¹⁰⁶ According to the PEC chairperson, access to the computer room was restricted due to security reasons. Transparency was further decreased by the fact that international observers were not provided with corrected PEC protocols or with printouts from the *Vybory* system, which made it impossible for them to compare the figures of PEC protocols.¹⁰⁷ Further analysis of PEC protocols by the OSCE/ODIHR EOM and the fact that DEC protocols had to be returned by the PEC for corrections after the *Vybory* system had accepted and transferred erroneous PEC protocols raise questions regarding the reliability and integrity of the *Vybory* system in its current form and highlight the need to further improve it in order to prevent such technical errors in future elections.¹⁰⁸

Serious consideration should be given to introducing measures, which would increase the transparency of results data entry at DEC level. If access to data entry premises remains restricted, consideration should be given to providing observers and other stakeholders with the opportunity to observe data entry through means of multimedia tools such as large monitors, which would allow

¹⁰³ The election law requires PECs to reconvene for a formal session in cases where the PEC results protocol contains errors and the DEC instructs the PEC to issue a corrected protocol. During the transportation of election materials to the respective DEC premises, the PEC stamp is kept in the safe at the polling station and some members stay there until further notice from the PEC chairperson.

¹⁰⁴ For example, DEC premises 17 (Vinnytsya *oblast*), 62 (Zhytomyr *oblast*), 79 (Zaporizhzhya *oblast*), 88 (Ivano-Frankivsk *oblast*), 101 (Kirovograd *oblast*), 150 (Poltava *oblast*), 155 (Rivne *oblast*), 169 (Kharkiv *oblast*), 186 (Kherson *oblast*), 198 (Cherkasy *oblast*), 204 (Chernivtsi *oblast*), and 207 (Chernihiv *oblast*).

¹⁰⁵ For instance DEC premises 17, 88, 101, 155, and 207.

¹⁰⁶ Paragraph 19 of UNHRC General Comment No. 34 stipulates that State parties should proactively put in the public domain information of public interest and make every effort to ensure easy, prompt, effective and practical access to such information.

¹⁰⁷ According to Article 79.5 of the election law, international observers are entitled to copies of PEC results protocols, and other documents, in cases provided for by the law.

¹⁰⁸ Unlike the presidential election law, the parliamentary election law is silent regarding the procedure for entering PEC protocol figures into the “*Vybory*” system. In practice, the system checks the correctness of protocols by using control sums and by reconciling the numbers. In case of errors in the protocol, the system identifies and indicates such errors. If the protocol is compiled correctly, the system accepts it, the IT administrator prints a copy of the protocol verified by the “*Vybory*” system, signs it and hands it over to the DEC chairperson for signature. .

them to compare the data entered into the Vybory system against figures included in PEC results protocols and those posted on the CEC website.

Nine DECAs experienced serious difficulties in tabulating the single-mandate district results, due to alleged falsification or other irregularities identified in the process.¹⁰⁹ During the course of tabulation, the CEC received complaints with supporting evidence, which indicated manipulation of results in certain DECAs. Based on the evidence provided, the CEC ordered recounts of 5 PECs in DEC 30 and 16 PECs in DEC 50. However, these resolutions on recounts were invalidated by the Kyiv Administrative Court of Appeal that found the CEC decisions *ultra vires*; the High Administrative Court upheld the lower court's decisions. The CEC had to comply with the court decisions and accepted the protocols, despite strong reservations from its side about alleged falsification of the results in respective districts.

The election results for DECAs 16 (Vinnytsya *oblast*), 79 (Zaporizhyya *oblast*) and 198 (Cherkassy *oblast*) were established after recounts of 3, 12 and 2 PECs, respectively. The results of DEC 16 were established after weeklong resistance by the DEC to comply with either CEC or court decisions to recount PEC results. After several attempts to submit uncorrected protocols to the CEC, DEC 16 submitted the corrected DEC results protocol to the CEC on 10 November. In DEC 79, the Zaporizhyya District Administrative Court ordered recounts in 12 polling stations but refused to satisfy requests for recounts in the others. The CEC established results in DEC 79 on 10 November. With regard to DEC 198, the Kyiv Administrative Court of Appeal in response to a complaint filed by a candidate ordered the DEC to recount votes at PECs 710908 and 710732.

The OSCE/ODIHR EOM checked 414 copies of proportional and majoritarian PEC results protocols, which were obtained at polling stations or provided by EOM interlocutors, against the data posted on the CEC website. In addition, a sample of some 30 PEC protocols was checked against the respective DEC protocols. As a result, the EOM found 116 PEC protocols with technical mistakes and inaccuracies,¹¹⁰ and a few protocols with some minor differences in the election results, which did not impact on the results in these polling stations.¹¹¹ However, in the cases of DECAs 50 and 60 in

Donetsk *oblast*, the OSCE/ODIHR EOM found strong indications of manipulation of results.¹¹²

The CEC adopted resolutions asking the Prosecutor General's office and the Ministry of Internal Affairs to further investigate falsification of protocols in these two DECAs. In DEC 182 (Kherson *oblast*), materials received regarding special polling station No. 000001 at a penitentiary institution suggest that voters eligible only for the proportional component of the elections were also provided with ballots for the majoritarian component, in violation of the law. Even though the numbers were not high, similar violations were identified by the OSCE/ODIHR EOM in 41 polling station results

¹⁰⁹ Problem that prolonged the tabulation process up until the legal deadline occurred in DEC 16, 30, 38, 50, 59, 60, 68, 79 and 198.

¹¹⁰ Such inaccuracies in PEC protocols include wrong numbers of registered voters (which were often equal to the number of voters who received ballots), wrong numbers of invalid ballots (often equal to number of unused ballots), wrong order of contestants, or not all fields having been filled in. The scale of mistakes shows the need for more training of PEC members with regard to the completion of results protocols.

¹¹¹ Minor changes to the election results were noted in the results protocols of PECs 260671 (DEC 89 Ivano-Frankivsk *oblast*), 461293 (DEC 124 Lviv *oblast*), 631553 (DEC 172 Kharkiv *oblast*), 740373 (DEC 207 Chernihiv *oblast*) and 801068 (DEC 213 Kyiv city) for the nationwide and single-mandate electoral districts.

¹¹² For instance, in some cases the difference between the figures in original PEC protocols and the results posted on CEC website amounted to several hundred votes. Changes of results in favour of certain contestants were noted in the protocols of PECs 140220, 140223, 140226, 140233, 140743, 140745, 140747, 140750, 140751, 140752, 140754, 140756, 141071 and 141086 in DEC 50, and of PECs 140137, 140138, 140139, 140141, 140152, 140164, 140167, 140170, 140180, 140182, 140417, 140418, 140419, 140420 and 140432 in DEC 60.

posted on the CEC website. In these polling stations, more ballot papers were issued to voters for the majoritarian component of the elections than for the proportional one. Under the election law, the number of ballot papers issued for the majoritarian component should either be equal or less than the number of proportional ballots issued.

The OSCE/ODIHR EOM identified 119 polling stations in 66 DEC's, where according to the results posted on the CEC website, turnout exceeded 90 per cent, both for the proportional and majoritarian components of the elections. Turnout was markedly higher (98.8 per cent on average) in the 73 special polling stations among these 119 polling stations, which were established mostly in medical and penitentiary institutions.

XV. RECOMMENDATIONS

The following recommendations are offered for consideration by the authorities, political parties and civil society of Ukraine, in further support of their efforts to conduct elections in line with OSCE commitments and other standards for democratic elections. These recommendations should be read in conjunction with other recommendations offered previously by the OSCE/ODIHR and with recommendations contained in the joint opinions on Ukrainian election legislation of the OSCE/ODIHR and the Venice Commission. The OSCE/ODIHR stands ready to assist the authorities and civil society of Ukraine to further improve the electoral process.¹¹³

A. PRIORITY RECOMMENDATIONS

1. Consideration should be given to undertaking a comprehensive electoral reform, which should harmonize election legislation regulating all types of elections and address other pending long-standing recommendations of the OSCE/ODIHR and the Venice Commission. The reform, *inter alia*, should eliminate undue restrictions on candidacy rights, as well as restrictions on the freedom of mandate. Restrictions on electoral blocs could be lifted in order to promote the competitiveness of the electoral process and wider representation in parliament. Electoral reform needs to be undertaken well in advance of the next elections, and the process should be transparent and inclusive.
2. The authorities and law enforcement agencies should take steps to ensure that all cases of violence and intimidation against election stakeholders are investigated promptly in an independent and impartial manner and perpetrators are brought to justice in accordance with the law. Efforts should be stepped up to ensure that all contestants are able to reach out to the electorate on an equal basis and without fear of violence or retribution.
3. In order to further promote integrity, transparency, accountability and rule of law among election commissions, a combination of coordinated anti-corruption measures by electoral stakeholders needs to be introduced in this regard. Such measures could also serve to guarantee the integrity and achieve independence of the election administration from political interference, and ensure honest performance of their duties.
4. Serious consideration should be given to introducing measures, which would increase the transparency of results data entry at DEC level. If access to data entry premises remains restricted, consideration should be given to providing observers and other stakeholders with

¹¹³ In paragraph 24 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations."

the opportunity to observe data entry through means of multimedia tools such as large monitors, which would allow them to compare the data entered into the Vybory system against figures included in PEC results protocols and those posted on the CEC website.

5. The law should be amended to disallow dismissal of complaints based on deficiencies in format, and election commissions should give full and impartial consideration to the substance of all complaints, respecting the right to effective remedy.
6. Measures to increase transparency of campaign finance and accountability, and to strengthen existing or introduce effective and proportionate sanctions for non-compliance with disclosure regulations should be given consideration. The capacity of the CEC and the DEC's should be further developed to meet their obligations to analyze and publish party and candidate financial reports during and after the campaign period.
7. Notwithstanding possible changes to the electoral system, women's underrepresentation in parliament should be addressed through stricter enforcement mechanisms and/or additional special temporary measures that could create more equitable conditions for all candidates.
8. If the current electoral system is retained, the CEC should complete the implementation of Article 18 of the election law regarding the delineation of single-mandate electoral districts well in advance of the next election cycle, and in full consultation with national minorities.

B. OTHER RECOMMENDATIONS

ELECTION ADMINISTRATION

9. Consideration should be given to introducing deadlines for replacements of election commissioners before election day, thereby ensuring stability of the election administration, avoiding additional workload for the CEC and a negative impact on the performance of DEC's.
10. Serious consideration should be given to revising the method of formation of DEC's and PEC's. Effective measures must be taken to develop the institutional capacity and stability of DEC's and PEC's by strengthening recruitment, hiring and training methods in order to ensure and enhance impartiality and professionalism of commissioners. In any case, the principle of equal representation in the commissions should be respected.

VOTER REGISTRATION

11. The Ukrainian authorities should take effective measures to alleviate impediments/obstacles for the temporary re-registration of voters from the Crimean peninsula, in order to further facilitate the participation and exercise of constitutional rights of these voters. In this respect, procedures regarding their registration and voting should be simplified to the maximum extent possible, and electoral and governmental authorities should intensify their efforts to inform residents in these territories of the means by which they can vote.
12. For future elections, serious consideration could be given to adopting an effective voter-information and education strategy and to carrying out a voter information campaign focused, among others, on awareness-raising for IDPs and for voters residing on the Crimean peninsula.

CANDIDATE REGISTRATION

13. Template forms for nomination documents could be developed by the CEC in order to minimize the possibility for omissions or technical errors made by candidates. Effective notification mechanisms could be introduced so that prospective candidates are informed by the election administration of cases where mistakes or omissions were found in their nomination documents, enabling them to correct such mistakes.

ELECTION CAMPAIGN

14. The authorities and political parties should take steps to safeguard a clear separation between political parties and the state. Electoral contestants should make stronger efforts to refrain from using public office to gain an unfair electoral advantage during the campaign period.

MEDIA

15. The election law should clearly define how print media should mark paid election-related material. In addition, self-regulatory bodies such as the Journalist Ethics Commission could consider reinforcing professional standards and media literacy through training programmes for journalists.
16. Consideration should be given to ensuring the independence of the NTRBC during the whole duration of its mandate and to ensuring that any possible conflicts of interest of individual NTRBC members during the pre-election period are avoided. Furthermore, consideration should be given to enhancing the capacity of the regulatory body to oversee and fully ensure the broadcast media's compliance with the legislation, as well as to address media-related complaints and impose effective sanctions for possible violations during the election campaign. Decisions of the independent regulatory body should be taken in a timely manner and made public.

PARTICIPATION OF NATIONAL MINORITIES

17. The electoral framework should be amended to provide for positive measures, in line with international obligations, to overcome obstacles to voting such as illiteracy or language barriers.

ADJUDICATION OF ELECTION DISPUTES

18. Consideration should be given to simplifying the electoral dispute resolution system. Furthermore, consideration could be given to the development of a complaint form, which should help ensure that complainants understand the required documents for filing a complaint with an election commission or the courts and which instructs complainants on where to submit their complaint.
19. The election law should be amended to eliminate the existing gaps and inconsistencies so as to reduce the scope for non-uniform application of the law and the resulting problems in the adjudication of electoral disputes. The CEC should adopt additional regulations wherever the law does not provide sufficient detail. Both the CEC and the courts should refrain from delivering inconsistent decisions and should treat like cases alike. Consideration could be given to procedural rearrangements in the higher courts so that electoral disputes are

adjudicated by the same panels, or that other safeguards are provided against inconsistent application of law by the same court.

VOTING, COUNTING AND TABULATION

20. Consideration should be given to rearranging practical aspects of the counting and tabulation processes, so as to facilitate the receipt and processing of election materials on election night. For instance, paper packages for election materials used by PECs could be replaced with sturdier packages to avoid damage during transportation and thus unnecessary consequences at DEC.
21. Consideration should be given to revising the methodology of training for PEC members, with more emphasis on the vote count and completion of results protocols.

ANNEX I – ELECTION RESULTS

Points in CEC Results Protocol		Total in the nationwide multi-mandate district	In out-of-country district
8	Number of voters included in the voter lists at polling stations where voting was organized and conducted	30,921,218	461,544
9	Number of voters in the extract for mobile voting at polling stations where voting was organized and conducted	838,136	–
10	Number of voters who received ballots in the polling station premises	15,329,402	40,767
12	Number of voters who received ballots for mobile voting	725,323	–
13	Total number of voters who received ballots	16,054,725	40,767
14	Number of voters who participated in the proportional elections in the polling station premises (ballots found in the stationary ballot boxes)	15,258,203	40,762
15	Number of voters who participated in the proportional elections using the mobile ballot box (ballots found in the mobile ballot boxes)	722,674	–
16	Total number of voters who participated in the proportional elections	16,052,228	40,762
17	Number of invalid ballots	298,402	237
18	Number of votes for the candidate list of each party (the table below)		

Party	Number of votes for proportional race	% of votes	Number of proportional seats	Number of majoritarian seats	Total seats
People's Front	3,488,114	22.14	64	18	81
Petro Poroshenko Bloc	3,437,521	21.82	63	69	133
<i>Samopomich</i>	1,729,271	10.97	32	1	33
Opposition Bloc	1,486,203	9.43	27	2	29
Radical Party	1,173,131	7.44	22		22
<i>Batkivshchyna</i>	894,837	5.68	17	2	19
Svoboda	742,022	4.71		6	6
Communist Party of Ukraine	611,923	3.88			
Strong Ukraine	491,471	3.11		1	1
Civil Position	489,523	3.10			
All-Ukrainian Agrarian Union "Zastup"	418,301	2.65		1	1
Right Sector	284,943	1.80		1	1

Party	Number of votes for proportional race	% of votes	Number of proportional seats	Number of majoritarian seats	Total seats
Solidary of Ukrainian Women	105,094	0.66			
5.10	67,124	0.42			
Internet Party of Ukraine	58,197	0.36			
Party of Greens of Ukraine	39,636	0.25			
Green Planet	37,726	0.23			
Renaissance	31,201	0.19			
United Country	28,145	0.17			
Ukraine is United	19,838	0.12			
New Politics	19,222	0.12			
People's Power	17,817	0.11			
Ukraine of the Future	14,168	0.08			
Strength and Honour	13,549	0.08			
Civil Movement of Ukraine	13,000	0.08			
Bloc of Ukrainian Left Forces	12,499	0.07			
National Democratic Party of Ukraine	11,826	0.07			
Congress of Ukrainian Nationalists	8,976	0.05			
Liberal Party of Ukraine	8,523	0.05			
<i>Volya</i>				1	1
Self-nominated				96	96
Total	15,753,801		225	198	423

[Source: CEC website; www.cvk.gov.ua]

ANNEX II – LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

Short-Term Observers

OSCE Parliamentary Assembly

Milovan	PETKOVIC	CROATIA
Andreas	HANGER	AUSTRIA
Anton	HEINZL	AUSTRIA
Lukas	MUSSI	AUSTRIA
Hubert	FUCHS	AUSTRIA
Judith	SCHWENTNER	AUSTRIA
Azay	GULIYEV	AZERBAIJAN
Eldar	IBRAHIMOV	AZERBAIJAN
Nikolai	KAZAROVETS	BELARUS
Valentin	MILOSHEVSKY	BELARUS
Jean-Jacques	DE GUCHT	BELGIUM
Dirk	VAN DER MAELEN	BELGIUM
Koen	METSU	BELGIUM
Michelle	TITTLE	CANADA
Kevin	LAMOUREUX	CANADA
Joyce	BATEMAN	CANADA
Malcolm	ALLEN	CANADA
David	CHRISTOPHERSON	CANADA
James	BEZAN	CANADA
Ted	OPITZ	CANADA
Addie Mark	WARAWA	CANADA
Linda	DUNCAN	CANADA
Branko	VUKSIC	CROATIA
Zuzka	BEBAROVA-RUJBROVA	CZECH REPUBLIC
Ivana	DOBESOVA	CZECH REPUBLIC
Veronika	KRUPOVA	CZECH REPUBLIC
Petr	BRATSKY	CZECH REPUBLIC
Tomas	JIRSA	CZECH REPUBLIC
Andreas	BAKER	DENMARK
Liv Holm	ANDERSEN	DENMARK
Peter Juel	JENSEN	DENMARK
Vaino	LINDE	ESTONIA
Olga	SOTNIK	ESTONIA
Ismo	SOUKOLA	FINLAND
Elisabeth	NAUCLER	FINLAND
Pia	KAUMA	FINLAND
Yves	POZZO DI BORGO	FRANCE
Frederic	TAILLET	FRANCE
Michel	VOISIN	FRANCE
Marc	CARILLET	FRANCE
George	TSERETELI	GEORGIA
Jurgen	KLIMKE	GERMANY

Thomas	STRITZL	GERMANY	
Doris	BARNETT	GERMANY	Head of Delegation
Andreas	NOTHELLE	GERMANY	
Franz	THONNES	GERMANY	
Karl-Georg	WELLMANN	GERMANY	
Katja	KEUL	GERMANY	
Panagiotis	RIGAS	GREECE	
Georgios	VAREMENOS	GREECE	
Georgios	CHAMPOURIS	GREECE	
Zoi	MAKRI	GREECE	
Rozsa	HOFFMANN	HUNGARY	
Roberto	MONTELLA	ITALY	
Kuttykhozha	IDIRISSOV	KAZAKHSTAN	
Dulat	KUSTAVLETOV	KAZAKHSTAN	
Vitalijs	ORLOVS	LATVIA	
Juris	VECTIRANS	LATVIA	
Edmunds	DEMITERS	LATVIA	
Gunars	RUSINS	LATVIA	
Igors	AIZSTRAUTS	LATVIA	
Valdis	LIEPINS	LATVIA	
Valentinas	BUKAUSKAS	LITHUANIA	
Arminas	LYDEKA	LITHUANIA	
Aase	MICHAELSEN	NORWAY	
Lisbeth Merete	STOCK	NORWAY	
Ola	ELVESTUEN	NORWAY	
Kazimierz	KLEINA	POLAND	
Jan	RULEWSKI	POLAND	
Iwona	KOZLOWSKA	POLAND	
Barbara	BARTUS	POLAND	
Carla	RODRIGUES	PORTUGAL	
Isabel	SANTOS	PORTUGAL	
Isabel	POZUELO	SPAIN	
Jose Ignacio	SANCHEZ AMOR	SPAIN	
Gustavo	PALLARES	SPAIN	
Eva Monika	TOJZNER GLUCKMAN	SWEDEN	
Kent	HARSTEDT	SWEDEN	Special Co-ordinator
Christian	HOLM	SWEDEN	
Anna	VALLEN	SWEDEN	
Arhe	HAMEDNACA	SWEDEN	
Ann-Christin	AHLBERG	SWEDEN	
Gunilla	NORDGREN	SWEDEN	
Boriana	AABERG	SWEDEN	
Kerstin	NILSSON	SWEDEN	
Margareta	CEDERFELT	SWEDEN	
Jan Richard	ANDERSSON	SWEDEN	
Filippo	LOMBARDI	SWITZERLAND	
Ingrid	DE CALUWE	NETHERLANDS	

Hatice	BIYIKLI	TURKEY
Abdullah	CALISKAN	TURKEY
Sevki	KULKULOGLU	TURKEY
Jennifer	HILTON	UNITED KINGDOM
Orest	DEYCHAKIWSKY	UNITED STATES
Richard	SOLASH	UNITED STATES
Tyler	BRACE	UNITED STATES
Michael	BURGESS	UNITED STATES
Mark	MILOSCH	UNITED STATES

Parliamentary Assembly of the Council of Europe

Philippe	BLANCHART	BELGIUM
Fatma	PEHLIVAN	BELGIUM
Kristyna	ZELIENKOVÀ	CZECH REPUBLIC
Mailis	REPS	ESTONIA
Tinatin	BOKUCHAVA	GEORGIA
Chiora	TAKTAKISHVILI	GEORGIA
Frank	SCHWABE	GERMANY
Tobias	ZECH	GERMANY
Marieluise	BECK	GERMANY
Andrej	HUNKO	GERMANY
Kostas	TRIANTAFYLLOS	GREECE
Mónika	BARTOS	HUNGARY
Ögmundur	JÓNASSON	ICELAND
Karl	GARDARSSON	ICELAND
Jim	D'ARCY	IRELAND
Catherine	NOONE	IRELAND
Lolita	ČIGĀNE	LATVIA
Judith	OEHRI	LIECHTENSTEIN
Birute	VESAITE	LITHUANIA
Emanuelis	ZINGERIS	LITHUANIA
Claude	ADAM	LUXEMBOURG
Ingebjørg	GODSKESEN	NORWAY
Tadeusz	IWINSKI	POLAND
Andrej	ŠIRCELJ	SLOVENIA
Pedro	AGRAMUNT	SPAIN
Arcadio	DIAZ TEJERA	SPAIN
José Ignacio	PALACIOS	SPAIN
Jordi	XUCLÀ	SPAIN
Paloma	BIGLINO CAMPOS	SPAIN
Arietta	de POURBAIX-LUNDIN	SWEDEN
Alfred	HEER	SWITZERLAND
Şaban	DİŞLİ	TURKEY
Deniz	BAYKAL	TURKEY
Ömer	SELVI	TURKEY
Richard	BALFE	UNITED KINGDOM
Christopher	CHOPE	UNITED KINGDOM

Head of Delegation

Sir Roger GALE UNITED KINGDOM

European Parliament

Andrej	PLENKOVIĆ	CROATIA	Head of Delegation
Mark	DEMESMAEKER	BELGIUM	
Valentinas	MAZURONIS	LITHUANIA	
Ryszard	CZARNECKI	POLAND	
Miloslav	RANSDORF	CZECH REPUBLIC	
Miroslav	POCHE	CZECH REPUBLIC,	
Joachim	ZELLER	GERMANY	
Rebecca	HARMS	GERMANY	
Tibor	SZANYI	HUNGARY	
Vincenzo	GRECO	ITALY	
Petras	AUŠTREVĪČIUS	LITHUANIA	
Arnoldas	PRANCKEVICIUS	LITHUANIA	
Kati	PIRI	NETHERLANDS	
Johannes Cornelis	van BAALEN	NETHERLANDS	
Michal	BONI	POLAND	
Michal	MARUSIK	POLAND	
Robert	GOLANSKI	POLAND	
Wojciech Jan	DANECKI	POLAND	
Anna Maria	CORAZZA BILDT	SWEDEN	
Pietro	DUCCI		
Nikolina	VASSILEVA		
Karl	MINAIRE		
Julien	CRAMPES		
Alyson	WOOD		
Rune	GLASBERG		
Tobias	HEIDER		
Egle	KROPAITE		

NATO Parliamentary Assembly

Svitlana	SVYETOVA	BELGIUM	
Vaclav	KLUCKA	CZECH REPUBLIC	
Josef	TABORSKY	CZECH REPUBLIC	
Milan	SARAPATKA	CZECH REPUBLIC	
Adolf	BEZDOSKA	CZECH REPUBLIC	
Nadeem	FAROOQ	DENMARK	
Ruxandra	POPA	FRANCE	
Henrik	BLIDDAL	GERMANY	
Paolo	ALLI	ITALY	
Ivans	KLEMENTJEVS	LATVIA	
Rasa	JUKNEVICIENE	LITHUANIA	Head of Delegation
Algis	KASETA	LITHUANIA	
Han Ten	BROEKE	NETHERLANDS	
Zbyszek	ZABOROWSKI	POLAND	
Witold	WASZCZYKOWSKI	POLAND	

Andrzej	SZEWINSKI	POLAND
Matjaz	NEMEC	SLOVENIA
Zan	MAHNIC	SLOVENIA
Ali Riza	ALABOYUN	TURKEY
Osman Askin	BAK	TURKEY
Metin Lutfi	BAYDAR	TURKEY

OSCE/ODIHR EOM Short-Term Observers

Greta	NAKO	ALBANIA
Lorenc	XHAFFERAJ	ALBANIA
Bujar	HALO	ALBANIA
Sergey	CHAMANYAN	ARMENIA
Matthaeus	RADNER	AUSTRIA
Rainer	RUGE	AUSTRIA
Christoph	VAVRIK	AUSTRIA
Birgit	KARGER	AUSTRIA
David	MUCKENHUBER	AUSTRIA
Dominik	HOFMANN	AUSTRIA
Johannes	SCHALLERT	AUSTRIA
Silvia	DE CARVALHO	AUSTRIA
Laetitia Antonia Isabelle	DE RADIGUES DE CHENNEVIERE	BELGIUM
Michel	FOURMAN	BELGIUM
Marie Nathalie	DE HEMRICOURT DE GRUNNE	BELGIUM
Jean-Paul	CHARLIER	BELGIUM
Wim	DEWAELE	BELGIUM
Sinisa	BENCUN	BOSNIA AND HERZEGOVINA
Asim	DOROVIC	BOSNIA AND HERZEGOVINA
Zeljko	VASILJEVIC	BOSNIA AND HERZEGOVINA
Elka Dontcheva	SOURTCHEVA	BULGARIA
Margarita Mitkova	NIKOLOVA-IVANOVA	BULGARIA
Silviya Milcheva	NITSOVA	BULGARIA
Christina	TORSEIN	CANADA
Cassandra	MATHIES	CANADA
Agnes	DOKA	CANADA
Anna	RUSSELL	CANADA
Michel	HUNEAULT	CANADA
Germain	AMONI	CANADA
Michellene	SIGURDSON	CANADA
Naveen	RAI	CANADA
David	CRITCHLOW	CANADA
Hugues	FOURNIER	CANADA
Paula	THOMPSON	CANADA
Karen	FROST	CANADA
Mavis	MAINS	CANADA
Sylvie	VIENS	CANADA

Christopher	HEFFERNAN	CANADA
Cynthia	WAGNER	CANADA
Linda	BLAKE	CANADA
Andrew	KENDLE	CANADA
Jean Francois	BONIN	CANADA
Marilyn	MOISAN	CANADA
Judith	SZABO	CANADA
David	MULLIGAN	CANADA
Charles Arthur	O'DONNELL	CANADA
Aaron	PINTO	CANADA
Brygida	CROSS	CANADA
Phoebe	SMITH	CANADA
Nicolette	CARLAN	CANADA
Marcia Lorraine	ROMAIN	CANADA
Sheila	MILLER	CANADA
Alan	BEESELEY	CANADA
Brian	CLOW	CANADA
Terrence	YEMEN	CANADA
Steve	COLTERMAN	CANADA
Paul	MAILLET	CANADA
Joseph	DALRYMPLE	CANADA
Sonia	HOLIAD	CANADA
Lois	JOHNSON	CANADA
Pierre	MYCHALTCHOUK	CANADA
Marla	MORRY	CANADA
Bogdan	POGREBENNYK	CANADA
Bryan	BURTON	CANADA
Barbara	PUSZKAR	CANADA
Michelle	MOMY	CANADA
Pankaj	MISRA	CANADA
Patricia	MACINTOSH	CANADA
Bohdan	KOZY	CANADA
Roman	MEC	CANADA
Rifah	KHAN	CANADA
Roman	KUCHER	CANADA
Stephan	BOCIURKIW	CANADA
Christine	KOWALYK	CANADA
George	BACHMAN	CANADA
Uday	DAYAL	CANADA
Ellen	SHUSTIK	CANADA
Muhammed	DOLEH	CANADA
Lorne	GIBSON	CANADA
Lloyd	DALZIEL	CANADA
Sanja	POPOVIC	CANADA
Margaret	PFAFF	CANADA
Michael	SIRKO	CANADA
Suzanne	STUMP	CANADA

Louise	BRUNET	CANADA
Dean	MARCINYSHYN	CANADA
Bernard	SNOW	CANADA
Graham	BOS	CANADA
Alexander	HETMANCZUK	CANADA
Deborah	DUNTON	CANADA
Mathieu	JACQUES	CANADA
Viktoryia	LEIPI	CANADA
Larry	BENNETT	CANADA
Alek	JERINIC	CANADA
Gabriella	MEZO-KRICSFALUSY	CANADA
Ostap	SKRYPNYK	CANADA
Kristin	VAN DER LEEST	CANADA
Jean-Marc	LAPERLE	CANADA
Edward	NUHU	CANADA
Bruce	PASSMORE	CANADA
Helen	BULAT	CANADA
Hélène	THIBAUT	CANADA
Alayna	JAY	CANADA
George	FOTY	CANADA
Heidi	MODRO	CANADA
Darcy	GULKA	CANADA
Darryl	GRAY	CANADA
Fredericka	GREGORY	CANADA
Branislav	JEKIC	CANADA
Olena	BARAN	CANADA
Lori	SHORTREED	CANADA
Goran	PROKOPEC	CROATIA
Martina	VRDOLJAK	CROATIA
Maja	FORETIC-PECNIK	CROATIA
Nicolina	KARAOLIA	CYPRUS
Nicolas	KOUKOULLIS	CYPRUS
Alkis	IEROMONACHOU	CYPRUS
Vaclav	NEKVAPIL	CZECH REPUBLIC
Frantisek	HAVLIN	CZECH REPUBLIC
Zuzana	MARKOVA	CZECH REPUBLIC
Petr	MARES	CZECH REPUBLIC
Milan	KUKSA	CZECH REPUBLIC
Martin	NEKOLA	CZECH REPUBLIC
Petr	POJMAN	CZECH REPUBLIC
Ivan	TRNKA	CZECH REPUBLIC
Valdemar	URUBA	CZECH REPUBLIC
Jirí	ŠKVOR	CZECH REPUBLIC
Pavel	DANEK	CZECH REPUBLIC
Lenka	HOMOLKOVA	CZECH REPUBLIC
Ladislav	FENCL	CZECH REPUBLIC
Petr	FRANC	CZECH REPUBLIC

Darab	GAJAR	CZECH REPUBLIC
Eva	DOHNALOVA	CZECH REPUBLIC
Dan	MACEK	CZECH REPUBLIC
Lenka	SKALICKA	CZECH REPUBLIC
Roman	STANEK	CZECH REPUBLIC
Marketa	SMRCKOVA	CZECH REPUBLIC
Pavel	UHL	CZECH REPUBLIC
Oldrich	LACINA	CZECH REPUBLIC
Martin	JANKU	CZECH REPUBLIC
Jan	BLAZEK	CZECH REPUBLIC
Jan	FALTUS	CZECH REPUBLIC
Jiri	ROLENC	CZECH REPUBLIC
Jørgen	HOXER	DENMARK
Tom	HOYEM	DENMARK
Peder	VENTEGODT	DENMARK
Niels Erik	NIELSEN	DENMARK
Michael Vallentin	STRAND	DENMARK
Inger	BORIIS	DENMARK
Christian	FABER-ROD	DENMARK
Andreas	ALSOE	DENMARK
Hanne	BANG	DENMARK
Lars Peder	POULSEN-HANSEN	DENMARK
Camilla	SAUGSTRUP	DENMARK
Marielise	BERG-SONNE	DENMARK
Lars Moegeltoft	POULSEN	DENMARK
Ingrid Margrethe	POULSEN	DENMARK
Victor Christian	HJORT	DENMARK
Grethe	BILLE	DENMARK
Karen Schack	ANDREASSEN	DENMARK
Stig	WORMER	DENMARK
Niels	RASMUSSEN	DENMARK
Erik	THAU-KNUDSEN	DENMARK
Henrik	KARLSEN	DENMARK
Herol	MARJAK	ESTONIA
Sulev	LÄÄNE	ESTONIA
Kristina	KALLAS	ESTONIA
Janno	SIMM	ESTONIA
Sven	MASES	ESTONIA
Terhi	HAKALA	FINLAND
Verna	LEINONEN	FINLAND
Timo	MAJASAARI	FINLAND
Mikko	VAUHKONEN	FINLAND
Matti	KARVANEN	FINLAND
Marjut	SAVOLAINEN	FINLAND
Heikki Markus	VIHEMAKI	FINLAND
Juho	ROMPPAINEN	FINLAND
Suvi	KIVISTÖ	FINLAND

Tarja	RAAPPANA	FINLAND
Heikki	RAUTVUORI	FINLAND
Helena	LAATIO	FINLAND
Outi	KOIKKALAINEN	FINLAND
Katja	PALOKANGAS	FINLAND
Reetta	PURONTAKANEN	FINLAND
Sari	RAUTARINTA	FINLAND
Helena	RANTA	FINLAND
Laura Sofia	LAKSO	FINLAND
Aleksi	KOSKINEN	FINLAND
Maija	LIUHTO	FINLAND
Anna-Kristiina	KÄÄRIÄINEN	FINLAND
Kimmo	COLLANDER	FINLAND
Eeva-Maija	ALANEN	FINLAND
Jussi	SOINI	FINNISH
Anssi	KULLBERG	FINNISH
Nazim	RECHI	FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Rubin	ZEMON	FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Sashko	TASHULOV	FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Nadia	DECKERT	FRANCE
Amandine	MEURVILLE	FRANCE
Philippe Albert, Jean	DE SUREMAIN	FRANCE
Kilian	HOCQUART	FRANCE
Pascal	DELUMEAU	FRANCE
Lydia	TABTAB	FRANCE
Marc	GRUBER	FRANCE
Gaël	DUPONT-FERRIER	FRANCE
Caroline	GONTHIER	FRANCE
Jacques	FAURE	FRANCE
Hughes	DE CHAVAGNAC	FRANCE
Naïs	HABERMACHER	FRANCE
Elias	FENNIRA	FRANCE
Adeline	MARQUIS	FRANCE
Antoine	COMPS	FRANCE
Dieter Ernst	BEYER	GERMANY
Julia Stefanie	MENOLD	GERMANY
Heinz-Dieter Richard August	DUCHSCHERER	GERMANY
Jochen August Max	FREDE	GERMANY
Horst Edlef	PROETEL	GERMANY
Harald Georg	HAENDEL	GERMANY
Mirco	GRIMM	GERMANY
Dieter Paul Otto	SHELLSCHMIDT	GERMANY
Juergen	KEWITSCH	GERMANY
Rainer Rudolf	OTTER	GERMANY

Edel Rainer Gero Lienhard Erich Hubertus Konrad	LINGENTHAL	GERMANY
Peter Hugo Paul	MENNY	GERMANY
Tobias Florian	BUSSMANN	GERMANY
Armin	BAUMANN	GERMANY
Jüri Albert	DAEWERITZ	GERMANY
Jochen Michael	DERRIK	GERMANY
Katharina Lilli	RINCK	GERMANY
Jörg	OCHSE	GERMANY
Wolfgang Bernhard	LEHNERT	GERMANY
Elisabeth Adele	GRAF VON SCHMETTAU	GERMANY
Heiko	SCHMITZ	GERMANY
Fritz	GOTHE	GERMANY
Renate Eleonore	BIRNSTIEL	GERMANY
Rainer Werner	HOLZAPFEL	GERMANY
Dagmar	KLEFFEL	GERMANY
Martin Ludwig	HOFMANN	GERMANY
Jaime Roberto	SCHMID	GERMANY
Kirsten Katrin	SPERBERG	GERMANY
Frank	MUELLER	GERMANY
Jan	AISCHMANN	GERMANY
Tanja	BUSCH	GERMANY
Gisela Emma Wilhelmine	HOLLSTEIN	GERMANY
Richard Arthur	GAUGGEL-ROBINSON	GERMANY
Michael Florian Hezilo	ZWEIG	GERMANY
David Christoph	JELONEK	GERMANY
Oliver	LOEW	GERMANY
Catrin Annelie	FRITZ	GERMANY
Friedhelm	COCH	GERMANY
Janine Elisabeth Monique	BALTES-MEYER ZU NATRUP	GERMANY
Edith Maria	HANSEN	GERMANY
Anna-Christina	MUELLER	GERMANY
Hildegard Maria	WINTERSTEIN	GERMANY
Wolfgang	SUEHLING	GERMANY
Kirsten Maria	MATTKE	GERMANY
Stefan	JOPPE	GERMANY
Monika	LESJAK	GERMANY
Sebastian Stefan	HENKE	GERMANY
Timm Albert	KNOKE	GERMANY
Claudia	BüCHNER	GERMANY
Matthias	IUDICA	GERMANY
Maria Mechthild	DORNFELDT	GERMANY
Dirk Daniel	HERKENHOFF	GERMANY
Julia	NEUMEISTER	GERMANY
Helmut Dirk Paul	WANNINGER	GERMANY
Robert Konrad	KLAWONN	GERMANY
Eleni	NEUMEIER	GERMANY
	IOANNOU	GREECE

Marianna	SKOPA	GREECE
Christos	CHRISTOGEORGAKIS	GREECE
Zoltán	SZEGEDI	HUNGARY
Réka	DR. DOMONKOS-GYÜGE	HUNGARY
Dávid	NAGY	HUNGARY
Kata	DR. SZEBELEDI	HUNGARY
Ferenc	KONTRA	HUNGARY
Zsófia	ELEK	HUNGARY
Audbjorg	HALLDORSDOTTIR	ICELAND
Gudmundur	FYLKISSON	ICELAND
Kevin	GROGAN	IRELAND
Ciara	GILVARRY	IRELAND
Marie	CROSS	IRELAND
Dominic	HANNIGAN	IRELAND
Kieran Andrew	DALTON	IRELAND
Brian	FAGAN	IRELAND
Finbar	O'SULLIVAN	IRELAND
Elizabeth	MULLAN	IRELAND
Itzhak	CARMEL KAGAN	ISRAEL
Guy Israel	GILADY	ISRAEL
Alessandro	GIONGO	ITALY
Pietro	RIZZI	ITALY
Cristiano	GENTILI	ITALY
Michele	NOVAGA	ITALY
Walter	CITTI	ITALY
Daniela	GRITTI	ITALY
Valeria	POZZESSERE	ITALY
Marie	GRUNERT	ITALY
Edoardo	DA ROS	ITALY
Ryosuke	UENO	JAPAN
Hidechika	NAKAMURA	JAPAN
Miki	TSUDA	JAPAN
Masaki	UMEBAYASHI	JAPAN
Shinkichi	FUJIMORI	JAPAN
Hiroyuki	URABE	JAPAN
Andrejs	KARPOVICS	LATVIA
Valts	VITUMS	LATVIA
Roberts	FEDOSEJEVS	LATVIA
Mindaugas	MECIUS	LITHUANIA
Mindaugas	SKACKAUSKAS	LITHUANIA
Giedrius	DRUKTEINIS	LITHUANIA
Edvard	VICKUN	LITHUANIA
Egle	MERKYTE	LITHUANIA
Andrius	VAIVADA	LITHUANIA
Gediminas	DAPKEVICIUS	LITHUANIA
Virginie	MULLER	LUXEMBOURG
Thomas Francois	SCHEIFER	LUXEMBOURG

Jennifer	DE NIJS	LUXEMBOURG
Charlotte	HELMINGER	LUXEMBOURG
Andrew James	HALLAN	LUXEMBOURG
Marie-Anne	BUSCHMANN	LUXEMBOURG
Jean-Paul	MULLER	LUXEMBOURG
Barry	VAN SOEST	NETHERLANDS
Rosa	OSKAM	NETHERLANDS
Alexander	OOSTERWIJK	NETHERLANDS
Adelheid	STEENMAN	NETHERLANDS
Arvid	KRECHTING	NETHERLANDS
Ton	HULS	NETHERLANDS
Peter	DE HAAN	NETHERLANDS
Bernardus	GROEN	NETHERLANDS
Cornelis	ROS	NETHERLANDS
Daan	EVERTS	NETHERLANDS
Max	BADER	NETHERLANDS
Marc	JANSEN	NETHERLANDS
Bartholomeus	STEENBERGEN	NETHERLANDS
Willem	VOORHUIJZEN	NETHERLANDS
Cornelis Jan	KOOIJMANS	NETHERLANDS
Wilma	THEUWS	NETHERLANDS
Maria Johanna	BERGERVOET	NETHERLANDS
Jacqueline Hubaine	MULDERS	NETHERLANDS
Maarten	HOREMAN	NETHERLANDS
Judith	LICHTENBERG	NETHERLANDS
Esther	VAN DEN HEUVEL	NETHERLANDS
M.A.E. Michiel	IRISH' STEPHENSON SR	NETHERLANDS
Antonius W.J.	TEUNISSEN	NETHERLANDS
Christina	VAN HOUT	NETHERLANDS
René	KERSTEN	NETHERLANDS
Øyvind	SEIM	NORWAY
Søren Sindre	MUNCH	NORWAY
Jan Hugo	HOLTAN	NORWAY
Hans Cato	HADDAL	NORWAY
Vidar	BIRKELAND	NORWAY
Hanne Thea Stenersrød	GAULEN	NORWAY
Arve	BØRSTAD	NORWAY
Øystein	WIJK	NORWAY
Guro Engstrøm	NILSEN	NORWAY
Ellen Johanne	SAMUELSEN	NORWAY
Jeremy Matthew	FRANKLIN	NORWAY
Oddvin	FORBORD	NORWAY
Yasir	IFTIKHAR	NORWAY
Leif Erik	BROCH	NORWAY
Arezo	BANAFSHEH	NORWAY
Thomas	HUG	NORWAY
Per	SVARTEFOSS	NORWAY

Kari	HESELBERG	NORWAY
Camilla	BOGNØ	NORWAY
Birgit Engesaeter	MADSLIEN	NORWAY
Stine	MUNTER	NORWAY
Even Arvid	ARONSEN	NORWAY
Carl Emil	PETERSEN	NORWAY
Bjørn Tore	SALTVIK	NORWAY
Eldrid	RØINE	NORWAY
Trond Kierulf	BOTNEN	NORWAY
Marte	SKOGRUD	NORWAY
Tom	ROESETH	NORWAY
Berit Bachen	DAHLE	NORWAY
Jaroslav	DOMANSKI	POLAND
Annabelle	CHAPMAN	POLAND
Antoni	STRZEMIECZNY	POLAND
Pawel	KOST	POLAND
Adam	SZLAPKA	POLAND
Lukasz	GRABAN	POLAND
Marcin	STARZEWSKI	POLAND
Patryk	GOWIN	POLAND
Mariusz	PODGÓRSKI	POLAND
Aleksandra	JEDRYKA-TYMPALSKA	POLAND
Natalia	JAWORNICKA	POLAND
Joanna	KRUPADZIOROW	POLAND
Beata	KUBEL	POLAND
Blazej Jan	PIASEK	POLAND
Laura	TREBEL-GNIAZDOWSKA	POLAND
Aleksandra	SYNOWIEC	POLAND
Marika	STASZOWSKA	POLAND
Cezary	SZCZEPANIUK	POLAND
Stefan	HEJNOWICZ	POLAND
Maciej	NOWAK	POLAND
Karolina	MAZURCZAK	POLAND
Sebastian	BARKOWSKI	POLAND
Katarzyna	CHIMIAK	POLAND
Emilia	JASIUK	POLAND
Maciej	JAKUBIK	POLAND
Anna	ZAMEJC	POLAND
Tomasz	ZAGORSKI	POLAND
Grzegorz	DEMEL	POLAND
Jan	OSINSKI	POLAND
Marcin	SKUBISZEWSKI	POLAND
Artur	GROSSMAN	POLAND
Elzbieta	BEZIUK	POLAND
Aleksander	WARWARSKI	POLAND
Adam	BEDKOWSKI	POLAND
Katarzyna	MATERKOWSKA	POLAND
Anna	DEM CZUR	POLAND

Maciej	STADEJEK	POLAND
Ewa	SALKIEWICZ-MUNNERLYN	POLAND
Miriam	CIAS	POLAND
Michal	SZACHMAT	POLAND
Paulina	LUKAWSKA	POLAND
Michal	GIERGON	POLAND
Mariusz	PIOTROWSKI	POLAND
Ksenia	KANIEWSKA	POLAND
Cezar	HERMA	POLAND
Marta	FALKOWSKA	POLAND
Rafal	MARCINKOWSKI	POLAND
Jan	GEBERT	POLAND
Pawel	CHARKIEWICZ	POLAND
Hanna	WOLASIEWICZ	POLAND
Szymon	HARASIM	POLAND
Izabella	MIER-JEDRZEJOWICZ	POLAND
Filip	JASINSKI	POLAND
Marta	KUZELEWSKA	POLAND
Maria Teresa	ARTILHEIRO FERREIRA	PORTUGAL
Nuno Alexandre	ALVES MARQUES	PORTUGAL
Rui Guilherme	LOURENCO LOPES PEREIRA	PORTUGAL
Cristian	MIHAILESCU	ROMANIA
Emilia-Raluca	ROSOGA	ROMANIA
Petre Tudor	GUSET	ROMANIA
Claudiu Adrian	GRIGORAS	ROMANIA
Raluca Elena	RADUCEA	ROMANIA
Natalia	DRAGAN	ROMANIA
Andrey	GAVRILIEV	RUSSIAN FEDERATION
Konstantin	OSIPOV	RUSSIAN FEDERATION
Oleg	KOZLOV	RUSSIAN FEDERATION
Elena	KISELEVA	RUSSIAN FEDERATION
Pavel	PANFILOV	RUSSIAN FEDERATION
Maxim	KHOLZAKOV	RUSSIAN FEDERATION
Svyatoslav	TERENTYEV	RUSSIAN FEDERATION
Stepan	TAPANAN	RUSSIAN FEDERATION
Sergey	BABURKIN	RUSSIAN FEDERATION
Sergei	ERMAKOV	RUSSIAN FEDERATION
Vsevolod	PEREVOZCHIKOV	RUSSIAN FEDERATION
Viktoriiia	ZABYIVOROTA	RUSSIAN FEDERATION
Boris	DIAKONOV	RUSSIAN FEDERATION
Alexey	SAZHINOV	RUSSIAN FEDERATION
Stanislav	CHERNYAVSKIY	RUSSIAN FEDERATION
Enver	AKHMEDOV	RUSSIAN FEDERATION
Evgeny	KOZHOKIN	RUSSIAN FEDERATION
Lev	TARSKIKH	RUSSIAN FEDERATION
Aleksandra	RADOSAVLJEVIC	SERBIA
Ivanka	STAMENKOVIC	SERBIA

Barbara	AVDALOVIC	SERBIA
Zdenek	ROZHOLD	SLOVAKIA
Monika	KOISOVA	SLOVAKIA
Juraj	PAVLOVIC	SLOVAKIA
Simona	CHYTILOVA	SLOVAKIA
Barbara	BUDISOVA	SLOVAKIA
Matúš	KORBA	SLOVAKIA
Juraj	PETRUSKA	SLOVAKIA
Marko	LOGAR	SLOVENIA
Borut	ZUNIC	SLOVENIA
Uros	RUSTJA	SLOVENIA
Miha	FATUR	SLOVENIA
Barbara	SBROGIO BOLADO	SPAIN
Elena	ESTEBAN OLEAGA	SPAIN
Carlos	MARTINEZ DE BANOS CARRILLO	SPAIN
Pedro	VICENTE MARTÍNEZ	SPAIN
Elena	RODRIGUEZ ESPINAR GARCIA	SPAIN
Rafael	SOTO RUEDA	SPAIN
David	CORRAL FERNANDEZ	SPAIN
Mikel	IRISO IVCHENKO	SPAIN
Guzman	GARCIA RODRIGUEZ	SPAIN
Pablo	MERA ESTRADA	SPAIN
Isabel	MENCHON LOPEZ	SPAIN
Milagros	CRESPO CASADO	SPAIN
Bárbara	GONZÁLEZ DEL RÍO	SPAIN
Xavier	LLOPIS PLASENCIA	SPAIN
Marko	WRAMEN	SWEDEN
Per	NYMAN	SWEDEN
Mats	EKHOLM	SWEDEN
Björn-Erik	LUNDQVIST	SWEDEN
Per	NILSSON	SWEDEN
Malin	HASSELSKOG	SWEDEN
Bengt	ALMQVIST	SWEDEN
Per G	WIJK	SWEDEN
Leif	NIORD	SWEDEN
Cecilia	TUVESSON	SWEDEN
Cecilia	HOGLUND	SWEDEN
Lennart	HAGGREN	SWEDEN
Robert	HALL	SWEDEN
Hans	NAERESKOG	SWEDEN
Stellan	BACKLUND	SWEDEN
Simon	BUESCHI	SWITZERLAND
Andrea	ANASTASI	SWITZERLAND
Heinz	BACHMANN	SWITZERLAND
Paul Henri	BISCHOFF	SWITZERLAND
Maria Emilia	ARIOLI	SWITZERLAND
Martin Paul	MINDER	SWITZERLAND

Michele	CALASTRI	SWITZERLAND
Christine	BEGUELIN SARGENTI	SWITZERLAND
Marie Christelle	MELLY	SWITZERLAND
Lorenzo	AMBERG	SWITZERLAND
Fabrizio	COMANDINI	SWITZERLAND
Evelin	HUTSON-HARTMANN	SWITZERLAND
Bernhard	ALBRECHT	SWITZERLAND
Shumit	CHANDA	SWITZERLAND
Michele	ANDREOLI	SWITZERLAND
Annina	SCHNEIDER	SWITZERLAND
Pia	GIANINAZZI	SWITZERLAND
Peter	EGLOFF	SWITZERLAND
Pinar	ATIK	TURKEY
Mesut Hakki	CASIN	TURKEY
Levent	BASTURK	TURKEY
Catherine	PIDCOCK	UNITED KINGDOM
Mary Elizabeth	BROOKSBANK	UNITED KINGDOM
Rodger	LAWRENCE	UNITED KINGDOM
Russell	CRANE	UNITED KINGDOM
David	KIDGER	UNITED KINGDOM
Joseph	WORRALL	UNITED KINGDOM
Charles	LONSDALE	UNITED KINGDOM
Anne	JARRETT	UNITED KINGDOM
Benjamin	JOHNSON	UNITED KINGDOM
Michael	HINDLEY	UNITED KINGDOM
Christine	WARD	UNITED KINGDOM
Magnus	SMIDAK	UNITED KINGDOM
Bernard	QUOROLL	UNITED KINGDOM
Howard	KNIGHT	UNITED KINGDOM
Kazi Abdul Kalam Muhammed	ALI	UNITED KINGDOM
David	HAINSWORTH	UNITED KINGDOM
Charles	SHOEBRIDGE	UNITED KINGDOM
Sandra	KHADHOURI	UNITED KINGDOM
Yuan	HUTTON - POTTS	UNITED KINGDOM
Frederick (Nigel)	SUMMERS	UNITED KINGDOM
Helen	DUNCAN	UNITED KINGDOM
John	BARBER	UNITED KINGDOM
Janet Frederica	GUNN	UNITED KINGDOM
Maureen	TAYLOR	UNITED KINGDOM
Dominic	HOWELL	UNITED KINGDOM
Teressa	ETIM-GORST	UNITED KINGDOM
Fiona Diana	ANDERSON	UNITED KINGDOM
Richard	SHELLEY	UNITED KINGDOM
Valerie	KAYE	UNITED KINGDOM
Richard	LAX	UNITED KINGDOM
Matthew	WRIGLEY	UNITED KINGDOM
Clive	PAYNE	UNITED KINGDOM

John	BEYER	UNITED KINGDOM
Alan	CAUGHEY	UNITED KINGDOM
Melanie	LEATHERS	UNITED KINGDOM
Allen	MUTONI	UNITED KINGDOM
Susan	TRINDER	UNITED KINGDOM
David	TAYLOR	UNITED KINGDOM
Peter Norman	HURRELL	UNITED KINGDOM
Christopher Roderick	BAILEY	UNITED KINGDOM
Alison	WILMSHURST	UNITED KINGDOM
Philip	WHEELER	UNITED KINGDOM
Charles	FITZHERBERT	UNITED KINGDOM
Jamie	SCUDDER	UNITED KINGDOM
Megan Rosemary	BICK	UNITED KINGDOM
Valerie	SOLOMON	UNITED KINGDOM
John	MILLS	UNITED KINGDOM
Sarah Emily	FRADGLEY	UNITED KINGDOM
Keith Lander	BEST	UNITED KINGDOM
Anthony Campbell	CROMBIE	UNITED KINGDOM
Brian	GIFFORD	UNITED KINGDOM
Alan	LLOYD	UNITED KINGDOM
Jan	LASOCKI	UNITED KINGDOM
Christoper	CUNINGHAME	UNITED KINGDOM
Matthew	FREAR	UNITED KINGDOM
Kenrick	GHOSH	UNITED KINGDOM
Charles Anselm	BENNETT	UNITED KINGDOM
Frederick Julian	FAWN	UNITED KINGDOM
Shahnaz	AHMED	UNITED KINGDOM
Sandra	GALE	UNITED KINGDOM
Chris	TAYLOR	UNITED KINGDOM
Tak-Hui	CHOW	UNITED KINGDOM
Rachel	QUILLEN	UNITED KINGDOM
David	COOK	UNITED STATES
Joseph	RUDOLPH JR.	UNITED STATES
Paul	BINKLEY	UNITED STATES
Scott	PAUL	UNITED STATES
Jonathan	WOLFINGTON	UNITED STATES
James	BERK	UNITED STATES
Peter	VAN HAREN	UNITED STATES
Yaropolk	KULCHYCKYJ	UNITED STATES
Mark	DILLEN	UNITED STATES
Sherry	MURPHY	UNITED STATES
Steven	SAUM	UNITED STATES
Colleen	TRAUGHBER	UNITED STATES
Shane	AUSTIN	UNITED STATES
Alexander	NICHOLAS	UNITED STATES
Nida	GELAZIS	UNITED STATES
Karl	RAHDER	UNITED STATES

Thambydurai (Kumar)	MUTHUKUMARASWAMY	UNITED STATES
Michael	MOZUR	UNITED STATES
Elaine	GINNOLD	UNITED STATES
Steven	SHAPIRO	UNITED STATES
Elia	VARELA SERRA	UNITED STATES
Debra	EISENMAN	UNITED STATES
Stefan	COMAN	UNITED STATES
Kathryn	MCLAUGHLIN	UNITED STATES
Joseph	MEYER	UNITED STATES
Barbara	COCKRELL	UNITED STATES
James	TRUM	UNITED STATES
David	BERNHEISEL	UNITED STATES
Robert	GARDNER	UNITED STATES
Robin	LUDWIG	UNITED STATES
Augusta	FEATHERSTON	UNITED STATES
Deborah	ALEXANDER	UNITED STATES
Rodney	LEFHOLZ	UNITED STATES
Evelyn	LENNON	UNITED STATES
Carolyn	HAMMER	UNITED STATES
Emily	ROME	UNITED STATES
Sabine	FREIZER GUNES	UNITED STATES
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Stefan	KRAUSE	GERMANY	
Kerstin	DOKTER	GERMANY	
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Tana	DE ZULUETA	ITALY	Head of Mission
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Pawel Krzysztof	JURCZAK	POLAND	
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Jelena	STEFANOVIĆ	SERBIA	
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Christopher	YONKE	CANADA
Lara	ZALUSKI	CANADA
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Petr	BASE	CZECH REPUBLIC
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Kirsten	JOERGENSEN	DENMARK
Karen Benedikte	SKIPPER	DENMARK
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Pekka	NUUTINEN	FINLAND
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Gent	RAMADANI	NORWAY
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ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 130 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).