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Report on Local Elections in Ukraine 2015

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Introduction

On October 25, 2015, voters went to nearly 30,000 polling stations nationwide to elect 172,219 representatives in Ukraine's local elections. It has been five years since Ukraine's last local election, during which time the Maidan revolution and snap parliamentary and presidential elections led to significant changes in Ukraine's political representation at the national level. The local election provided a critical opportunity for Ukrainian voters to select the leaders that will be key to navigating the country's shifting political landscape and provide new momentum for the reforms advocated by the Maidan movement. A record 1,554 international observers monitored these local elections, indicative of the significance of this vote for the country's ongoing democratic development.

On November 15, a second round of elections as stipulated under the new local election law, was held for mayors and city councilors in cities, villages and settlements where the top competing candidates received an equal number of votes in single-member majoritarian races, or, in the case of larger cities with at least 90,000 voters, where none of the candidates received more than half of the votes cast in the first round. In total 29 large cities held two-round mayoral elections – the first time this system has been used in Ukraine. In addition, earlier postponed elections were held in the cities of Mariupol and Krasnoarmiysk on November 29, and are scheduled for December 27 in Svatove.

Serving as a backdrop for these elections was a new local election law adopted in July 2015. The new law introduced three electoral systems for the local elections, including a complex and rare type of proportional party-list system. Even more controversial than the complexity of this system was the opaque manner in which the law was developed and adopted. An additional matter of some controversy is the fact that overseeing the local elections was a Central Election Commission (CEC) where new membership is long overdue. The terms of office of 12 out of 15 CEC members expired in mid-2014, yet the President and Parliament have failed to take the necessary steps to appoint a new commission.

As with the snap elections in 2014, IFES supported the local elections in Ukraine on a number of fronts. IFES collaborated with the CEC in organizing large-scale training of election commissioners and in educating voters. IFES' 216 master trainers carried out cascade training that reached 100% of upper-level (oblast, rayon, city) Territorial Election Commissions (TECs) and 94% of lower-level (village, settlement) TECs. In total, 34,164 TEC members were trained in 1,133 training sessions. Another 79 trainings were organized for 4,000 newly formed Precinct Election Commissions (PECs) during the week before the second round, and 592 PEC members in Krasnoarmiysk and Mariupol received training directly from the CEC/IFES as well. With the cooperation of the CEC, IFES also produced public service announcements highlighting the new party-list [gender quota](#) as well as the [new electoral system](#) for councils, and voter information leaflets that were disseminated by libraries nationwide. Finally, IFES cooperated with its civil society partners to provide training assistance for police officers on electoral security and to monitor campaign spending in select mayoral races in the regions.

On Election Day, IFES fielded a small team of observers to interview poll workers and police on their training. Additional focus groups were also organized with TEC and PEC members to gain further insights on their training and E-Day experiences. The findings from these exercises are detailed below and will be used to provide feedback to the CEC and fine-tune IFES programming initiatives.

This report highlights the main themes and observations that emerged from the 2015 Local Elections, both from the perspective of IFES as a technical assistance provider as well as from election observers' point of view. Based on these conclusions and IFES' global experience, IFES then offers a number of recommendations (legal, procedural, institutional, etc.) to strengthen the electoral process in Ukraine.

Election Context and Challenges

A number of themes emerged from the 2015 local election context. Some of them were anticipated, such as the complexities of the new Law on Local Elections, both in terms of administration and voter engagement. Other issues, like actions taken by certain TECs in direct opposition to the CEC's guidance, were more

surprising. Election monitoring groups identified a number of problematic issues connected with preparations for the elections. These included ambiguity in interpretation of the legal requirements by election commissions and courts; early campaigning by parties and candidates, prior to the official campaign period; and illegal distribution of goods and services to voters. Despite these issues, instances of abuse of administrative resources, endemic in pre-Maidan electoral events, were not widespread, and the election environment was generally perceived as conducive to competitive elections.

Opaque and non-inclusive election law reform. The process by which the new Law on Local Elections was developed and adopted was highly problematic. The reform process began in earnest in April 2015, when Parliamentary Speaker Groisman established a Working Group tasked to draft a new Local Election Law by May 2015. The Working Group was comprised of MPs from the coalition in Parliament, civil society experts, representatives of the CEC and IFES. The Working Group reached consensus on the key provisions and drafted the law by mid-May 2015. On May 28, that draft (No. 2831-2) was registered in Parliament by 19 MPs representing the key coalition factions, including Petro Poroshenko Bloc, People's Front and Samopomich. However, on the same day, a group of five MPs registered an alternative draft law – legislation that had never been publicly discussed and was drafted behind closed doors. Remarkably, two of the five sponsors of this alternative draft were members of the Working Group that developed draft law No. 2831-2. Ultimately, Parliament voted in favor of the alternative draft. The Law, as adopted, laid down a number of new provisions not present in the laws governing national elections. It also introduced a proportional election system that was problematic in many ways. The final version of the Law, with amendments introduced at the plenary meeting of the parliament, was not available to the public for almost a month after its adoption, and was published only when President Poroshenko signed it in August 2015, two months before the local elections.

This non-inclusive approach to reform was strongly criticized by civil society and international organizations. Calls for renewed election law reform efforts began even before the October elections concluded.

Expired terms of CEC members. In June 2014, the tenures of 12 out of 15 CEC members expired. Under the Constitution, the names of prospective CEC commissioners are proposed to the Parliament by the President, based on consultation with political parties and subject to further approval by the legislature. However, the President failed to propose new CEC members as required. The expediency of elections in 2014 and 2015 was the most oft-cited reason for the delay. While the CEC managed the local elections effectively overall (albeit with some problematic decisions, such as cancellation of the second round of mayoral elections in Pavlograd,¹ questionable interpretation of the gender quota requirement, etc.), the fact that so many CEC members have been operating with expired office terms could raise questions about the independence and legitimacy of the CEC. On a positive note, immediately after the elections, parties represented in the Parliament began to propose names of potential CEC members to the President, who agreed that the commissioners with expired terms be replaced in short order.

Public confusion around the newly implemented electoral system. Under the new system set forth in the 2015 Law on Local Elections, voters navigate three different electoral systems:

1. The first-past-the-post system for election of village and settlement councils, as well as mayors of villages, settlements and of cities with less than 90,000 voters;
2. A two-round system for mayoral elections in cities with at least 90,000 voters; and



¹ On October 27, 2015, the CEC adopted a decision whereby no second round of mayoral races would be held if the number of voters in the city in question decreases to less than 90,000 voters. This decision affected the city of Pavlograd, where, as of August 1, 2015, 90,295 voters were registered. However, according to the CEC, this figure dropped below 90,000 after the first round of elections, meaning that the candidate who received a plurality of votes should be recognized as the elected mayor by the Pavlograd city TEC. The law fails to address such a scenario. Ultimately, the decision was struck down in court and the second round of elections proceeded in Pavlograd.

3. A proportional system for elections of councils at oblasts, rayons and cities of any size.

In several surveys and IFES focus groups, Ukrainian citizens indicated that they do not understand the new law. Such confusion may have impacted voter turnout and could impact public (and candidate) acceptance of the election results.

The new local election law represents the latest case of Ukrainian authorities experimenting with different rules and systems from one election to the next. It underscores the need for consolidation and harmonization of the country's disparate laws governing elections.

Irrational outcomes of proportional system introduced by Local Election Law. Before the 2015 elections, IFES and others predicted that the new proportional electoral system² would yield a mathematically proportional seat distribution among political parties within the constituency of the race, but it might also result in highly irrational outcomes. For example, there could be sub-districts that have no elected candidates and sub-districts having several elected candidates, as well as sub-districts where the highest vote-getter receives no seat while the second- or third-place candidate receives a seat.

The results of the local elections to oblast and certain cities councils generally prove that presumption (see Table 1 in Annex I). At the oblast level, nationwide at least 20% of sub-districts are left without any elected councilors, while Chernihiv, Chernivtsi, Kirovohrad, Kyiv, Poltava, Sumy, Ternopil and Zhytomyr oblasts have as many as 30% empty sub-districts. Meanwhile, roughly 15% of sub-districts in oblast council races have at least two elected councilors, and a handful of sub-districts have three elected councilors. The city council elections generally produced similar results (see Table 2 in Annex I).

As illogical as these results may seem to a constituency accustomed to single-mandate districts, they are the legitimate outcome of the election system utilized for the council elections. One key feature of that system is that one seat on each party list that passes the threshold is reserved for a candidate (the first candidate on the party list) who is not assigned to any sub-district and is given priority in receiving a seat in the council. This provision results in votes for a party (which ostensibly is a vote for the sub-district candidate) being absorbed by this first candidate.

That being said, the election results for councils are in general proportional. According to analysis by the Committee of Voters of Ukraine (CVU), Petro Poroshenko Bloc/Solidarnist will be represented on 23 oblast councils, as will Batkivshchyna, followed by UKROP with representation on 18 oblast councils. Councilors from Oleh Liashko's Radical Party will have seats on 17 oblast councils, while the Opposition Bloc, Svoboda and Samopomich will each have representatives on 15 oblast councils. Our Land (10 councils) and Renaissance Party (8 councils) are also represented.

Problematic districting. The Local Election Law failed to introduce clear requirements for the election districts to be used in the local elections. While it provides that election districts must be established with an approximately equal number of voters, no limitations were imposed on the maximum deviation in the number of voters across districts. Additionally, the law does not require sub-districts established for elections under the proportional system be contiguous. As a result, in many cases sub-districts were created with non-contiguous boundaries, while deviations in the numbers of voters in many cases were extremely high. According to OPORA Civic Network, in almost half of the sub-districts used for oblast council elections, the deviation exceeded 15%, the maximum deviation recommended by the Venice Commission's Code of Good Practice in Electoral Matters. In some sub-districts the number of voters was seven times higher than in other sub-districts used in the same elections.

Politicized nature of election commissions. Elections in Ukraine are administered by election management bodies consisting of political party appointees. This approach is intended to balance parties' interests and prevent any one side from controlling the electoral process. However, it can also interfere with the business of electoral administration when the system is manipulated by parties and when commissioners fail to act neutrally and professionally. The tradition of parties appointing and re-appointing members throughout the electoral period is well known (though, in fact, OPORA noted that the number of replacements on the TECs and PECs was not as high this time around as in the 2014 national elections.) In local elections, the politicized

² For an explanation of the new electoral system, see IFES' [FAQs](#) on the Local Elections.

nature of election commissions becomes more significant than usual, given that the elections are managed primarily by highly autonomous TECs rather than by the CEC.

During the 2015 local elections, most TECs performed their duties professionally and in accordance with the law, but a handful demonstrated rebellious behavior that in some cases derailed the elections in their communities. For instance, throughout the candidate registration process, there were numerous instances in which TECs violated the Law on Local Elections by refusing to register qualified candidates (e.g. in Cherkassy city, Kharkiv oblast, etc.), despite the fact that the CEC attempted to address these issues, even dissolving TECs for legal violations. Some TECs failed to print the ballot papers in time, essentially holding the elections hostage for political reasons.

City council and mayoral elections were ultimately postponed in the cities of Mariupol and Krasnoarmiysk, where the city TECs failed to deliver the ballot papers for the city elections to the PECs in advance of Election Day, as well as in Svatove, where ballots were delivered to the PECs but contained significant errors in the text. Elections in Mariupol and Krasnoarmiysk were held on November 29, 2015, in accordance with a parliamentary decision that was supported by the Petro Poroshenko Bloc, People's Front, and Opposition Bloc. Elections in the two cities ultimately proceeded in a calm, orderly manner, with complaints and reported violations relatively limited. In this case, the CEC directly produced and transferred ballots to the PECs, which helped obviate the problems seen before.

Missing voters. According to UNHCR estimates from September 2015, Ukraine's population of internally displaced persons (IDPs) is as high as 1.43 million people. Many IDPs cannot vote on Election Day due to legal provisions requiring individuals to vote from their permanent place of residence. This is also the case for millions of migrant workers, many of whom have not obtained permanent residency in their actual place of residence. Additionally, according to the CEC, the State Migration Service of Ukraine failed to provide information about some 18-year old Ukrainian citizens who were newly-eligible to vote. As a result, these citizens were not included in the voter list and thus not able to vote.

As it happened, voter turnout was notably low for the elections. According to the CEC, voter turnout was 46.6%, exceeding 50% in the western regions only.³ The second round on November 15 saw 34.08% of registered voters turn out. Although this represents the lowest turnout for any election since Ukraine's independence, IFES notes that voter turnout for local elections is generally low worldwide, and that 46.6% is comparable to the 48.7% turnout rate for Ukraine's 2010 local election. Despite this, some were disappointed with what they deemed as a low turnout. Parliamentary Speaker Groisman claimed that political party leaders' failure to prioritize issues of local importance affected turnout, while others speculate that the complicated Local Election Law and absence of "new faces" among the candidates discouraged voters from going to the polls.

Gender quota. The Local Election Law introduced a gender quota, whereby representation of either sex on the candidate list under the proportional system must be no less than 30%. However, the legal framework failed to provide any sanctions for failure to comply with the quota requirement. On September 23, 2015, the CEC announced that failure to adhere to the gender quota does not constitute grounds for rejection of the party list by the TEC in charge of candidate registration. Although the CEC resolution was challenged in court, the court upheld the CEC decision. In the end, while some political parties did ensure that women made up 30% their party list candidates, most ignored the gender quota provision. According to the Committee of Voters of Ukraine, women, on average, received 18% of seats on city councils of the regional centers and 15% of seats on oblast councils in the local elections.

Violation of election campaigning rules. As in the 2014 national elections, the legal provisions governing election campaigning were poorly enforced. While the Local Election Law explicitly prohibits election campaigning before candidate registration, many parties and future candidates in the 2015 local elections in fact started their campaigns immediately after the start of the election process, before registration of the candidates by the TECs. The Local Election Law also prohibits election campaigning on the last Saturday before Election Day and on Election Day itself. However, in a number of cases, especially in mayoral elections, the candidates ignored the "day of silence." Domestic and international observers also noted a number of

³ For region-specific information on voter turnout, see [here](#).

other violations, including placing campaign materials in prohibited places, participation of public officials in election campaigning for certain candidates, hidden (i.e., not marked as such) political advertising in the media, numerous cases of distribution of goods and services to voters by candidates, and distribution of campaigning materials without appropriate marking (e.g., without data on the printer, circulation, etc.).

Weak campaign finance regulations. OPORA noted among its findings that spending on election campaigns by parties and candidates had increased from the past. Having monitored expenditures in mayoral races in Lviv and Drohobych, with support from IFES, local NGO Center for Societal Innovations (CSI) highlighted key failures in the existing legislation. In particular, the financial disclosure form approved by CEC is vague and does not reflect all spending by candidates and parties. After Parallel Expenditure Tracking (PET), CSI found that candidates in Lviv reported 12-53% less spending than monitors tracked. CSI claims that candidates did not include expenditures for production of campaign audio and video ads. A number of local CSOs are calling for increased restrictions, even an outright ban, on political advertising, in order to reduce the cost of elections.

These findings underscore the importance of new political finance legislation recently adopted by Parliament and signed into law by President Poroshenko on November 21, 2015, which includes public funding of political parties, limitations on private donations (including in-kind) to political parties, detailed rules for financial disclosure by parties and candidates and full publication of these reports. However, the introduced changes in the legal framework do not address campaign funding in local elections, necessitating the need for harmonization of the local election law with the new political finance legislation.

Initial Findings of Observers

The 2015 elections attracted the largest number of international observers ever for a Ukrainian local election. In general, observation missions concluded that Election Day was calm and orderly, with some isolated cases of violations of the legal provisions governing the local elections.

The OSCE/ODIHR Election Observation Mission noted that the candidates were able to campaign freely in a generally calm environment. Most problems encountered during the elections were rooted in the deficiencies in the legal framework as well as a lack of confidence in the electoral administration. ODIHR highlighted the need for inclusive election law reform going forward.

OPORA concluded that PECs generally handled Election Day procedures in an effective manner, in both rounds. The most common violations included starting the morning preparatory meeting of the PEC early (i.e. before 7:15 a.m., as stipulated by law) at some polling stations, late opening of polling stations, failure to sign vote counting protocols by some PEC commissioners, delayed vote counting, presence of unauthorized persons during vote counting, isolated cases of failure to deliver vote counting protocols to observers, and rare instances of fraudulent voting (i.e. voting by persons missing on the voter lists, violation of the secrecy of the vote). However, those violations were detected in a limited number of polling stations and did not affect the election results.

According to the Committee of Voters of Ukraine (CVU), preparations for the elections complied with international standards for free and democratic elections. On Election Day, CVU identified various violations, including election campaigning on Election Day, various minor procedural violations committed by PEC members, taking photos of the ballot papers in the polling booths, possible vote-buying schemes and violations of the election laws during transportation of election documents to the higher-level commissions. OPORA and CVU both noted last-minute changes to the TECs and PECs as a factor that could have a negative impact on the overall effectiveness of electoral management.

The European Network of Election Monitoring Organizations (ENEMO) concluded that the elections on October 25 were mainly held in a peaceful atmosphere and in line with most international standards. According to ENEMO, most violations during the campaigns were related to early campaigning, placing posters at forbidden places, negative PR and abuse of administrative resources. Among other issues, the ENEMO mission highlighted the politicized composition of the TECs, high number of voters at election precincts, and lack of public funding of election campaigning. ENEMO praised the involvement and

professionalism of the CEC with regards to providing explanations of the Local Election Law to contestants and election administrators.

IFES Election Day Assessment

IFES conducted a series of site visits and interviews at polling stations in Kyiv city, Kyiv oblast, Chernihiv oblast, Zhitomyr oblast, and Cherkassy oblast during the October 25 local elections. In total, 24 polling stations were evaluated. These visits and interviews had several purposes, namely: 1) to evaluate the preparedness of polling places; 2) to assess the utility and quality of IFES training materials and programs; and 3) to identify and prioritize training needs of election officials for future elections. Findings from this assessment have been used to identify a series of recommendations for local authorities and for programming in the post-election period.



At each polling station, IFES teams completed a comprehensive checklist and a brief questionnaire posed to a member of the polling station commission, as well as to police officers stationed at the polling site.

Assessment Findings

Preparation of Polling Facilities

Electoral precincts are established on a permanent basis in Ukraine, and thus do not change regardless of type of election. The specific physical location of the polling station is established by the local administration. Typically, polling stations are located in schools, government administration buildings, or state-funded cultural or social facilities. While voting premises can change from election to election, typically they do not, most likely because voters are already acquainted with their existing polling site, and there are often few, if any, other options available.

Figure 1: "How well was the official voter education material on voting procedures displayed for voters to see and use?"

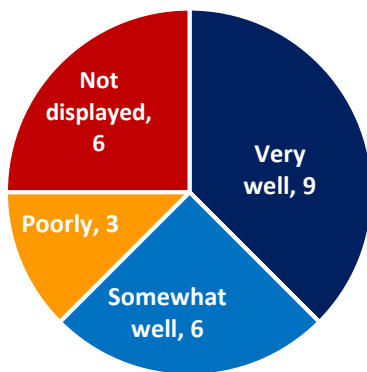
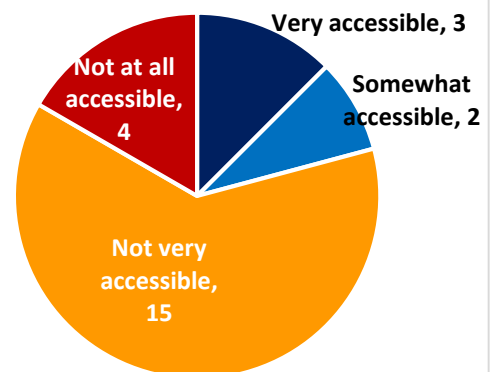


Figure 2: "How would you rate accessibility to the polling station for persons with disabilities?"



A requirement for each polling station is to provide voter education materials on voting procedures; however, these were not displayed either inside or outside at six of the polling stations visited by IFES staff. At the polling stations that did display the mandated poster on voting procedures, 15 displayed them at least somewhat well, while three displayed them poorly in a way that would provide little to no instruction to voters prior to voting.

Accessibility of polling stations remains an issue in Ukraine, with 19 of the polling stations visited (79%) being either not very accessible (15) or not at all accessible (4) for persons with limited mobility (Figure 2). This is despite the fact that the instructions to provide such facilities were contained in both the training video and training manual produced by the CEC with support from IFES. As is the usual practice, mobile voting was used in each polling station to accommodate voters who could not come to the polling station. While this

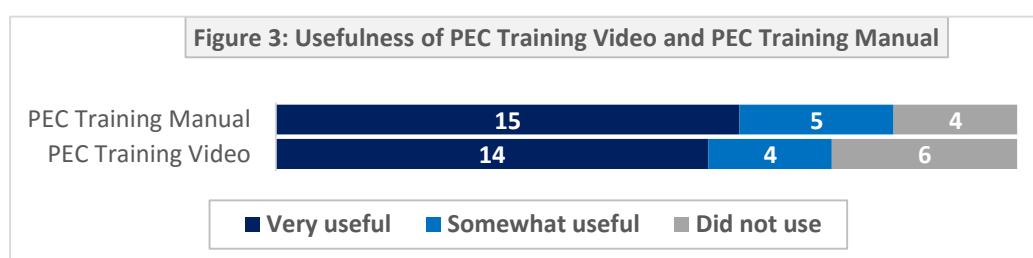
effectively enfranchises persons with disabilities who might not otherwise be able to vote, it is not an ideal substitute for voting at the precinct, on an equal basis with other citizens.

Feedback on Quality of Training and Training Materials

In addition to observing the polling stations, IFES observers conducted interviews with a member of the PEC working at the polling station. Although the goal is to interview a balance of male and female PEC workers, given that typically women make up the majority of PEC workers, 19 of the 24 respondents were female. The respondents occupied a variety of positions in the PEC, with ten serving as PEC Chair, seven serving as PEC Secretary or Vice Chair, and seven serving as PEC members. For many of the workers (15 of 24), this marked at least their fourth election serving as a poll worker.

Ahead of the elections, IFES supported the CEC in carrying out cascade training of election commissioners, in which IFES master trainers (drawn from CSOs) trained TECs in full-day sessions, and TECs trained PECs in half-day training sessions. Many political parties also hold trainings for their representatives on the commissions. Overall, no PEC member interviewed reported more than two days of training, while a majority received a half a day or less (13). Some reported having no training (4). Of those who received training, most (15) received only face-to-face training, while five received a mix of both face-to-face and online training. Respondents largely saw the training as being useful, with 15 saying it was very useful and five saying it was somewhat useful. Those who received training say that the amount received was sufficient to assist them in completing their tasks on Election Day. Overall, 15 say that they received the right amount of training, while three needed more training, and one needed less training.

IFES, along with the CEC, worked together to compile a series of training products for members of the PECs. All PEC members interviewed received a copy of the PEC training manual prepared by the CEC. Moreover, 18 PEC members had the opportunity to view the PEC training video. PEC staff largely found the training materials to be useful, with all those who read the PEC manual or viewed the training video saying they was either very or somewhat useful (Figure 3).



Asked to reflect on the most difficult part of their job as a polling official, 22 of the 24 PEC members said that vote counting and filling out the protocols was the most difficult part of their work on Election Day. The CEC should consider providing additional, user-friendly instructional tools addressing this topic.

Training of Police

Most polling stations had a police presence of some sort, with 22 stations having either police present outside (21) or inside (1) the polling station. At the stations with police present, 18 had either one or two officers, three stations had either three or four, while one polling station had five or more officers. At none of the polling stations did the police appear to interfering in the voting process in any way. Something to keep in mind for future elections will be the presence of unofficial security or militias at the polling stations, which was found at five stations visited by IFES staff.

Overall, 18 of the 20 police officers interviewed by IFES said that they had received training prior to the election, while 12 of the 20 police officers reported having a copy of the small handbook produced by IFES and CVU for the election. Those that had seen the small booklet, said that it was either very useful (5) or somewhat useful (7).

Survey & Focus Group Findings

In an effort to further evaluate its training program for election commissioners, IFES conducted 8 focus groups from November 23-25, 2015 – 4 focus groups with PEC members and 4 focus groups with TEC

members, each consisting of 8-12 representatives. Focus groups were held in Kharkiv, Dnipropetrovsk, Odessa and Ivano-Frankivsk. The discussions intended to augment a survey of 2,238 election commissioners carried out by OSCE Project Coordinator in Ukraine (PCU) in October 2015 on the eve of elections.

According to the OSCE survey, most members of election commissions (87.5%) took part in face-to-face trainings. The majority of focus-group participants confirmed having undergone a training organized either by IFES or by a political party. Most participants described IFES trainings as extremely helpful, however,

87.5% of lower-level election commissioners received in-person training ahead of the 2015 Local Elections. 73.1% report viewing the CEC/IFES training video for PEC members.

they pointed out that they would like trainings to address more practical issues and to be less legalistic. They also stated that IFES trainings had more interactive activities than trainings organized by parties. Focus group participants suggested that in the future, separate trainings should be conducted for ordinary commissioners and for chairs/vice chairs/secretaries, and that first-time commissioners should be trained separately from experienced commissioners.

Training materials were deemed to be well-structured, comprehensive and understandable. However, short materials with infographics would be even more popular among commissioners than handbooks because of limited time for studying. The training video produced by IFES and CEC was seen by 73.1% of commissioners, according to the OSCE survey; 94.0% of them said that it benefited their work on the commissions.

The focus groups also gave IFES a chance to hear about Election Day challenges directly from commissioners. Vote counting and completion of protocols was identified by PEC participants as a major challenge – not because the procedure was complex, but because of the time and effort required. Many poll workers lacked the physical strength to stay awake through the whole process, after a long day at the polls. Moreover, TECs did not print basic information on protocols, such as the number and location of the PEC or candidate names, meaning that PEC secretaries had to devote a great deal of time to writing out these details (on up to 18 copies of the protocol), and sometimes re-doing them if the TEC identified an error or blot marks. Other issues like transportation of ballots to TECs after counting and delivery of voter invitations were cited as challenges as well.

These findings will be shared with the CEC and taken into account during the design of future trainings programs.

Conclusion and Recommendations

In summary, observers found the local elections of 2015 to have been administered peacefully and relatively professionally, amid low public interest, but accompanied by strong battles among competing forces and political parties that extended at times into the work of election commissions. The training program organized by the CEC with support from IFES and OSCE PCU succeeded in reaching the vast majority of commissioners and received high marks for the quality of trainings materials. However, gaps and challenges in election processes and procedures remain and need to be further addressed for future elections to be accepted by the public and observers as a success.

Based on the observations made by IFES throughout the electoral period as well as findings of observers, IFES recommends that the CEC, local public authorities and the Government of Ukraine consider prioritizing certain action items:

1. Consideration should be given to undertaking **comprehensive election law** reform to harmonize the laws governing national and local elections. The reform should be implemented in a transparent and inclusive manner well in advance of the next regular elections.
2. The President, in accordance with constitutional requirements and provisions laid down in the Law on the Central Election Commission, should without delay propose the names of Central Election Commissioners to **replace those CEC members** whose term in office expired in 2014. Consideration

should be given to amending the Law on the Central Election Commission with a provision to restrict CEC members from holding posts for an uncertain period of time.

3. Measures should be considered to introduce **long-term planning** in the work of the Central Election Commission, and to ensure not only its independence, neutrality, transparency and professionalism, but also its accountability by preparing, on a regular basis, reports on CEC operations, including elections, and the implementation of long-term plans and budgets.
4. The possibility of establishing a **CEC sub-national presence** should be carefully considered to ensure that the CEC can effectively provide assistance to lower-level commissions related to their preparations for elections, as well as to deliver oversight and other functions as prescribed by the law.
5. The **boundaries of election districts** should be established in an open manner and should be subject to legal challenge, so that all disputes related to election districting can be resolved prior to the nomination of candidates for elections. The principle of equal suffrage should be respected when drawing the boundaries of election districts. The election districts should also be contiguous and, where applicable, respect the interests of national minority groups.
6. Notwithstanding possible changes to the electoral system, the legal framework should seek to ensure actual **balanced representation of both sexes** in elected office, both at the parliamentary and local level, and such new provisions in the law should not be circumvented.
7. Local authorities, in coordination with the CEC and organizations representing persons with disabilities, should undertake a comprehensive assessment of the **accessibility of polling stations to people with disabilities**, and take steps to ensure that all citizens enjoy unimpeded access to polling stations to the highest extent possible.
8. The procedure for **appointments and dismissals on Territorial and Precinct Election Commissions** should be reviewed to ensure that the election commissions are able to exercise their powers without bias or political interference, and that the professionalism of the election commissioners is not undermined by the unrestricted right of parties and/or candidates to replace the election commissioners at any time for any reason.
9. Proactive and effective measures should be taken by the Government to ensure that **voters are well aware of the electoral system** and its implications, of the parties and candidates running in the elections, of key election procedures, and of liabilities for election-related offenses. Consideration should also be given to allocating public funds for voter awareness raising campaigns to be held well in advance of elections. Additional measures should be considered to ensure that voters have access to campaign finance disclosure forms filed by election fund managers, candidate asset declarations and other documents submitted by parties and candidates with respective election commissions to be registered as electoral subjects.
10. The Government should consider specific measures to ensure that **migrant workers and other groups residing in a specific territory over a certain period of time are able to exercise their right to vote**, if they wish to do so, without impediments. However, such a possibility should be counterweighted against the risks of possible “electoral tourism” and fraud.
11. The **legal provisions governing campaign finance in local elections should be harmonized** with new legislation that recently introduced comprehensive political finance reform in the country. The campaign finance regime in the local elections should comply with international standards, including the Committee of Ministers of the Council of Europe Recommendation 2003 (4) on Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns. In particular, consideration should be given to taking measures to reduce the cost of election campaigning.
12. The government should **accelerate establishment of the National Agency for Prevention of Corruption (NAPC)** and ensure that this body is fully operational, and has adequate financial, human and other resources needed to effectively and **independently oversee party and campaign financing**, as well as to adopt by-laws needed to implement the recent legal changes pertaining to political finance reform. NAPC employees should receive comprehensive training to ensure that they can effectively fulfill their duties connected to political finance oversight.

13. Electoral contestants should make stronger efforts to **refrain from using public office** to gain an unfair electoral advantage during the campaign period for either themselves, or for any other contestants.
14. **All violations of the election laws, including distribution of goods and services to voters in relation to election campaigning, should be subject to effective, proportionate and dissuasive sanctions.** The criminal cases opened in relation to electoral offenses during the 2015 local elections should be properly investigated, and the persons responsible should be brought to liability as envisioned in the Criminal Code of Ukraine.
15. In line with international standards, **the Local Election Law should provide for cancellation of the election results** in cases when those results were affected by serious violations of the law and/or made it impossible to identify the genuine will of voters.

ANNEX 1

Table 1. Irrational results of proportional system: oblast council elections

Oblast council	Number of seats (number sub-districts)	Sub-districts with no councilors elected, % of all sub-districts	Sub-districts with one councilor elected, % of all sub-districts	Sub-districts with two councilors elected, % of all sub-districts	Sub-districts with three councilors elected, % of all sub-districts
Cherkasy	84	22 (26%)	48 (57%)	14 (17%)	0
Chernihiv	64	22 (34%)	27 (42%)	15 (24%)	0
Chernivtsi	64	21 (33%)	32 (50%)	11 (17%)	0
Dnipropetrovsk	120	25 (21%)	78 (65%)	16 (13%)	1 (1%)
Ivano-Frankivsk	84	21 (25%)	50 (60%)	11 (13%)	2 (2%)
Kharkiv	120	27 (23%)	70 (58%)	23 (19%)	0
Kherson	64	17 (27%)	38 (59%)	8 (13%)	1 (1%)
Khmelnyskyi	84	22 (26%)	49 (58%)	11 (13%)	2 (3%)
Kirovohrad	64	21 (33%)	33 (52%)	9 (14%)	1 (1%)
Kyiv (oblast)	84	26 (31%)	41 (49%)	16 (19%)	1 (1%)
Lviv	84	22 (26%)	49 (58%)	13 (16%)	0
Mykolaiv	64	17 (27%)	37 (57%)	10 (16%)	0
Odesa	84	17 (20%)	56 (67%)	11 (13%)	0
Poltava	84	28 (33%)	39 (47%)	15 (18%)	2 (2%)
Rivne	64	15 (23%)	40 (63%)	9 (14%)	0
Sumy	64	19 (30%)	35 (55%)	9 (14%)	1 (1%)
Ternopil	64	19 (30%)	34 (53%)	11 (17%)	0
Vinnysia	84	23 (28%)	48 (57%)	11 (13%)	2 (2%)
Volyn	64	14 (22%)	43 (67%)	7 (11%)	0
Zakarpattia	64	14 (22%)	42 (66%)	8 (12%)	0
Zaporizhzhia	84	20 (24%)	53 (63%)	10 (12%)	1 (1%)
Zhytomyr	64	21 (33%)	30 (47%)	13 (20%)	0

Table 2. Irrational results of proportional system: city council elections

City council (cities with at least 90000 voters)	Number of seats (sub-districts)	Sub-districts with no councilors elected, % of all sub-districts	Sub-districts with one councilor elected, % of all sub-districts	Sub-districts with two councilors elected, % of all sub-districts	Sub-districts with three councilors elected, % of all sub-districts
Berdiansk	36	12 (33%)	20 (56%)	3 (8%)	1 (3%)
Bila Tserkva	42	12 (29%)	25 (59%)	5 (12%)	0
Cherkasy	42	17 (40%)	18 (43%)	5 (12%)	2 (5%)
Chernihiv	42	11 (26%)	27 (64%)	4 (10%)	0
Chernivtsi	42	11 (26%)	26 (62%)	5 (12%)	0
Dniprodzerzhynsk	42	15 (36%)	21 (50%)	6 (14%)	0
Dnipropetrovsk	64	17 (26%)	34 (55%)	12 (19%)	0
Ivano-Frankivsk	42	12 (29%)	24 (57%)	6 (14%)	0
Kharkiv	84	8 (9%)	71 (85%)	5 (6%)	0
Kherson	54	17 (31%)	29 (54%)	7 (13%)	1 (2%)
Khmelnitskyi	42	9 (21%)	30 (72%)	3 (7%)	0
Kirovohrad	42	9 (21%)	33 (79%)	0	0
Kramatorsk	42	10 (24%)	26 (62%)	6 (14%)	0
Kremenchuh	42	13 (31%)	24 (57%)	5 (12%)	0
Kyiv	120	20 (17%)	85 (71%)	15 (12%)	0
Mariupol	54	5 (9%)	47 (87%)	2 (4%)	0
Lutsk	42	13 (31%)	23 (55%)	6 (14%)	0
Lviv	64	16 (25%)	40 (62%)	7 (11%)	1 (2%)
Lysychansk	36	7 (20%)	26 (72%)	3 (8%)	0
Melitopol	42	9 (21%)	29 (69%)	4 (10%)	0
Mykolaiv	54	11 (20%)	36 (67%)	7 (13%)	0
Nikopol	42	9 (21%)	30 (72%)	3 (7%)	0
Odesa	64	13 (20%)	43 (67%)	8 (13) %	0
Pavlograd	36	7 (19%)	28 (78%)	1 (3%)	0
Poltava	42	15 (36%)	19 (45%)	8 (19%)	0
Rivne	42	15 (36%)	20 (48%)	6 (14%)	1 (2%)
Sloviansk	36	8 (22%)	25 (70%)	3 (8%)	0
Sumy	42	14 (33%)	21 (50%)	6 (14%)	1 (3%)
Syeverodonetsk	36	9 (25%)	24 (67%)	3 (8%)	0
Ternopil	42	12 (29%)	25 (59%)	5 (12%)	0
Vinnytsia	42	9 (21%)	30 (72%)	3 (7%)	0
Zaporizhzhia	64	16 (30%)	34 (53%)	10 (16%)	1 (1%)
Zhytomyr	42	12 (31%)	22 (52%)	7 (17%)	0