

2006 Local Elections in Ukraine

PRELIMINARY STATEMENT ON FINDINGS OF THE ENEMO OBSERVATION MISSION 2006 LOCAL ELECTIONS IN POLTAVA, KIROVOGRAD AND CHERNIHIV

The European Network of Election Monitoring Organizations (ENEMO) observed the November 26th mayoral elections in Poltava, Chernihiv and Kirovograd. The purpose of the mission was to assess whether the election processes complied with democratic election principles. ENEMO is a coalition of 19 leading civic organizations from Central and Eastern Europe and Central Asia. For this international observation mission, ENEMO deployed 3 long-term observers, fourteen mobile teams, and ENEMO Mission staff. These members were divided amongst the three cities.

“In Poltava and Chernihiv, the overall election process, including Election Day, was orderly and without serious violations. In Kirovograd, ENEMO observers reported widespread confusion among voters. This was caused by a situation concerning the deregistration of one of the major candidates which occurred on the eve of the election. This caused confusion in the PECs and among voters and calls into question whether this election adhered to democratic principles,” stated Marko Dosljak, Head of the ENEMO Observation Mission. “ENEMO observed all 4 mayoral elections this November and only in Kirovograd did the elections prove problematic.”

The ENEMO mission was composed of election observers from eleven countries including Azerbaijan, Albania, Armenia, Montenegro, Georgia, Russia, Kazakhstan, Croatia, Romania, Serbia and Slovakia. Four mobile teams were deployed in Poltava, 5 mobile teams in Chernihiv and 5 mobile teams in Kirovograd. The teams visited between 40%-50% of the total number of polling stations (Kirovograd 58/117, Poltava 46/134, Chernihiv 50/111) as well as observed the work of the District and City Election Commissions.

ENEMO observers assessed the opening procedures as good or very good in 95 % of the 14 polling stations they visited and stated that the precinct set-up was adequate or acceptable. In Kirovograd, observers noticed late openings in 3 of 7 polling stations visited during the morning.

ENEMO observers visited 154 polling stations during the voting process and assessed the procedures as good or very good in 96% of the polling stations visited. The most noticed irregularity was missing information posters on voting procedures in the precincts. This occurred in 18% of polling stations observed in Poltava. This was also a problem in Chernihiv and Kirovograd, although to a lesser degree. In addition, there were a few irregularities concerning the improper sealing of ballot boxes (3%), presence of unauthorized persons (3 polling stations), and 2 cases of campaign posters that were posted near polling stations. Violations of mobile voting procedures relating to insufficient documentation were reported in 10% of the polling stations in Kirovograd.

The quality of voter lists remains a serious problem. Voter list problems were reported in all three cities, although less problems were reported in Chernihiv than in Poltava and Kirovograd. Most of the observed irregularities concerning the voter lists occurred in polling stations with more than 2000 voters on the voter list.

However, ENEMO observers noted that the above mentioned violations and irregularities have not affected the overall outcome of elections. The election process in Kirovograd was negatively affected by the controversy over the decision of the District Election Commission to cancel registration of one of the major candidates, Aleksander Nikulin. The circumstances of the decision and the lack of transparency around this decision by electoral authorities on the night before the elections caused confusion among election commissions and voters on the status of this candidate and cast serious doubts over the lawfulness and regularity of the process.

RECOMMENDATIONS

- The election legislation should define a reasonable deadline for the withdrawal and removal of candidates from ballots and define precisely the process by which a candidate can appeal the court decisions.
- The voter lists should be regularly updated in a systematic way in cooperation with central authorities.
- In order to avoid procedural irregularities which occur in polling stations with more than 2000 voters per precinct, the maximum number of voters in each precinct should not exceed 2000.
- The local election law should be brought into line with all other election laws in Ukraine. In particular, nonpartisan domestic observers should be allowed to monitor local elections.

The ENEMO observation preliminary report is based on observations of the Mission Team members, long-term observers and short-term observers' findings compared to international standards and national election legislation. The mission emphasizes that this preliminary report does not render a final assessment of the entire election process. ENEMO will defer its final assessment until the end of the vote count, announcement of the results and the potential complaints have been addressed.