



FOR IMMEDIATE RELEASE

November 2, 2010

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**NDI SEES DETERIORATION IN UKRAINE'S ELECTION ENVIRONMENT
AND URGES IMPROVEMENTS**

KYIV – The environment surrounding Ukraine's Oct. 31 local elections has deteriorated compared to the situation during the presidential election earlier this year, the National Democratic Institute (NDI) said today.

NDI's concerns are based on its ongoing assessment of the election environment. NDI shares the concerns of credible observers such as Opora, the largest independent election monitoring organization in Ukraine. Opora observers highlighted an atmosphere of mistrust and said the new local election law fostered confusion.

As Opora outlined in its extensive long-term observation reports, legislative and political issues – and particularly interference by state authorities – have had a negative impact on public confidence in Ukraine's electoral process. Opora also noted that the voters' lists have improved since the presidential election.

Legal Framework: A new local election law with significant flaws was rushed into service in July. Some favorable amendments were made in August in response to domestic and international concerns, but serious problems related to timing and content remained, which combined with a shortened campaign period to foster confusion, NDI said. Most notably, the law resulted in the creation of election commissions in which the parties of the ruling coalition had a large, disproportionate representation and leadership roles, fueling doubts about their ability to administer the elections impartially.

State Interference in the Elections: Opora and other observers reported incidences in which: law enforcement and security authorities pressured candidates not to run and observers not to monitor; election officials barred or removed candidates from the ballot and refused accreditation to credible citizen observers on spurious grounds; and prospective voters were subjected to intimidation and bribery. Further, there is little evidence to date that the authorities have conducted rigorous inquiries into complaints of

such violations, NDI said, noting that a climate characterized by such claims can undermine voters' confidence that their political rights will be respected.

These elections were seen as a test of the new administration's commitment to democratic reforms, the Institute continued. President Viktor Yanukovich pledged repeatedly and forthrightly that the elections would be democratic, abuses of state resources and violations of the law would not be tolerated, and state authorities would be held accountable for conducting a fair and transparent process. These are commendable goals that, while not realized in the local elections, provide a foundation for future improvements, the Institute continued. In addition, representatives of the government and ruling party have expressed interest in revising Ukraine's election laws and introducing a unified electoral code.

NDI therefore urges that:

- Any electoral law revisions should ensure partisan balance in the composition and leadership of election commissions at all levels and provide an adequate timeframe for administrators and observers to prepare, parties and candidates to campaign, and voters to inform themselves. All revisions should be conducted through a process that is participatory, transparent and deliberative, with the aim of rebuilding public confidence in the Ukrainian electoral system. Only a process that allows for meaningful input from the full spectrum of Ukrainian political parties, as well as civil society organizations, will be successful.
- The president's statements calling for strict adherence to electoral laws and democratic norms should be scrupulously followed for all future elections. Employees of the government must refrain from interfering in the elections, influencing the courts or exercising administrative pressure. All candidates must be accorded equal access to the ballot and equal rights to campaign without interference. Individuals responsible for violating laws or infringing voters' rights should be prosecuted to the full extent of the law. A mechanism for publicly tracking complaints and their resolution should be established.

From Oct. 28-Nov. 2, NDI participated in a joint expert mission to the Oct. 31 elections. That mission plans to issue its findings in the coming weeks. NDI's ongoing assessment of Ukraine's local election process has also included analysis of the legal framework, which was issued jointly with the International Republican Institute (IRI), and a pre-election assessment issued jointly by NDI and the International Foundation for Electoral Systems (IFES). These efforts were supported by the U.S. Agency for International Development (USAID).

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The National Democratic Institute is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government. More information is available at www.ndi.org.