



# UKRAINE 2014 PRESIDENTIAL ELECTION **OBSERVATION MISSION**

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CANEOM FINAL REPORT



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## Foreword

Since its independence in 1991, Ukraine has been on a path of transition towards democracy despite setbacks in governance and institution building. The events of the last months have once again demonstrated the Ukrainian peoples' yearning for freedom and peace. In November 2013, what began as peaceful protests against the administration of President Viktor Yanukovich's decision not to sign the Association Agreement with the European Union culminated in brutal state violence which led to deaths by the Yanukovich regime against its own people.

The Government of Canada fielded this independent Canadian Election observation mission at the request of the Government of Ukraine. As Heads of the CANEOM election observer mission, we had the honour of attending the memorial for the "Heavens' Hundreds" (Небесна Сотня) in Kyiv – a place of remembrance of all those who gave their lives in the struggle for freedom and democracy that gripped Ukraine in the last months. The *Euromaidan* – the "European Movement" of protests that began in November 2013 – was the latest iteration of this struggle, which has been ongoing for centuries.

The Ukrainian peoples' commitment to freedom now faces an outside threat. The Russian Federation has illegally invaded sovereign Ukrainian territory in the Autonomous Republic of Crimea, and appears to be continuing to foment and support extremist violence in the eastern Ukrainian oblasts of Donetsk and Luhansk. This violence has led to the deaths of several hundred people.

It was in this climate of both great hope for the future and great challenges facing the country that the Early Presidential Election of May 25 took place. Notwithstanding the troubling violence in Luhansk and Donetsk regions, and the illegal occupation of sovereign Ukrainian territory in Crimea, our conclusion is that the May 25 Presidential Election was a genuine reflection of the will of the Ukrainian people. The fact that all candidates duly accepted the results of the election further attests to the integrity and validity of the results.

Despite these external challenges, the people of Ukraine overcame the adversity and the Government of Ukraine is to be commended for ensuring a free and fair vote and providing additional security for the voting process.

It is the Ukrainian people who deserve the credit for ensuring that the election took place, and for ensuring that the result reflected their will. Hundreds of thousands of Ukrainian citizens worked in the election administration, often in difficult and trying circumstances. CANEOM observers noted the commitment of these people to the democratic process, as well as their civic pride and sense of duty. The Central Election Commission rose to the challenge of holding the pre-term Presidential Election under the pressure of a condensed schedule.

We express our gratitude to the CANEOM observers, who carried out their duties commendably and professionally. A total of 150 long-term and short-term election observers were recruited, selected and successfully and safely deployed throughout Ukraine. Canadians dedicated their time and their efforts to help ensure that the voice of the Ukrainian people was heard and is reflected in the election's results.

Whilst previous missions were concerned with monitoring election day voting, campaign and pre election activity, this election observation mission had the added dimension of the security challenge prevalent throughout the entire election process. The observers were placed in a challenging and difficult environment. We thank

the CANEOM observers for their dedication to observe, record and report under this heightened security risk. They deserve both our respect and admiration for their commitment. We thank those who served on the management team of the mission, who ensured a successful and efficient deployment of a large number of people. We express our appreciation to the many locally-engaged staff who worked with our mission. Their hard work was crucial to our success.

We also wish to thank the Government of Ukraine, the Central Election Commission of Ukraine, and many state institutions for their support and cooperation. CANEOM observers met with interlocutors from candidates' campaigns, local government institutions, civil society organizations, news media organizations, domestic election observer groups and other international observers during their work in Ukraine.

Canada has been one of Ukraine's most steadfast allies since its independence, and the Government of Canada has taken a leadership role in the international community in supporting Ukraine's independence and territorial integrity in the face of aggression by the Russian Federation. In light of the threat to the territorial integrity of Ukraine, this mission took on even greater significance.

On behalf of the mission we appreciate the leadership of Prime Minister Harper in supporting Ukrainians by sponsoring this mission. We also acknowledge Minister Baird and Minister Paradis for their strong support of the Canadian bilateral mission and lending the operational assistance of the Canadian Foreign Ministry. Many people in Ukraine expressed to us the importance of, and their appreciation for, this support.

Finally, we wish to state that the May 25 Presidential Election in Ukraine was an inspiring and moving example of the perseverance of the spirit of the Ukrainian people. They deserve our continued support. It is evident that the people of Ukraine are taking great strides in the pursuit of a true democracy. Much has been accomplished, at no small cost. Much work must still be done, and we are certain that the people of Canada will continue to be friends and allies on whom the people of Ukraine can rely.

It is with gratitude and pride that we present this report – the Final Report of the CANEOM election observation mission – Ukraine 2014 Early Presidential Election.

Sincerely,



Senator Raynell Andreychuk  
Head of Mission



Mike Harris  
Former Premier of Ontario  
Head of Mission

## Executive Summary

- At the request of the Government of Ukraine, the Government of Canada fielded an independent, bilateral mission of election observers for the 2014 Early Presidential Election in Ukraine.
- Ukraine's presidential elections are held in a single, nationwide constituency. In order to be elected president, a candidate must win a majority of votes cast. If no single candidate wins a majority of votes, a run-off second round is held between the two candidates who received the most votes.
- The Canadian Election Observation Mission (CANEOM) to the 2014 Early Presidential Election in Ukraine was led by Senator Raynell Andreychuk and former Ontario Premier Mike Harris.
- CANEOM subscribes to the Declaration of Principles for International Election Observers and Code of Conduct for International Election Observers that was honoured at the United Nations on October 27, 2005, and endorsed by 42 intergovernmental and international organizations.
- Thirty-five long-term observers (LTOs) arrived in Ukraine on May 6, joining a seven-member core team that arrived in late-April. A further 104 short-term observers (STOs) arrived in Ukraine on May 19. CANEOM deployed teams of observers in 23 oblasts of Ukraine and Kyiv city.
- The Early Presidential Election was held, and in the overwhelming majority of Ukrainian territory met international democratic standards for free and fair elections.
- Notwithstanding the troubling violence in Luhansk and Donetsk oblasts, and the illegal annexation of sovereign Ukrainian territory in Crimea by the Russian Federation, the election was a clear and unambiguous reflection of the democratic will of the Ukrainian people.
- The Early Presidential Election in Ukraine took place in every region of the country except occupied Crimea.
- The illegal occupation and annexation of the Autonomous Republic of Crimea by the Russian Federation in effect disenfranchised over 1.5 million Ukrainian citizens and deprived them of the right to vote for their President.
- Excepting Donetsk and Luhansk oblasts, where the violent actions of militants and unwarranted intrusions and destabilization by the Russian Federation disturbed both the campaign and the administration of the election, the overall campaign was relatively calm and free of violations.
- The disenfranchisement of voters in Donetsk and Luhansk oblasts, as well as citizens of Ukraine living in the occupied territory of the Autonomous Republic of Crimea, was not the result of actions taken by Ukraine's governing authorities, nor its election administration. Rather, the disenfranchisement of voters in these regions of Ukraine was the result of illegal invasion, intimidation causing fear, and annexation by a foreign power, or violence caused by armed militants acting outside the boundaries of law.
- The electoral and legal framework underwent several amendments over the course of the election period to strengthen its compliance with international standards and democratic principles. These changes balanced the protection of voting rights and the integrity of voting processes in a difficult security environment.

- In general, the Central Election Commission (CEC) organized the Early Presidential Election in a professional, non-partisan manner, and within prescribed legal deadlines despite a condensed election timeframe and disruptive actions by militant groups in some parts of the country. Where the commissions were operational, district and precinct election commissions were observed to fulfill their legal responsibilities. The most frequently cited challenge that they conveyed related to turnover of commissioners in the District Election Commissions (DECs) and in the polling stations, commonly referred to as Precinct Election Commissions (PECs), which was attributed to insufficient and geographically uneven nominations by presidential candidates and low compensation for heavy workloads. Improvements to the quality, scope and accessibility of PEC training nonetheless mitigated risks of commissioner inexperience.
- Attempts by militant groups to sabotage the Early Presidential Election in Luhansk and Donetsk Oblasts either slowed or blocked the formation of DECs and PECs, the transfer of voter lists and other procedures in those oblasts. Alleged violations reported to have occurred in these oblasts by militant groups prior to election day included threats, physical assaults of DEC commissioners, destruction of DEC materials, and shutdowns of DEC premises. The CANEOM Mission visited several PEC premises that had been shut down by armed militants in the Donetsk Oblast. The Mission condemns the use of violence and intimidation by these militant groups, which violated basic democratic and human rights. The Mission further underlines that these actions and their consequences were not representative of election processes conducted in the vast majority of the territory of Ukraine.
- The pre-election period as observed by CANEOM observers was largely free of violations, and observers noted a low number of complaints in the election process.
- The misuse of administrative resources was almost completely absent from the election process.
- Except in the Autonomous Republic of Crimea, where voting did not take place due to the continued illegal occupation of sovereign Ukrainian territory by the Russian Federation, and Donetsk and Luhansk oblasts, where the violent actions of militants significantly disrupted voting and disenfranchised many citizens, CANEOM observed a calm, orderly and transparent opening process, voting process and close and count in the vast majority of cases.
- Delays were caused in tabulation of results by a breakdown of the CEC computer network server, but did not have a material impact on the final tabulation of results.
- The two largest domestic groups taking part in the observation of the 2014 Early Presidential Election were the Committee of Voters of Ukraine (CVU) and the OPORA civil network. CANEOM observers had extensive contact and interaction with both groups in the regions of Ukraine, and consistently noted their professionalism, impartiality and effectiveness in observing the election process.

## CONCLUSION

The Early Presidential Election was held and, on the overwhelming majority of Ukrainian territory, met international democratic standards. Notwithstanding the troubling violence in Luhansk and Donetsk, and the illegal annexation of sovereign Ukrainian territory in Crimea, the election was a clear and unambiguous reflection of the democratic will of the Ukrainian people. CANEOM observers noted the improvements in the electoral law, a generally level playing field for all contestants, the general absence of abuse of administrative resources and relative lack of electoral violations. These achievements, combined with the inspiring commitment of the Ukrainian people to exercise their franchise, lead CANEOM to conclude that this election not only met international democratic standards but has the potential to become a major milestone on Ukraine's long and difficult path to democracy.

## RECOMMENDATIONS

The CANEOM Mission makes the following recommendations:

### Election Administration

The transparency of CEC proceedings would be further strengthened if draft resolutions were posted for review on the CEC website before being adopted. The CEC is also encouraged to make further efforts to notify media, candidate representatives and observers about “preparatory” meetings at which election-related complaints are considered and resolutions are deliberated.

To consolidate training capacities that have been developed over recent elections and further standardize its approach and materials for training of DEC and PEC commissioners, CANEOM recommends the staffing and maintenance of a permanent training unit in the CEC. CANEOM encourages international donors and expert organizations to continue providing training assistance to Ukraine’s CEC.

Remuneration for election commissioners should be increased to reflect the importance, time commitment and skills involved in this work and to reduce dependence on candidates and political parties for supplementary income. Financial and material resources required to lease commission premises and conduct preparatory work should be provided immediately following the formation of DEC and PECs.

The CEC should coordinate with political parties to provide training to prospective election commissioners between election cycles. This would provide a pool of trained election workers that could be drawn upon by candidates or DEC to fill vacancies arising in commissions during elections.

CANEOM recommends that the CEC, in coordination with local state authorities, provide additional and sufficient resources to State Voter Register Maintenance Bodies where there tend to be high numbers of voters with registered residence in other districts, to ensure that applications for temporary changes of place of voting are processed in a timely manner.

The CEC should implement comprehensive voter information and public education campaigns. Amongst other topics, these should instruct voters on how to verify their information on the State Voter Register and inform voters about legislative amendments affecting election processes.

### Electoral Law

CANEOM reinforces long-standing recommendations by the Venice Commission of the European Union for electoral laws in Ukraine to be streamlined within a single code. This would ensure uniformity in procedures applied for presidential, parliamentary and local elections, facilitate training of election commissioners, strengthen public trust and understanding of election procedures, and reduce reliance on CEC resolutions to interpret ambiguities or inconsistencies across the legal framework as individual components are amended.

### Campaign Finance

Limits on campaign spending should be introduced in order to allow for a more balanced playing field in presidential campaigns.

Relevant legislation should be strengthened to allow for stronger penalties for non-compliance with regulations on submissions of financial reports as well as penalties for the late or incomplete filing of relevant reports.

Consideration should be given to reducing the maximum amount that an individual can donate to a campaign and to limiting the amount that candidates can spend from their own funds.



## Complaints and Appeals

Work should continue on strengthening the legislative framework to ensure that violations of electoral rights are effectively addressed, and to further simplify procedures for the filing of election-related complaints and appeals.

Provisions in the Law on Access to Judicial Decisions that prohibit naming subjects of election-related complaints should be abolished to enhance the transparency of the complaint and appeals process.

## Election Days

The needs of voters with reduced mobility should be considered in the selection and arrangement of polling station premises.

To reduce administrative burdens and expedite counting of ballots at PECs, consideration should be provided to the use of stamped photocopies rather than manually filled copies of PEC protocols.

The CEC should be prepared and equipped to communicate backup strategies to DEC in the event of breakdowns of computer hardware or cyber attacks on the Vybory analytics system. Additional efforts should also be undertaken to ensure that commissioners understand the rights of election observers to monitor entries of protocol results into the Vybory analytics system.

## Future Democratic Development

As part of future programming to support democratic development in Ukraine, CANEOM recommends that Canada:

Continue funding domestic civil society groups in order to build networks, continue to develop organizational capacity and implement ideas and influence government and key democratic actors not only at the national but also at the local levels. There should be a focus on expansion of civil society capacity, and support for transparency and accountability of government.

Ensure the provision of technical assistance to domestic observer groups by international trainers with a focus on long-term observation.

Continue to support bilateral observation missions. The utility of a bilateral mission is the promotion of independence and innovation within election observation missions. Arms length bilateral missions' offer an important source of independence in analysis and space to innovate in technology, adapting to reporting trends and realities rapidly, features otherwise not readily feasible for large, at times, compromise-driven multilateral missions.

Build upon Canada's institutional knowledge and skills in election monitoring through ongoing support of Canadian missions. This will provide an important reflection of Canada's commitment to democratic values, enable it to leverage its experience in democracy promotion and play a leading role in the international community.

Continue to promote citizen engagement through targeting youth and gender through civil society organizations including urban and rural as well as disengaged and marginalized youth.

Recommend Elections Canada investigate assistance for the Ukraine Central Election Commission on a technical level in the areas of disaggregation of voter information and voting lists.

Investigate aspects of election security in Ukraine in which Canada may assist. Issues such as roles and responsibilities, training and the rights of citizens should be explored.

# CHAPTER 1

## MISSION OBSERVATION STANDARDS

CANEOM assessed Ukraine's electoral process in accordance with international standards, commitments and obligations for genuine democratic elections, including the Copenhagen Declaration of 1990 of the Organization for Security and Co-operation in Europe (OSCE) and other international human rights obligations. These standards include: a fair legislative framework, universal and equal suffrage, impartial and transparent election administration, a level playing field for all contestants in the campaign, an election process that is free of pressure and coercion, an independent media, balanced media coverage, access to effective remedy for violation of electoral rights, a secret ballot, and a voting and counting process free of manipulation that accurately reflects voters' intent.

CANEOM subscribes to the Declaration of Principles for International Election Observers and Code of Conduct for International Election Observers that was honoured at the United Nations on October 27, 2005, and endorsed by 42 intergovernmental and international organizations. In all of our missions' activities, CANEOM pledges to adhere to domestic laws, and to respect the core election observation principles of impartiality and non-interference.

The scope of the mission included observation of the following components of the election:

- The function of election commissions
- Election campaigning
- Adherence to electoral law
- Media coverage
- Media freedom from undue influence
- Participation of domestic election observation organizations
- Election disputes and court cases
- Freedom from intimidation and violence
- Freedom from illegitimate vote influencing
- Observation of election day operations and processes
- Vote count, tabulation and transfer following the closing of polls

# CHAPTER 2

## ELECTION SYSTEM AND LEGAL FRAMEWORK

Ukraine uses a two-round countrywide district system for presidential elections. If no candidate achieves an absolute majority in the first round of voting, a run-off is held between the two candidates who received the highest number of votes. The President of Ukraine is elected for a five-year mandate.

The legal framework that governs presidential elections in Ukraine is comprised of the Ukrainian Constitution, Law on Election of the President of Ukraine, Law on the Central Election Commission (CEC) and Law on the State Voter Register, as well as provisions of the Code of Administrative Adjudication, the Code of Administrative Offenses, the Criminal Code, resolutions of the Central Election Commission, and the Law on Equal Opportunities for Women and Men which guarantees equal electoral and political rights.

In March 2014, the Verkhovna Rada amended several key components of this legislative framework. The Presidential Election Law was notably brought closer in line with the Parliamentary Elections Law, providing greater consistency and clarity to procedures for the revision of voter lists, ballot printing and delivery, voting, and tabulation of results. These procedures are now also articulated

for the second round of voting in presidential elections,<sup>1</sup> in contrast to the older law whose ambiguity resulted in court challenges of CEC resolutions and confusion at polling stations.<sup>2</sup>

The revised law also strengthened conditions for efficiency in the administration of presidential elections by permitting registered candidates to nominate only one instead of two members for each election commission<sup>3</sup> and prohibiting revisions to voter lists on election day.<sup>4</sup> The latter change stands to reduce administrative burdens as well as the susceptibility of voting processes to fraud by eliminating conditions that could allow for registration of the same voter at multiple polling stations.

The revised law also increased transparency of presidential elections by allowing for accreditation of observers from domestic non-governmental

organizations<sup>5</sup> and requiring online publication of resolutions adopted by election commissions at the national and district levels.<sup>6</sup>

International election and domestic civil society organizations assessed these amendments positively for addressing long-standing recommendations by the European Commission for Democracy through Law (Venice Commission), the OSCE/ODIHR and other election observation missions, including Canadian bilateral missions that observed the 2010 Ukraine Presidential Election and 2012 Ukraine Parliamentary Elections. These stakeholder groups also considered the adoption of changes to the electoral legal framework under condensed timelines appropriate.<sup>7</sup>

At the same time, international election and domestic civil society experts raised

1 Articles 15, 36-2, 85 and 89 of the Presidential Election Law.

2 *Final Report, Canadian Bilateral Observation Mission for the 2010 Ukraine Presidential Election*

3 Part 3 of Article 23 of the Presidential Election Law for district election commissions (DECs) and Part 2 of Article 24 for precinct election commissions (PECs).

4 Part 3 of Article 35 of the Presidential Election Law.

5 Part 5 of Article 12 of the Presidential Election Law.

6 Part 16 of Article 28 of the Presidential Election Law.

7 Reports of Canadian bilateral missions that observed the 2010 Ukraine Presidential Election and 2012 Ukraine Parliamentary Elections both recommended a moratorium on changes to the legal framework at least one year before elections, except in extraordinary circumstances where there is effective political and public consensus on the need for particular legislative amendments.

concerns about additional pressures being placed on the CEC to prepare district and precinct election commissioners under amended procedures and condensed timelines. They highlighted the importance of commissioner training, as well as public education campaigns to ensure confidence and full participation of voters following changes to election laws and procedures.

#### RECOMMENDATION:

CANEOM reinforces long-standing recommendations by the Venice Commission for electoral laws in Ukraine to be streamlined within a single code. This would ensure uniformity in procedures applied for presidential, parliamentary and local elections, facilitate training of election commissioners, strengthen public trust and understanding of election procedures, and reduce reliance on CEC resolutions to interpret ambiguities or inconsistencies across the legal framework as individual components are amended.

The electoral legal framework continued to be amended in the two months that preceded the Early Presidential Election in response to changes in the political and security environment and corresponding complications for preparations of the Early Presidential Election in eastern areas of the country.

On April 15, Ukraine's Parliament, the Verkhovna Rada, passed the Law on Ensuring the Rights and Freedoms of Citizens and the Legal Order on the Temporary Occupied Territory of Ukraine. It determined that the Early Presidential Election could not be held in the Autonomous Republic of Crimea (Districts 1-10) and the City of Sevastopol (Districts 224-225). It also set out procedures for voting by residents of those territories, as well as persons that became internally displaced following their illegal occupation by the Russian Federation.

On May 6, the Law on Presidential Elections was amended to reduce the minimum number of members required to form an election commission at the polling station level,<sup>8</sup> as a result of insufficient nominations from presidential candidates or their withdrawal from the election.<sup>9</sup> This allowed for a majority of precinct election commissions to form within legal deadlines<sup>10</sup> but did not create incentives to avert subsequent withdrawals of commission members that have long been observed to undermine the administration of elections in Ukraine.<sup>11</sup>

<sup>8</sup> Part 1 of Article 24 of the Presidential Election Law.

<sup>9</sup> CEC Resolutions № 460 and 461 cancelled the registration of presidential candidates Natalia Korolevska and Oleh Tsariov based on receipt of their written applications to withdraw before the legal deadline of May 2.

<sup>10</sup> As part of amendments to the Presidential Election Law on May 20, the Verkhovna Rada also entitled DEC to increase the number of PEC members to 18 persons if it helped facilitate the administration of Election Day procedures. This marked the third amendment in three months to address the size of precinct election commissions, which runs contrary to international standards.

<sup>11</sup> *Final Reports, Canadian Bilateral Observation Missions for the 2010 Ukraine Presidential Election and the 2012 Ukraine Parliamentary Elections.*





On May 15, the Verkhovna Rada enacted amendments to the Presidential Election Law that strengthened security measures to protect voters and the integrity of voting processes in response to seizures of administrative buildings, as well as intimidation and incidents of violence against election commissioners by militant groups in Donetsk and Luhansk oblasts.<sup>12</sup> These amendments strengthened the protection of district election commission premises and empowered the CEC to change their location to areas outside of their respective constituency. Under these amendments, the CEC could also request the Security Service of Ukraine to accompany the transportation of ballots and other materials between precinct and district election commissions. Further amendments to the Presidential Election Law on May 20 clarified that ballots would be considered unused and destroyed if they could not be transported between the CEC, district and precinct election commissions.<sup>13</sup>

Ukraine's revised Presidential Election Law generally strengthens foundations for conducting presidential elections in compliance with international standards and democratic principles. It was implemented as comprehensively and uniformly as allowed in the context of provocations and disruptions to election preparations by militant groups in certain areas. This legislation was otherwise complimented by frequent CEC resolutions that endeavored to balance protection of voting rights and secure access of voters to polling stations.

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<sup>12</sup> Amendments were made to part 4 of Article 19, part 1 of Article 39, part 1 of Article 81 and part 11 of Article 83 of the Presidential Election Law.

<sup>13</sup> Part 12 of Article 73 of the Presidential Election Law.

# CHAPTER 3

## POLITICAL BACKGROUND

The 2014 Early Presidential Election<sup>14</sup> in Ukraine took place against the backdrop of the deepest political crisis facing the country since its independence. Two strong forces are at play in Ukraine. One is the people of Ukraine, who are actively engaged in the long and difficult process of building a democratic, free society that benefits its citizens. The other is the Russian Federation, which has invaded and annexed sovereign Ukrainian territory in Crimea and is destabilizing the state and society, directly threatening the independence and territorial integrity of Ukraine.

What began in November 2013 as peaceful protests against President Viktor Yanukovich's refusal to sign an *Association Agreement and a Deep and Comprehensive Free Trade Agreement* with the European Union spiraled quickly into state-sanctioned action and subsequent violence against those protestors, which culminated on February 18-20 with government forces using deadly force against its own people – resulting in the deaths of some 100 individuals.

The violence wrought by the Yanukovich regime led to the abandonment of the President by the ruling majority in Parliament. Yanukovich fled Kyiv on February 21.

In accord with the Constitution, Parliament appointed Speaker Oleksandr Turchynov as acting president, and confirmed a new Cabinet of Ministers and Prime Minister on February 27. The Early Presidential Election was designated for May 25. Then, on February 28, movements of Russian Federation troops began in the Autonomous Republic of Crimea. A referendum was held in Crimea on March 16, with the presence of Russian armed forces, which was deemed illegitimate and illegal by an overwhelming majority of nation states. The Russian Federation illegally annexed Crimea.

The months of April and May saw rising violence in eastern oblasts, particularly Donetsk and Luhansk, where there was evidence of unwarranted and illegal intrusion of foreign actors in fomenting unrest, supported by local separatists, extremists and criminal elements.

Ukrainian military and law enforcement units continue an active anti-terrorist operation in Donetsk and Luhansk oblasts, which has had uneven successes. As of this writing, fighting between Ukrainian security forces and pro-Russian militants has become a daily occurrence in Donetsk and Luhansk oblasts.

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<sup>14</sup> Presidential elections were initially scheduled for 2015.

# CHAPTER 4

## ELECTION ADMINISTRATION

Presidential elections in Ukraine are administered at three levels. The Central Election Commission (CEC) is a permanent legal body that presides over the preparation and conduct of elections through the formation of District Election Commissions (DECs) which in turn establish Precinct Election Commissions (PECs) (commonly called polling stations in Canada). DECs are administrative bodies responsible for the formation, proper functioning and establishment of the voting results of PECs. Their members are appointed by the CEC on the nomination of registered presidential candidates or their representatives. On April 14, the CEC formed 213 out of 225 DECs. Twelve districts were excluded due to the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol.

The CEC made the decision to form only 213 DECs for the Early Presidential Election after determining that the election could not be administered on the territories of the Autonomous Republic of Crimea and the city of Sevastopol.

The CEC is composed of 15 members who are appointed for a seven-year term by Ukraine's Parliament on the nomination of its President. The CEC organized the Early Presidential Election in a

non-partisan manner, and within prescribed legal deadlines despite a shortened election timeframe and attempts by militant groups to sabotage election preparations in Donetsk and Luhansk oblasts.

Despite a shortened election timeline and the challenge of administering parallel local elections in numerous districts, the CEC adopted hundreds of resolutions in the three months that preceded the Early Presidential Election. These resolutions generally provided meaningful clarifications of legal provisions. This is a positive departure from the 2010 Presidential Election when CEC resolutions repeated – without clarifying – inconsistencies between individual provisions of the electoral legal framework.

In terms of transparency, the CEC held regular sessions attended by election observers, media and candidate representatives to adopt resolutions clarifying the application of electoral laws. It nonetheless deliberated on the content of these resolutions in unannounced preparatory meetings. Draft resolutions from these meetings were not published or distributed at regular sessions. This limited the ability of election stakeholders to monitor, let alone provide input on

the content of resolutions until after they were formally adopted and posted onto the CEC website, which occurred in a regular and timely manner as prescribed by law.

### RECOMMENDATION:

The transparency of CEC proceedings would be further strengthened if draft resolutions were posted for review on the CEC website before being adopted. The CEC is also encouraged to make further efforts to notify media, candidate representatives and observers about “preparatory” meetings at which election-related complaints are considered and resolutions are deliberated.

Relative to past presidential and parliamentary elections observed by Canadian bilateral missions, CANEOM noted improvements to the geographic scope and quality of training provided to DEC and PEC commissioners through the CEC. A “train the trainer” approach was used whereby DEC Chairs, Deputies and Secretaries were trained, equipped with manuals, pedagogical videos, and online materials, and assisted by regional coordinators in replicating training sessions for PEC commissioners in



their respective districts.<sup>15</sup> Internationally funded, multi-year technical assistance partnerships have allowed the CEC to build up its training capacities across multiple elections.

**RECOMMENDATION:**

To consolidate training capacities that have been developed over recent elections and further standardize its approach and materials for training of DEC and PEC commissioners, CANEOM recommends the staffing and maintenance of a permanent training unit in the CEC. CANEOM encourages international donors and expert organizations to continue providing training assistance to Ukraine's CEC.

Attempts by militant groups to sabotage the conduct of the Early Presidential Election in Luhansk and Donetsk oblasts initially slowed, and then increasingly blocked the formation of DEC and PECs, the transfer of preliminary voter lists and other procedures. Alleged violations of electoral and criminal laws reported to have occurred in these oblasts by militant groups included: threats, physical assaults and even kidnappings of commissioners, vandalism and destruction of election materials, and shutdowns of DEC and PEC premises. The CANEOM Mission visited several PEC premises that had been shut down by militants in Donetsk Oblast.<sup>16</sup> It also consulted with the CEC and relevant government ministries to inquire on their preparations to administer voting in these oblasts. The CANEOM Mission condemns the use of violence and intimidation by these groups, which violated basic democratic and human rights, but underlines that these actions and their consequences were not representative of election processes conducted on the overwhelming majority of the territory of Ukraine.

Where operational, DEC were observed to function adequately in terms of providing technical assistance and training to PECs, meeting prescribed legal deadlines for the transmission of preliminary voter lists and invitation cards, publishing decisions onto the CEC website<sup>17</sup>, and coordinating with local law enforcement bodies in preparation for elections.<sup>18</sup>

The most frequently cited challenge conveyed to CANEOM observers by DEC Chairs, Deputy-Chairs and Secretaries related to the replacement or recruitment of DEC and PEC commissioners. As of May 21, the CEC adopted 22 resolutions to replace more than 1,800 DEC commissioners. This turnover was not specific to oblasts experiencing political and security tensions, but was spread evenly across the country. Many DEC members attributed this turnover to insufficient compensation

15 The CEC partnered with the International Foundation for Electoral Systems (IFES) in training DEC Chairs, Deputies and Secretaries to train PEC commissioners in each election district. This involved: 119 trainings for DEC commissioners, 216 trainings for PEC commissioners conducted by DEC members and regional training coordinators, and 211 trainings for PEC commissioners conducted by DEC members. The CEC also collaborated with IFES to produce video tutorials on election procedures and with OSCE/ODIHR to produce training manuals and online modules for DEC and PEC members.

16 CANEOM observers confirmed the presence of armed militant groups and that some DEC and PECs were not operational in Krasnogorovka (PECs 140711, 140317) Mariinka (PECs 140309, 140310) and Donetsk City (DECs 42, 43) in the Donetsk oblast.

17 As of May 20, the CEC website contained more than 2000 decisions received from 213 DEC. This represents a significant improvement from the 2012 Ukraine Parliamentary Elections when the legal responsibility DEC to publish decisions on the CEC website was not observed to have been adequately fulfilled by the Canadian bilateral mission.

18 Without exception and despite burdensome work schedules, DEC commissioners were also reported to accommodate questions from CANEOM observers and invite them to trainings and meetings.



for heavy workloads and corresponding legal responsibilities. The impracticality of having DEC commissioners who resided in other districts travel long distances for DEC meetings was also mentioned as a common cause of their resignation.

PECs experienced a similar challenge albeit for different reasons, and with even greater consequences. By the deadline for their formation, nominations for PEC commissioners were not received in sufficient or evenly distributed numbers from presidential candidates to meet minimal legal requirements in numerous election precincts.<sup>19</sup> This required the Verkhovna Rada to amend the Presidential Election Law and reduce the minimum size of PECs from 12 to 9 commissioners.<sup>20</sup> DEC did not receive subsequent guidance from the CEC on how to fill these positions, which were also subject to high turnover rates. This generally proved difficult for DEC executives who were often required to rely on their own network of contacts or those of remaining PEC members to fill commission vacancies.<sup>21</sup> Interlocutors again attributed this turnover to low rates of state remuneration and incentives for candidates to supplement this income in a non-competitive presidential election.

It is worrisome that this pattern of high turnover of DEC and PEC commissioners has been repeated from the 2012 Parliamentary Elections and 2010 Presidential Election, when it was identified by Canadian bilateral missions as a key problem contributing to dysfunctional administration of electoral processes. It speaks to a need for more fundamental adjustments of incentive structures and appointment processes.

Another challenge commonly conveyed by DEC commissioners to the CANEOM Mission about precinct-level preparations for the election was differing levels of experience amongst PEC commissioners.<sup>22</sup> This was mitigated by improvements in the quality of PEC trainings and the fact that they were conducted later in the electoral process in comparison with previous elections.<sup>23</sup> CANEOM observers attended 14 PEC training sessions in 12 oblasts. These were assessed as being diverse in practical and theoretical content, well attended by commissioners, and supported by comprehensive briefing materials.<sup>24</sup>

Shortages of computers and other material resources required for preparations of the election represented another area of concern for commissioners at the district and precinct levels.<sup>25</sup> The CEC acknowledged difficulties in this area, which were attributed to shortened preparatory timelines. The situation appeared to improve closer to election day.

## RECOMMENDATIONS:

Remuneration for election commissioners should be increased to reflect the importance, time commitment and skills involved in this work and to reduce dependence on candidates and political parties for supplementary income.

Financial and material resources required to lease commission premises and conduct preparatory work should be provided immediately following the formation of DEC and PECs.

The CEC should coordinate with political parties to provide training to prospective election commissioners between election cycles. This would provide a pool of trained election workers that could be drawn upon by candidates or DEC to fill vacancies arising in commissions during elections.

19 DEC 83 (Zaporozhia); DEC 140/142/144/161 (Odessa); DEC 195/196 (Ternopil); DEC 214 (Rivno).

20 Part 1, Article 24 of the Presidential Election Law.

21 DEC 95/98/99 (Kyiv Oblast); DEC 186/188 (Kherson).

22 PEC 260945 (Chernivtsi) PECs 630853, 631075, 63107, 631257, 631258, 631248, 631250, 631252 (Kharkiv); DEC 91/96 (Kyiv Oblast).

23 As a result of shortened preparatory timelines for the Early Presidential Election, PEC trainings were not conducted until the week of May 12. In many cases, these trainings were also repeated at the initiative of DEC executives in response to turnover of PEC commissioners. Altogether, this helped mitigate risks of PEC inexperience resulting from the replacement of trained by untrained commissioners.

24 DEC 11 (Donetsk); DEC 27 (Dnipropetrovsk); DEC 81 (Zaporozhia); DEC 100/102 (Vynnytsia); DEC 129 (Mykolaiv); DEC 137 (Odessa); DEC 146 (Luhansk); DEC 150 (Rivne); DEC 181 (Kharkiv); DEC 185 (Kherson); DEC 204 (Chernivtsi); DEC 219/222 (Kyiv City).

25 DEC 11/12; (Rivne); DEC 17 (Mikolaiv); DEC 19 (Lviv); DEC 83 (Zaporozhia); DEC 144/145 (Odessa); DEC 147 (Luhansk); DEC 184/185/186/187/188 (Kherson); DEC 196/196 (Chernivtsi); DEC 218/220 (Kyiv).

# CHAPTER 5

## VOTER REGISTRATION

### State Voter Register

All citizens of Ukraine who have reached the age of 18 on election day have the right to vote.<sup>26</sup> The CEC maintains an automated State Voter Register (SVR) that is continuously updated with information received from relevant state authorities.<sup>27</sup> This register is managed through 27 Regional Administration Bodies and 756 Maintenance Bodies.<sup>28</sup> Over 36 million citizens were registered to vote in the Early Presidential Election, of which 55% were women.

Voter lists are extracted from the SVR and prepared for polling stations no later than 8 days before an election.<sup>29</sup> They are transmitted to polling stations along with invitation cards containing the name and registered address of voters for that electoral precinct, as well as the location and opening hours of the PEC premises. Until recently, voters could only verify the

accuracy of their personal information on the SVR through receipt of this invitation card or by reviewing preliminary voter lists at PEC premises before elections. As of June 2013, this information can also be accessed through an online system.<sup>30</sup> The CANEOM Mission commends this undertaking for enhancing the transparency without compromising the integrity of information contained within the SVR.

### Transfer of Preliminary Voter Lists

Information in the SVR was targeted by militant groups for use in referenda that allegedly occurred on May 11 in certain parts of Luhansk and Donetsk oblasts. This resulted in a decision by the CEC to delay the deadline for the transfer of preliminary voter lists.<sup>31</sup> As of May 22, only 17% of PECs in Luhansk Oblast and 31% of PECs in Donetsk Oblast received voter lists. Legal deadlines for the transfer of preliminary voter lists and invitation cards to PECs in other oblasts of Ukraine had otherwise been fulfilled.

### Temporary Change of Place of Voting

New amendments to the Presidential Election Law prohibit revisions to voter lists at precinct polling stations with a court order on election day.<sup>32</sup> At the same time, these amendments provide voters with the right to temporarily change their place of voting without changing their registered address in the SVR.<sup>33</sup> If a voter cannot be present at his or her registered election address on election day, the voter is now entitled to apply for a temporary change of place of voting at a department of the SVR in any part of the country. In this application, the voter must provide evidence for the attested reason of the temporary change (e.g. certificate from an educational institution, letter from employer). An exception to these requirements was made to facilitate voting by citizens

26 Part 1 of Article 2 of the Presidential Election Law.

27 Information on voters and their registered place of residence is retrieved from the Ministry of Internal Affairs, Ministry of Justice, State Migration Service, military units, regional courts, and local agencies registering homeless populations. This information is updated on a monthly basis.

28 Article 1 of the Law of Ukraine on the State Voter Register.

29 Part 6 of Article 31 of the Presidential Election Law [as amended on May 15, 2014].

30 The Personal Voter Room of the SVR is found at: <https://www.drv.gov.ua/apex/f?p=111:LOGIN>.

31 May 8 was the initial legal deadline for transfers of preliminary voter lists to PECs. At that time, the deadline was met in all but 19 PECs outside Luhansk and Donetsk Oblasts. Amendments to the Law on the Election of the President on May 15 subsequently moved the deadline for these transfers to May 16.

32 Part 3 of Article 35 of the Presidential Election Law. This law was amended on May 20 to make an exception for military personnel serving in the Donetsk and Luhansk oblasts.

33 Article 35-1 of the Presidential Election Law. Revisions can only be made also in cases of inaccuracies in the name or address of a voter as a result of visual or automated control errors as described in Part 1 of Article 20 of the Law of Ukraine "On the State Voter Register."

whose registered address of residence is in the Autonomous Republic of Crimea and City of Sevastopol. These voters only needed to present a national passport to apply for a temporary change of voting address.<sup>34</sup>

According to official data, 171,078 voters applied to bodies maintaining the SVR for a temporary change of voting place – including 6,038 voters with a registered residence in the occupied territory of the Autonomous Republic of Crimea. Most of these applications were filed a week before the May 19 deadline during which long lines and problems with computer hardware were observed at Maintenance Bodies of the SVR in Kyiv City.<sup>35</sup>

#### **RECOMMENDATION:**

CANEOM recommends that the CEC, in coordination with local state authorities, provide sufficient resources to State Voter Register Maintenance Bodies where there tend to be high numbers of voters with registered residence in other districts, to ensure that applications for temporary changes of place of voting are processed in a timely manner.

Questions on how to apply for a temporary change of place of voting represented the most frequent subject of inquiry to help lines and online consultation services provided through civil society organizations to assist voters in the lead-up to the Early Presidential Election.<sup>36</sup> Information about these processes was otherwise posted onto the SVR website. Corresponding public information advertisements by civil society organizations were also broadcast on television at the request of the CEC one week before the deadline to apply for a temporary change of voting place.<sup>37</sup> In meeting with the CANEOM Mission, CEC commissioners nonetheless acknowledged that greater direct efforts could be made to fulfill its responsibility of informing voters about election-related procedures, particularly when they are amended.<sup>38</sup>

#### **RECOMMENDATION:**

The CEC should implement comprehensive voter information and public education campaigns. Amongst other topics, these campaigns should instruct voters on how to verify their information on the State Voter Register and inform voters about legislative amendments affecting election processes.

34 Section 2 of paragraph 2.5 of the CEC resolution "On the Procedure of Temporary Change of the Voting Place of a Voter without Changing his/her Election Address" № 893 of 13.09.2012 with amendments from 22.09.2012, 09.04.2014 and 15.05.2014.

35 CANEOM observers noted lengthy queues of voters applying for a temporary change of place of voting with authorities responsible for the SVR in DEC 221 (Kyiv City) in days leading up to the May 19 deadline. Most notably, the SVR Maintenance Body in Pecherskyi District refused to accept applications after 2:00 PM on May 19, redirecting applicants to local courts. The SVR Maintenance Body in Shevchenkivskyi District also reportedly stopped processing applications on May 19 due to computer problems.

36 The Committee of Voters of Ukraine (CVU) maintained a hotline dedicated to answering voter questions about election procedures, and an online forum through on voters could consult with lawyers and election experts.

37 Public service announcements by OPORA were broadcast on television stations between May 14 and 19 at the request of the CEC to the National Council on Television and Radio.

38 The CEC produced one advertisement for broadcast on television to encourage voting in the Early Presidential Election. This marks a step forward from the 2010 Presidential Election when the CEC neglected to engage in any kind of public education, but leaves room for improvement.



# CHAPTER 6

## CAMPAIGN ENVIRONMENT

Twenty-three citizens of Ukraine registered as candidates for the 2014 Early Presidential Election. Two candidates withdrew before the May 2<sup>nd</sup> withdrawal deadline, leaving 21 candidates on the ballot. In subsequent weeks, four candidates announced that they were withdrawing from the campaign but their names remained on the ballot because they withdrew after the deadline.<sup>39</sup>

A series of national debates (three candidates per debate) were organized on the Friday, Saturday and Sunday in the two weeks prior to the election and on Friday May 23. They were broadcast on First National Television, the state-run TV channel.

CANEOM observers met with candidates and representatives of campaigns at both the national and regional levels. By and large, observers reported that candidates and their representatives were satisfied with the work of the Central Election Commission and had few concerns with the overall administration of the election.

Candidates and their representatives noted some concerns with proper access to media, referring several times to the fact that they

found it difficult to gain access to the larger television networks.

The campaign period as observed by CANEOM observers was otherwise notable for the lack of misuse of administrative resources. Only sporadic, isolated and relatively minor incidents were reported by CANEOM observers – for example, attendance by an oblast governor at a candidate's rally during working hours.

Campaigning occurred largely through candidate meetings and rallies, billboards, television, radio and print advertising, and the distribution of leaflets. Observers reported no problems at candidates' rallies. There were limited reports of damaged campaign billboards in some regions.<sup>40</sup>

During the campaign period observed by CANEOM long-term observers, the campaign was more restrained and reserved than usual. The main issues of focus of the campaign were national security; national unity; geostrategic course and the status of the Russian language. Traditional campaign issues, such as the economy, jobs, the provision of health services and education appeared as secondary issues. NGOs focused on women's participation noted that gender equality and social mobility issues were

also absent from candidate platforms. Only two of 23 registered candidates for the presidency were women.

Campaigning was almost completely absent in Donetsk and Luhansk oblasts. Candidates and their representatives raised serious concerns over the safety and security of both their commission members and campaign staff in Donetsk and Luhansk oblasts, where armed militants in several locations sought to sabotage and undermine the electoral process and the election campaign. These groups also targeted journalists, and evidence continues to accumulate that points to foreign involvement and support for fomenting unrest in these two oblasts.

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39 Candidates Korolevska and Tsariov withdrew prior to the May 2 deadline. Shkiryak, Klymenko, Symonenko, Shushko announced that they are withdrawing their candidacy after the 2 May deadline.

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40 Zhytomyr, Dnipropetrovsk, Sumy, Chernihiv, Zaporizhzhia.

## CAMPAIGN AND ELECTION SECURITY

The Ministry of Internal Affairs informed CANEOM that almost 99,000 law enforcement officers would provide security on election day. Mobile units were made available to provide additional security as necessary, and almost 29,000 officers from various services<sup>41</sup> were used to patrol streets on election day.<sup>42</sup>

In the vast majority of the territory of Ukraine, except in parts of Donetsk and Luhansk oblasts, and the occupied territory of the Autonomous Republic of Crimea<sup>43</sup>, CANEOM observers reported that the security situation during the campaign period was satisfactory. There were limited reports of concerns from law enforcement officials that redeployment of their personnel into eastern regions of the country would cause difficulties in providing security in their home region.<sup>44</sup> These concerns turned out to be unfounded.

In parts of Donetsk and Luhansk oblasts, however, the security of both the campaign and the administration of the election process were seriously undermined by the presence and intrusion of armed militants who attempted to sabotage and disrupt the election process in several cities and regions. As of April 30, there were 3,352,382 registered voters in Donetsk and 1,797,379 in Luhansk, together representing 14.1% of Ukraine's electorate. The violence in these regions, as well as intimidation and abduction of election officials, journalists and civilians by armed militants deprived a significant proportion of the region's citizens of the right to vote.

In Luhansk oblast, only 2 of 12<sup>45</sup> districts operated polling stations. Only 79 of the oblast's 1476 precincts were able to accept voters. Voter turnout at those precincts that were able to accept voters was 38.94% – 52,239 voters.

In Donetsk oblast, voting took place at 8 of the oblast's 22 districts.<sup>46</sup> Only 233 of the oblast's 2432 polling stations were able to accept voters. Voter turnout at those precincts that were able to accept voters was 15.1% – 115,823 voters.

CANEOM stresses, however, that this disenfranchisement of voters in Donetsk and Luhansk oblasts, as well as citizens of Ukraine living in the occupied territory of the Autonomous Republic of Crimea, is not the result of actions taken either by Ukraine's governing authorities, or its election administration. Rather, the disenfranchisement of voters in these regions of Ukraine is the result of illegal invasion and annexation by a foreign power, and violence caused by armed militants acting outside the boundaries of law.<sup>47</sup>

## SECURITY OF ELECTION OBSERVERS

CANEOM worked with the various security and police services at both the local and national levels to ensure the security of the observers. At the local level, CANEOM long-term observers met with local police and with the Security Service of Ukraine (SBU) in their areas of responsibility to discuss security issues. In many cases,

<sup>41</sup> In order to provide adequate security, the State Border Service, the Ministry of Emergency Situations and the Tax Police and civilian patrols were engaged to assist.

<sup>42</sup> Meeting with Andriy Chaliy, Head of Department of Mass Events, Ministry of Internal Affairs, 23 May.

<sup>43</sup> The election did not take place in the Autonomous Republic of Crimea, which is under illegal occupation by the Russian Federation. Therefore, CANEOM observers were not present in Crimea.

<sup>44</sup> Raised by the deputy chief of police in Khmelnytsk in a meeting with CANEOM LTOs. Similar issues were raised in Lviv.

<sup>45</sup> Districts 105-116 are located in Luhansk oblast. Voting took place in districts 114 and 115.

<sup>46</sup> Districts 41-62 are located in Donetsk oblast. Voting took place at districts 47,49,50,58,59,60,61, and 62.

<sup>47</sup> On 24 May the General Prosecutor of Ukraine reported that to date, 83 criminal proceedings have been opened related to impeding the election process in Donetsk and Luhansk oblasts.





observers were provided with direct contact information for the local police in case there were issues.

At the national level, the Mission was briefed by Mr. Andriy Chalyi, Head of the Department of Mass Events of the Ministry of Internal Affairs of Ukraine, who was responsible for the security of the observers and provided contact information for English-speaking individuals from his Ministry who were directly responsible for the security of observers in the respective regions. During the Mission, outside of Donetsk and Luhansk, there were no serious security issues encountered.

Given the environment in which the election was taking place, we commend the Government of Ukraine for putting in place appropriate mechanisms to ensure the safety of international observers.

### Security Internal to the Mission

To ensure the safety of the election observers, a security officer was engaged as part of the core team of the CANEOM mission. The role of the security officer was to assist in ensuring the safety and security of the election observers throughout all stages of the mission.

Activities related to security included:

- Development of a security protocol that included general safety issues, check-in procedures and templates for the development of evacuation procedures in each of the regions
- Review of evacuation procedures prepared by the long-term observers in each of the regions
- Ongoing communication with observers
- Daily security briefing based on information received from the OSCE security team, the Canadian embassy and other sources
- Travel to Donetsk, Luhansk, Kharkiv and Odesa to assess the safety and security of the observers within these four regions
- Providing regular risk and threat assessments
- Advice to the core management team on specific security issues that arose

It was vital that a security officer was a member of the core team, given the security environment of the elections.

### CAMPAIGN FINANCE

Electoral Campaign Finance in Ukraine is governed by Chapter VI of the Law of Ukraine on Election of the President of Ukraine. Amendments to the law before this election did not stipulate any changes to the financing of presidential campaigns that would have increased transparency. Presidential candidates must submit a 2.5 million UAH pledge upon registration. There are no limits on campaign spending, nor on the amount that a political party can donate to its candidate's campaign. Additionally, a candidate's personal funds, as well as donations from individuals, can be used to finance the campaign.

There is no limit to the amount that a candidate can spend on campaigns from their own funds. The limit for campaign donations from individuals is 400 times the minimum salary (which is slightly less than 500,000 UAH, or about \$40,000 USD). Citizens of foreign





countries, anonymous sources and legal entities are prohibited from donating to election campaigns. Candidates are required to submit financial reports to the Central Election Commission after the election, which must be published by the CEC not later than 18 days after the elections.

There is a lack of transparency in the financing of election campaigns in Ukraine and these campaigns are almost completely opaque. CANEOM heard from interlocutors that even when the existing regulations in place are not followed, there is often little or no sanction against offenders. During the 2014 presidential election, the non-governmental organization CHESNO asked candidates to publish interim statements on the financing of their campaigns, which six candidates agreed to do, though they were under no legal obligation.<sup>48</sup> Currently there are several drafts of legislation that would increase the transparency of campaign financing before the Verkhovna Rada.

#### **RECOMMENDATIONS:**

Limits on campaign spending should be introduced in order to allow for a more balanced playing field in presidential campaigns.

Relevant legislation should be strengthened to allow for stronger penalties for non-compliance with regulations on submissions of financial reports and/or the late/incomplete filing of relevant reports.

Consideration should be given to reducing the maximum amount that an individual can donate to a campaign and to limiting the amount that candidates can spend from their own funds.

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<sup>48</sup> Olha Bohomolets, Anatoliy Hrytsenko, Petro Poroshenko, Serhiy Tihipko, Yulia Tymoshenko, Oleh Tyahnybok. Reports on financial contributions and campaign spending published by the candidates can be found at <http://chesno.org/news/1908/>.

# CHAPTER 7

## MEDIA ENVIRONMENT

### Media Landscape

Interlocutors with whom CANEOM met generally reported a much freer media environment than under the Yanukovych administration, and a general absence of pressure on media outlets by government authorities. Issues of media ownership, the use of media to protect business interests, and interference with editorial policy by media outlet owners continue to be issues of concern.

According to the Law on Presidential Elections, state television and radio must provide free airtime to candidates, paid for by funds allocated through the state budget. Two state-owned newspapers also offered free space to candidates to publish their platforms.

The National Television and Radio Broadcasting Council established a working group to monitor compliance with legislation of media outlets, and to inform both the Central Election Commission and relevant broadcasters of violations. The working group held their summary meeting on May 29<sup>49</sup> and published their final report on June 11, 2014.<sup>50</sup>

Television continues to be the most popular medium for news coverage; however, the internet is gaining influence and provides a wide variety of political content.

A positive change was the creation of Hromadske (“Community”) television and radio, initiated by a group of journalists from the TVi television channel, 5<sup>th</sup> Channel and independent journalists. The Hromadske TV started its broadcasting on November 22, 2013, on the eve of mass protests in Kyiv, and gathered 7.5 million unique visitors in December 2013, according to Forbes magazine. First National state-owned television channel started broadcasting of Hromadske TV programs in March 2014.

The adoption by Ukraine’s Parliament, of the Law on Public Television and Radio Broadcasting in April 2014 and its subsequent signature by the acting President was also a positive development. The law established that the state-owned broadcaster become a public service broadcaster.

The largest threat faced by journalists is their personal safety, both in occupied Crimea and in Donetsk and Luhansk

oblasts.<sup>51</sup> Since the illegal invasion and annexation of Crimea by the Russian Federation, the signals of Ukrainian television stations have been cut in Crimea by the occupying authorities.<sup>52</sup> In Donetsk and Luhansk, journalists face intimidation, abductions, violence and other threats at the hands of militants.<sup>53</sup>

Interlocutors with whom CANEOM observers spoke continued to report on the presence of “*jeansa*” – paid-for stories about political or business figures that appear in the guise of news stories – in the presidential campaign.

49 <http://nrada.gov.ua/ua/news/radanews/22430.html>

50 The report may be accessed at: <http://nrada.gov.ua/ua/zvitnainformacia/zvitprovoryb/22447.html>.

51 Freedom House and the Institute of Mass Information partnered to establish the Ukraine Media Watch project, to “monitor freedom of the press and speech with a special focus on the impact of developments on the electoral environment, provide direct support to journalists and activists under fire, and educate journalists on how to cover elections and campaigns most effectively.” They published weekly reports during the election period, which can be found at <http://freedomhouse.org/article/ukraine-media-watch#.U5VyVCDfrml>.

52 A report by the OSCE Representative on Freedom of the Media, 23 May, stated that in Crimea “the situation for journalists on the peninsula is still dire today, with regular threats and harassment and possible eviction from the region for those who are not considered loyal to the effective de facto authorities and for those who refuse to change citizenship.” <http://www.osce.org/fom/118990>.

53 On 13 May, the Institute of Mass Information reported that 15 media offices or broadcasting towers had been attacked and/or seized by armed militants since March. <http://imi.org.ua/news/44179-imi-na-redaktsijimistsevih-zmi-ta-televeji-na-shodi-ukrajini-postiyno-napadayut-teroristi-ta-separatisti-15-vipadkiv.html>



# CHAPTER 8

## COMPLAINTS AND APPEALS

### Legal Framework

Election-related complaints can be filed with administrative courts and election commissions. In past Ukrainian elections, contradictory provisions, overlap in jurisdiction between the courts and the election commissions and overly burdensome documentation requirements were noted to be problematic.<sup>54</sup> Some legislative amendments were adopted before the Early Presidential Election to clarify the jurisdiction of administrative courts and election commissions in the resolution of complaints and appeals. Articles 95 and 96 of the Presidential Election Law nonetheless still allow for non-consideration of complaints on the basis of minor omissions or technical errors in filed documents. Recent amendments to the legal framework for presidential elections in Ukraine

have failed to strengthen mechanisms for enforcement of sanctions for violations of electoral legislation.

#### RECOMMENDATION:

Work should continue strengthening the legislative framework to ensure that violations of electoral rights are effectively addressed, and to further simplify procedures for the filing of election-related complaints and appeals.

### PRE-ELECTION COMPLAINTS AND APPEALS

Relatively few complaints were filed over this election period, leaving administrative courts with few appeals to consider. Most issues raised by appellants were related to the registration of presidential candidates, the overall legitimacy of the Early Presidential Election and some media activities.

#### Cases on Challenges to the Calling of the Early Presidential Election

Four cases challenged the constitutional basis upon which the Verkhovna Rada called the Early Presidential Election. Applicants raised issues in connection to the termination of powers of outgoing President

Viktor Yanukovich by the Verkhovna Rada, following his flight from Ukraine on February 21. Administrative courts dismissed these disputes because they fell within the jurisdiction of the Constitutional Court of Ukraine.

#### Cases on Candidate Registration

Several cases challenged refusals by the CEC to register applicant candidates for the Early Presidential Election. These cases were dismissed on the grounds that applicants lacked necessary documents to register, including certification of payment of a 2.5 million UAH financial deposit that is required of candidates. The CANEOM Mission was not present in Ukraine to observe the registration of presidential candidates but assessed CEC resolutions to provide justifiable grounds for refusals of registration documents by 24 applicant candidates.

<sup>54</sup> Reports of Canadian bilateral missions that observed the 2010 Ukraine Presidential Election and 2012 Ukraine Parliamentary Elections describe high numbers of complaints that were left unconsidered on the basis of being filed with the wrong body or because of missing information that might not be ascertainable to the complainant, like personal information about the subject of the complaint. Both reports recommended a more simplified and accessible complaints process that removed overlapping jurisdictions between administrative courts and election commissions, and reduced the number of requirements for complaints to be filed.

## Cases Relating to Media

Two notable cases involved the distribution of allegedly false information about candidate Petro Symonenko by candidates Oleh Lyashko and Zorian Shkiriak. In the first case, the court partly satisfied the claims of the applicant by requiring an online newspaper to issue a retraction. In the second case, the court assessed the content of disputed information, which mentioned the applicant in reference to a political party, to be evaluative in character and subject to protections of free expression in a pluralistic and liberal society. These judgments were considered by the CANEOM Mission to be reasoned and appropriate. Of greater concern to the CANEOM Mission is that the names of persons involved in these cases were made public via the Unified State Register of Court Decisions, while the names of subjects of other cases were not. This undermines conditions for equal treatment of parties involved in election-related disputes.

### RECOMMENDATION:

Provisions in the Law on Access to Judicial Decisions that prohibit naming subjects of election-related complaints should be abolished to enhance the transparency of the complaint and appeals process.

## Cases Regarding the Distribution of Management Positions in DEC's

Candidate Antoliy Hrytsenko challenged the redistribution of management in some DEC's by the CEC (Resolution 468; 02.05.2014) following the withdrawal of candidates Natalia Korolevska and Oleh Tsarirov. A court of appeal dismissed the case after the CEC produced written evidence that its redistribution provided for approximate compliance with the proportionality principle that guarantees assignment of executive positions on DEC's in proportion to each candidate's total number of commission nominations.

## Cases on Voter Registration and Temporary Changes to Place of Voting:

The vast majority of cases filed during the pre-electoral period were for inclusion on voter lists or temporary changes to place of voting. Local courts satisfied most of these cases within the two-day deadline required by law, allowing applicants to exercise their franchise.

According to the Unified State Register of Court Decisions, courts satisfied over 2,500 claims for inclusion onto voter lists. A further 170 claims were dismissed because claimants did not have a registered residence and could not produce evidence attesting their temporary place of residence.<sup>55</sup> The CANEOM Mission considered these decisions appropriate in the framework of legal requirements – with the exception of nine judgments made on election day that instructed PECs to include claimants on voter lists despite this being prohibited by electoral law.<sup>56</sup>

There were 570 cases filed for a temporary change of voting place. Approximately 390 of these claims were satisfied, 100 were dismissed and 80 were not considered because they missed the filing deadline. Reasons for dismissal of cases included insufficient evidence of an attested temporary place of residence and failure by

<sup>55</sup> Of the few judgments that were appealed: 4 were satisfied, 35 were dismissed and 2 were not considered.

<sup>56</sup> These judgments were by the Dnipropetrovskiy District Court of the Dnipropetrovsk oblast (5 judgments); and Kupyanskyi City District Court of Kharkiv oblast (2 judgments). They violated in Part 3 of Article 35 of the Presidential Election Law prohibiting changes to voter lists on Election Day, and Part 3 of Article 173 of the Code of Administrative Adjudication stipulating a deadline of two days before Election Day for the filing of claims for changes to voter lists.





claimants to file applications to regional departments of the State Voter Register before filing complaints with local courts. The CANEOM Mission noted cases in which different judgments were issued for similar claims. This highlights the importance of providing unified and up-to-date guidance to local courts when amendments are made to the electoral legal framework.

## ELECTION DAY COMPLAINTS AND APPEALS

Only a few dozen complaints were lodged with administrative courts on May 24 to 25,<sup>57</sup> in striking contrast to the 2012 parliamentary elections when hundreds of complaints were filed on election day relating to a wide range of irregularities in voting, counting, tabulation and protocol transfer processes.<sup>58</sup> This illustrates the relative transparency with which the Early Presidential Election was conducted. Issues raised by appellants related to alleged incidents of campaign materials being posted during a 24-hour blackout period for campaigning before election day, allegations of defamation towards a candidate in local newspapers, and violations of procedures for issuing ballots, for tabulating votes and for replacing PEC members. These cases were isolated, adequately considered and promptly adjudicated.

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<sup>57</sup> A total of 23 cases that did not relate to applications for inclusion in voter lists or temporary changes of place of voting were filed on May 24 to 25 with administrative courts and posted onto the "Unified State Register of Court Decisions" website within a week of election day. This does not encompass cases filed directly with election commissions. Complaints were filed in 2 out of 71 PECs that CANEOM observers monitored closing and ballot tabulation procedures, and at none of the 58 DEC at which CANEOM observers monitored handovers and processing of PEC protocols, suggesting that complaints at the election commission level were also relatively few in number.

<sup>58</sup> Analysis of these irregularities by a Canadian bilateral election observation mission contributed to a conclusion that the 2012 Ukraine parliamentary elections marked a regression in the country's democratic development. Irregularities in that election were of such magnitude in five single-member districts that the CEC was not able to establish results, depriving 700,000 voters of parliamentary representation for more than a year.

# CHAPTER 9

## DOMESTIC AND INTERNATIONAL OBSERVERS

The two largest domestic groups taking part in observation of the 2014 Early Presidential Election were the Committee of Voters of Ukraine (CVU) and the OPORA civil network. CVU registered 2,914 observers; OPORA registered 2,245. Both organizations carried out long-term observation of the electoral process and demonstrated an admirable capacity for analysis and a high level of knowledge of the election process and relevant issues related to the election. CANEOM observers had extensive contact and interaction with both groups in the regions of Ukraine, and consistently pointed out their professionalism, impartiality and effectiveness in observing the election process. CANEOM expresses its appreciation to CVU and OPORA for their readiness to cooperate with CANEOM observers.

There were 282 observers registered from foreign states. The Republic of Poland registered 61; the United States of America registered 38; and the Republic of Lithuania registered 31. Twenty international organizations registered observers for the election. There were 3,325 observers registered from international organizations – OSCE-ODIHR registered 1,056; the European Platform for Democratic Elections registered 823; the European Network of Election Monitoring Organizations (ENEMO) registered 382 and the Ukrainian World Congress registered 236 observers. CANEOM observers had extensive contact with several international observation missions, both at the regional and national levels, and CANEOM thanks all international observers for their cooperation.

CANEOM expresses its gratitude to the Central Election Commission of Ukraine for their cooperation. The Central Election Commission registered CANEOM observers in a timely and efficient manner. The Central Election Commission also demonstrated a high level of openness and readiness to meet with CANEOM observers to discuss relevant issues regarding the election process. Finally, CANEOM expresses its deep admiration and sincere gratitude to election commissioners at both the district and precinct levels, whose diligence and hard work in often difficult circumstances ensured the successful administration of the 2014 Early Presidential Election in Ukraine.

# CHAPTER 10

## ELECTION DAYS

### THE IMMEDIATE PRE-ELECTION PERIOD (MAY 22-24)

From May 22 to 24, CANEOM observers visited more than 1,200 polling stations in 23 oblasts to assess the preparedness of election commissioners, delivery of ballots, and finalization of voter lists.

Observers' overall assessment of electoral preparations was good or very good in 96.2% of cases. They were generally granted cooperation from PEC members and access to election materials. In all, 94.3% of polling stations visited outside of Donetsk and Luhansk oblasts were open and operating.<sup>59</sup> Very few instances of campaign materials or activities were found inside of polling stations or within their vicinity. Of the PECs visited by CANEOM observers, 98.7% had not received any complaints during the pre-election period. This high figure highlights a near complete absence of electoral violations reported by Canadian bilateral missions that observed

the 2010 Ukraine Presidential Election and 2012 Ukraine Parliamentary Elections.<sup>60</sup>

Of all the PECs visited by CANEOM observers, 46.9% underwent membership changes one week before the election – a concerning trend that was observed throughout the pre-election period. PEC members were nonetheless evaluated as confident, knowledgeable, and balanced in terms of training and experience. In Kherson, Dnipropetrovsk and Poltava, observers noted a pattern of resignations by PEC members nominated by Petro Symonenko who quit the campaign for the presidency on May 16. However, no cases were noted in which PECs were unable to form quorum.

Several CANEOM observers noted that polling stations were arranged to allow for a steady stream of traffic by having voters enter and exit by separate doors at opposite sides of the room. This facilitated observation of election proceedings and eased overcrowding. Polling booths were also positioned in a manner that protected the secrecy of voting. However, 8.8% of visited polling stations were considered difficult to access for elderly or physically disabled voters.

#### RECOMMENDATION:

The needs of voters with reduced mobility should be considered in the selection and arrangement of polling station premises.

CANEOM observers did not report any tension or unrest in the vicinity of polling stations, except in Donetsk oblast, where armed militants created an atmosphere of terror. Only 4 out of 17 polling stations visited in Donetsk Oblast and 16 out of 24 visited polling stations in Luhansk oblast were still operational throughout this immediate pre-election period. These polling stations stayed open despite numerous militant checkpoints on access routes to their premises and intimidation of their officials. For security purposes, voter lists and other election materials were not delivered to most of these polling stations until the evening before election day, requiring commissioners to work around the clock in preparation for voting processes. Observers underlined the courage and determination of these commissioners in the face of deliberate and violent efforts by militants to derail the election.

<sup>59</sup> Most polling stations that had no PEC members present when visited by CANEOM observers in the immediate pre-election period were being guarded by local law enforcement and had signage displayed for election day.

<sup>60</sup> Reports of these missions noted widespread cases of vote-buying, misuse of administrative resources for political purposes, and harassment, threats and occasional incidents of violence against candidates, in the lead up to elections.

## ELECTION DAY

### The Opening of Polls

CANEOM observers were present at the opening of 75 polling stations, whose overall administration was evaluated as Very Good or Good in 98.8% of cases. Required materials were present in all but two polling stations. Ballots were pre-stamped and stored in a safe or metal strongbox with PEC seals that remained intact. However, the number of received ballots was not entered into vote count protocols in 15 visited polling stations. Commissioners were otherwise described as organized and diligent in applying procedures. 87% of visited polling stations opened on time at 8:00 AM. The remainder opened by 8:30 AM.

### The Voting Period

CANEOM observers visited 741 polling stations in 23 oblasts during voting processes, whose administration was evaluated as Good or Very Good in 99% of cases.

CANEOM observers did not experience any tension or unrest near visited polling stations<sup>61</sup> that were operational outside Donetsk and Luhansk oblasts. Observers were granted cooperation from PEC members and access to election materials that were generally found to be present<sup>62</sup> and appropriately regulated<sup>63</sup>, underlining a high degree of transparency. CANEOM observers encountered candidate representatives at nearly every visited polling station, along with other international election observers in 34.8% of visited polling stations and domestic election observers in 22.4% of visited polling stations.

PECs were observed to be diligent and consistent in applying procedures for the verification of voters and issuing of ballots.<sup>64</sup> Some confusion and disputes were nonetheless observed when electors did not find their names on voter lists. This occurred in the presence of observers in 17% of visited polling stations. PECs correctly applied legal procedures by not issuing ballots to those electors in 99% of cases.<sup>65</sup>

### Circumstances inside and outside polling stations

Long lineups of voters were reported outside 5% of visited polling stations, and overcrowding was reported inside 3.3% of visited polling stations. The only jurisdiction to exceed these nation-wide figures was Kyiv City, where lineups were reported at 50% of visited polling stations, and overcrowding was reported at 37.5% of visited polling stations. These delays might be attributed to concurrent elections that were held for the presidency, mayoralty and two local council positions in that oblast. Despite waiting times that often surpassed two hours, CANEOM observers in Kyiv City generally reported a jovial atmosphere and relatively few instances in which voters walked away from long lines.

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61 One exception was reported in PEC#800469 (Kyiv City) where a dispute was observed between local law enforcement and some candidate representatives. Otherwise, damage from an isolated incident in PEC#650761 (Kherson) involving a Molotov cocktail thrown on the evening of 24 May was cleared in time for the arrival of voters on election day, with no subsequent reported tension.

62 An insufficient number of voting booths were found in PECs#121148/121149 (Dnipropetrovsk), and PEC #680274 (Khmelnitsky). Ballot protocols were also missing in PEC#141081 (Donetsk).

63 Ballot boxes were not properly sealed in 3.1% of visited polling stations.

64 PEC members always checked voter IDs and signed ballot counterfoils, and voters always signed beside their names on voter lists and under the signatures of PEC members on ballot counterfoils in more than 99% of visited polling stations. Ballot counterfoils serve as a control mechanism to prevent ballot box stuffing. They are ripped off the top of each ballot and counted along with ballots, whose final numbers should coincide.

65 Incidents of an elector that was not on voter list being issued a ballot were observed in PEC # 610369 (Ternopil); PEC#680582 (Khmelnitsky); PEC#740678 (Chernihiv); and PEC# 800622 (Kyiv City).

## Participation of Women

Women outnumbered men on most precinct election commissions – representing 68.6% of PEC Chairpersons, 68.7% of PEC Deputies, 85.6% of PEC Secretaries and 72.3% of total appointed PEC members in polling stations that CANEOM observers visited throughout the immediate pre-election and election day periods. This has been a constant trend reported by Canadian bilateral missions that observed the 2010 Presidential Election and 2012 Parliamentary Elections. It is interpreted to be a function of low stipends paid to PEC commissioners and the setting up of polling stations in school and social service venues that are associated with professions in which women dominate. By contrast, women held only 5 out of 15 positions on the CEC, reflecting a broad-based gender disparity in higher spheres of political decision-making in Ukraine. CANEOM observers otherwise reported equal rates of voting amongst men and women and no apparent attempts to influence voters in favor of certain candidates.<sup>66</sup>

### RECOMMENDATION:

To reduce administrative burdens and expedite counting of ballots at PECs, consideration should be given to the use of stamped photocopies rather than manually filled copies of PEC protocols.

## Conduct of Voting in Donetsk and Luhansk oblasts

Despite efforts to administer voting across the country, intimidation and violence against election commissioners, seizures of PEC premises and election materials and other acts of terror by armed militants resulted in the disenfranchisement of many citizens in Donetsk and Luhansk oblasts. According to the CEC, only 2 out of 12 districts in Luhansk oblast, and 8 out of 22 districts in Donetsk oblast opened polling stations on election day. CANEOM observers reported an atmosphere of anxiety but also dedication by commissioners to administer the election at these polling stations, which were protected by significant numbers of local law enforcement and state security forces. This environment contrasted sharply with the calm and orderly conduct of voting observed elsewhere in Ukraine.

## The Closing of Polls and Vote Count

CANEOM observers monitored closing procedures and counting of ballots at 71 polling stations. As with earlier phases during election day, the overall impression of observers was positive.

Polling stations generally closed on time and followed appropriate procedures for the tabulation of ballots. In most cases, the numbers of voters who were issued ballots and numbers of unused ballots was equal to numbers of ballots delivered to PECs by their respective DECs.<sup>67</sup>

All ballots were pre-stamped, and PECs were consistent and transparent in determining invalid ballots, which typically involved markings for more than one candidate or no markings at all. In some cases, the practicality of counting results from parallel presidential, mayoral and municipal elections, and confusion over new provisions for their tabulation resulted in lengthy proceedings.<sup>68</sup> CANEOM observers also noted that the manual production of copies of protocols created administrative burdens that delayed counting processes, and strengthened the likelihood of protocols being sent back by DECs for revision due to human input errors.

<sup>66</sup> Some attempts to vote on behalf of an absent family member were observed in PEC #480074 (Mykolaiv), and PECs #740882/741016/741064 (Chernihiv). These incidents were isolated and involved equal numbers of men and women.

<sup>67</sup> In only one PEC in Cherkassy Oblast did observers note a significant violation involving commission members pre-signing protocols before entering results.

<sup>68</sup> PECs #511167/511168 (Odessa); PECs # 800587/800622 (Kyiv City).



# CHAPTER 11

## POST-ELECTION DEVELOPMENTS

### THE TABULATION OF RESULTS

CANEOM observers evaluated 58 handovers of ballots from PECs to DEC and subsequent tabulation of PEC voting results at 89 DECs. Administration of these processes was evaluated to be Good or Very Good in 90.7% of cases, reflecting greater challenges than earlier phases of the election process. A cyber-attack on the “Vybory” analytics systems used for transmission of election results between DECs and the CEC resulted in confusion and delays to transfers and tabulation of results. As a result of these delays, CANEOM observers noted relatively high levels of tension among PEC commissioners, as well as overcrowding in 42.1% of DEC premises that they visited. DECs did not receive instructions from the CEC on how to proceed with tabulation until several hours after the shutdown of the Vybory analytics system. Some took the initiative to manually tabulate results in a spreadsheet or entered and took screenshots of the data without submitting it into the system, allowing for continual processing of PEC protocols.<sup>69</sup> Other DECs suspended activities until the restoration of their network connection with

the central server.<sup>70</sup> Despite being legally authorized to observe the entry of PEC voting results into the Vybory analytics system, CANEOM observers were not provided access to DEC computer rooms in 15 of 42 polling stations where this request was made.

In one case, tabulations were also significantly delayed as a result of DEC and PEC premises being situated in the same building. Under law<sup>71</sup>, doors to a PEC must remain locked until counting is concluded, which prevented the DEC from accepting protocols for several hours.<sup>72</sup> In four cases, PEC commissioners were also seen to revise protocols in DEC premises instead of returning to their polling station.<sup>73</sup>

Beyond strategies to process PEC protocols during the breakdown of the Vybory system, several DECs adopted practices to render ballot handover and tabulation processes more orderly and transparent. Some issued numbered tickets to PEC executives according to their arrival time at DEC premises and then processed PEC protocols in the same corresponding

order.<sup>74</sup> This was observed to facilitate crowd control as commissioners of different PECs arrived to have their protocols processed. One DEC also used a screen projector to display announcements of protocol results and their entry to the Vybory analytics system.<sup>75</sup> This facilitated tracking of protocols by election observers and candidate representatives.

#### RECOMMENDATION:

The CEC should be prepared and equipped to communicate backup strategies to DECs in the event of breakdowns of computer hardware or cyber attacks on the Vybory analytics system. Additional efforts should also be undertaken to ensure that commissioners understand the rights of election observers to monitor entries of protocol results into the Vybory system.

69 DEC 22 (Lutsk); DECs 139/140 (Odessa).

70 DECs 19/21 (Volyn); DEC 95 (Kyiv oblast); DEC 117 (Lviv); DEC 190 (Khmelnytsky).

71 Part 10 of Article 76 of Presidential Election Law.

72 DEC 23 (Volyn).

73 DEC 83 (Zaporizhia), DEC 143 (Odessa), DEC 182 (Kharkiv), and DEC 198 (Cherkassy).

74 DEC 77 (Zaporizhia); DEC 143/145 (Odessa); and DEC 190 (Khmelnytsky).

75 DEC 219 (Kyiv City).



# CHAPTER 12

## FUTURE DEMOCRATIC DEVELOPMENT

### Background

- Canada has funded bilateral election observation missions in Ukraine since 2004.
- The 2014 Early Presidential Election, in which Canada deployed over 300 observers through OSCE and CANEOM, met international election standards.
- It is expected that Ukrainian Parliamentary elections will be held no later than 2017.
- The Parliamentary elections are more complex, given that there will be competition for 424 seats. This added complexity leads to the need to monitor the full election cycle, including candidate nominations, election campaigning, delineation of electoral precincts, selection of election commissions and adherence to election law.
- Domestic observation groups have played an expanding role in monitoring the elections, not only during the specific election period but also in between elections. They are now involved in observing and reporting on a national level, providing training and increasing voter engagement.
- Although international election observation missions play a significant role in ensuring the transparency of the electoral process, and should be present during the election period, they should also

consider how to transfer some of the skills and knowledge to domestic observer organizations.

- There is a need to develop more mature party structures, including platform processes.
- There is likewise a need to increase transparency in political financing, including establishing spending limits and accountability.

### RECOMMENDATIONS:

As part of future programming to support democratic development in Ukraine, CANEOM recommends that Canada:

Continue funding domestic civil society groups in order to build networks, continue to develop organizational capacity and implement ideas and influence government and key democratic actors not only at the national but also at the local levels. There should be a focus on expansion of civil society capacity, and support for transparency and accountability of government.

Ensure the provision of technical assistance to domestic observer groups by international trainers with a focus on long-term observation.

Continue to support bilateral observation missions. The utility of a bilateral mission is the promotion of independence

and innovation within election observation missions. Arms length bilateral missions' offer an important source of independence in analysis and space to innovate in technology, adapting to reporting trends and realities rapidly, features otherwise not readily feasible for large at times compromise driven multilateral missions.

Build upon Canada's institutional knowledge and skills in election monitoring through ongoing support of Canadian missions. This will provide an important reflection of Canada's commitment to democratic values, enable it to leverage its experience in democracy promotion and play a leading role in the international community.

Continue to promote citizen engagement through targeting youth and gender through civil society organizations including urban and rural as well as disengaged and marginalized youth.

Recommend Elections Canada investigate assistance for the Ukraine Central Election Commission on a technical level in the areas of disaggregation of voter information and voting lists.

Investigate aspects of election security in Ukraine in which Canada may assist. Issues such as roles and responsibilities, training and the rights of citizens should be explored.

# CHAPTER 13

## CONCLUSIONS

The May 25 Early Presidential Election has been held and at the overwhelming majority of Ukrainian polling stations, the election has met international democratic standards. Notwithstanding the troubling violence in Luhansk and Donetsk, and the illegal annexation of sovereign Ukrainian territory in Crimea, the election is a clear and unambiguous reflection of

the democratic will of the Ukrainian people. There were improvements in the electoral law, a generally level playing field for all contestants, the general absence of abuse of administrative resources and relative lack of electoral violations. These achievements, combined with the inspiring commitment of the Ukrainian people to exercise their franchise, lead CANEOM

to conclude that this election not only met international democratic standards but has the potential to become a major milestone on Ukraine's long and difficult path to democracy.



# CHAPTER 14

## RECOMMENDATIONS

### ELECTION ADMINISTRATION

The transparency of CEC proceedings would be further strengthened if draft resolutions were posted for review on the CEC website before being adopted. The CEC is also encouraged to make further efforts to notify media, candidate representatives and observers about “preparatory” meetings at which election-related complaints are considered and resolutions are deliberated.

To consolidate training capacities that have been developed over recent elections and further standardize its approach and materials for training of DEC and PEC commissioners, CANEOM recommends the staffing and maintenance of a permanent training unit in the CEC. CANEOM encourages international donors and expert organizations to continue providing training assistance to Ukraine’s CEC.

Remuneration for election commissioners should be increased to reflect the importance, time commitment and skills involved in this work and to reduce dependence on candidates and political parties for supplementary income. Financial and material resources required to lease commission premises and conduct preparatory work should be provided immediately following the formation of DEC and PECs.

The CEC should coordinate with political parties to provide training to prospective election commissioners between election cycles. This would provide a pool of trained election workers that could be drawn upon by candidates or DEC to fill vacancies arising in commissions during elections.

CANEOM recommends that the CEC, in coordination with local state authorities, provide additional and sufficient resources to State Voter Register Maintenance Bodies where there tend to be high numbers of voters with registered residence in other districts, to ensure that applications for temporary changes of place of voting are processed in a timely manner.

The CEC should implement comprehensive voter information and public education campaigns. Amongst other topics, these should instruct voters on how to verify their information on the State Voter Register and inform voters about legislative amendments affecting election processes.

### ELECTORAL LAW

CANEOM reinforces long-standing recommendations by the Venice Commission for electoral laws in Ukraine to be streamlined within a single code. This would ensure uniformity in procedures applied for presidential, parliamentary and local

elections, facilitate training of election commissioners, strengthen public trust and understanding of election procedures, and reduce reliance on CEC resolutions to interpret ambiguities or inconsistencies across the legal framework as individual components are amended.

### CAMPAIGN FINANCE

Limits on campaign spending should be introduced in order to allow for a more balanced playing field in presidential campaigns.

Relevant legislation should be strengthened to allow for stronger penalties for non-compliance with regulations on submissions of financial reports and as well as the late or incomplete filing of relevant reports.

Consideration should be given to reducing the maximum amount that an individual can donate to a campaign and to limiting the amount that candidates can spend from their own funds.

### COMPLAINTS AND APPEALS

Work should continue on strengthening the legislative framework to ensure that violations of electoral rights are effectively addressed, and to further simplify procedures for the filing of election-related complaints and appeals.

Provisions in the Law on Access to Judicial Decisions that prohibit naming subjects of election-related complaints should be abolished to enhance the transparency of the complaint and appeals process.

## **ELECTION DAYS**

The needs of voters with reduced mobility should be considered in the selection and arrangement of polling station premises.

To reduce administrative burdens and expedite counting of ballots at PECs, consideration should be provided to the use of stamped photocopies rather than manually filled copies of PEC protocols.

The CEC should be prepared and equipped to communicate backup strategies to DEC's in the event of breakdowns of computer hardware or cyber attacks on the Vybory analytics system. Additional efforts should also be undertaken to ensure that commissioners understand the rights of election observers to monitor entries of protocol results into the Vybory system.



# ANNEX 1

## ABOUT CANEOM

CANEOM is organized by the Forum of Federations. Cuso International and the Ukrainian Canadian Congress have partnered with CANEOM to support the observation mission for Ukraine's 2014 Presidential election. The mission is entirely funded by the Government of Canada, and managed at arm's length. CANEOM's

mandate is to organize and execute election observation and monitoring missions internationally. The mission is not an advocacy mission for federalism or any other kind of governing structure. It is not the role of the election observer mission to advocate, promote or oppose change in Ukraine's constitutional order. The

mission's objectives are to observe, record and report on the electoral exercise, and to aggregate findings into a final report on whether the election results may be deemed to reflect the genuine democratic expression of the Ukrainian people.



# ANNEX 2

## SCHEDULE OF MEETINGS WITH ELECTION STAKEHOLDERS

ORGANIZATION	PERSON(S)
Civil Network OPORA	<b>Olha Aivazovska</b> , Electoral and Parliamentary Programs Coordinator
Committee of Voters of Ukraine (CVU)	<b>Chernenko Olexandr</b> , Director General <b>Zherdii Milena</b> , International Secretary
Central Election Commission of Ukraine (CEC)	<b>Mykhaylo Okhendovskyy</b> , Chairman <b>Zhanna Usenko-Chorna</b> , CEC Deputy Head
State Voter Register	<b>Oleksandr Stelmakh</b> , Deputy Head of Service
Embassy of Canada to Ukraine	<b>Troy Lulashnyk</b> , Ambassador <b>Anne Mattson Gauss</b> , Counsellor (Political) <b>Steven Morris</b> , MPSS Detachment Commander <b>Annamaria Scotti</b> , Counsellor (Management) <b>Zheng Zhang</b> , Senior Program Analyst / First Secretary <b>Stephen Potter</b> , Director, Head of Technical Cooperation
CHESNO	<b>Inna Borzylo</b> , Election Analyst
Ukrainian World Congress	<b>Bohdan Futey</b> , Head of the Observation Mission <b>Peter Sztyk</b> , Chief Observer <b>Myroslav Hochak</b> , Head of Staff
Higher Administrative Court of Ukraine	<b>Kateryna Leontovich</b> , Head (Acting) <b>Mykhailo Zaitsev</b> , Secretary of a Second Trial Chamber <b>Svitlana Pylypets</b> , Head of the Department of International Legal Cooperation
Women's Consortium of Ukraine	<b>Maria Alekseyenko</b> , Director
General Prosecutor's Office of Ukraine	<b>Vitalii Kasko</b> , Deputy Prosecutor General of Ukraine
Ministry of Foreign Affairs	<b>Danylo Lubkivsky</b> , Deputy Minister for Foreign Affairs of Ukraine
Ministry of Internal Affairs	<b>Andriy Chalyi</b> , Head of the Department of Mass Events of the Ministry of Internal Affairs of Ukraine
Ministry of Social Policy	<b>Lyudmila Denysova</b> , Minister of Social Policy of Ukraine
Cabinet of Ministers of Ukraine	<b>Arseniy Yatseniuk</b> , Prime Minister
Ukrainian Parliament Commissioner for Human Rights	<b>Valeriya Lutkovska</b> , Commissioner for Human Rights



Organization for Security and Co-operation in Europe/ Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	<b>Tana de Zulueta</b> , Head of the OSCE/ODIHR election observation mission <b>Stefan Krause</b> , Deputy Head of Mission <b>Meaghan Fitzgerald</b> , Legal Analyst <b>Aleksa Simkic</b> , Political Analyst <b>Paul O'Grady</b> , Election Analyst <b>Laszlo Belagyi</b> , Security Expert <b>Davor Corluka</b> , Security Expert <b>Valeriu Mija</b> , Security Expert
International Republican Institute (IRI)	<b>Senator Kelly Ayotte</b> , Head of the Observation Mission <b>Peter Roskam</b> , Congressman <b>Mark Green</b> , President of IRI <b>Thomas Garrett</b> , Vice President of Programs, IRI <b>Stephen B. Nix</b> , Director of IRI's Eurasia programs <b>Michael Druckman</b> , Ukraine Country Director
International Foundation for Electoral Systems (IFES)	<b>David Ennis</b> , Chief of Party (CoP) in Ukraine
National Democratic Institute (NDI)	<b>David V. Hamilton</b> , Senior Election Analyst <b>Daniel Reilly</b> , Security Manager <b>Mario Mitre</b> , Election Program Manager
United Opposition "Batkivshchyna" (Political Party)	<b>Hryhoriy Nemyria</b> , Deputy Chairman of the Party
Strong Ukraine (Political Party)	<b>Serhiy Tihipko</b> , Presidential candidate <b>Vasyl Yermiya</b> , Chief of Staff <b>Oleksandr Baranov</b> , First Deputy Chief of Staff
People's Movement of Ukraine (Political Party)	<b>Vasyl Kuybida</b> , Presidential candidate
Ukrainian People's Party	<b>Oleksandr Klymenko</b> , Presidential candidate
Right Sector Organization	<b>Dmytro Yarosh</b> , Presidential candidate
Civil Position (Political Party)	<b>Anatoliy Hrytsenko</b> , Presidential candidate
Parliament of Ukraine	<b>Valeriya Lutkovska</b> , High Commissioner for Human Rights
Observation Mission in Ukraine "ENEMO"	<b>Peter Novotny</b> , Head of the Mission <b>Nurul Rakhimbek</b> , LTO Coordinator / Security Liaison Officer
Svoboda (Political Party)	<b>Oleksii Kaïda</b> , Head of Staff
Radical Party (Political Party)	<b>Valeriy Vashchevskiy</b> , Head of Staff
Security and Defense Council of Ukraine	<b>Oleksandr Lytvynenko</b> , Deputy Secretary
Kyiv International Institute of Sociology	<b>Valerii Khmelko</b> , President of Kyiv International Institute of Sociology

# ANNEX 3

## OBSERVER TRAINING SCHEDULES

Long Term Observer Training – Kyiv, President Hotel | May 7, 2014 – May 8, 2014

### DAY ONE | Wednesday, May 7, 2014

**7:00 – 8:00**

**Buffet Breakfast at Hotel**

(bring your room key)

**8:00 – 9:00**

**Registration**

(Handout of Training Package)

Please submit your passport when picking up the training package. You will have your passport returned along with a certified photocopy of your passport at the beginning of the Mission Security Seminar.

**9:00 – 9:15**

**1.0 Welcome**

A general welcome, overview of the training schedule and LTO introductions.

**9:15 – 10:15**

**2.0 Country and Political Overview**

**His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine**

**10:15 – 11:30**

**3.0 Mission Security**

**Mr. Tim O'Neil, Security Officer Canadian Embassy Security and Counsellor Staff**

During this session LTOs will discuss the security situation, risk management awareness during their deployment as well as specific security and evacuation plans, embassy and consular services and the importance of security call-ins, and other communication.

**11:30 – 12:00**

**Coffee break**

**12:00 – 12:15**

**4.0 LTOs and the Election Observation Mission Kevin Colbourne, Mission Director**

An overview of the mission's staffing structure and the role of LTOs, including activities during deployment and expectations will be discussed.

**12:15 – 12:45**

**5.0 Declaration of Principles for International Election Observation, International standards for democratic elections and Code of Conduct for Election Observers**

**Ann Szyptur, LTO Mission Coordinator**

LTOs will receive an overview of the Declaration of Principles for International Election Observation, and the Observer Code of Conduct.

**12:45 – 14:00**

**Lunch served at hotel (European Hall)**

**14:00 – 15:00**

**6.0 Overview of the Main Issues in the Early Presidential Election**

**Mychailo Wynnyckyj, Associate Professor of the Department of Sociology and Kyiv-Mohyla Business School, Director of the Doctoral School, National University of Kyiv-Mohyla Academy**

**15:00 – 16:00**

**7.0 Media Environment and Media Policy Steve Andriyovych, Communications Coordinator**

LTOs will receive an overview of the media landscape as it relates to the election.

In addition, a discussion of the communications policy for the mission will occur.

**16:00 – 16:15**

**Coffee Break**

**16:15 – 17:00**

**8.0 LTO Reporting**

**Mateusz Trybowski, Election Analyst / Orest Zakydalsky, Political Analyst**

In this session, LTOs will learn more about their reporting responsibilities, including the different kinds of reports they will complete, reporting expectations, the scope and content of reporting, and tips on what makes a good report.

**17:00 – 17:30**

**9.0 Finance Overview**

During this session, LTOs will learn about the financial aspects of their deployment, including the distribution of funds, observer per diems, and financial reconciliation.



## DAY TWO | Thursday, May 8, 2014

7:00 – 8:45

**Buffet Breakfast at Hotel**

8:45 – 9:00

**Review of Day One**

9:00 – 10:30

**10.0 The Legal Framework for the Pre-Election Day Period**

**Vadym Halaichuk, Partner, Moor & Partners Law Firm, Election Law Expert**

During this session, LTOs will be provided with an overview of the bodies responsible for election management, their responsibilities in the pre-election period, the law and regulations with regards to electoral administration, voter registration, campaigning and other relevant subjects.

10:30 – 10:45

**Coffee Break**

10:45 – 11:30

**11.0 Long-term Election Observation – findings of domestic observers**

**Olha Aivazovska, Electoral and Parliamentary Programs Coordinator of the Civil Network OPORA**

This presentation will focus on the analysis of the election process to date from the point of view of domestic election observers.

11:30 – 13:00

**12.0 LTO Observation Strategies and Techniques**

**Orest Zakydalsky, Political Analyst / Mateusz Trybowski, Election Analyst**

Discussion will revolve around working effectively in teams, the steps to prepare, organize and conduct successful meetings with relevant stakeholders, and collecting evidence to assess claims and to substantiate conclusions including coordination with other EOMs.

13:00 – 14:00

**Lunch served at hotel** (European Hall)

14:00 – 16:15

**13.0 LTO Observation Strategies and Techniques Continued**

16:15 – 16:30

**Coffee Break**

16:30 – 17:15

**14.0 LTO Deployment**

During this session, LTOs will be informed of next steps in preparing to begin their deployment. In addition to finding out more about where they will be deployed, teams will have an opportunity to ask questions and discuss the general overview of the coming weeks (including what they receive in their deployment package).

17:15 – 17:30

**15.0 Concluding Remarks**

**Kevin Colbourne, Mission Director**

**Distribution of Deployment supplies, IT Equipment Training**

Throughout the day, LTOs will prepare for deployment, including scheduling appropriate times for the distribution of deployment kits, funds, and IT training (smart phones payment kits etc.). This will also be the opportunity to discuss specific security issues with each of the teams.

Training Evaluation Form to Be Completed

**DAY ONE | Tuesday, May 20, 2014**

PLEASE BRING YOUR TABLETS

**7:00 – 8:00**

**Buffet Breakfast at Hotel**

(bring your room key)

**8:00 – 9:00**

**Registration (Handout of Training Package)** see Hotel Map in your welcome package. Please submit your passport when picking up the training package. You will have your passport returned along with a certified photocopy of your passport at the beginning of the Mission Security Seminar.

**9:00 – 9:15**

**1.0 Welcome – Senator Raynell Andreychuk, Co-Head of Mission**

**9:15 – 10:00**

**2.0 Country and Political Overview**  
**His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine**

**10:00 – 11:30**

**3.0 Mission Security**  
**Canadian Embassy Security and Counsellor Staff**

**Mr. Tim O'Neil, Security Officer**

During this session STOs will discuss the security situation, risk management awareness during their deployment as well as specific security and evacuation plans, the importance of security call-ins, and other communication.

**11:30 – 11:45**

**Coffee break**

**11:45 – 12:00**

**4.0 STOs and the Election Observation Mission**  
**Kevin Colbourne, Mission Director**

An overview of the mission's staffing structure and the role of STOs, including activities during deployment and expectations will be discussed.

**12:00 – 12:30**

**5.0 STO Deployment Plan and LTO Introductions**

**Ann Szyptur, Long Term Observer (LTO) Coordinator**

A general overview of Deployment Plans across Ukraine

Specific Deployment Plans, LTOs and their respective STO teams

**12:30 – 13:00**

**6.0 Social Media and the Code of Conduct for Election Observers**

**Yaroslav Baran, Deputy Head of Mission**

STOs will receive an overview of the Observer Code of Conduct and Social Media Policy for the mission.

**13:00 – 14:00**

**Lunch served at hotel** (Sloviansky Hall)

**14:00 – 15:00**

**7.0 Overview of the Main Issues in the Early Presidential Election**

**Mychailo Wynnyckyj, Associate Professor of the Department of Sociology and Kyiv-Mohyla Business School, Director of the Doctoral School, National University of "Kyiv-Mohyla Academy"**

**15:00 – 17:00**

**8.0 Election Administration System, Election Day Procedures and Rights of Observers**

**Vadym Halychuk, Partner, Moor & Partners Law Firm, Election Law Expert**

Rights and Responsibilities of Election Observers, Election Administration System, Election Day Procedures including Polling Station Set Up and Authorized Persons; Opening Procedures; Voting Procedures (including special voting procedures); Closing and Counting Procedures, Invalid ballots; Tabulation Procedures with references to electoral law; Questions and Answers.

**17:00 – 19:00**

**9.0 How to Use Your Tablet and Phone Financial Overview**

The observers will be divided into groups and will be trained in the use of the tablets in one session and provided with a financial overview in the other session.

## DAY TWO | Wednesday, May 21, 2014

**7:00 – 8:45**

**Buffet Breakfast at Hotel**

**8:15 – 9:00**

**Sign in** (see Hotel Map in your Welcome Package)

**9:00 – 10:00**

**10.0 Media Environment**

**Steve Andriyovych, Communications Coordinator**

STOs will receive an overview of the media landscape as it relates to the election.

**10:00 – 11:00**

**11.0 What to Look Out for during the Election Week**

**Olha Aivazovska, Electoral and Parliamentary Programs Coordinator of the Civil Network OPORA**

This presentation will focus on the analysis of the election process to date from the point of view of domestic election observers.

**11:00 – 11:15**

**Coffee Break**

**11:15 – 11:45**

**12.0 Gender Monitoring of the Early Presidential Election**

**Maria Alekseyenko, Chair of the Board, Women's Consortium**

**11:45 – 12:15**

**13.0 National Minorities in Ukraine**  
**Orest Zakydalsky, Political Analyst /**  
**Taras Zalusky, Political Analyst**

**12:15 – 13:15**

**14.0 STO Observation Guidelines**

**Orest Zakydalsky Political Analyst /**  
**Mateusz Trybowski, Election Analyst**

**13:15 – 14:15**

**Lunch served at hotel** (Sloviansky Hall)

**14:15 – 16:00**

**15.0 STO Reporting**

**Mateusz Trybowski, Election Analyst /**  
**Orest Zakydalsky, Political Analyst**

In this session, STOs will learn more about their reporting responsibilities, including the different kinds of reports they will complete, reporting expectations, the scope and content of reporting, and tips on what makes a good report.

**16:00 – 16:15**

**Coffee Break**

**16:15 – 16:45**

**16.0 STO Deployment**

**Oksana Zubriy, Logistic Coordinator**

During this session, STOs will be informed of next steps in preparing to begin their deployment. In addition to finding out more about where they will be deployed, teams will have an opportunity to ask questions and discuss the general overview of the coming week.

**16:45 – 17:00**

**17.0 Concluding Remarks**

**Senator Raynell Andreychuk, Head of Mission**

Training Evaluation Form to Be Completed

# ANNEX 4

## CANEOM OBSERVERS AND MISSION MANAGEMENT

Long Term Observer Training – Kyiv, President Hotel  
May 7, 2014 – May 8, 2014

### LIST OF OBSERVERS BY OBLAST

#### **L'VIV / VOLYN**

Walter Prystajecy – LTO  
Agnes Doka – LTO  
1) Julia Smith  
2) Kevin Sirko  
3) Jaroslav Semcesen  
4) Ruby Swanson  
5) Myroslawa Pidhirnyj  
6) Ron Schuler

#### **IVANO-FRANKIVSK / CHERNIVTSI**

Barbara Buchanan – LTO  
Borys Gengalo – LTO  
1) Myra Kostiw  
2) Matthew McBain  
3) Martha Czurylowicz  
4) Adamou Hassan  
5) Dawit Bulcha  
6) Christine Clarke

#### **TERNOPIL / KHMELNYTSKYJ**

Michael Szubelak – LTO  
Oksana Bondarchuk – LTO  
1) Yana Evason  
2) William Schultz  
3) Laryssa Toroshenko  
4) Myron Pyskir  
5) Mohamed Basher  
6) Natalie Kardasz

#### **RIVNE / ZHYTOMYR**

Andrea Kardasz – LTO  
Jacques Morneau – LTO  
1) Adriana Willson  
2) Antoine Nouvet  
3) Marika Panchuk  
4) Devin Dreesen  
5) David Merner  
6) Russell Mackenzie

#### **KIROVOHRAD / VINNYTSIA**

Theophane Noël – LTO  
Sonia Mickevicius – LTO  
1) Alex Slywinskyj  
2) Marcus Abrametz  
3) Kelly Rowe  
4) Ruslana Wrzesnewskyj  
5) Terence Colfer  
6) Heather Domereckyj  
7) Andrew Hluchowecy  
8) Freda Myco  
9) Roman Tatarsky  
10) Nicolette Carlan

#### **ODESA**

Rosemary Cairns – LTO  
Danylo Spolsky – LTO  
1) Dominic Cardy  
2) Andrew Iwaszykiw-Potichnyj  
3) Thomas Haney  
4) Terese Szlamp-Fryga  
5) Paul Miazga  
6) Claude Nadeau

7) Nathalie Smolynec  
8) Philip Bury  
9) Nedad Krupalija  
10) Thomas Urbaniak

#### **KYIV**

Carolina Saavedra – LTO  
Emil Yereniuk – LTO  
1) Olena Toroshenko  
2) Horatio Sam-Aggrey  
3) Maria Arseniuk

#### **SUMY / CHERNIHIV**

Bohdan Kupych – LTO  
Natalie Wilson – LTO  
1) Kalyna Kardash  
2) Marcel Bergeron  
3) Krystina Waler  
4) Cornelius Dueck  
5) Mohammad Yaghi  
6) Jennifer Smith

#### **CHERKASSY / POLTAVA**

Natalia Toroshenko – LTO  
Christian Gohel – LTO  
1) Dana Bagan  
2) Fred Eidlin  
3) Michael Nowicki  
4) Jasmin Cheung-Gertler  
5) Andriy Kolos  
6) Yuk-Kuen Cheung  
7) Rohan Kembhavi  
8) Olga Moscicky

#### **MYKOLAIV**

Christina Maciw – LTO  
Marcel Gareau – LTO  
1) Eugen Duvalko  
2) Julie Langelier  
3) Jeffrey Mackey  
4) Paul Soltys  
5) Antonina Kumka  
6) Nicholas Smith  
7) Raymond Beley  
8) Lia Yip

#### **KHARKIV**

Dennis Kowalsky – LTO  
Laurence Couture-Gagnon – LTO  
1) Denys Volkov  
2) Mark Prystajecy  
3) Derrek Konrad  
4) Nicholas Krawetz  
5) Elaine Moll  
6) Peter Czurylowicz  
7) William Kelly  
8) Tamara Wajda

#### **DNIPROPETROVSK**

Danylo Korbabicz – LTO  
Helen Fotopulos – LTO  
1) Lesia Dmytryshyn  
2) Larry Campbell  
3) Alexandra Shkandrij  
4) Andrew Zurawsky  
5) Murray Thorpe  
6) Vanessa Johnson  
7) Marilyn Moisan  
8) Timothy Wood

#### **KHERSON**

Andrij Teliszewsky – LTO  
Michele Breton – LTO  
Peter Goldring – LTO  
1) Michael Maryn  
2) Patrick Devin  
3) Nikolai Vorotilenko  
4) Tetiana Gerych  
5) Ian McKinnon  
6) Roman Doshchak  
7) Yaroslav Lozowchuk  
8) Deborah Sirko

#### **ZAPORIZHZHIA**

Jacques Paquette – LTO  
Marta Chyczij – LTO  
1) Jonathan Wiesenthal  
2) Yuri Daschko  
3) Maryna Prokopenko  
4) Paul Maillet  
5) Paulette Schatz  
6) Harry Ewaschuk  
7) Jason Sokolosky  
8) Adam Bolek

#### **DONETSK**

Timothy Reid – LTO  
Ihor Boki – LTO  
1) Taras Masnyi  
2) Geordon Roy-Hampton  
LUHANSK  
Roman Bazikalov – LTO  
Steven Roy – LTO

#### **KYIV REGION**

Michael MacKay – LTO  
Oricia Krucko – LTO  
1) Denise Batters  
2) Benjamin Parsons

## **CANEOM SENIOR MISSION MANAGEMENT**

The Honourable Raynell Andreychuk, Senator, Head of Mission  
The Honourable Mike Harris, Former Ontario Premier, Head of Mission  
Yaroslav Baran, Deputy Head of Mission  
Kevin Colbourne, Mission Director  
Ann Szyptur, Long Term Observer Coordinator  
Taras Zalusky, Political Analyst  
Orest Zakydalsky, Political Analyst  
Mateusz Trybowski, Elections Analyst  
Steve Andrijowycz, Communications Analyst  
Volodymyr Kozoriz, Finance and Operations  
Phillip Gonzalez, Analyst

## **KEY LOCALLY ENGAGED PERSONNEL**

Oksana Zubriy, Logistics Coordinator  
Oleh Kushchynsky, IT Support  
Vladlena Shcherbakova, Operations Assistant  
Iryna Bilonizhka, Finance Assistant  
Lilia Ibadova, Legal Assistant  
Volodymyr Kistyanyk, Political Analyst Assistant  
Sviatoslav Sviatenko, Elections Analyst Assistant  
Oksana Hasiuk, Communications Analyst Assistant  
Iryna Kutnyak, Executive Assistant to LTO Coordinator & Mission Management

## **ACTIVE SUPPORT OF MISSION FROM OTTAWA**

Rupak Chattopadhyay, President and CEO, Forum of Federations  
Charles Cloutier, Vice President, Forum of Federations  
Rosanne Beaudoin, Project Officer, Forum of Federations  
Olu Ayeni, Finance Officer, Forum of Federations  
Chris Randall, Network Manager-Contractor, Forum of Federations  
Melanie Wissink, Recruitment and Assessment Advisor, CUSO International  
Daniel Drouet, Vice-President, Ajah

## **ACKNOWLEDGEMENTS**

### **EXTERNAL SPEAKERS AT KYIV TRAININGS**

His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine  
Mychailo Wynnnykyj, Associate Professor of the Department of Sociology and Kyiv-Mohyla Business School, Director of the Doctoral School, National University of "Kyiv-Mohyla Academy"  
Vadym Halaichuk, Partner, Moor & Partners Law Firm, Election Law Expert  
Olha Aivazovska, Electoral and Parliamentary Programs Coordinator of the Civil Network OPORA  
Maria Alekseyenko, Chair of the Board, Women's Consortium  
Steven Morris, MPSS Detachment Commander, Embassy of Canada to Ukraine  
Annamaria Scotti, Counsellor (Management), Embassy of Canada to Ukraine  
Emile Ares, Second Secretary and Vice-Counsel, Embassy of Canada to Ukraine

### **CANEOM wishes to acknowledge the support provided by the Government of Canada**

### **GOVERNMENT OF CANADA IN OTTAWA**

Amal El-Atifi, Program Analyst, Ukraine Division, Europe and Middle East, Development  
Violette Cassis, Deputy Director, Ukraine – Development, Europe and Middle East  
Natalia Cmoc, Deputy Director, Planning and Coordination, Stabilization and Reconstruction Task Force  
Jennifer Cooper, Deputy Director, Ukraine Development, Europe and Middle East  
Jess Dutton, Director (IRG) and Deputy Head START, Stabilization and Reconstruction Programs  
Deirdre C Kent, Director, Deployment and Coordination Division, START  
Dave Metcalfe, Director General – Development, Europe and Middle East  
Carly Volkes, Head, International Election Observation, Stabilization and Reconstruction Task Force

### **EMBASSY OF CANADA TO UKRAINE**

His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine  
Anne Mattson Gauss, Counsellor (Political)  
Stephen Potter, Director, Head of Technical Cooperation  
Zheng Zhang, Senior Program Analyst / First Secretary  
Inna V. Tsarkova, Political / Economic Program Officer

# ANNEX 5

## CANEOM ELECTION OBSERVATION DATA

### IMMEDIATE PRE-ELECTION PERIOD

Total number of Precinct Election Commissions (PECs) visited: 1242

POLLING STATION	URBAN	RURAL
	67.4%	32.6%
TYPE	REGULAR	SPECIAL
	96%	4%

### GENDER

PEC ROLE	MALE	FEMALE
CHAIRPERSON	31.3%	68.7%
DEPUTY	30.9%	69.1%
SECRETARY	15.4%	84.6%

### POLLING STATION (PS) VICINITY

QUESTION	YES	NO
Was physical access into the station difficult?	8.75%	91.25%
Is the signage for location of PS clearly visible?	83.3%	16.7%
Was the PS open when you arrived?	93.4%	6.6%

### CIRCUMSTANCES OUTSIDE THE

#### POLLING STATION (PS)

QUESTION	YES	NO
Are campaign activities taking place in the vicinity of the PS?	1.3%	98.7%
Other problems in the vicinity of the PS?	1.1%	98.9%

### CIRCUMSTANCES INSIDE THE

#### POLLING STATION

QUESTION	YES	NO
Any Campaign material inside PS?	0.4%	99.6%
Other problems?	4.4%	95.6%



## READINESS OF THE PEC

QUESTION	YES	NO
Were any PEC members present in the PEC?	95.1%	4.9%
Was the ballot transfer protocol (from the DEC) shown to you on request?	64.5%	35.5%
Is the safe where ballots are stored guarded by a police representative?	92.2%	7.8%
Was the sealed tape on the safe/metal strong box with ballots intact?	92.4%	7.6%
Did the PEC receive a copy of an updated preliminary voter list on paper (regular polling stations)?	96.3%	3.7%
Changes to the PEC membership in last week?	46.9%	53.1%

## OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

QUESTION	YES	NO
Were there person(s) present who are not PEC members who appeared to be directing work of PEC?	1.1%	98.9%
Did any observers/candidate/party representative or anyone present inform you of problems or potential problems at this PS?	1.5%	98.5%
Were any official complaints filed at this PS?	1.2%	98.8%

## TRANSPARENCY AT THE POLLING STATION

QUESTION	YES	NO
Were you in any way restricted in your observation of this PEC?	2.75%	97.25%
Were you granted full co-operation from the PEC during your stay?	96.4%	3.6%

## OVERALL ASSESMENT

	VERY BAD	BAD	GOOD	VERY GOOD
Overall impression at PS is	0.7%	3.1%	47.7%	48.5%

## OPENING OF POLLS

Total number of polling stations visited: 75

POLLING STATION	URBAN	RURAL
	84%	16%
TYPE	REGULAR	SPECIAL
	92%	8%

## GENDER

PEC ROLE	MALE	FEMALE
CHAIRPERSON	40%	60%
DEPUTY	32%	68%
SECRETARY	16%	84%





#### OPENING PROCEDURES

QUESTION	YES	NO
Were all necessary election materials present?	97.3%	2.7%
Was the sealed tape on the safe/metal strong box with ballots intact?	100%	0%
Have all the ballots been pre-stamped?	100%	0%
Were the ballots boxes properly sealed?	100%	0%
Was the control sheet inserted in every ballot box (including mobile box)?	95.8%	4.2%
Did the PEC enter the number of ballots received in Vote Count protocol?	79.45%	20.55%
Did the Polling Station (PS) open for voting at 08:00 hrs?	86.7%	13.3%
Other procedural problems	13.5%	86.5%

#### OFFICIALS AND (UN)AUTHORIZED PERSONS IN PREMISES

QUESTION	YES	NO
Were any unauthorized persons present in the PS during opening?	2.7%	97.3%

QUESTION	INTERNATIONAL ELECTION OBSERVERS	DOMESTIC ELECTION OBSERVERS	CANDIDATE/PARTY OBSERVERS
Which of the following categories of observers were present at the opening of this PS?	45.2%	38.4%	98.6%

#### TRANSPARENCY AT PEC OPENING

QUESTION	YES	NO
Did all persons present have a clear view of the opening procedures?	1.3%	98.7%
Were you in any way restricted in your observation of the opening procedures?	4%	96%
Were you granted full co-operation from the PEC during the opening procedures?	1.35%	98.65%

#### OVERALL ASSESMENT

	VERY BAD	BAD	GOOD	VERY GOOD
Overall conduct of the opening of this PS was	0%	1.33%	37.33%	61.33%
Overall impression of procedures followed	1.4%	2.7%	35.1%	60.8%
Overall impression of PEC's understanding of procedures	1.4%	2.7%	35.1%	60.8%

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## VOTING PERIOD

Total number of polling stations visited: 741

POLLING STATION	URBAN	RURAL
	67.4%	32.6%
TYPE	REGULAR	SPECIAL
	97.1%	2.9%

## GENDER

PEC ROLE	MALE	FEMALE
CHAIRPERSON	30.6%	69.4%
DEPUTY	32.45%	67.55%
SECRETARY	10.9%	89.1%

## CIRCUMSTANCES OUTSIDE THE POLLING STATION

QUESTION	YES	NO
Is there a large crowd waiting to vote?	5%	95%
Was physical access into the station obstructed?	1.6%	98.4%
Other problems in the vicinity of the PS?	1.35%	98.65%

## CIRCUMSTANCES INSIDE THE POLLING STATION

QUESTION	YES	NO
Overcrowding?	3.25%	96.75%
Any Campaign material inside PS?	0%	100%
Anyone attempting to influence voters whom to vote for?	0%	100%
Any pressure/intimidation of voters?	0.1%	99.9%
Other problems?	2.85%	97.15%

## ARRANGEMENT AND TRANSPARENCY INSIDE THE PS

QUESTION	YES	NO
Were the ballot box(es) sealed properly?	96.85%	3.15%
Were all necessary election materials present?	98.2%	1.8%
Were the number of ballots received entered on Vote Count protocols yet?	77.45%	22.55%
Were all booths appropriate?	98.6%	1.4%

QUESTION	ALWAYS	MOSTLY	SOMETIMES	NEVER
Did the PEC check the voters' IDs?	99.4%	0.6%	0%	0%
Did the PEC sign the ballot counterfoil?	99.9%	0.1%	0%	0%
Did the voters sign voter list?	100%	0%	0%	0%
Did the voters sign the ballot counterfoils?	99.9%	0.1%	0%	0%
Did voters mark their ballots in secrecy?	97.2%	2.7%	0.1%	0%
Have all the ballots been pre-stamped?	100%	0%	0%	0%

## VOTING PROCEDURES

QUESTION	YES	NO
If you observed mobile voting, were there any irregularities?	3.1%	96.9%

## PROBLEM AND IRREGULARITIES INSIDE POLLING STATION

QUESTION	YES	NO
Were voters turned away because their names were not on the voters list?	17.1%	82.9%
Were any voters who were not on the voter's list allowed to vote?	0.9%	99.1%
Voters denied the right to vote for inappropriate reasons?	0.1%	99.9%
Were voters without proper ID allowed to vote?	1%	99%
Series of seemingly identical signatures on the voter list?	0.4%	99.6%
Anyone attempting to vote more than once (multiple voting)?	0.1%	99.9%
Cases of proxy voting (voting on behalf of someone else, absent or present)?	0.4%	99.6%
Any unauthorized person assisting the voters?	0.7%	99.3%
Anyone voting with a pre-marked ballot paper (carousel voting)?	0%	100%
Indications of ballot box stuffing (e.g. ballots in stacks inside box)?	0%	100%
Any PEC member or observer being ejected or dismissed?	0.3%	99.7%
Other procedural problems?	3%	97%

## OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

QUESTION	INTERNATIONAL ELECTION OBSERVERS	DOMESTIC ELECTION OBSERVERS	CANDIDATE/PARTY OBSERVERS
Which of the following categories of observers were present at this PS?	34.8%	22.4%	97.7%

QUESTION	YES	NO
Were any unauthorized persons present inside the PS?	0.8%	99.2%
Did any observers or candidate/party representative inform you of problems at this PS?	1.1%	98.9%
Were any official complaints filed at this PS?	1.8%	98.2%

## TRANSPARENCY

QUESTION	YES	NO
Were you granted full co-operation from the PEC during your stay?	100%	0%
Were all phases of the voting process and ballot boxes visible to the PEC and observers?	99.2%	0.8%

QUESTION	<5	5-10	11-50	>50
How many persons voted while you were observing the voting at this PS?	13.3%	16.7%	55.1%	14.9%

## OVERALL ASSESMENT

QUESTION	VERY BAD	BAD	GOOD	VERY GOOD
Overall conduct of the voting process at this PS was	0%	0.6%	27.9%	71.5%
Overall impression of procedures followed	0.1%	0.6%	27%	72.3%
Overall impression of PEC's understanding of procedures	0.3%	0.7%	26.4%	72.6%

## ASSESSMENT OF VOTING BY REGION

REGION & DEC	VERY BAD	BAD	GOOD	VERY GOOD
Cherkassy		3.85%	42.3%	53.85%
Chernihiv			52.2%	47.8%
Chernivtsi			44.4%	55.6%
Dniepropetrovsk			33.8%	66.2%
Donetsk			50%	50%
Ivano-Frankivsk			16.7%	83.3%
Kharkiv			37%	63%
Kherson		2%	29.4%	68.6%
Khmelnysky			12%	88%
Kirovohrad			34.1%	65.9%
Kyiv			27.3%	72.7%
Kyiv region			15.8%	84.2%
Luhansk				100%
Lviv				100%
Mykolaiv			14.3%	85.7%
Odessa			53.6%	46.4%
Poltava			42.9%	57.1%
Rivne				100%
Sumy			33.3%	66.7%
Ternopil			20%	80%
Vinnysia				100%
Volyn			26.3%	73.7%
Zaporizhia		3.4%	15.5%	81%
Zhytomyr			33.3%	66.7%

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## CLOSING AND COUNTING

Total number of Precinct Election Commissions (PECs) observed: 71

POLLING STATION	URBAN	RURAL
	64.8%	35.2%
TYPE	REGULAR	SPECIAL
	93%	7%

## GENDER

PEC ROLE	MALE	FEMALE
CHAIRPERSON	25.4%	74.6%
DEPUTY	28.6%	71.4%
SECRETARY	12.7%	87.3%

## CLOSING OF THE POLLING STATION

QUESTION	YES	NO
Were voters waiting to vote inside the PS at 20:00 hours?	5.6%	94.4%
If YES, Were they allowed to vote?	100%	0%
Did the PS close on time?	97.1%	2.9%

## OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

QUESTION	YES	NO
Were party/candidate observers present at the closing of this PS?	100%	0%
If YES. Were they allowed to vote?	100%	0%
Were any unauthorized persons present inside the PS?	0%	100%
Did any observers or candidate/party representative inform you of problems at this PS?	2.9%	97.1%

## OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

QUESTION	INTERNATIONAL ELECTION OBSERVERS	DOMESTIC ELECTION OBSERVERS	CANDIDATE/PARTY OBSERVERS
Which of the following categories of observers were present at this PS?	43.5%	21.7%	100%







## STEPS TO BE COMPLETED BEFORE THE BALLOT BOXES ARE OPENED

QUESTION	YES	NO
Were any official complaints filed at this PS during the vote?	2.9%	97.1%
Were any voters added to the VL on election day?	8.8%	91.2%
Was the number of registered voters on the VL announced?	94.1%	5.9%
Was the number of registered voters entered in the Vote Count protocol?	95.6%	4.4%
Did the PEC count and invalidate unused ballots according to procedure?	100%	0%
Was the number of signatures on the VL announced?	89.7%	10.3%
Was the number of used ballot counterfoils announced?	100%	0%
On the protocol, did the number of signatures match the number of counterfoils?	97%	3%
Was the sum of the number of voters who received ballots + the number of unused ballots equal to the number of ballots received by PEC?	98.5%	1.5%
Were all documents packed into separate packages according to the Law, (e.g.: V L+ extract; unused ballots; counterfoils etc.)?	100%	0%

## OPENING OF MOBILE BOXES(MOBILE AND STATIONARY)

QUESTION	YES	NO
Were the seals of all the ballot boxes intact/undamaged?	100%	0%
Was one control sheet found in every regular ballot box and two control sheets for every mobile box?	97%	3%
Were all ballots pre-stamped with the PEC stamp?	100%	0%
Were the valid/invalid ballots determined in a reasonable manner?	100%	0%
Were the valid/invalid ballots determined in a consistent manner?	97%	3%
Were all PEC members free to examine the ballot?	100%	0%
Did the appointed PEC members announce the number of invalid ballots?	98.5%	1.5%
Was the number of invalid ballots entered in the protocol?	100%	0%
Did the PEC pack and seal the ballots for each candidate separately?	98.5%	1.5%

## PROBLEMS AND IRREGULARITIES

QUESTION	YES	NO
Observer/s or PEC member/s being expelled from the PS?	0%	100%
PS overcrowded?	0%	100%
Non-PEC member/s participating in the count?	4.4%	95.6%
Were figures already entered in the protocols changed after opening the ballot boxes?	0%	100%
Official protocol forms pre-signed by PEC members?	1.5%	98.5%
Any falsification of VL entries, results or protocols?	0%	100%
Any significant procedural errors or omissions?	5.9%	94.1%
Any consistently anomalous marks on ballots (triangles, stars, etc.)?	1.5%	98.5%
Indications of ballot box stuffing?	0	100%

## COMPLETION OF THE PEC PROTOCOL

QUESTION	YES	NO
Was the sequence of steps prescribed strictly followed?	88.2%	11.8%
Did the PEC complete any "Act" on counting discrepancies or irregularities	15.4%	84.6%
Did all PEC members agree on the figures entered in the protocol?	98.5%	1.5%
Did the PEC members have difficulties filling in the protocol?	6%	94%
Did the PEC revise figures established earlier in the process?	2.9%	97.1%
Was any dissenting opinion of PEC members on the count attached to the protocol?	0%	100%
Did any present PEC member refuse to sign the protocol?	0%	100%
Was a copy of the protocol posted for public information?	18%	82%
Did all entitled persons who requested receive copies of the protocol?	4.6%	95.4%
Did you receive a copy of the protocol?	93.85%	6.15%

## TRANSPARENCY

QUESTION	YES	NO
Did all persons present have a clear view of the counting procedures?	100%	0%
Were you in any way restricted in your observation of the counting procedures?	0%	100%

## OVERALL ASSESMENT

QUESTION	VERY BAD	BAD	GOOD	VERY GOOD
Overall conduct of the counting process at this PS was	0%	1.5%	40.9%	57.6%
Overall impression of procedures followed	0%	1.6%	48.4%	50%
Overall impression of PEC's understanding of procedures	1.5%	7.6%	43.9%	47%

## OVERALL CONDUCT OF THE COUNTING PROCESS BY REGION

REGION	VERY BAD	BAD	GOOD	VERY GOOD
Cherkassy			66.7%	33.3%
Chernihiv				100%
Chernivtsi			100%	
Dnipropetrovsk			40%	60%
Ivano-Frankivsk				100%
Kharkiv			60%	40%
Kherson			33.3%	66.7%
Khmelnysky			100%	
Kirovohrad			33.3%	66.7%
Kyiv			50%	50%
Kyiv region			50%	50%
Lviv			50%	50%
Mykolaiv			40%	60%
Odessa		25%	25%	50%
Poltava				100%
Rivne				100%
Sumy			50%	50%
Ternopil			50%	50%
Vinnitsia			33.3%	66.7%
Volyn				100%
Zaporizhia			60%	40%
Zhytomyr			50%	50%

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## TRANSFER OF BALLOTS TO DISTRICT ELECTION COMMISSIONS (DECs)

Total number of ballot transfers observed: 58

POLLING STATION	URBAN	RURAL
	60.3%	39.7%
TYPE	REGULAR	SPECIAL
	93.1%	6.9%

## GENDER

PEC ROLE	MALE	FEMALE
CHAIRPERSON	35.1%	64.9%
DEPUTY	37.5%	62.5%
SECRETARY	10.9%	89.1%

## PROTOCOL AND ELECTION MATERIAL TRANSPORT

QUESTION	YES	NO
Did two PEC members accompany the Chair or Deputy with the election material to the DEC?	100%	0%
Did an officer of the Ministry of the Interior escort the PEC members and the election material?	100%	0%
Were the packed documents directly transferred to the DEC?	94.8%	5.2%

## CIRCUMSTANCES IN THE DEC PREMISES

QUESTION	YES	NO
Were any unauthorized persons present inside the DEC?	2%	100%
Did any observers or candidate/party representative inform you of problems at this DEC?	10.5%	89.5%
Any official complaints filed with the DEC ?	0%	100%

## PROBLEMS AND IRREGULARITIES

QUESTION	YES	NO
Overcrowding?	42.1%	57.9%
Observers being expelled from the DEC?	1.8%	98.2%
PEC correcting or filling in protocol without a formal DEC decision?	96.4%	3.6%
Were you in any way restricted in your observation of the PEC handover to the DEC?	0%	100%

## PROCESSING THE DATA

QUESTION	YES	NO	Not known
Were you granted access to observe the entry of the PEC protocol into the computer system at the DEC	64.3%	35.7%	0%
Was the data entered into the computer accurately?	34.6%	1.9%	63.5%

## TRANSFER/SUBMISSION OF RESULTS

### PROTOCOLS AND ELECTION MATERIALS

QUESTION	YES	NO
Were the seals on the PEC materials intact upon arrival?	5.45%	94.55%
Did the PEC deliver all required documentation to the DEC?	96.2%	3.8%

## PEC PROTOCOL CHECKS

QUESTION	YES	NO
Did the PEC deliver invalidated results to the DEC?	25.9%	74.1%
Did the PEC submit two copies of each of the Protocol to the DEC?	98.2%	1.8%
Did figures in the protocol display any obvious signs of having been altered?	10.9%	89.1%
Did the figures in the PEC protocol add up?	92.6%	7.4%
Did the DEC request the PEC to provide any "Amended" protocol?	12.7%	87.3%
Did the DEC decide to recount the PEC ballots?	7.3%	92.7%

## OVERALL ASSESMENT

QUESTION	VERY BAD	BAD	GOOD	VERY GOOD
Conduct of the handover and tabulation procedures was	3.7%	5.6%	46.3%	44.4%
Overall conduct of the counting process at this PS was	3.85%	9.6%	40.4%	46.15%
Overall impression of procedures followed	3.8%	3.8%	45.3%	47.1%
Overall impression of DEC's understanding of procedures	1.8%	0%	38.9%	59.3%

## OVERALL ASSESSMENT OF THE CONDUCT OF THE HANDOVER AND TABULATION PROCEDURES BY REGION

REGION	VERY BAD	BAD	GOOD	VERY GOOD
Cherkassy			100%	
Chernihiv			100%	
Chernivtsi			66.7%	33.3%
Dnipropetrovsk		25%	25%	50%
Ivano-Frankivsk			100%	
Kharkiv	25%		50%	25%
Kherson		16.7%	50%	33.3%
Khmelnysky			100%	
Kirovohrad			33.3%	66.7%
Kyiv				100%
Kyiv region			50%	50%
Lviv				100%
Mykolaiv	20%		60%	20%
Odessa			75%	25%
Poltava				100%
Rivne				100%
Sumy			50%	50%
Ternopil			100%	
Vinnysia				100%
Volyn			50%	50%
Zaporizhia			25%	75%
Zhytomyr		50%		50%

## OBSERVATION AT DISTRICT ELECTION COMMISSIONS (DECs)

Total number of DECs observed: 89

### GENDER

DEC ROLE	MALE	FEMALE
CHAIRPERSON	60.9%	39.1%
DEPUTY	52.4%	47.6%
SECRETARY	18.75%	81.25%

QUESTION	YES	NO
Is there any tension or unrest in the vicinity of the polling station?	7.3%	92.7%
Is the DEC operational?	100%	0%

### PERSONS IN THE DEC PREMISES

QUESTION	INTERNATIONAL ELECTION OBSERVERS	DOMESTIC ELECTION OBSERVERS	CANDIDATE/PARTY OBSERVERS
Which of the following categories of observers were present at this PS?	93.3%	52.6%	89.6%

### TRANSFER/SUBMISSION OF RESULT PROTOCOLS AND ELECTION MATERIAL, PEC PROTOCOL CHECK AND PROCESSING THE PEC DATA

QUESTION	ALWAYS	MOSTLY	SOMETIMES	NEVER
Were the seals on the PECs' material intact upon arrival?	80%	16.8%	2.4%	0.8%
Did the PECs deliver all required documentation to the DEC?	69%	30.2%	0.8%	0%
Did the PEC submit two copies of the Protocol to the DEC?	84.5%	15.5%	0%	0%
Did figures in the protocols display any obvious signs of having been altered?	4.3%	2.6%	2.6%	90.5%
Did the figures in the PEC protocols add up?	52%	43.2%	3.2%	1.6%
Were you granted access to observe the DEC data entry from the PEC protocols?	72.2%	5.6%	7.1%	15.1%
Was the data entered in to the computer accurately?	88.9%	6.9%	0%	4.2%

### PERSONS IN THE DEC PREMISES

QUESTION	YES	NO
Were any unauthorized persons present inside the DEC?	0%	100%
Any official complaints filed with the DEC?	6%	94%

### PROBLEMS AND IRREGULARITIES

QUESTION	YES	NO
Observers being expelled from the DEC?	0.7%	99.3%
PEC correcting or filling in protocols without a formal DEC decision?	2.9%	97.1%
Were you in any way restricted in your observation at the DEC?	2.9%	97.1%

## OVERALL ASSESMENT

QUESTION	VERY BAD	BAD	GOOD	VERY GOOD
Overall conduct of the handover and tabulation procedures at this DEC is	1.5%	7.5%	37.6%	53.4%
Overall impression of procedures followed	0.75%	6.75%	34.6%	57.9%
Overall impression of DEC's understanding of procedures	0.9%	1.8%	40.2%	57.1%

## ASSESSMENT OF OVERALL CONDUCT OF HANDOVERS AND TABULATION PROCEDURES AT DECS BY REGION & DECS

REGION & DEC	VERY BAD	BAD	GOOD	VERY GOOD
Cherkassy			25%	75%
Chernihiv			75%	25%
Chernivtsi			37.5%	62.5%
Dnipropetrovsk			25%	75%
Ivano-Frankivsk			100%	
Kharkiv	10%	10%	70%	10%
Kherson		9.1%	9.1%	81.8%
Khmelnysky			22.2%	77.8%
Kirovohrad		25%	25%	50%
Kyiv				100%
Kyiv region				100%
Lviv				100%
Mykolaiv	10%		50%	40%
Odessa		12.5%	12.5%	75%
Poltava			50%	50%
Rivne			100%	
Sumy			20%	80%
Ternopil			66.7%	33.3%
Vinnysia				100%
Volyn			50%	50%
Zaporizhia		16.7%	66.7%	16.6%
Zhytomyr		33.3%	33.3%	33.3%

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