

Chamber of Local Authorities

27th SESSION
Strasbourg, 14-16 October 2014

CPL(27)4FINAL
15 October 2014

Observation of pre-term local elections in Ukraine (25 May 2014)

Monitoring Committee
Rapporteur:¹ Nigel MERMAGEN, United Kingdom (L, ILDG)

Recommendation 359 (2014)	2
Explanatory memorandum	4

Summary

Following an invitation of 4 April 2014 from the Ukrainian authorities to observe pre-term local elections on 25 May 2014, the Congress deployed an election observation mission from 22 to 26 May 2014 and observed the vote in more than 120 polling stations around the country – except for some areas of the south and east where security issues prevailed.

These pre-term local elections concerned some 300 vacant seats for mayor including in the capital, Kyiv, and all 120 seats for the Kyiv City Council. All of the seats will, however, be up for election again on 25 October 2015 when full-term elections are scheduled. Already prior to election day, the Congress welcomed the fact that the Ukrainian authorities had taken into consideration previous recommendations in respect of the election of the Mayor of Kyiv, the compilation of the voters' list and more transparent procedures. Challenges for the election administration included not only questions of security, but also the managing of simultaneous presidential and local elections – particularly in Kyiv where 4 elections were held. Despite these challenges, election day was characterised by high voter turnout and a generally good atmosphere, to a great extent without pressure on voters. The Congress highlights that further improvements can be made regarding electoral legislation and the practical side of electoral management, in particular a more efficient counting procedure and training of electoral staff. In the interest of a smooth electoral organisation and to further strengthen local democracy, it recommends holding the next general local elections separately, without any other vote on the same day.

1. Chamber of Local Authorities / R: Chamber of Regions
EPP/CCE: European People's Party Group in the Congress
SOC: Socialist Group
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Members not belonging to a political group of the Congress

OBSERVATION OF PRE-TERM LOCAL ELECTIONS IN UKRAINE (25 MAY 2014)

RECOMMENDATION 359 (2014)²

1. Following the invitation sent on 4 April 2014 by the Ukrainian authorities to observe the pre-term local elections in Ukraine held on 25 May, the Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Ukraine on 11 September 1997; and its Additional Protocol on the right to participate in the affairs of a local authority signed by Ukraine on 20 October 2011;

b. Congress Resolution 306(2010)REV on observation of local and regional elections – strategy and rules of the Congress;

c. Congress Resolution 353(2013)REV on Congress post-monitoring and post-observation of elections: developing political dialogue.

2. It reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance, and observation of political participation at territorial level is a key element in the Congress' role as guardian of territorial democracy.

3. The Congress welcomes the fact that – despite the fragile political environment and prevailing security issues – the pre-term local elections held on 25 May were characterised by high turnout, demonstrating the wish of voters, in most parts of the country, for a fresh start. Overall, international electoral standards and fundamental freedoms were respected.

4. It is pleased to note that important shortcomings in the elections observed in 2010 have been addressed by the Ukrainian authorities who had taken into consideration previous recommendations, in particular with regard to the election of the Mayor of Kyiv, the compilation of the voters' list, and more transparent procedures.

5. The Congress highlights that further improvements can be made in respect of electoral legislation and the practical side of electoral management and therefore invites the Ukrainian authorities to:

a. allow independent candidates to run for mayoral election not only in villages and settlements but also in larger localities;

b. take measures to improve professional standards in counting procedures and in the training of the electoral staff, in particular with regard to vote counting at the end of election day;

2. Preliminary draft recommendation approved by the Monitoring Committee on 3 July 2014.

Members of the committee (Chamber of Local Authorities only):

L. O. Molin (President), M. Abuladze, L. Ansala, A. Babayev, T. Badan, S. Batson, V. Belikov, M. Bespalova, H. Brade Johansen, V. Broccoli, Z. Broz, X. Cadoret, M. Cardenas Moreno, M. Cools, J. Costa, D. Çukur (alternate: M. Aydin), BM. D'Angelo (alternate: E. Verrengia), J. Dillon, N. Dogan, G. Doğanoglu, V. Dontu, J. Folling, M. Gauci, U. Gerstner, A. Gkountaras, M. Gombosi, V. Groisman (alternate: V. Oluyko), M. Guegan, M. Gulevskiy, H. Halldorsson, I. Hanzek, S. Harutyunyan (alternate: E. Yeritsyan), B. Hirs, J. Hlinka, G. Illes, A. Jaunsleinis (alternate: M. Juzupa), M. Juhkami, J-P. Klein, I. Kulichenko, F. Lec, I. Loizidou, D. Mandic, T. Margarya (alternate: L. Avetyan), G. Marsan, V. Mc Hugh, N. Mermagen, A. Mimenov, V. Mitrofanovas, S. Mitrovski, M. Monesi, A. Muzio (alternate: B. Toce), T. Popov, R. Rautava (alternate: M. Hentunen), H. Richtermocova, A. Schorer (alternate: P. Schwotka), A. Shkempi, S. Siukaeva, A-M. Sotiriadou, D. Straupaite, A. Torres Pereira, A. Ugues, P. Uszok, L.O. Vasilescu, B. Vöhringer, F. Wagner, H. Weninger, J. Wiene, D. Wrobel.

N.B.: The names of members who took part in the vote are in italics.

Secretariat of the committee: S. Poirel and O. Savca.

c. ensure adequate staffing of polling stations, in particular in urban areas, and a more tamper-proof system for selecting the members of election commissions;

d. further improve access to polling stations for those of reduced mobility and adjust the maximum number of voters registered in the precinct to the real local conditions on the premises.

6. More specifically, the Congress recommends organising the next general local elections in 2015 separately from any other national vote.

7. In general, it encourages the Ukrainian authorities to strengthen journalistic freedoms and media pluralism, increase transparency of party and campaign financing and reinforce anti-corruption measures.

OBSERVATION OF PRE-TERM LOCAL ELECTIONS IN UKRAINE (25 MAY 2014)

EXPLANATORY MEMORANDUM

I. Introduction

1. Following an invitation of 4 April 2014, from the Ukrainian authorities, to observe pre-term local elections on 25 May 2014, the Congress Bureau decided to deploy an election observation delegation. The electoral mission took place from 22 to 26 May 2014 and comprised 19 members from 13 European States. On election day, 9 Congress teams were deployed around the country and observed the vote in more than 120 polling stations. The details of the delegation, programmes and deployment areas, as well as the main municipalities concerned, appear in the appendices. Due to the specific political situation in the country and pending full-term elections, the Congress' Head of Delegation, Gudrun Mosler-Törnström, and the Rapporteur, Nigel Mermagen, remained the same as for the previous general local election in 2010.³

2. These pre-term local elections concerned, for the most part, seats for Heads of Councils (Mayor) – some, (the subject of a previous Congress Recommendation⁴), lying vacant for some time including the Mayor for the capital Kyiv, vacant since 2012. In all, mayoral elections were planned in approximately 300 localities around the country - the main municipalities are shown in the appendix – the others concerned villages and urban settlements. In addition, all 120 seats for the Kyiv City Council were also up for election, which was overdue since 2013. A Constitutional Court interpretation now lays down one date for all types of local elections to be held simultaneously. It set the date for the next full-term (5-year) local elections at the last Sunday in October 2015 (the 25th) when all of these positions will be up for election again.⁵

3. Despite the security situation, local elections were held in all regions of Ukraine except the Autonomous Republic of Crimea (Crimea), annexed by the Russian Federation in February 2014. However on election day certain polling stations in the South-East were prevented from opening by armed gangs who either occupied and vandalised the polling stations, or locked them preventing access for voters.

Crimea

4. Elections were scheduled for the Heads of the City Councils of Saky and Feodosia but given the “temporary occupation” of this part of Ukraine,⁶ the CEC decided not to open polling stations there. Arrangements were made in the rest of Ukraine for those from Crimea who wished to exercise their right to vote - and approximately 6,000 chose to do so.

The following report focuses specifically on issues arising out of exchanges held with Congress interlocutors in the context of the 2014 pre-term local elections in Ukraine and on observations made by members of the delegation on election day. The Congress wishes to thank all of those who met with the delegation for their open and constructive dialogue. It also thanks the Central Election Commission; the Ministry of Regional Development, Construction and Municipal Economy of Ukraine, the OSCDE-ODIHR, the Committee of Voters of Ukraine and all who lent their support in preparing this mission. Special thanks go to the Head of the Council of Europe Office in Kyiv, Vladimir Ristovski, and his team.

³ Local elections in Ukraine (31 October 2010) [Explanatory Memorandum](#)

⁴ Congress [Recommendation 348 \(2013\)](#), Local and regional democracy in Ukraine, article 7b

⁵ <http://en.interfax.com.ua/news/general/155007.html>

⁶ Congress [Declaration 2 \(2014\)](#) The situation in Ukraine

1. Political context and decentralisation

5. The holding of both presidential and certain local elections on 25 May 2014 was precipitated by the political crisis following President Yanukovich's decision in November 2013 to cancel plans to sign trade and political pacts with the European Union and to seek closer ties with Russia. This led to massive and bloody protests, arguments about the use of minority languages in the country, notably Russian; the annexation of Crimea by Russia, the defection of the President to the Russian Federation, and the armed occupation of public buildings – which is still ongoing - in the South-East of the country (in particular in the Oblasts of Luhansk and Donetsk) followed by armed insurgency. A timeline of these events can be found in the appendices.

6. When ex-President Yanukovich fled the country on 22 February 2014, the Speaker of the Verkhovna Rada (Parliament), Oleksandr Turchynov, stood in as President *ad interim* and certain members of the Cabinet resigned or were dismissed. Fresh elections, as well as constitutional reform, were seen as a major consideration to distinguish the new government from the previous regime. The Verkhovna Rada set the date of 25 May 2014 for the Presidential election and subsequently decided to hold the outstanding local elections on the same date. Early parliamentary elections (autumn 2014 has been suggested) are also seen by many as key to this whole reform package, including possible changes to the election process - such as the choice of proportional representation - and this debate is still ongoing.

7. A major factor in the debate on constitutional reform is a desire for legitimacy to extend to sub-national representation. This led to the initiative launched in April on decentralisation – meaning greater subsidiarity and financial independence for the regions - in effect a total re-structuring of the administrative organisation of the country. The aim is not only to create local administration which is closer to the people and more efficient, but also to reach out to the disaffected in the regions (particularly in the South-East) whilst also being inclusive of minorities – encompassing religious and linguistic sensitivities. Part of the consultation included holding high-profile “Round Tables for Peace and Unity” around the country in the month before the elections.

2. Administrative structure

8. Ukraine is a unitary state with three levels of local government. At the first level are 24 *oblasts* (regions): Vinnytsya, Volyn, Dnipropetrovsk, Donetsk, Zhytomyr, Zakarpattya, Zaporizhya, Ivano-Frankivsk, Kyiv, Kirovohrad, Luhansk, Lviv, Mykolayiv, Odesa, Poltava, Rivne, Sumy, Ternopil, Kharkiv, Kherson, Khmelnytsk, Cherkasy, Chernivtsi and Chernihiv. These are the largest administrative-territorial units. Also at this first level are two cities with special status: Kyiv (as the capital of Ukraine) and Sevastopol in Crimea. Finally at this first level is The Autonomous Republic of Crimea which had significant independence on local issues, with its own Constitution, *Verkhovna Rada* (Parliament) and Council of Ministers.

9. At the second level are *rayons* (districts) and cities and within 25 cities of Ukraine there are also *rayons* at this level. To explain further, each *oblast* is divided into *rayons* (districts) and cities. There are 490 *rayons* in Ukraine - the number of *rayons* per *oblast* varying between 11 and 27. There are also 178 cities of regional significance with their own local governing bodies – the number varies from one *oblast* to another. As for the *rayons* in cities, these occur in 25 cities, which are divided into 111 *rayons*.

10. At the third and lowest level are 28,457 villages and almost 900 urban-type settlements with their own local governing bodies.

11. A diagram showing these divisions appears in the appendices.

2.1 Status of Kyiv

12. The city of Kyiv has a special status compared to the other administrative sub-divisions of Ukraine as it has *oblast* status and is directly subordinated to national-level government rather than to the provincial level authorities of the Kyiv *oblast* in which it is located. The local government of Kyiv is regulated by: the Constitution of Ukraine; the Law on the capital of Ukraine – Hero City Kyiv; the Law on the local state administration and the Law on local self-governance in Ukraine.

13. Before 2014, the last elections for Mayor of Kyiv were held 6 years previously in 2008, with a mandate of 4 years. In 2010, following legislative changes, a City State Administrator was appointed by the then President Yanukovich, essentially transferring all of the powers of the Mayor to that central government office. In 2012, the previous Mayor resigned and the office remained vacant until these 2014 elections. The function was performed by the Deputy Mayor and Secretary to the Kyiv City Council, Helena Hereha, until she also departed in February 2014, leaving a vacuum. Vitali Klitschko (candidate for UDAR)⁷ - took up office as Mayor of Kyiv on 5 June 2014. His mandate will expire on 25 October 2015, following the Constitutional Court's ruling that all local elections will take place simultaneously.⁸

14. The Kyiv City State Administration, in place since 2010, is the executive body of Kyiv but controlled by central government - its Head being appointed by the President and at his discretion. (Before this legislative amendment, the Head of the Kyiv City State Administration was the Mayor of Kyiv).

15. The most recent Head of Kyiv City State Administration, Volodymyr Bondarenko, of the Batkivschyna faction, was appointed by the acting President Oleksandr Turchynov on 7 March 2014 after he dismissed an appointee of ex-President Viktor Yanukovich, Volodymyr Makeyenko. Bondarenko voluntarily submitted his resignation from his post on 10 June 2014. A presidential decree of 25 June has combined the posts of City Mayor and Head of the Kyiv City State Administration, under Vitali Klitschko as the directly elected Mayor.⁹

16. The Kyiv City Council is the city-level legislative body of Kyiv with 120 seats. Its deputies are directly elected by citizens for a five-year term. The Council is chaired by the Mayor of Kyiv and the Secretary is indirectly elected by the Councillors. They were elected on 25 May 2014 (along with the City Mayor) and will be in office until 25 October 2015 when a new Council will be elected for a five-year term. The Council elected its Secretary, Oleksiy Reznikov, on 19 June.¹⁰

3. Electoral management

3.1 Electoral legislation

17. Following the turbulent political situation, many changes have been made to the legal framework since February 2014¹¹ including to the Constitution, the Law on the Central Election Commission (CEC), the Law on the State Voter Register and to the 2010 law "On Elections of Deputies of the Autonomous Republic of Crimea, Local Councils, and Village, Town and City Mayors" (the Law on Local Elections). It would be a welcome development if these changes were now incorporated into a consolidated Electoral Code.

18. On 21 February 2014, Parliament restored the Constitution as amended in 2004. These amendments – which aimed at a more balanced power-sharing between the President and the Parliament – had been declared unconstitutional in 2010, serving to reinforce the presidential character of Ukraine's political system under President Yanukovich.

19. On 8 April 2014, the Parliament adopted comprehensive changes to the 2010 Law on Local Elections providing a number of improvements: These allowed for the simultaneous holding of local and presidential elections and harmonised certain provisions with those governing the presidential elections – such as campaigning and the compiling of the voter lists, which can no longer be changed on election day - thus reducing the possibility for fraud.

20. A previous amendment of 1 February 2011, extending the parliamentary term of office from four to five years, also applies to elections at local level and was in force for these elections, although, in principle, local mandates will terminate on 25 October 2015 when full-term elections are scheduled.

⁷ Ukrainian Democratic Alliance for Reform

⁸ <http://en.interfax.com.ua/news/general/155007.html>

⁹ <http://en.interfax.com.ua/news/general/210904.html>

¹⁰ <http://en.interfax.com.ua/news/general/210155.html>

¹¹ The law governing presidential elections was amended six times since 28 February 2014 see IEOM 25.05.2014 Statement of preliminary findings and conclusions, page 5: <http://www.osce.org/odihr/elections/ukraine/119078?download=true>

21. A draft law by which mayors of large cities with more than 500,000 inhabitants would be elected by absolute majority in two rounds passed its first reading in Parliament on 10 April 2014. However, it failed at second reading and therefore all mayoral elections on 25 May were conducted, as in 2010, according to simple majority.

22. For the organisation and administration of these local elections the following hierarchical structure applied.

3.2 Electoral commissions at different levels of management

23. The **Central Election Commission (CEC)** is a permanent institution composed of 15 members with a mandate for 7 years. The current President is Mykhailo Okhondovskiy. Despite the complications including the security situation, voters from Crimea, and the short deadlines owing to legislation changes, Congress interlocutors were satisfied that the CEC had managed its responsibilities independently and efficiently and in a transparent manner. The CEC forms the next level:

24. **Territorial Election Commissions (TECs)**¹² are also permanent bodies and are composed of a minimum of 14 members, nominated by political parties or candidates on a quota system. A lottery decides the final composition. There is generally one TEC for every 100 Precinct Election Commissions (for Kyiv alone there were 13 TECs). They are the main organisers for the local elections and are responsible for defining the areas of the precincts as well as for practical organisation of election day. They are the first point of collection for the local votes. Some TECs¹³ complained that they received funding (for the information campaign and payment of members) very late and it was difficult to manage the organisation in the time. The TECs form the next level:

25. **Precinct Election Commissions (PECs)**. For this election the PECs were formed on the basis of the presidential election and there were more than 32,000 nationwide, managing up to 2,500 voters per polling station. The PEC is responsible for deciding whether security is sufficient to be able to open the polling station. Before these elections the law was changed to allow the PECs to manage simultaneously the presidential and local elections, in the precincts where votes coincided. PEC members are nominated by a political party or a candidate, ordered by a quota system. A lottery decides the final composition, including the President of the Commission (who is not necessarily chosen by experience), the Deputy and the Secretary.

26. The minimum number of Commission members required was reduced to 9 by amendments to the election law of 6 May (the maximum is 18 - depending on the size of the local electorate). This last-minute amendment was welcomed by observers as PECs had encountered difficulties in attaining the previous minimum of 12 members – owing to some candidates not nominating members in time. However, on election day the reduced numbers led to operational problems, in particular where local and presidential elections were held simultaneously, notably in the capital city Kyiv.

27. The Congress delegation heard from interlocutors of other problems created by this system. Where candidates or parties, who had been allocated members on the Commission according to the rules, dropped out – their Commission members also had to leave and be replaced. Furthermore, there were allegations that such Commission places were being traded, including for money or for a position in the successful administration, even up to the last days before polling day – a clearly unacceptable practice. This was intensely disruptive in terms of organisation – with last-minute training being arranged for the inexperienced up to the Friday before polling day - and leaving many Commissions short-staffed on election day itself. The CVU estimated these changes at 20-30% difference from the initial composition.¹⁴ A further reason given for inadequate staffing was the reduction in the per diem offered. The CEC provides a small allowance from the State budget to pay Commission members, but in the past this had been topped up by candidates and parties.

28. **Complaints and appeals** are heard by the administrative courts at various levels.

¹² For the Presidential Elections it is the District Election Commission (DEC)

¹³ such as Cherkasy . See also CVU long term report 1-23 April 2014

¹⁴ CVU Long-term monitoring report 8 May 2014

3.3 Registration of parties and candidates

29. Qualifications to stand as candidate for the Mayor of Kyiv and Mayor of cities, villages and settlements are set by Article 9 of the current Law on Local elections (2010): to be a citizen of Ukraine, of at least 18 years old. A conviction of committing an intentional crime, if the record has not been cancelled or withdrawn in accordance with the law, excludes a candidate from election. Independent candidates are not allowed, except as Mayor for villages and settlements. Candidates must submit their application, biography, tax declaration and other supporting documents. A deposit is required of approximately 50 to 100 euros, depending on the size of the area and the number of voters. For a village council no deposit is required.

30. In these 2014 elections no violations of electoral legislation in terms of candidate registration were noted, although 2 registrations for candidates for mayor were corrected by the CEC.¹⁵

3.4 Voter registration

31. There is a system of passive voter registration. The State Voter Register is based on different sources of information such as the tax and administration services, etc. It is supervised centrally by the CEC. An invitation to attend the polling station is sent to voters and they must show either an identity card or a passport to establish their identity.

32. Parliament amended the 2010 Law on Local Elections on 8 April 2014 to align the voter lists to the new Law on Presidential Elections. This meant that changes to the voter lists could be made no later than 6pm on the day preceding election day, addressing concerns of both OSCE/ODIHR and the Venice Commission to reduce the possibility of fraud at the vote. The deadline for changing address was 19 May.

33. Congress' interlocutors considered that the quality of voters' lists for the local elections was much improved on previous years and in general they were available for public scrutiny within the legal deadline. Inaccuracies in lists, multiple inclusions of the same people in the voters' lists and non-inclusion in voters' lists of people who have the right to vote in local elections were mainly limited to individual cases.¹⁶

3.5 Observers

34. The CEC registered approximately 3,000 international observers from 19 States and 20 international organisations. There were many domestic observers registered, not only representing candidates and political parties but also 10 domestic NGOs such as OPORA¹⁷ and the Committee of Voters of Ukraine (CVU)¹⁸ which itself deployed some 4,000 observers on election day. Through long-term observers, covering both local and presidential elections, it published several reports in the run-up to polling day. For these elections observers were granted the right to receive a copy of the protocols of results and the right to file complaints against Election Commissions at the appropriate level – a welcome advance compared to the previous elections when they could only observe.

35. In response to the security situation the Ministry of Foreign Affairs created a special, 24-hour hotline in case international observers faced problems in the carrying out of their observation activities.

4. Campaign and media environment

4.1 The campaign and campaign financing

36. These local elections, in 300 or so locations, were clearly overshadowed by the nationwide presidential campaigns – which were in turn dominated by the security issues in the country. Where local elections were held in major cities, such as Kyiv, Mykolaiv, Odesa, Kherson, Sumy, etc. candidates fought their campaigns energetically. However, in the smaller towns, local political

¹⁵ CVU, Long-term observation report on Early Local Election on 25 May 2014, April 23 - May 19 2014.

¹⁶ CVU <http://cvu.org.ua/eng/nodes/view/type:news/slug:25-201412212>

¹⁷ <http://oporaua.org/en>

¹⁸ <http://www.cvu.org.ua/eng>

organisations and candidates were generally barely visible and this lack of information became evident on election day when voters had to make their choice.¹⁹

37. Congress' interlocutors reported the use of "black PR" in the local election campaigns (whereas this was not an issue in the presidential campaigns) and fairly widespread damage to the street advertising of political opponents. In addition, examples of misuse of administrative resources were uncovered – such as the use of public administration vehicles to support advertising, although direct and indirect vote-buying was more problematic, but not widespread. Violations were noted by domestic observers in Odesa, Kyiv and Cherkasy as well as other regions.²⁰ Nevertheless, no official complaints were registered before the elections.

38. In contrast to the Parliamentary Election Law and Presidential Election Law, the Local Election Law fails to provide a budget for funding certain types of election campaigning (such as, provision of free air time and print space to parties and candidates), but does contain provisions governing media coverage of the elections. Campaign finance provisions in the new law are similar to the provisions in the laws on national elections and could do with further improvements in terms of transparency and to lessen candidate/party dependence on wealthy donors.

4.2 The media

39. There is a wide range of media including broadcast, print and online but political and corporate involvement is high, reducing editorial independence. Journalists and the media operating in the South-East of Ukraine faced severe difficulties as they were subject to harassment and threats and fatalities occurred in the run-up to the elections. A Law on Public Television and Radio Broadcasting of Ukraine, adopted on 17 April should take effect before the next local elections in 2015. It is an improvement that transforms the State-owned broadcaster into a public service broadcaster and should increase editorial independence.

5. Election Day

40. The most notable feature of this election was the atmosphere which was characterised by eagerness to vote and was evident in the high turnout. In many polling stations queues had already formed in the morning, with voters facing a long wait for their ballots. The situation was particularly difficult in Kyiv where four ballots were to be completed - for the presidential and the mayoral vote as well as according to the proportional system (party lists) and the majoritarian system (single-mandate constituencies). The fact that polling stations were systematically under-staffed, notably in the capital city Kyiv, increased the waiting time throughout the day. Despite these severe inconveniences several voters told the Congress observers that they would queue for as long as it took.

41. In the South-East of the country it was reported that 2 PEC Heads had bravely attempted to open polling stations, but were taken captive. There were other news stories of polling station in that part of the country being locked and barred by armed gangs, or that equipment was destroyed so that voting could not take place.

42. Although information on presidential candidates, including posters, was visible in all polling stations, there was little on the local candidates, at least in big cities, notably Kyiv. The Congress teams observed voters asking the polling station officials who the candidates were – especially where there had been little campaigning in the area.

43. Voters had to be identified on 2 voter registers – both presidential and local by producing their identity documents. The Congress observers noted that polling stations did not apply a uniform approach to this question. Certain polling stations required only one queue and handed the ballots for both elections to the voter at the same time, other polling stations required the voter to queue in two separate lines. This was often a cause of irritation for voters who had already queued for a long time, often in hot and crowded conditions, to receive the first ballot and then found that they had a further long wait to receive the local ballot papers.

¹⁹ CVU <http://cvu.org.ua/eng/nodes/view/type:news/slug:25-201412212>

²⁰ IFES NO 9

44. All Congress teams observed some voters being turned away from polling stations. This was due to voters not being found on the voters list, or only being found on one of the voters' lists and not the other, or because the voter had not realised that the law had changed and they were unable to alter their details (such as change of address) at the polling station on election day. However, all of these categories concerned only a small minority of voters.²¹

45. Booths of good quality and with privacy curtains were supplied in all polling stations observed. In many polling stations, particularly Kyiv, overcrowding meant that queues formed very close to the curtains, and it could have been possible to see a voter's choice. However, after the wait for the ballots there were many who did not wait to queue for the booth to fill in their forms in private, and they filled them in, in public, where they could. Certain NGOs thus reported that the secrecy of the vote was not always guaranteed.

46. Ballot boxes are transparent and the Congress observers everywhere were satisfied with the seals. However, as the ballots are not folded nor placed in envelopes, a voter's choice can be seen.

47. According to the polling stations visited by the Congress observers, over 60 percent were not accessible to physically impaired voters – although they were impressed by the effort made to climb steep steps by the elderly and those on crutches etc. All polling stations did have a mobile ballot box but 3 people were required to accompany it, which took needed resources away from crowded polling stations.

48. There was a large presence of political observers for candidates and parties – often observing the presidential vote – but Congress teams also found non-partisan observers, in particular OPORA and CVU, present in a large percentage of polling stations.

6. Turnout, counting and results

49. Turnout was high and calculated for the presidential election at 60%.

50. In Kyiv, there were still queues to vote when the polling stations closed at 8pm. Those in line were able to vote and in places this took until 9.30pm. Only then could counting procedures begin. The system for counting began by reconciling the unused ballots and the stubs from the used ballots from all of the ballot papers- presidential and local. The experience of all of the Congress teams was that this took some time (2 hours or more). Only after this process could the ballot boxes be emptied and sorted into presidential and local piles. The colour coding for the different ballots was helpful here. Presidential ballots were counted and bagged first, meaning that the count for local elections started only after about 11 pm or even later. In sorting and counting the local ballots, the experience of Congress teams in Kyiv and other places where three local ballots were to be dealt with (in addition to the presidential ballot), differed from those Congress teams in the regions where only 1 or two ballots were counted. There, where an experienced Head was in charge of the PEC, the count went smoothly.

51. The protocols of the results for the local elections had to be written entirely by hand.²² The President and the Secretary of the PEC then had to write these out up to 20 times or more so that each observer obtained a copy, as well as the originals which accompanied the ballots to the TEC. Delegation members were told by most Kyiv polling stations that counting was expected to last until about 8am the next morning. The slow return of election results was also, in part, caused by disruption to the "Vybory" (Elections) electronic information analysis system of the CEC – reported as a cyber-attack.

52. The outcome of the local elections is now published on the CEC website.²³ However, the official results' protocols with the detailed breakdown of the votes are still not available as this report goes to publication, one month after the elections. The official deadline for notification is 5 days after voting. The results for Kyiv and the main municipalities are shown in the appendix.

²¹ CVU : <http://www.cvu.org.ua/eng/nodes/view/type:news/slug:25-2014111111>

²² Pre-printed protocols were available for the presidential vote so that only the result had to be added by hand.

²³ CEC webpage: <http://www.cvk.gov.ua/pls/vm2010/wp001?pt001f01=801>

7. Conclusions

53. These local elections were clearly overshadowed by the race for President. The imbalance was evident from the resources allocated to administer each election and from the information available to voters, particularly in Kyiv where 4 elections took place. Despite the challenges posed by the security issues in the south and east, elsewhere in the country threats and intimidation – of voters and candidates – appeared less problematic than in previous years.

54. The overriding impression of election day was the desire of voters to contribute to a fresh start for their country by turning out in high numbers. The atmosphere was generally harmonious, despite the long queues and uncomfortable conditions. In the run-up to the election there were some reports of vote-buying or negative campaigning, but they tended to be localised and not widespread. Overall the whole process was less tense than in previous elections. The increased role of domestic observers and their ability to register complaints at all levels of Election Commissions is welcome.

55. Compared to the Congress recommendations from 2010, positive improvements were made in that:

- political parties and candidates were listed on the ballot paper by a random drawing of lots, thereby excluding undue political influence on the order of appearance on the paper,
- invitations were sent to international observers very soon after the election date was determined (and there was far greater involvement by domestic non-partisan observers in the election process),
- training programmes were organised for all Electoral Commissions, under the coordination of the CEC and were generally considered by observers to be of a good quality, although counting still needs further attention,
- the wide consultation in anticipation of decentralised reforms is promising and should complement the Congress' post-monitoring activities in Ukraine, which are based on the principles of the Charter of Local Self-Government.

56. However the Congress identifies the following areas where further progress can still be made:

- the protection of journalistic freedoms and media pluralism;
- the selection of Election Commission members, in particular the Executive. Although it was clear this time how Electoral Commissions had been appointed – the method (proportional representation “quota”) remains flawed,
- other than in villages and settlements, independent candidates are still not able to run for mayoral elections,
- access to many polling stations remains difficult for those of reduced mobility,
- a more efficient counting procedure is needed as well as better guidance for the staff,
- the official publication of election results within a reasonable time frame remains a cause for concern,
- the holding of simultaneous elections – which proves detrimental to local democracy.

57. In addition, there have been many amendments to the laws on local elections and a consolidated code governing the elections is needed. The Council of Europe's Venice Commission, which is advising Ukraine on its legislative reform, could provide helpful advice.

APPENDIX 1**Main municipalities holding pre-term elections 25 May 2014**

Kyiv – Mayor of Kyiv and Kyiv City Council + 42 municipalities in total, including:
 6 regional centers, 19 towns of regional subordination, 17 towns & settlements of district subordination

<i>No</i>	<i>List</i>	<i>Municipality status</i>
1.	Head of CHERNIVTSI city council, Chernivtsi region	Regional Centre
2.	Head of KHERSON city council, Kherson region	Regional Centre
3.	Head of MYKOLAIV city council, Mykolaiv region	Regional Centre
4.	Head of ODESA city council, Odesa region	Regional Centre
5.	Head of CHERKASY city council, Cherkasy region	Regional Centre
6.	Head of SUMY city council, Sumy region	Regional Centre
(19)		
7.	Head of OKHTYRKA city council, Sumy region	City of regional subordination
8.	Head of NIZHYN city council, Chernihiv region	City of regional subordination
9.	Head of SAKY city council, ARC (Autonomous Republic of Crimea)	City of regional subordination
10.	Head of FASTIV city council, Kyiv region	City of regional subordination
11.	Head of FEODOSIA city council, ARC	City of regional subordination
12.	Head of NETISHYN city council, Khmelnytsk region	City of regional subordination
13.	Head of LYSYCHANSK city council, Lugansk region	City of regional subordination
14.	Head of ROVEN'KY city council, Lugansk region	City of regional subordination
15.	Head of KANIV city council, Cherkasy region	City of regional subordination
16.	Head of PERSHOTRAVNEVE city council, Dnipropetrovsk region	City of regional subordination
17.	Head of SNIZHNE city council, Donetsk region	City of regional subordination
18.	Head of ZHMERYNKA city council, Vinnytsya region	City of regional subordination
19.	Head of PEREYASLAV-KHMELNYTSKY city council, Kyiv region	City of regional subordination
20.	Head of VASYLKIV city council, Kyiv region	City of regional subordination
21.	Head of PRYLUKY city council, Chernihiv region	City of regional subordination
22.	Head of ANTRATSYT city council, Lugansk region	City of regional subordination

№	List	Municipality status
23.	Head of ZHOVTI VODY city council, Dnipropetrovsk region	City of regional subordination
24.	Head of LADYZHYN city council, Vinnytsya region	City of regional subordination
25.	Head of ROMNY city council, Sumy region	City of regional subordination
(17)		
26.	Head of KHRYSTYNIVKA town council, Khrystynivsky district, Cherkasy region	town of district subordination
27.	Head of VERKHNYODNIPROVSK town council, Verkhnyodniprovsk district, Dnipropetrovsk region	town of district subordination
28.	Head of BILOPILLYA town council, Bilopillya district, Sumy oblast	town of district subordination
29.	Head of BARVINKOVE town council, Barvinkove district, Kharkiv region	town of district subordination
30.	Head of KAM'YANKA town council, Kam'yanka district, Cherkasy region	town of district subordination
31.	Head of ZBARAZH town council, Zbarazh district, Ternopil region	town of district subordination
32.	Head of KREMENETS town council, Kremenets district, Ternopil region	town of district subordination
33.	Head of ZBORIV town council, Zboriv district, Ternopil region	town of district subordination
34.	Head of RODYNKA town council, Krasnoarmiysk city council, Donetsk region	town of district subordination
35.	Head of PEREVALSK town council, Perevalsk district, Lugansk region	town of district subordination
36.	Head of ROZHYSHCHE town council, Rozhysheche district, Volyn region	town of district subordination
37.	Head of P'YATYHKATKY town council, P'yatykhatka district, Dnipropetrovsk region	town of district subordination
38.	Head of MONASTYRKA town council, Monastyryska district, Ternopil region	town of district subordination
39.	Head of KHOTYN town council, Khotyn district, Chernivtsi region	town of district subordination
40.	Head of BOBRYNTSI town council, Bobryntsi district, Kirovograd region	town of district subordination
41.	Head of BATURYN town council, Bakhmatch district, Chernigiv region,	town of district subordination
42.	Head of KORSUN-SHEVCHENKIVSKYI town council, Korsun-Shevchenkivskyi district, Cherkasy region	town of district subordination

APPENDIX 2

PROGRAMME 22 - 26 May 2014

Congress delegation

Members of the Congress:

Gudrun MOSLER-TÖRNSTRÖM	SOC, R, Austria, Head of Delegation
Nigel MERMAGEN	ILDG, L, United Kingdom, Rapporteur
Xavier CADORET	SOC, L, France
Marc COOLS	ILDG, L, Belgium (Rapporteur for the Monitoring Committee)
Matej GOMBOSI	EPP-CCE, L, Slovenia
Amy KOOPMANSCHAP	SOC, L, Netherlands
Dobrica MILOVANOVIC	EPP-CCE, L, Serbia
Hana RICHTERMOCOVA	ECR, L, Czech Republic
Raymond TABONE	SOC, L, Malta
Matteo TOSCANI	EPP-CCE, R, Italy
Deniz YAVUZ	EPP-CCE, L, Turkey

Members of the EU Committee of the Regions:

Arnoldas ABRAMAVICIUS	EPP, Lithuania, Spokesperson
Doreen HUDDART	ALDE, United Kingdom
Uno SILBERG	EA, Estonia
Ann STRIBLEY	ECR, United Kingdom
Joe CORDINA	PES, Malta

Congress Secretariat

Renate ZIKMUND	Head of the Election Observation Division
Jane DUTTON-EARLY	Election Observation Mission to Ukraine
Pauline CADEAC	Election Observation Mission to Ukraine

Arrival of the Congress delegation: 21 May 2014

Thursday, 22 May 2014

- 08:45 – 09:00 Briefing of the day, Renate ZIKMUND, Head of the Congress Election Observation Division
- 09:00 – 09:15 Welcome and introduction by Gudrun MOSLER-TÖRNSTRÖM, Head of the delegation, and Nigel MERMAGEN, Rapporteur, on major recommendations from the Congress Election Observation Report 2010 (Local elections Ukraine, 31.10.2010)
- 09:15 – 09:30 Introduction by Marc COOLS, Congress Rapporteur for the Monitoring Committee on major recommendations from the Congress Monitoring Report (Local and Regional Democracy in Ukraine, adopted at the 25th Congress Session, October 2013).
- 09:45 – 10:30 Briefing by representatives of the Council of Europe Office in Kyiv on the current local context :
Vladimir RISTOVSKI Head of the Office
Olena LYTVYNENKO Deputy Head of Office

- 10:45 – 11:45 Briefing by representatives of the diplomatic community in Kyiv on the political situation
- | | |
|-------------|--|
| Serbia | Ambassador Rade BULATOVIĆ |
| Turkey | Ambassador Mehmet SAMBAR |
| Austria | Ambassador Wolf Dietrich HEIM |
| Estonia | Ambassador Sulev KANNIKE |
| Norway | Ambassador Elvedal FREDRIKSEN |
| Netherlands | Elections, Mrs Riny BUS, |
| Denmark | Ambassador Mrs Merete JUHL |
| France | Ambassador Alain REMY |
| Germany | Deputy Head of Mission, Mrs. FELDHUSEN |
| Portugal | Ambassador Mario JESUS DOS SANTOS |
- 12:00 Meeting with Viacheslav NEHODA - First Deputy Minister
Ministry of Regional Development, Construction and Municipal Economy of Ukraine,
- Mr Marc COOLS, (ILDG, Belgium), Congress Rapporteur on Ukraine
M Jean-Philippe BOZOULS, Head of the Congress Department of Statutory Affairs
- Lunch
- 12:00 – 13:30 Exchange of views with the President of the Congress' Chamber of Regions,
Ms Nataliya ROMANOVA, Head of the Ukrainian delegation to the Congress
- 14:00 – 15:00 Briefing with representatives of NGOs
- | | |
|---------------------|---|
| Igor KOHUT | Director of the Ukrainian School of Political Studies |
| Vitaly CHAMRAI | Institute of Political Studies and Analytics, Analytical Department |
| Yuriy KLIYUCHKOVSKI | President, Election Law Institute |
- 16:00 Meeting with Head/Deputy Head of the OSCE/ODIHR EOM in Kyiv
- 5 Congress representatives:
Gudrun MOSLER-TÖRNSTRÖM, Nigel MERMAGEN, Marc COOLS,
Arnoldas ABRAMAVICIUS, Renate ZIKMUND
- 15:30 – 17:30 Meeting with representatives of candidates for Mayor of Kyiv
- for Vitali KLITSCHKO (UDAR): Rostyslav PAVLENKO MP
for Mykola KATERYNCHUK: European Party of Ukraine : Anastasiia DONSKA

Friday, 23 May 2014

- 08:45 – 09:00 Briefing of the day, Renate ZIKMUND,
Head of the Congress Election Observation Division.
- 09:30 – 10:30 Briefing with representatives of the Central Election Commission of Ukraine in charge
of the management of pre-term local elections
- | | |
|--------------------|--|
| Andrii MAGERA | Deputy Head of the CEC; |
| Olexandr SHELESTOV | Commission Member (local elections, security); |

11:00 – 12:00 Meeting with the temporary Parliamentary Commission on changes to the Constitution of Ukraine (Decentralisation and local self-government)

Ruslan KRIAZEVIYCH MP –Chairman of the Temporary Constitutional Commission

Lunch

15:00 – 15:30 Meeting with the Minister of Regional Development, Construction, Housing and Communal Services of Ukraine, Volodymyr GROYSMAN

5 Congress representatives:
Gudrun MOSLER-TÖRNSTRÖM, Nigel MERMAGEN, Marc COOLS,
Arnoldas ABRAMAVICIUS, Renate ZIKMUND

16:15 – 17:00 Preparations for regional deployment of teams, distribution of materials for polling day, accreditations, briefing with drivers and interpreters (Radisson Blue hotel)
Deployment of different Congress teams to regions outside Kyiv

17:00 Departure of Deployment teams by road (see separate deployment programmes)
CHERKASSY1 - CHERKASSY 2 - SUMY

Meetings in co-ordination with PACE

17:00-18:00 Panel with representatives of mass media
First Channel - 5 Channel - Director-General of National TV Company -
National Television and Radio Broadcasting Council

18:00-19:00 Panel with representatives of civil society
Committee of Voters of Ukraine – Opora - IFES

18:00 Departure of Deployment teams by air
TERNOPIL OBLAST - CERNIVICI OBLAST

Saturday, 24 May 2014

Deployment See individual deployment team programmes

Sunday, 25 May 2014

Polling Day See individual deployment team programmes

23:00 late debriefing with teams at the Radisson Blue Hotel

Monday, 26 May 2014

11:00 Press Conference

Gudrun MOSLER-TÖRNSTRÖM, Head of Congress Delegation ,
Arnoldas ABRAMAVICIUS Spokesperson of the EU Committee of the Regions

Xavier CADORET - Uno SILBERG

Departure of the delegation

APPENDIX 3

Deployment programme

CONGRESS ELECTION OBSERVATION MISSION
pre-term local elections in Ukraine on 25 May 2014

Deployment PROGRAMME 23 - 26 May 2014

Team n°	Areas of deployment		
1	Kyiv	Renate ZIKMUND	Congress Secretariat
		Gudrun MOSLER-TÖRNSTRÖM, SOC, Austria	Head of Delegation
2	Kyiv	Mrs Deniz YAVUZ, EPP-CCE, Turkey	
		Jane DUTTON-EARLY	Congress Secretariat
3	Kyiv + Kyiv Oblast (Pereyaslav-Khmelnytsky)	Marc COOLS, ILDG, Belgium	Rapporteur monitoring
		Hana RICHTERMOCOVA, ECR, Czech Republic	
4	Kyiv Oblast (Fastiv, Vasyilkiv)	Doreen HUDDART, ALDE, United Kingdom	EU CoR
		Raymond TABONE, SOC, Malta	
5	Cherkasy 1 (Cherkasy + Kaniv)	Ann STRIBLEY, ECR, United Kingdom	EU CoR
		Nigel MERMAGEN, ILDG, United Kingdom	Rapporteur
6	Cherkasy 2 (Cherkasy + Kamjanka)	Xavier CADORET, SOC, France	
		Pauline CADEAC	Congress Secretariat
7	Cernihiv Oblast (Prluky + Romny + Sumy + Bilopyllia)	Arnoldas ABRAMAVICIUS, EPP, Lithuania	EU CoR
		Dobrica MILOVANOVIC, EPP-CCE, Serbia	
		Uno SILBERG, EE/EA, Estonia	EU CoR
8	Ternopil Oblast (Zboriv + Zbaraz + Monastyrka)	Matteo TOSCANI, EPP-CCE, Italy	
		Joe CORDINA, PES, Malta	EU CoR
9	Cernivivi Oblast (Cernivici + Chotyn)	Matej GOMBOSI, EPP-CCE, Slovenia	
		Amy KOOPMANSCHAP, SOC, Netherlands	

Friday, 23 May 2014
Hotel Radisson Blue, Kyiv

All Teams:

16:15 -.17:00 Deployment meeting / Logistics
 Meeting of all drivers and interpreters with team members
 Preparations for regional deployment of teams, distribution of materials for polling day,
 accreditations, briefing with drivers and interpreters

17:00 Teams 5-6-7: Departure by road (Cherkasy1; Cherkasy 2 and Cernivici Oblast)

Teams 1-2-3-4-8-9

Meetings in co-ordination with PACE

17:00 -.18:00 Panel with representatives of mass media

 First Channel - 5 Channel - Director-General of National TV Company
 National Television and Radio Broadcasting Council

18:00 Teams 8-9 : Departure of Deployment by air
 (19:55) TERNOPILOBLAST : Cordina, Toscani
 (20:50) CERNIVICIOBLAST : Gombosi, Koopmanschap

Team 1-4

18:00-19:00 Panel with representatives of civil society
 Committee of Voters of Ukraine – Opora - IFES

Team 1 to 4

Saturday, 24 May 2014

15:00 Meeting with the Committee of Voters of Ukraine, (CVU) Kyiv
 Andrii LYNNYK, Manager of Election Programmes

 18:00 Meeting with OSCE-ODIHR Long Term Observers, Kyiv
 Luis BARROS - Trude JOHANSSON

Sunday, 25 May 2014 - Polling Day

07:30 Departure by teams to deployment areas
 08:00 Opening of polling stations
 20:00 Closing of polling stations
 23:00 Return to Hotel Radisson Blue KYIV for late de-briefing session

Team 5 – 6

Friday 23 May 2014

17:00 Departure from Hotel Radisson Blue, KYIV for CHERKASY
 20:00 Arrival CHERKASY

Saturday, 24 May 2014 - Deployment

11:00	Meeting with CVU observers : Maxim MYKHLYK
14:00	Meetings with OSCE ODIHR LTOs:
14:30	Meetings with Territorial Election Commission (TEC)
15:00	Departure by teams for meetings with TEC KAMYANKA and KANIV

Sunday, 25 May 2014 - Polling Day

07:30	Departure
08:00	Opening of polling stations
20:00	Closing of polling stations
23:00	Return to KYIV for late de-briefing session

Team 7**Friday 23 May 2014**

17:00	Depart Kyiv for PRYLUKY
-------	-------------------------

Saturday, 24 May 2014

Morning	Local meetings
Afternoon	Transfer to SUMY
Evening	Meetings with OSCE LTOs in hotel

Sunday, 25 May 2014 - Polling Day

07:30	Departure
08:00	Opening of polling stations
20:00	Closing of polling stations
23:00	Return to KYIV for late de-briefing session

Team 8**Friday, 23 May 2014**

18:00 (tbc)	Depart hotel for Kyiv Borispol airport
19:55	Flight PS 35 to LVIV (Lvov)

Saturday, 24 May 2014

12:00	Meeting with CVU observer in LVIV: Roman KOSHOVYY
Afternoon	Transfer to TERNOPIL
Evening	Meetings with OSCE LTOs in hotel

Sunday, 25 May 2014 - Polling Day

07:30	Departure from TERNOPIL
08:00	Opening of polling stations
20:00	Closing of polling stations
	Return to LVIV

Monday, 26 May 2014

05:45 Depart for airport to KYIV

Team 9

Friday, 23 May 2014

18:00 Depart for Kyiv Borispol airport
22:15 Arrive IVANO-FRANKIVSK

Saturday, 24 May 2014

10:30 Meeting with Committee of Voters (CVU) in IVANO-FRANKIVSK: Mr Ihor TKACH
Late morning Transfer to CERNIVCI
15:00 Meeting with Committee of Voters (CVU) in CERNIVCI: Mr Yaroslav FILYAK

Sunday, 25 May 2014 - Polling Day

07:30 Depart
08:00 Opening of polling stations
20:00 Closing of polling stations

Return to IVANO-FRANKIVSK

Monday, 26 May 2014

06:00 Depart for airport
07:15 Flight to Kyiv Borispol airport

APPENDIX 4

Timeline of Security issues in the run-up to the elections on 25 May 2014

November 2013 The crisis in Ukraine erupted after its former President Viktor Yanukovich cancelled plans to sign trade and political pacts with the EU and instead sought closer ties with Russia, triggering protests across the country that turned into bloody conflicts.

21 February 2014 President Viktor Yanukovich fled to the Russian Federation.

23 February Parliament revoked the “Law on the principles of state language policy” (2012) to make Ukrainian the sole official language of the State. Under that 2012 law, local and regional governments had the power to give any language official status as long as it was spoken by at least 10% of the people as their native tongue. As a result, half of Ukraine’s regions (13 out of 27) made Russian a second official language.²⁴

26 February, on the pretext of abolition of the language of minorities, clashes between pro-Russian and pro-Ukrainian protestors took place in front of the Parliament building at Simferopol (Crimea).

28 February Russian ground forces occupied airports and other strategic locations in Crimea violating the Ukrainian-Russian treaty agreements and the Ukrainian territorial integrity. Gunmen, either armed militants or Russian Special Forces, occupied the Crimean Parliament. Under armed guard and with the doors locked, members of Parliament apparently elected Sergey Aksyonov as the new Crimean Prime Minister who is not recognised by the central Ukrainian Government.

On 5 March, protests and demonstrations against this decision spread all over the country including also the non-Russian speaking regions.

6 March, Deputies of the Crimean Parliament expressed their intent to make Crimea a subject of the Russian Federation by setting up a referendum on the issue for March 16. Turnout for the referendum was 83%, and the overwhelming majority of them (95.5%) voted to join Russia, even if a huge amount of minority population – the Tatars and Ukrainians – abstained from the vote.

The Ukrainian Government, EU and USA rejected the referendum claiming that Article 73 of the Ukrainian Constitution states: "Alterations to the territory of Ukraine shall be resolved exclusively by the All-Ukrainian referendum." International monitoring teams arrived in Ukraine to assess the situation in Crimea but they were stopped by militants at the Crimean border.

18 March, the Kremlin declared Crimea as part of the Russian Federation, with Crimea's flag being added to the flags of Russian regions in the Russian Parliament on 24 March.

6 April pro-Russian militants launched an uprising to control public buildings in more than ten towns in eastern Ukraine. The Government began anti-terrorist measures in return.

11 May, a referendum for independence was held in Donetsk and Luhansk Oblasts.

12 May, the spokesman of the self-styled “Army of the Southeast”, publicly stated his intention to disrupt elections in Luhansk on 25 May.

²⁴ Other languages allowed in City/Oblast administrative office work and documents have included Hungarian, Moldovan and Romanian.

APPENDIX 5

Press release

Réf. CG-PR 021 (2014)

Congress considers pre-term local elections in Ukraine as important step towards decentralisation

Kyiv, 26 May 2014. - A 19 member delegation from the Council of Europe Congress of Local and Regional Authorities representing 13 European countries observed the pre-term local elections on Sunday in Ukraine which were held simultaneously with the presidential vote. At a press conference in Kyiv, Head of the delegation Gudrun Mosler-Törnström (Austria, SOC) presented the preliminary conclusions together with Arnoldas Abramavicius (Lithuania, EPP), the spokesperson on this delegation for the EU Committee of the Regions.

All in all, not least due to the security situation in the south-eastern part of Ukraine, early local elections were observed in three out of six regional centres, 11 towns of regional and district subordination and – particularly – in the capital city of Kyiv. Already during the preparatory meetings of the Congress delegation with representatives of the state authorities, the Diplomatic Corps and civil society, the volatile situation was at the centre of discussions as well as the recently amended Law on Local Elections which addressed shortcomings of the last local vote held in 2010.

"We welcome that the Ukrainian authorities took into consideration recommendations made by the Congress in this respect, in particular with regard to amendments to the voters' list, decisions of the election commissions and the rights of domestic election observers", said Gudrun Mosler-Törnström. She added that the direct election of the Mayor of Kyiv, as urged by the Congress, was crucial for Ukraine.

However, said Mosler-Törnström, there was room for improvement with regard to the practical side of election day, notably the counting procedures:

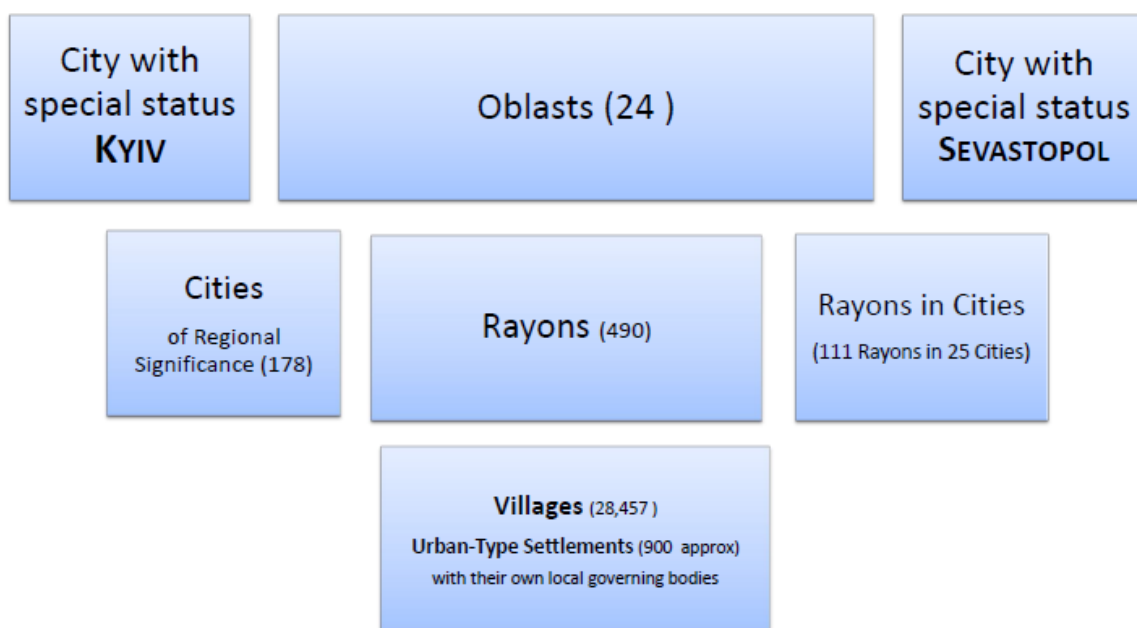
"In many polling stations there were voters queuing already in the morning, facing a very long wait for their ballots. The situation was particularly difficult in Kyiv where four ballots were to be completed – for the presidential and the mayoral vote as well as the political parties' lists and the majoritarian candidates for the city council. The fact that polling stations were systematically under-staffed increased the waiting time throughout the day."

Another shortcoming concerning this vote was the lack of information materials about the candidates and programmes of the candidates for mayor and municipal councils, specifically in Kyiv and other big cities. "These local elections were clearly overshadowed by the presidential vote. This is why the Congress recommends the Ukrainian authorities to hold the next general local elections in 2015 without any other vote on the same day", said Mosler-Törnström.

And she concluded: "Despite the fragile political environment, yesterday's vote at the local level was a positive test and an important step towards decentralisation in Ukraine. We welcome in particular that pressure on voters and threatening them was not an issue as in previous elections. The same seems to be true for the misuse of administrative resources. We encourage the Ukrainian authorities to continue in this way and make the next general local elections a full success."

APPENDIX 6

ADMINISTRATIVE DIVISIONS – UKRAINE (May 2014)



APPENDIX 7

ELECTION RESULTS

The official notification of results, as published by the CEC and in the Khreschatyk newspaper are still not available as this report goes to publication, one month after the elections. The official deadline for notification is 5 days after voting.

Mayor of Kyiv

The territorial election commission of Kyiv approved the relevant results of the vote count at its meeting on 3 June. Vitali Klitschko won the Kyiv mayoral elections with 765,020 votes (56.7% of the vote), parliamentarian Lesia Orobets gained 114,137 votes (8.46%), and the head of the Kyiv city state administration, Volodymyr Bondarenko 107,333 votes (8%)²⁵.

Kyiv City Council

In the elections for deputies of Kyiv city council, 9 parties (out of 35 registered for the elections) passed the 3% electoral threshold. The Democratic Alliance Party, which had accused the Kyiv city TEC of falsifying the election results, passed the threshold by a narrow margin after a recount of votes. Overall, a strong majority of seats (77 out of 120) in the Kyiv city council belongs to the local party branch of UDAR²⁶.

On June 5, the Kyiv City Council held its first meeting to announce the election of Vitaliy Klitschko as Mayor.

CHERKASY: Serhiy ODARYCH

CHERNIVITSI: Oleksii KASPRUCK

ODESA : Hennadiy TRUHANOV²⁷

KHERSON: Volodymyr MYKOLAYENKO (35.93% of voters)

MYKOLAIV: Yuriy HRANATUROV (50,347 votes out of 177,992 registered)²⁸

SUMY: Oleksandr LYSENKO (62,904 votes, 41%)²⁹

²⁵ Interfax Ukraine 04.06.2014 : <http://en.interfax.com.ua/news/general/207829.html>

²⁶ IFES : <http://ifes.com/Content/Publications/News-in-Brief/2014/April/-/media/Files/Publications/White%20PaperReport/2014/IFES%20Ukraine%20Election%20Bulletin%209%202014%20Eng.pdf>

²⁷ IFES bulletin 8

²⁸ <http://en.interfax.com.ua/news/general/206950.html>

²⁹ <http://oporaua.org/en/vybory/miscevi-vybory-2014/article/5732-u-sumah-ogolosyly-rezultaty-vyboriv-mera-peremig-oleksandr-lysenko>