



MISSION CANADA
UKRAINE ELECTION 2012

FINAL REPORT



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FOREWORD

The quest for freedom runs deep in the soul of Ukrainians. Ukraine is the country that: i) in 1710 provided a modern constitution; ii) that pioneered multicultural rights in its 1917 and 1918 Universal Declarations, and; iii) that saw a pro-democracy movement re-emerge at the end of the Soviet era.

Since independence in 1991, Ukraine has been in transition to develop itself into a free, modern and democratic state. While acknowledging much has been achieved, such as considerable pluralism of political parties and factions, the need for a strengthened civil society, economic progress, freedom of the press, independent judiciary, development of institutional capacities and for free and fair elections are still in precarious development.

Ukraine is a major and significant European country, with a land mass larger than any other fully European state and a population approaching fifty million. Moreover, its geographical position between Europe to the west, and Russia and Asia Minor to the north, east and south, make it an important locus of international security, commerce, culture and strategic interest, as manifest throughout Ukraine's history.

Successive governments, and indeed most politicians in Ukraine, have indicated that they support the people of Ukraine in their aspirations to choose their leaders in a democratic fashion. Indeed, Ukraine is a member of OSCE and pledges to conduct elections in a free and fair manner. It is therefore important for the international community to monitor each and every election in Ukraine, until the universal values of freedom, democracy, human rights and the rule of law become more permanently entrenched in this country. It is also important to ensure that local national observers, as the best interpreters of the election process in Ukraine, are supported to gain sufficient access, training and resources to monitor elections.

Canada is uniquely positioned to assist Ukraine in its democratic development. Some 1.3 million Canadians trace their roots to Ukraine. Working through a strong organized community base, and motivated by the repression and hardship that led them to Canada, they have used their linguistic capacity, and their knowledge of the country and its history to advocate the need to assist Ukraine through its democratic transition. All Canadians, I believe, cherish and share these aspirations and values and have worked hard to forge a special relationship with the people of Ukraine.

What happens in Ukraine is important to Canada and the international community. The commitment of such significant resources by the Government into this Mission is a testament to its concern for progress in Ukraine, and a pledge for the continued collaboration of Ukraine's road to democracy.

On behalf of all *Mission Canada-Ukraine Election 2012* observers, I wish to thank and commend the Government of Canada for undertaking this independent bilateral mission, which was not only the largest bilateral mission, but the second-largest of all international missions.

I want to state my admiration and gratitude to the observers themselves, for their perseverance and dedication, and for maintaining exemplary professional conduct. Four hundred and twenty-two Canadians from all corners of our country put their lives on hold to participate in this important exercise, and they discharged their duties with commitment and poise. The management team deserves credit for the smooth handling of operations with such a large deployment. My appreciation also extends to our numerous locally-engaged personnel, whose on-the-ground knowhow was critical to our success.

I also acknowledge the Government of Ukraine for the invitation to Canada to observe the parliamentary elections. On behalf of *Mission Canada*, I wish to express my appreciation to the Central Election Commission of Ukraine, the Ministry of Foreign Affairs and other state institutions for their support. I also wish to thank the High Administrative Court, the Kyiv Administrative Court of Appeals, the State Voter Registry, local authorities, District Election Commission members, political parties, civil society organizations, other international election observation missions, domestic observation groups, news media organizations, and domestic non-governmental organizations for their co-operation during the course of our mission.

Especially deserving of recognition are the thousands of Precinct Election Commission officials and representatives who stood outside in terrible conditions for three or four days during the vote tabulation standoff to submit their results to the District Election Commission members, and who performed their job with dignity and fortitude.

Finally, I acknowledge the non-governmental organization CANADEM for its role in mobilizing *Mission Canada*. Countless hours of behind-the-scenes logistical work by CANADEM staff contributed to a successful and smooth mission.

It is with pleasure and pride that I present the following report: the final report of *Mission Canada – Ukraine Election 2012*.

Sincerely,



Senator Raynell Andreychuk

EXECUTIVE SUMMARY

Ukraine's democratic development is of interest to Canada. The people of Canada and the people of Ukraine share a special relationship born of history and demographics. Ukraine's strategic position in Europe is important for the stability and security of Europe.

Ukraine is a country of focus for the Canadian International Development Agency (CIDA). During Prime Minister Harper's state visit to Ukraine in the fall of 2010, Prime Minister Azarov invited Canada to observe the 2012 parliamentary elections.

The Government of Canada responded to the request of the Government of Ukraine and sponsored and deployed the largest ever delegation of long and short term Canadian election observers to oversee Ukraine's parliamentary elections of October 28, 2012. Ukraine's parliamentary elections were an exercise to elect 450 members, for five-year terms, under a mixed electoral system – 50 per cent proportional representation seats drawn from party lists, and 50 per cent from single-member plurality representative constituencies.¹

On October 19, 2012, the Right Honourable Stephen Harper, Prime Minister of Canada, appointed Senator Raynell Andreychuk as head of mission for *Mission Canada* – the independent Canadian election observation mission.

Mission Canada included 422 election observers, including 65 long-term observers (LTOs) who were deployed from early August and were able to observe the entire election process. The composition of the mission was reflective of Canadian society with geographic and gender balance, and reflected a mix of strong, experienced international observers, many with a strong linguistic profile in Ukrainian and Russian. All observers were selected, deployed, and trained in coordination with the impartial and professional Canadian non-governmental organization CANADEM, which implemented the mission pursuant to a contribution agreement with CIDA.

Mission Canada issued two interim reports on the findings of its long-term observation mission. *Mission Canada* announced its preliminary report on October 29, 2012.²

Of necessity, international election observation missions focus on shortcomings. An undeniable fact that was witnessed by our observers both long and short-term was the tremendous will of the Ukrainian people to try to hold elections free of manipulation in their polling stations and ridings. There were also positive observations; for example, the establishment of a centralized permanent voter registry appears to have been successful, and the election was pluralistic. It is also important to note progress in the growth of civil society groups, which have been able to organize effectively and to mobilize significant domestic scrutiny of the election process.

On Election Day itself, *Mission Canada* assessed that the operation of polling stations during the voting period was generally competent. In some places it ran very well despite inadequacies in the system. There were, however, some irregularities in a number of areas that contributed to undermining a fully fair election; these ranged from open vote-buying and voter intimidation, to proxy voting. Irregularities in mobile voting were also observed, as were breaches of rules prohibiting campaigning on Election Day.

Mission Canada noted an overall regression in Ukraine's democratic experience in this election, specifically:

- The elections took place in the context of the apparently politically-motivated conviction and imprisonment of former Prime Minister Yulia Tymoshenko and former Minister of Internal Affairs Yuri Lutsenko, opposition leaders whose participation in the election was precluded. Their imprisonment and preclusion was a pervasive theme during the election period, given, at the least, its significance.
- The pre-election period saw numerous irregularities and violations of Ukrainian electoral law and international electoral best practices – ranging in degree of significance – on issues such as the registration of candidates, the media environment, the processes for election of members of the Precinct (polling station) and District (riding) Election Commissions. It should be noted that some issues of concern raised by the long-term observers were corrected by government or the Central Election Commission (CEC), such as the clarification of the rules for temporary voting.

¹ To date, following the elections, the CEC has registered 445 MPs and has recommended re-elections in five districts where results were disputed and they were unable to ascertain whether they reflected the will of the people.

² The interim and preliminary reports are available at www.canademmissions.ca/ukraine.

- Concerns were expressed about ongoing restrictions on media freedom, harassment of journalists, and a de facto general lack of pluralism in coverage. Observers also documented cases across the country of the publication and distribution of campaign materials including unreliable or manifestly false or defamatory information about candidates or political parties.
- *Mission Canada* observers noted widespread cases of indirect vote-buying, harassment of and threats against candidates and party workers, isolated incidents of violence against candidates, and a widespread use of administrative resources for political purposes to support/oppose a party or candidate in the lead-up to Election Day.

The most significant problems, however, occurred following the closing of polls. This election saw serious breaches of process, law and international best practice in the tabulation and transmission of vote tallies from polling stations to the District Election Commissions (DECs), and also from the DECs to the CEC. Specifically, in many precincts, DEC administrators refused to properly receive tabulated vote protocols, expelled observers from counts, or changed tabulations when they, in turn, transmitted aggregate tallies to the CEC in Kyiv.

Additional observations of concern included:

- Uneven application of aspects of electoral law;
- Lack of effective recourse and appeal for alleged violations and protection of electoral rights;
- The lack of public and transparent criteria and processes in the delineation of electoral districts;
- Use of administrative resources to assist the governing party;
- Insufficient transparency on campaign financing;
- Insufficient transparency in the election administration;
- Inequitable access to representation on district and precinct electoral commissions;
- Recrimination against, and harassment of non-ruling party candidates;
- Delays in the transfer of results from the Precinct Election Commissions (PECs) to DECs, lasting several days in some cases;
- Significant variances in results posted compared to protocols;
- Procedural irregularities and errors in a significant number of DECs;
- Failure of the appeals system to adjudicate cases or complaints; and
- Failure to bring electoral offenders to justice.

Mission Canada concludes that – taking into account its interim reports, the findings of Election Day, and the subsequent problems in transfer of results and tabulation of data – Ukraine’s parliamentary elections fell short of meeting international standards (see page 11), and that these elections marked a regression in Ukraine’s democratic development.

Mission Canada makes the following recommendations:

RECOMMENDATIONS

ELECTION ADMINISTRATION

- 1) In keeping with international best practices, a legal framework for the establishment of constituency boundaries should be developed and include clear and objective criteria that ensure voter equity, respect for existing administrative and natural boundaries, and integrity of geographic cohesion of minority groups. The delineation process should be applied transparently and consistently across the country and should include input from stakeholders and communities of interest.
- 2) Ukraine should continue to have Election Commission members that are representatives of electoral participants be they parties or independent candidates.

- 3) The Central Election Commission (CEC) lotteries for Precinct Election Commissions (PECs) and District Election Commissions (DECs) prescribed by Ukrainian electoral law should ensure balanced representation of national and local electoral participants. It would be advisable to strengthen the legislation to ensure that parties be permitted to nominate representatives for DECs and PECs only in districts where they have a candidate running, or if they have a slate of party list candidates for the proportional system. Conversely, parties or candidates should be denied representation on a DEC or PEC if they cease to have a duly registered candidate.
- 4) In order to improve transparency, the decisions of the DECs should be posted immediately on the CEC website.
- 5) If video cameras are used in future elections, they should record and publicly disseminate via Internet, in real time, all components of the Election Day process including tabulation and transmission of vote counts. They should be installed at the DECs with the requirement that all DEC proceedings and deliberations be recorded and broadcast as well.
- 6) Given the recent improvements to the State Voter Registry (SVR), voters, political parties and non-governmental organizations (NGOs) should be granted ongoing access to verify its accuracy. The reporting/investigation process for inaccuracies should be strengthened by increasing transparency and accountability. International observers should also be granted the right to a copy of the PEC vote count protocol, as was the case in previous elections. To improve transparency of the election administration, discussions of commissions should be held in public sessions. Agendas and draft documents should be made available to electoral participants and observers on a timely basis.

ELECTORAL LAW

- 7) Electoral law reform should, in future, be inclusive and transparent with the involvement of all electoral stakeholders including relevant civil society groups.
- 8) Except in extraordinary cases – in which serious deficiencies have been revealed in the legislation or its application and when there is an effective political and public consensus on the need to correct them – changes to the legal framework should not be made less than one year prior to an election.³

COMPLAINTS AND APPEALS

- 9) Work should be undertaken to reform the legal framework to create a more simplified and accessible complaints and appeals process and remove overlapping jurisdiction of the courts and election commissions in the adjudication of complaints and appeals. Timelines for filing and consideration of complaints should be realistic to allow for the preparation of submissions and adjudicate complaints thoroughly and professionally.
- 10) Transparency in the election dispute resolution process could be enhanced by election commissions fully presenting and discussing complaints in its public sessions with active participation of all interested parties. The practice of holding private sessions to decide on complaints prior to public sessions should cease.
- 11) To enhance transparency in the complaint and appeals process, the Law on Access to Judicial Decisions should be amended to ensure the names and party affiliations of all subjects related to election-related claims are published.
- 12) The CEC, administrative courts and law enforcement agencies should closely coordinate to clarify jurisdictional matters and to ensure all complaints are substantively handled, as administrative law matters and criminal (quasi-criminal) offences.
- 13) The election law should be amended to provide clear remedies for breaches of the law, particularly campaign-related malpractices, to ensure that violations of electoral rights are effectively addressed.
- 14) Election commissions and administrative courts should fully adhere to the principles of impartiality, due process, and rule of law in handling complaints. All complaints should be considered on their merits. The letter and spirit of the law should be respected and consistently applied. Decisions must provide comprehensive and clear factual and legal reasoning.

³ *European Commission for Democracy Through Law (CDL, or Venice Commission), Code of Good Practice in Electoral Matters, Guidelines and Explanatory Report, adopted 18-19 October 2002 ("CDL Guidelines").*

- 15) To enhance consistency in the election dispute resolution process, the CEC and higher courts should collaborate to establish and publish, on a timely basis, interpretations of key issues in the electoral law that are in need of clarification.
- 16) Electoral offenders should be prosecuted promptly, consistently, and impartially according to the electoral law.

DOMESTIC OBSERVERS AND INTERNATIONAL OBSERVERS

- 17) Funding and support should continue to be provided to domestic observers and election-oriented civil society groups by international electoral experts and funding agencies, in order to maximize the capacity of domestic observers to support democratization and human rights.
- 18) Election observers should be permitted to observe all aspects of the electoral process including the computer transfer of results from the PECs to the DEC, and from the DEC to the CEC. In order to increase transparency and public confidence, access to all components of the electoral process should be provided to all accredited election observers, including the computer vote tabulation room at the DEC.
- 19) The capacity of domestic NGO election monitoring groups should be strengthened in the interest of transparency and building public confidence.

ELECTION OBSERVATION STANDARDS

INTERNATIONAL STANDARDS FOR ELECTIONS

For elections to genuinely and fully reflect the will of the people, the whole election process must be examined – from the electoral legal framework to the adjudication of any challenges to election results. In this respect, a number of key international standards must be met. These standards are: a sound and fair legislative framework, universal and equal suffrage, impartial and transparent election administration, a level playing field for all contestants in the campaign, an election process free of pressure and coercion, an independent media and balanced coverage, access to effective remedy for violation of electoral rights, a secret ballot and a voting and counting process free of manipulation that accurately reflects voters' intent. These conditions are also essential to ensuring the trust and confidence of the electorate in the election process. *Mission Canada* has used these standards to assess the election process.

UKRAINIAN LAW

The *Law on the Election of People's Deputies* governs international election observation. Specifically, Article 79 states that international observers shall be entitled to:

- 1) be present at the meetings of MP candidates or parties' authorized persons with voters, at election campaign meetings, rallies, and meetings of election commissions;
- 2) familiarize himself or herself with the election campaigning materials;
- 3) be present at the election precincts during the voting and observe the actions of the election commission members, in particular during the issuance of ballot papers to voters and vote counting, without physically obstructing the election commission members;
- 4) make photographic, film, audio and video recordings, without violating the secrecy of voting;
- 5) publicly express proposals, after the end of the election, relating to the organization of the parliamentary elections and improving the legislation of Ukraine, taking into consideration the international experience;
- 6) hold press-conferences in accordance with the requirements of the laws of Ukraine;
- 7) together with other observers from foreign states or international organizations, create temporary groups of official observers for coordination of their activities within the scope of their powers specified by this Law, notifying the Central Election Commission thereof within one day;
- 8) official observers from foreign states or international organizations shall perform observations autonomously and independently.

MISSION CANADA PRACTICES, MANDATE AND SCOPE

Given the long-term and short-term nature of *Mission Canada's* observation mission, our scope was more broad and comprehensive than that of many other international missions, while keeping with all generally recognized international standards and practices, as well as relevant domestic statutes. Accordingly, our mission's scope included scrutiny of the following components of the election system:

- The establishment and function of election commissions at multiple levels;
- Election campaigning;
- Adherence to electoral law;
- Equal access to resources and legal recourse across participants;
- Media coverage, practices and trends, national and regional;
- Media freedom from undue influence;
- Possible election disputes and court cases;
- Freedom from intimidation;
- Freedom from illegitimate vote influencing;
- Observation of Election Day operations and execution;
- Vote count, tabulation and transfer following the closing of polls; and
- Legal and adjudication proceedings in the immediate aftermath.

The mandate of *Mission Canada* was to observe, record and report on whether the election genuinely reflected the democratic expression of the voters in Ukraine. The election observers were charged with observing, recording and reporting on the election campaign according to established international standards and best practices, while in no way interfering with or intervening in the electoral process.

LEGAL FRAMEWORK AND ELECTORAL SYSTEM FOR UKRAINE'S PARLIAMENTARY ELECTIONS

Parliamentary elections in Ukraine are principally governed by the Ukrainian Constitution, the *Law on Election of Peoples' Deputies* (election law), the *Law on the Central Election Commission*, the *Law on the State Voter Register*, the *Code on Administrative Adjudication*, the *Criminal Code*, the *Administrative Offences Code*, and resolutions of the CEC. The Constitution guarantees all fundamental rights and freedoms necessary for the conduct of democratic elections. There is no modern legislation that regulates the freedom of assembly⁴, though a new law is in the drafting stage in Parliament.⁵ In November 2011, a new electoral law was adopted⁶ following a controversial and difficult law reform process that led to a political compromise. Various stakeholders criticized the reform process as lacking inclusivity and transparency regarding the adoption of fundamental aspects of the new law, particularly the changes to the electoral system, the increased threshold for inclusion in proportional representation and the prohibition of the creation of electoral blocs.⁷ Fundamental changes to an electoral framework close to an election are inconsistent with international best practices, as they undermine confidence in the stability and integrity of the law and do not provide sufficient time for stakeholders to prepare and be well-informed.⁸

Ukraine's new election law generally provides a sound basis for the conduct of democratic elections but falls short in its implementation. The implementation of the law was inconsistent and fell short in both letter and spirit of various fundamental respects, including, among other areas, candidate registration, election administration, campaign freedoms and limitations, media access, counting and tabulation of results, and the adjudication of election disputes. The new election law incorporates a number of improvements including, among other things, the right for self-nominated (i.e. independent) candidates to contest elections. The law includes substantive shortcomings that are inconsistent with international standards and best practice, such as the lack of criteria for electoral district boundary delimitation, overly restrictive candidate registration requirements, and lack of regulation and transparency in campaign finance.⁹

The election of peoples' deputies of Ukraine was held on October 28, 2012. 450 deputies were being elected, in a mixed majoritarian-proportional system. Two hundred and twenty-five deputies were to be elected in first-past-the-post, single-mandate districts (SMDs) and 225 proportional representation seats elected according to party lists. The threshold for parties to gain representation in parliament is five per cent of the popular vote. The Parliament of Ukraine is elected to a five-year term. The two most recent parliamentary elections in Ukraine (March 2006 and September 2007) were on a fully proportional basis, with a three per cent threshold for parliamentary representation. The mixed system is a return to the previous 1998 and 2002 parliamentary election structure.

The administration of the election was divided into three levels of commissions - the 15-member Central Election Commission (CEC), 225 District Election Commissions (DECs), and 33,762 Precinct Election Commissions (PECs). Commissioners to the DECs and PECs were appointed on the basis of lotteries of submissions from electoral subjects (parties, in the case of the DECs, and parties and independent candidates in the case of the PECs).

Ukrainian citizens who are at least eighteen years of age and are legally competent have the right to vote. Voter registration is centralized in the State Voter Registry (SVR). Over 36 million Ukrainian citizens were registered to vote. Citizens can check their registration at the SVR and request changes. The SVR is managed centrally, and by

4 A 1988 Soviet decree that established a procedure for authorization of public assemblies remains technically in force. However, a ruling of the plenum of the High Administrative Court on court practice on the right of peaceful assembly, adopted May 21, 2012, states that the decree is unconstitutional due to its requirement for authorization of public assemblies, rather than mere notification, and should not be applied in practice. It further noted that courts continue to erroneously apply the decree. Mission Canada observed courts apply the decree to ban election-related public assemblies during the parliamentary elections.

5 The current version of the draft law has prompted criticism from civil society organizations as unduly limiting the right to assemble.

6 In April 2012, the Constitutional Court ruled unconstitutional provisions in the new election law that granted candidates the right to run in both the nation-wide and single mandate constituencies and that provided out-of-country voters the right to vote for single mandate candidates in several Kyiv City electoral districts.

7 A number of complaints were filed in the administrative courts challenging the constitutionality of the new election law in general and specific provisions, and arguing contravention with international standards. The cases were left without consideration on grounds that administrative courts lack jurisdiction in constitutional cases.

8 According to a poll released on October 8, 2012, by the Democratic Initiatives Foundation and the Kyiv International Institute of Sociology, more than one in five Ukrainians were unaware of the new mixed electoral system.

9 At the request of the Ukrainian authorities, the European Commission for Democracy through Law and the OSCE/Office for Democratic Institutions and Human Rights adopted a Joint Opinion on the draft election law on October 17, 2011; many of its substantive recommendations, however, were not incorporated into the final version of the law. The International Foundation for Electoral Systems issued a Review and Analysis of the draft law in September 2011 also identifying a number of shortcomings that remain in the current law. On October 21, 2011, the Council of Europe's Group of States against Corruption issued an evaluation report on transparency of party funding in Ukraine highlighting key areas for improvement.

over 700 SVR maintenance bodies throughout the country. Voters' lists are to be made available to voters at the PECs for review.

POLITICAL CONTEXT

In the previous Ukrainian parliament (2007-2012), a coalition of the Party of Regions, Communist Party of Ukraine and the People's Party/Lytvyn Bloc had a majority. Parliament, elected in 2007, had been influenced by a high number of changes in party allegiance during the term. Over 60 deputies changed their factions. Many of these changes have been from opposition factions to the ruling majority.

The October 2012 elections took place in the context of the apparently politically-motivated conviction and imprisonment of former Prime Minister Yulia Tymoshenko and former Minister of Internal Affairs Yuri Lutsenko, opposition leaders who are currently in prison and could not take part in the election, although both tried unsuccessfully to register as candidates. The Canadian government has called for the release of both Tymoshenko and Lutsenko.¹⁰

The re-introduction of single-mandate districts (SMDs) changed the parameters of the elections. Local issues gained more importance as SMD candidates competed for votes. Twenty-two parties submitted party lists for the proportional part of the election. Eighty-seven parties registered at least one candidate. The election campaign was active throughout the country, with campaigning more evident in urban areas than in rural communities. The most visible parties, who actively campaigned in all regions of the country, were the Party of Regions, the United Opposition, UDAR, the Communist Party, Svoboda and Ukraine Forward. The main campaign issues were government corruption, standard of living, economic reforms and the status of the Russian language.

DELINEATION OF SINGLE-MANDATE DISTRICTS

The Central Election Commission (CEC) delineated the 225 single-mandate districts in April 2012, meeting the legislated requirement that the population of each district not deviate from the average by more than twelve percent.

More than 15 per cent of districts established are not contiguous. Contiguous districting is not required by Ukraine's *Election Law*; it is, however, an internationally recognized best practice. Observers heard from several interlocutors that the current delineation of electoral districts disadvantaged minority communities and divided some communities of interest – a further abrogation of internationally recognized best practice. A number of court cases challenging various delineations were initiated, but none was successful.

¹⁰ Canada Concerned about Detention of Ukrainian Opposition Leaders. <http://www.international.gc.ca/media/aff/news-communications/2012/08/22a.aspx?view=d>

ELECTION ADMINISTRATION

THE CENTRAL ELECTION COMMISSION (CEC)

The Central Election Commission is the permanent body responsible for administering the election. The membership of the CEC was appointed in 2007 to a seven-year term by Parliament, at the proposal of the president. The CEC met regularly in open sessions that were open to observers, the media, and party and candidate representatives. The CEC successfully met timeframes for decision-making established by law. Formally, CEC sessions were open. However, observers, media, and party and candidate representatives were not usually provided with any draft decisions or materials, apart from the meeting agenda. Moreover, the CEC met regularly in closed sessions. This decreased the transparency of the work of the CEC.

THE DISTRICT ELECTION COMMISSIONS (DECS)

ESTABLISHMENT

District Election Commissions are the election administrative authorities presiding over the election process within a particular district. They are comprised of representatives of political parties. According to the *Law on the Election of Peoples' Deputies*,¹¹ the DECs' party representation must be established through a lottery held by the CEC, with one position automatically reserved for each parliamentary party or faction represented in Parliament prior to the election. Per CEC Resolution 69, a single lottery was held for *all* DECs, on a "winner-take-all" basis (rather than a separate lottery for each DEC).¹² Eighty-one parties participated in the lottery. Nineteen parties gained representation on the DECs. Of these, seven parties¹³ had between one and five candidates running, and did not have a party list for the proportional ballot. Yet, because of the "winner-takes-all DECs" application of lottery results, these seven parties were granted representation on all 225 DECs, while many parties were excluded from DECs notwithstanding having a name on the local ballot.¹⁴

The large number of small parties represented on electoral commissions led to numerous changes to membership on the DECs, which in turn led to obstacles in DECs establishing quorum to hold meetings and to function properly, thus negatively impacting the effectiveness of the election administration. The decision to hold a single lottery is a departure from previous best practices in Ukraine. In 2006, the CEC held separate lotteries for each DEC. In a politically-appointed election administration, all efforts should be made to ensure as high a degree of representational balance in the administration; this norm was not met in the establishment of the DECs for the 2012 parliamentary election.¹⁵

FUNCTIONING

Observers noted several problems in the functioning of the DECs. Among the most serious was the fact that decisions were not posted in a timely fashion. This, in turn, limited the ability of representatives of parties or candidates to file complaints on rulings, resulting in a lack of transparency in decision making, and continuous delays in the starting time of meetings.¹⁶ As of October 25, only 96 DECs had any decisions posted; in the case of many of these DECs, only one decision was posted.

Observers noted situations where the DEC members from small "technical parties" (the term used to describe parties that meet minimum filing requirements, are often little-known, and at times used as tactical fronts for other parties – either to split an opposing vote or to gain additional representation on an electoral commission) did not know which party they represented or could not name the party leaders, describe the party platform, or indicate where the party

11 Article 27. The lottery must be held according to a procedure established by the CEC. The only other stipulation in the law is that no more than one representative of a party serve on a given DEC.

12 The party that is drawn first is allowed to fill its quota (up to 225 members); the party that draws second fills its quota, until all the memberships on the DEC are filled.

13 Christian Democratic Party of Ukraine (Християнсько-Демократична Партія України); United Family (Єдина Родина); Union of Anarchists of Ukraine (Союз Анархістів України); United Rus' (Русь Єдина); Brotherhood (Братство); Rus' Unity (Руська Єдність); Youth to Power (Молодь до Влади).

14 This resulted in an extreme imbalance of representation on the DECs, as parties running 0.0045 per cent of registered SMD candidates had 37.1 per cent of the representation.

15 Several parties filed court complaints challenging the legality of the CEC's two procedures on conducting a single lottery for representation on the DECs and a single lottery for PECs. The relative vagueness of the election law provided a reasonable opportunity for the courts to rule in favor of the claimants; however, the courts' rulings that the single lottery procedure was not in contravention of the law essentially ignored the spirit of the law, aimed at ensuring the most balanced and diverse political representation in the election administration.

16 In some cases, there was reason to believe the delays in meetings may have been purposeful, with the delays used to "wait out" domestic and international election observers to encourage them to leave before the meeting began. The DECs are supposed to forward their decisions to the CEC for posting on the official website.

office is located. Observers noted that some DEC members from the small, technical parties had previous affiliation with the Party of Regions. There were instances where DEC members from small parties admitted they had been asked by the Party of Regions to serve as a representative of a small party.¹⁷ Observers noted a general lack of trust amongst opposition parties and candidates in the ability of the DEC members to administer the election fairly and impartially.

Throughout the election process there was an extraordinarily high number of changes in the membership of the DEC members. More than half of the total members of the DEC members turned over, and some parties changed all 225 of their DEC representatives from the beginning to end of the electoral process. Because of the large number of changes to DEC membership, and the numerous complaints filed in the courts by DEC members, electoral contestants, and official observers (challenging a wide array of actions, inactions and decisions of the DEC members and their members), the election administration was largely dysfunctional.

THE PRECINCT ELECTION COMMISSIONS (PECS)

ESTABLISHMENT

While the DEC members govern the election administration for an entire riding, Precinct Election Commissions are established to govern the administration of individual polling stations. These PECs were comprised of representatives of political parties (those competing locally), and allowed for representatives of independent candidates on the local ballot.

On September 13, the CEC (Resolution 893) changed the procedure for the establishment of the membership of the PECs, or polling station commissions. Each DEC was to hold a single, “winner-take-all” lottery, as opposed to a separate lottery for each PEC. As in the case of the DEC members, a single lottery resulted in issues of representation. Independent candidates, who do not have the opportunity to have members on the DEC members and did not win the PEC lottery, were required to contest the election with absolutely no representation in the election administration.

Observers noted problems with the PEC lottery procedure – including the acceptance of PEC candidate submissions without proper authorization, the same person submitting candidates for several parties concurrently, duplicate submissions being filed,¹⁸ the secrecy of the lottery being compromised, and, in one case, the list of PEC members being read out minutes after the lottery was completed.¹⁹ Confusion was created by the fact that the CEC changed the procedure for the establishment of PECs a few days before the lotteries were to be held. Observers noted that some PECs held multiple lotteries, in contravention of the new procedure. In some cases the CEC intervened and required the PECs redo the lottery.²⁰

“PEC’s procedure was organized. In most cases (they) seemed knowledgeable about the law and process.”

Christine Kuzyk,
Group Leader Lviv

“Most PEC members appeared to want to conduct a transparent election process. They appeared enthusiastic and generally welcoming of international observers. Some other PEC members appeared nervous or suspicious by the presence of international observers. PEC members were taking their job very seriously, probably because they all received proper training.”

Aimee Lavoie,
Group Leader Kryviy Rih,
(Dnipropetrovsk Oblast)

¹⁷ In an analysis which compared the membership of the 225 DEC members, 112 DEC members from the Party of Regions who served on DEC members in 2007 served in 2012. Of these, 61 represented technical parties. In comparison, of the 90 DEC members who served for the Yulia Tymoshenko Bloc in 2007 and are serving again on DEC members in 2012, 69 are serving either for the Yulia Tymoshenko Bloc or Our Ukraine-Peoples’ Self-Defense, the affiliated opposition bloc.

¹⁸ The same person was submitted as a candidate for PEC membership by two or more parties.

¹⁹ The preparation of lists of PEC members after holding the lottery would have required significantly more time.

²⁰ The administrative courts received a very high number of complaints challenging the legality of the lotteries. More than 40 per cent of DEC members had their lotteries challenged. More than 85 per cent of the cases were either refused consideration on questionable grounds or dismissed for lack of evidence, despite substantive credible evidence of violations. Moreover, in some cases in which the PEC lotteries were held to be unlawful, the courts did not order them repeated.

FUNCTIONING

The single, winner-take-all lottery instituted by the CEC resulted in a repeat of the same problems that occurred with representation at the DEC level being repeated at the PEC level. After the lotteries, substitutions in the memberships of PECs began on a large scale.²¹ Observers also noted that in many cases, PEC members were unaware of which party they represented. Due in part to the large number of changes, PECs had problems establishing quorum and holding meetings.

Observers reported that training of PEC members took place, in most cases, in a timely fashion. Delays were caused in some places, chiefly because of large turnover in PEC membership. Concerns were raised in several regions that the level of familiarity with the responsibilities of commission members was not sufficient.

VOTER REGISTRATION

Ukraine has a central voter registration system. The system can be described as passive since citizens can check their registration and request changes. The State Voter Registry (SVR) is managed centrally and by over 700 SVR maintenance bodies throughout the country. Voters' lists are to be made available at the Precinct Election Commissions (PECs) for citizens to review in advance of Election Day. On Election Day, changes to the voters' lists (most importantly, the addition of voters who were not registered) can be done only by court order. The SVR appears to be of high quality. **Overall, voter registration proceeded relatively smoothly.** Political parties and non-governmental organizations (NGOs) should be granted better access in order to be able to check for inaccuracies which can then be reported to the SVR for investigation. In order to increase the accountability of the reporting and investigation framework, the process for addressing inaccuracies should be more transparent.

CANDIDATE REGISTRATION

REGISTRATION OF CANDIDATES, WITHDRAWAL OF CANDIDATES

Overall, the registration process of candidates was fairly efficient. More than 3,100 candidates registered to run in the single-mandate districts (SMDs), with almost half being self-nominated. Twenty-two parties nominated party lists. Over 5,500 candidates were registered.²² The Central Election Commission (CEC) rejected the registration of over 400 candidates; most were rejected because they had failed to provide the necessary documentation, or for other administrative omissions.

As of October 25, 2012, 476 candidates had withdrawn from the race. Many of the withdrawals occurred after the establishment of the Precinct Election Commissions (PECs). Election commission members who were appointed on quotas of candidates who withdrew from the election continued to have seats on the electoral commissions.

²¹ Changes in PEC membership ranged from 20 per cent to 80 per cent across the districts. In one case DEC members told observers that the reason for the large number of changes is that many people were submitted for PEC membership without their knowledge or agreement, and in one case a man who had passed away at the beginning of the year was included in a PEC.

²² In both SMD and party lists.

ELECTION CAMPAIGN

CAMPAIGN ENVIRONMENT

One of the most widespread problems noted by observers in the campaign was the prevalence of vote-buying.²³ Vote-buying is defined very broadly in Ukrainian law, and includes inducements. It was common for candidates to distribute items such as bags of grain, computers or bicycles during the campaign period. Reported incidents included gift-giving with the photo of the candidate or the name of a candidate's charity printed on the gifts. Other forms included candidates offering free trips to voters, or gifts to school children. Observers noted an extensive cynicism amongst the electorate; however, the practice of vote-buying appears to be negatively viewed by the public; according to a recent poll, a majority of voters view indirect vote-buying negatively and would not vote for a candidate who is offering such "help."²⁴

Opposition and independent candidates noted limited access to advertising on TV and radio as well as problems with obtaining billboard space and print material. In some cases, these candidates blamed the lack of access on interference from regional administration authorities.

Observers noted several cases of the violations of citizens' human rights. These included the detainment of activists while campaigning,²⁵ and charges filed against organizers of protests. The use of police against activists, campaign volunteers and protesters is troubling, as it is both a violation of human rights and has negative repercussions for the democratic process, insofar as it undermines citizens' will and ability to participate.

There were several cases of parties and candidates alleging that their campaign workers received threats. Observers noted allegations that voters were also subject to intimidation, including threats of job loss if they did not vote a certain way. Opposition and independent candidates alleged cases of intimidation of their commission members. These threats were rarely reported to law enforcement; some parties and candidates indicated a low level of trust in the responsible authorities and a belief that authorities would not investigate these cases and find the perpetrators. As an example, one of the observers noted that in Riding 123, Peremyshlyany, Lviv Oblast, "Batkivshchyna candidate Lidiya Koteliak has been repeatedly threatened with court or police action."

Throughout the campaign, there were isolated incidents of violence against candidates, campaign staff and volunteers.²⁶ Several criminal cases were opened.

ADMINISTRATIVE RESOURCES

Mission Canada observers in all oblasts noted that the misuse of administrative resources for electoral purposes was present throughout the campaign. There were many forms, with the most prevalent type being the use of government infrastructure or the state budget for campaigning. Observers noted the presence of campaign material on and in public buildings and on public transport, in contravention of Ukrainian law. Government officials used official celebrations, or openings of state institutions to campaign with candidates. Playgrounds had signs with the names of candidates, name of the governors, and party symbols.²⁷ There were instances of state workers being used in the campaign.

Administrative resources were used not only to promote a party or candidate, but also to hinder and obstruct the campaigns of competitors. Several criminal cases and tax cases were opened against candidates. Candidates alleged that they were threatened with loss of state jobs if they continued their campaign. There were instances of

²³ There were cases filed in courts on vote-buying; the vast majority were dismissed mostly on grounds of lack of evidence, and there were no prosecutions of vote-buying.

²⁴ October 8, 2012. Democratic Initiatives Foundation and Kyiv International Institute of Sociology.

²⁵ Among other cases noted, on September 15, three members of the community organization Vidsich were detained by police in Kyiv while handing out flyers against Party of Regions candidate Maksym Lutskyi (SMD 222). They were charged with obstructing the work of the police, an administrative offense. At their trial on September 19, the police could not ascertain how they had obstructed the work of the police... On September 15, in Zhytomyr, the organizer of a rally in support of TVi was detained by police, found guilty of organizing a rally without permission and given a warning. The head of a youth organization in Poltava was approached by the State Security Service and asked to provide information to them.

²⁶ On September 18, Maxim Shkuro, chief of campaign office for a United Opposition candidate (SMD 222) was severely beaten and stabbed. Police arrived on the scene an hour later, and, according to Shkuro, did not initiate a search for the attacker's car. A criminal case has been opened. Candidate Oleksandr Kirsh (SMD 169) Kharkiv, had zelyonka, an ethyl-alcohol-based antiseptic poured on him while meeting with voters. In SMD 120, candidate Chornovil was attacked by men who were distributing black PR leaflets against her. In SMD 90, candidate Hryhoryshyn was attacked on October 4. The candidate told observers that the assailants told him to withdraw from the campaign.

²⁷ There were cases filed in the courts on misuse of administrative resources. The vast majority were dismissed with courts often ruling that activities and materials that appeared to be campaigning did not meet the legal definition of campaigning.

the use of state bodies in attempts to prevent candidates and parties from holding rallies or meetings with voters,²⁸ and searches of campaign headquarters by police.²⁹

The abuse of administrative resources in support of a particular party or candidate, or to hinder another party or candidate fundamentally undermines the concept of a level playing field in an election campaign.

The campaign also saw a significant incidence of unequal application of rules pertaining to the use of public spaces. There were reports of planned rallies being shut down in advance by local authorities, purportedly arguing that public spaces are public assets whose use is prohibited for campaign purposes.

VIDEO CAMERAS IN POLLING STATIONS

The legal requirement to place video cameras in all polling stations, with the stated intent of increasing transparency and decreasing the likelihood of fraud and violations raised several points of concern. During the voting period, from 8 a.m. to 8 p.m., the video feed of the proceedings was broadcast. However, neither the close of polling stations nor the counting of ballots was made available online.

Moreover, in a country with a long history of state surveillance, the introduction of video cameras in polling stations raised widespread concerns about potential voter intimidation, especially of older voters, and perceived potential violations of privacy of the vote (notwithstanding the fact that cameras did not observe polling booths). On October 24, the Central Election Commission (CEC) formally issued a resolution requiring that a sign be posted in all polling stations, reassuring the public that the cameras are not compromising the secrecy of the vote.

CAMPAIGN FINANCE

Campaign financing in Ukraine is characterized by almost complete lack of transparency. While there are limits on the amounts of funds that can be donated by specific persons, there are no limits on fundraising or spending. The International Foundation for Electoral Systems (IFES) argued that, “In short, the campaign finance provisions in the Election Law provide little more than the façade of a regulatory system. The lack of regulation of money in politics is undoubtedly a factor contributing to the well-documented problem of political corruption in Ukraine.”³⁰

28 For example in Zaporizhzhia oblast, on October 5, UDAR was to hold a rally in Valniansk. The day before the rally city council decided to begin construction on the square. The mayor of the town informed Mission Canada LTOs that the work was being done free of charge, by both public and private companies, on a purely voluntary basis and there was no written contract or document about the project; they were therefore able to begin work hours after adopting the decision.

29 In Peremyshlany, the United Opposition office was searched by the police for illegally printed campaign material. Observers were present and reported that some two dozen officers conducted a lengthy search. The reason why two dozen officers were needed to conduct a search on what is a relatively minor legal issue was not made clear.

30 International Foundation for Electoral Systems. *Pre-election Technical Assessment. 2012 Parliamentary Elections in Ukraine. October 9, 2012.*

MEDIA ENVIRONMENT

In the weeks leading up to the election, worrisome trends emerged in the media landscape in Ukraine. Public access to reliable and pluralistic sources of information had been on the decline, and worsened throughout the electoral cycle, further hindering the ability of voters to make well-informed decisions.

While gains in media freedom were made in the wake of the 2004 election, in the past two to three years, significant structural problems have emerged, making it difficult for a free and independent press to operate normally – especially during election cycles. For example, the concentration of ownership is a significant problem resulting in lack of competition and multiplicity of editorial perspective. Another problem is low pay for journalists, as it renders them vulnerable to bribes and other forms of manipulation. Self-censorship is growing, and Ukrainian television stations have, for the most part, abandoned the practice of following investigative stories broken by online publications.

In the course of two years, there have been encroachments on media freedom, ranging from the use of digital licensing to disenfranchise independent television channels to the introduction (but not adoption) of defamation legislation just prior to this election, which would criminalize libel – widely perceived as motivated by a desire to put a chill on critical political reporting. Intimidation and harassment, including violent attacks against independent journalists, were reported throughout the electoral period. There were cases of reporters being barred from public events, political campaigns and Precinct Election Commission (PEC) lottery processes.

The story of Kyiv-based TVi – one of few remaining independent, national television channels – is emblematic of the pressure to which independent channels are subjected. The station faced a dubious charge of tax evasion during the election campaign. The charges were withdrawn half-way through the campaign (following payment of a fine of several hundred thousand Euros).

Pressure on media outlets critical of the government was not limited to the television sphere. The popular news weekly (and *The Economist* affiliate), *Ukrainskij Tyzhden* (Український тиждень), has had its distribution curtailed at Boryspil Airport and was removed from both of Ukraine's international airlines on the overt premise that it had published reports critical of the presidential administration.

The number of independent media organizations has decreased over the last several years. There has been a noticeable synchronization of news agendas. Given that most citizens rely on media (primarily television) for news and information, a direct consequence has been difficulty for opposition parties in obtaining media coverage – particularly in regions where media moguls are loyal to the governing party. *Mission Canada* noted difficulties of candidates in gaining access to free air time on state-owned radio and TV – particularly in rural areas and secondary cities. During the final week of the campaign, journalists in Chernivtsi complained about being prevented from reporting on election violations and opposition candidates.

During the 2012 parliamentary election, there was an increase in “*jeansa*” – an entrenched tactic practiced by politicians, businesspeople, journalists, editors and media outlets whereby un-labeled promotional stories or advertorials about political or corporate players masquerade as news in exchange for a fee.

Extensive “*black PR*” – or negative campaigning – was practiced in all regions and by most parties. The practice includes many forms, including negative messaging on billboards, in pamphlets and newspaper ads, and paid agitators at election rallies and meetings. Many leaflets or newspapers were in circulation that look identical to logos and brands of established political parties or non-governmental organizations (NGOs), but including false, misleading and offensive information designed to discredit a political rival or party. Many analysts have categorized the election as the dirtiest-ever in modern Ukrainian history, in terms of *black PR*. The negativity crept online, with Freedom House documenting a significant rise in negative blogging on main sites, apparently posted by paid agitators loyal to the ruling coalition.³¹

³¹ www.freedomhouse.org/report/freedom-press/2012/ukraine.

COMPLAINTS AND APPEALS

The handling of election-related complaints and appeals by the election administration, judiciary, and law enforcement bodies fell significantly short of fundamental principles of transparency, impartiality, due process, and rule of law. This undermined the protection of electoral rights and the integrity of the election process and results.

THE COMPLAINTS FRAMEWORK

The legal framework establishes an overly complex and formalistic process for adjudication of election-related complaints and appeals. The *Law on the Election of People's Deputies of Ukraine* and the *Code on Administrative Adjudication* create an overlapping jurisdiction of election administration bodies and administrative courts in the election dispute resolution process.³² There are conflicting provisions on jurisdiction between the levels of election commissions and between the election commissions and administrative courts.³³ The *Administrative Offences Code* and *Criminal Code* establish various electoral offences with commensurate fines and prison terms; administrative offence cases can be brought to general courts by election commission members, police, or electoral subjects, depending on the nature of the offence.³⁴

There is some lack of understanding of the established complaints process by authorities and election stakeholders. Further, the complexity and formality of the process led in practice to high numbers of complaints and appeals left without consideration by the election administration, courts and law enforcement bodies.³⁵

While electoral complaints should be considered on an expedited basis, the two-day mandatory deadline for adjudication is too short for thorough consideration of some cases. Further, Article 172.6 of the *Code on Administrative Adjudication* provides that the five-day period for filing of complaints starts running from the date of the challenged decision, not the date of receipt of decision, leaving room for the administration to undermine the appeal process by delaying publication.³⁶ Article 179.1 of the same Code provides that election-related complaints are considered submitted on the day of receipt by the court, not the date of mailing the complaint, as is the case in other types of administrative cases.³⁷ This special provision introduces uncertainty for claimants in the process for filing electoral complaints.

GENERAL OVERVIEW OF COMPLAINTS

A lack of trust and confidence in the election administration, courts, and law enforcement agencies to handle election disputes and offences in an impartial and effective manner was prevalent among electoral subjects. To some extent, there was also a fear of retribution among those who filed complaints or provided evidence. Despite this, thousands of complaints and reports were formally lodged to election commissions and courts nationwide, as well as to law enforcement agencies, at every stage of the electoral process.

These complaints related to a wide range of electoral matters including: constituency boundary delimitation, candidate registration, formation of District Election Commissions (DECs) and Precinct Election Commissions (PECs), vote-buying, misuse of administrative resources, campaign material violations, obstruction to campaigning, lack of media access, and irregularities in the voting, counting and tabulation process. Many complaints challenged the actions, inactions and decisions of the Central Election Commission (CEC), DECs, and PECs and their members.

32 Articles 108 - 114 of the *Law on the Election of People's Deputies* and Articles 172 – 182 of the *Code on Administrative Adjudication* regulate the electoral complaint and appeal process in the administrative law sphere.

33 For instance, Articles 108.7 and 108.8 of the election law provide that the CEC has jurisdiction over complaints against political parties that nominated candidates in the nationwide district and against candidates in both the nationwide and single mandate districts, while the DECs have jurisdiction over complaints against political parties that have nominated candidates in single mandate districts. Further, Article 108.6 provides that “[A] complaint regarding a decision, action or inaction of a DEC may be filed in court. A complaint regarding inaction of a DEC may also be filed with the CEC.” In conflict with this provision is Article 30.15 of the same law that the CEC “will consider applications and complaints concerning decisions, actions, and inactions of DECs, and to adopt decisions on them.”

34 The *Administrative Offences Code*, Articles 212.7 – 212.20 and the *Criminal Code*, Articles 157 – 159 establish various electoral offences. Article 255 of the *Administrative Offences Code* establishes which types of election-related administrative offences can be lodged by which types of legal subjects.

35 By mid-September, over half of the complaints filed to the CEC, more than 30 per cent filed to the Kyiv Administrative Court of Appeal, and 15 per cent of cases filed to the High Administrative Court had been refused consideration.

36 Interlocutors claimed that the DECs and CEC had at times failed to provide its decisions on a timely basis to allow for appeals within the five-day filing deadline.

37 Article 103.9 of the *Code on Administrative Adjudication* provides that general administrative complaints are considered to be submitted on the day of mailing.

ELECTION COMMISSIONS

CENTRAL ELECTION COMMISSION

The CEC received hundreds of complaints, mainly related to campaign violations, including cases of vote-buying and abuse of administrative resources. *Mission Canada* was informed by the CEC that the vast majority of these complaints were not adjudicated in its plenary, public sessions. More than 80 per cent of complaints submitted to the CEC were decided by individual CEC members.³⁸ This practice was without a sound legal basis, denied complainants the right to due process, and undermined transparency of the complaints adjudication system. CEC members, party representatives with advisory vote, and interested parties to complaints were denied the right to participate in the adjudicative process. There was also a lack of clarity and consistency regarding which complaints were dealt with in plenary sessions and which were not. Moreover, the decisions on those complaints which were not made in open sessions were not publicized in any manner; thereby further undermining transparency in the process.

Approximately half of all the CEC's published decisions on complaints denied substantive consideration.³⁹ While the election law grants the CEC jurisdiction over complaints on campaign violations by political parties and candidates,⁴⁰ it denied its responsibility in many of these cases and, according to the CEC, forwarded nearly half of all complaints (more than 200) to the Ministry of Interior or Prosecutor General's Office.⁴¹ Most were forwarded without any official decision of the CEC.

The CEC was not informed of any action taken by law enforcement bodies on the complaints, despite the legal requirement that these bodies investigate and take action within three days and inform the CEC.⁴² Moreover, the Prosecutor General's Office forwarded a number of election-related complaints that included allegations related to criminal or administrative offences to the CEC on grounds that the CEC has primary authority over election-related complaints.⁴³ Both the CEC and Prosecutor General's Office returned complaints that had been forwarded to them by the other body on grounds they did not have jurisdiction in the matter. This systemic back and forth process left claimants without access to effective consideration of their complaints.

The CEC routinely denied consideration of complaints on various technical grounds. For instance, it refused consideration due to missed filing deadlines, including some complaints that had been returned to the claimant for correction of technical errors. In these cases, the CEC declared it had no authority to make an exception though Article 111.12 of the election law provides that the CEC may on its own initiative investigate facts in a complaint when dismissing it without consideration. The CEC also refused jurisdiction of complaints on grounds that the complainants, authorized party representatives, do not have standing to file complaints to the CEC, in contravention of Article 108.1, which provides that authorized party representatives are entitled to file complaints with election commissions. Further, the general inactive investigation and prosecution of electoral offences created a climate of impunity for alleged offenders.⁴⁴

The vast majority of complaints considered in substance by the CEC were dismissed without full adherence to due process and rule of law. Though the CEC is legally required to undertake its decisions in public sessions, it was apparent that the members were holding private sessions to discuss and decide on complaints prior to considering the cases in open sessions, without the participation of interested parties, observers, and the media. At the public sessions, complaints were voted on and the decision read aloud, with no open discussion or debate on the substance of the cases.⁴⁵ Further, the CEC did not provide copies of complaints and draft decisions to interested stakeholders at its public sessions in contravention of Articles 75.13 and 111.10 of the election law. This prevented

38 The High Administrative Court issued a decision ruling all complaints must be adjudicated by the CEC in its plenary sessions and reprimanded the CEC Deputy for having decided complaints on his own without putting it to a vote of the CEC in contravention of Article 111.11 of the election law. In a subsequent case, the same court issued a contradictory decision that individual CEC members are entitled to decide on complaints outside of public sessions.

39 The legality of several provisions in the CEC's Complaint Procedure that limit the effectiveness of the complaints process was unsuccessfully challenged in court.

40 See Articles 108.7 and 108.8 of the election law.

41 Under Articles 61.5 and 74.25 of the election law, the CEC must notify law enforcement bodies of any information it has that administrative or criminal offences may have been committed, but the CEC does not have the authority to refuse adjudication of those cases as an administrative matter.

42 See Article 111.8 of the election law.

43 In a TV interview on October 10, 2012, the CEC Deputy criticized the Prosecutor's General's Office for forwarding complaints relating to criminal offences to the CEC for investigation.

44 The Ministry of Interior and Prosecutor General's Office reported receiving thousands of complaints concerning campaign-related electoral offences, but cases were not sufficiently investigated and virtually no cases were brought to court.

45 In a case that challenged the practice of the CEC to have closed meetings to confer on complaints, the High Administrative Court held, in essence, that the legal requirement for the CEC to make its decisions in open sessions merely required the decision to be openly voted on and that the CEC was not precluded from holding preliminary meetings in private to confer.

party representatives to the CEC, who have a right of advisory vote, from participating in the decision-making process.⁴⁶

Moreover, when considering complaints, the CEC did not present the evidence that was submitted with the complaint at the public session for viewing by party and candidate representatives, official observers and media.⁴⁷ In many instances, relevant evidence was ignored and cases summarily dismissed on questionable grounds; written decisions on the complaints did not include comprehensive and clear reasoning.

DISTRICT ELECTION COMMISSIONS

Very few DEC's posted their resolutions on complaints on the CEC website as required by Article 113.10 of the election law which provides that all DEC resolutions be immediately forwarded to the CEC for posting on the CEC website within one day.⁴⁸ This served to undermine transparency in the complaints process at the district level. DEC's also handled complaints in an overly formalistic manner, with substantive discussions apparently taking place in private meetings prior to open sessions, and complaints routinely refused for consideration. Of those DEC decisions on complaints posted on the CEC website, more than half refused consideration, mainly on grounds of lack of jurisdiction and lack of standing of complainants. This was indicative of a dysfunctional complaint system also at the district level.

ADMINISTRATIVE COURTS

OVERVIEW

Transparency in the adjudication of election-related cases in the courts was undermined by the *Law on Access to Judicial Decisions*. In particular, Article 7.2 prohibits court decisions from including the names or identifying information (which would include political affiliation) of any person involved in a case, including claimants, respondents and witnesses. Despite the fundamental public nature of elections and public interest in the integrity of the electoral process, electoral contestants, official observers, the media and the public were prevented from accessing pertinent information regarding the electoral process.

Very high numbers of election-related complaints were lodged with administrative courts nationwide, on every aspect of the electoral process. The vast majority were either denied consideration or dismissed in substance. In handling complaints, courts disregarded due process, failed to respect the letter and spirit of the law, applied evidentiary principles inconsistently and issued manifestly conflicting legal interpretations.

Strict requirements on admissibility of evidence, unreasonable interpretations of evidence, and high burdens of proof were also applied. The courts often refused or delayed consideration of a significant number of cases, many on questionable grounds. A number of cases were denied consideration for missing the five-day filing deadline.

In cases against public authorities, including election commissions, courts discriminately applied the applicable reverse burden of proof;⁴⁹ they applied the reverse burden in those few cases filed by the ruling party against public authorities, but not in the abundance of cases filed by the opposition. Moreover, the vast majority of complaints filed by the ruling party were upheld by the courts, while those filed by opposition parties against the governing party were routinely refused consideration or dismissed.

In a number of cases in which courts found campaign-related violations, the CEC issued warnings. However, the election law does not provide for any specific remedial measures. In addition, those Administrative courts that did recognize electoral violations did not order remedies or issue orders to law enforcement bodies to investigate, as required by law.⁵⁰ These failings weakened the right to an effective remedy and accountability for violations of electoral rights, as established by international standards.

46 In one public session, UDAR and Ukraine-Forward party representatives made verbal statements protesting the lack of transparency and access to complaint documentation at CEC sessions and were quickly stifled by CEC members.

47 In one case, a complainant who attempted to present his evidence at a public session at which his complaint was being considered (a campaign poster of a competitor that lacked the legally required technical information) was told by CEC members that he was not permitted to do so and that the decision was already made.

48 By early October, less than 20 per cent of DEC's had resolutions on complaints posted on the CEC website.

49 Article 71.1 of the Code on Administrative Adjudication provides the general burden of proof in administrative cases: "Each party shall prove the circumstances on which its allegations are based." An exception is provided in Article 71.2: "In administrative matters concerning the lawfulness of decisions, actions and inactions of public authorities, the burden of proving the legality of the respondent's decisions, actions or inactions lies on the respondent if it objects to the administrative claim."

50 Article 177.1 of the Code on Administrative Adjudication provides: "Having established the violation of the legislation on election...the court specifies in the decision the way of protection of violated rights and interest, as well as procedure or removal of the consequences of these

CANDIDATE REGISTRATION CASES

More than 250 complaints and appeals were filed in the courts challenging the CEC's refusal to register candidates. The vast majority of these cases were refusals based on technical grounds and very few were overturned by the courts. Though many of these nominees were considered to be "technical" candidates, there were instances of purposeful self-nominees who met substantive candidate eligibility requirements but were refused registration by the CEC and the courts based solely on technical grounds.

A review of these court decisions revealed significant shortcomings in the courts' adjudication of candidate registration cases. In two cases challenging CEC's refusal to register candidates on technical grounds (the nominees had not included a statement in their application that they would refrain from activities incompatible with the mandate of a member of parliament) the High Administrative Court issued directly conflicting rulings. In one case, the court ruled that the statement was not a mandatory requirement and ordered registration of the candidate, and in the other case the court held that the statement was obligatory and not a technical error that would require (under Article 60.3) the CEC to provide an opportunity to correct.⁵¹ In another case, the High Administrative Court ruled that the missing date on a nominee's application was not a technical error that would legally warrant the CEC to allow correction, but rather a substantive pre-condition to registration that (despite a receipt from the CEC proving the application had been filed on time) was grounds for refusal of registration.⁵²

The High Administrative Court issued conflicting rulings in two cases challenging the CEC's registration of two candidates on grounds that they did not meet the five-year residency requirements to run in the elections. One candidate, a famous soccer player working abroad, was given leniency in the application of legal requirements and evidentiary rules. Despite evidence the respondent had not been a resident in Ukraine for the previous five years, he was found to have met the residency requirement based solely on the fact that his national passport showed him as a resident of Ukraine. Evidence to the contrary, from the respondent's own website, was not admitted by the court.⁵³ In the other case, the court applied a stricter and conflicting approach, admitted internet evidence of the respondent's absences from Ukraine in the past five years and ordered the CEC to de-register the candidate.⁵⁴ Moreover, the latter case was considered by the courts despite the complaint having been filed two weeks past the legal deadline to do so. For clarity, *Mission Canada's* principal concern here is not the *interpretation* of Ukrainian law, but rather, the *inconsistency* of its interpretation and application.

CASES ON LOTTERIES TO ESTABLISH DECS AND PECS

Several political parties filed court complaints challenging the legality of the CEC's two procedures on conducting a single lottery for representation on the DECs and a single lottery for PECs, as opposed to separate lotteries for each DEC and each PEC. The court ruled that the one-lottery procedure was not in contravention of the law, essentially ignoring the spirit of the law aimed at ensuring the most balanced and diverse political representation in the election administration.

The administrative courts received more than 160 complaints challenging the legality of the lotteries conducted by the DECs for determining the composition of the PECs. Notably, more than 40 per cent of DECs had the legality of their lotteries challenged by various candidates and political parties, with multiple complaints filed against some DECs. Complaints alleged a number of procedural and substantive irregularities in the conduct of the lotteries, including obstruction of observers.

More than 85 per cent of these lottery cases were either refused consideration on questionable technical grounds⁵⁵ or dismissed for lack of evidence, despite substantive, credible evidence of violations presented to the court. For

violations. In case of detecting violations, which would be ground for liability based on the rules other than provided by this Code, the court shall issue a separate order, with notice on existence of such violations and send it to the bodies and persons authorized to take measures provided by the law in connection with that."

51 *In the latter case, the court refused registration of the candidate also on grounds that he had nominated himself in more than one district and had filed a technically incorrect withdrawal notice for the district in which he did not wish to run. In response to the claimant's argument that this was not a legal ground for refusing registration, the court ruled that Article 60 of the election law is not an exhaustive list of grounds for refusing registration.*

52 *The first instance court had ruled that the missing day was a technical error that should have been allowed to be corrected, and ordered the CEC to register the candidate. The High Administrative Court overturned that decision.*

53 *In justifying leniency in applying the five-year residency rule, the first instance court referred to the respondent's work as a soccer player "which demands his constant departures from the country including with the aim to further strengthening the prestige of Ukraine in the world." Both the first instance and appeals courts, by referencing a European Court of Human Rights decision, compared the respondent's situation to that of a political refugee who is forced to flee his country.*

54 *It should be noted that any length of residency requirement for candidates in national elections is not in accordance with international best practices. Further, the electoral legal framework does not provide any definition of five-year residency for the purpose of determining candidate eligibility; the courts thus had no applicable legal reference on which to base their decisions.*

55 *For instance, one court refused consideration of a complaint on grounds the complainant did not prove he was an electoral subject, while*

instance, a candidate who was denied entry to a DEC during the lottery process submitted a videotape taken from inside the DEC showing individuals blocking the entrance to the DEC and a group of people being prevented from entering. The court refused to admit the video as evidence in support of the claimant's allegation but referred to it in support of the respondent's denial of the claim, and ruled there was insufficient proof the candidate was prevented from entering the DEC. The manner in which these complaints were handled by the courts denied electoral subjects effective recourse.

In the vast majority of the lottery cases, the courts failed to apply the reverse burden of proof provided by Article 71.2 of the *Code on Administrative Adjudication* for suits against public authorities. This resulted in courts requiring claimants to prove that the DECs had acted unlawfully in the conduct of the lotteries, rather than the DECs having to prove the lawfulness of their decisions and actions. In some cases, the courts ruled the fact the claimant had not complained of irregularities at the time the lotteries were conducted was grounds to dismiss the complaint or not to order the lottery be repeated.

In one case, the claimant proved the DEC had extended the deadline for submission of PEC nominees beyond the legal deadline. In dismissing the case, the court ruled that as the DEC's decision to extend the deadline beyond the legal parameters applied equally to all electoral subjects it was not unlawful. In dismissing the case, the court disregarded the letter of the law and the fact that the extension had occurred after a number of electoral subjects, including the claimant, had already submitted their nominees within the legal deadline and that the extension served only to benefit those subjects that failed to submit their nominees within the legal terms.

Though several lotteries were ruled unlawful and ordered to be repeated, there were at least six court decisions that did not require the lotteries to be repeated despite having not been conducted according to legal requirements. In so doing, the courts disregarded the importance of lawfully conducted lotteries to the integrity of the electoral process.

One complaint involved the obstruction of a candidate and *Mission Canada* observers from entering a DEC during the lottery process, and requested annulment of the lottery results. *Mission Canada* observers directly witnessed the incident and were themselves, along with the candidate, prevented from entering the premises. Despite a substantiated case against the DEC, including the arrival of police officers to force the DEC to let them in, the court dismissed the case. Though international observers have no legal right to file complaints, the court held it as evidence against the claimant that the *Mission Canada* observers had not filed a complaint in the matter. The court also grounded its decision on the fact the DEC had not made an official decision to prevent the candidate from entering and concluded his absence nonetheless did not affect the legality of the decisions adopted at the session.⁵⁶

OTHER CASES AGAINST ELECTION COMMISSIONS

As per the decision of the CEC, election observers are not allowed to witness the computer entry of PEC protocols.⁵⁷ The legality of the CEC's decision to prohibit representatives of electoral subjects and official observers from observing at the DEC the computer data entry of PEC results protocols was challenged in court. In dismissing the case, the court held that the transfer of the PEC results to the CEC is only an operational procedure and does not constitute a stage of the electoral process established by the law. Moreover, the court concluded that the manner in which the data entry is implemented cannot influence the election results. The court's decision undermined the rights of electoral subjects, undermined the abilities of observers to perform a critical function, and undermined the overall transparency of the electoral process. The decision also proved to be a major mistake, as DEC transfers of results to the CEC were subject to serious irregularities.

CASES ON VOTE-BUYING AND ABUSE OF ADMINISTRATIVE RESOURCES

Many cases related to vote-buying and abuse of administrative resources in the election campaign were filed in courts nationwide. Many of the complaints were dismissed on grounds of lack of evidence with supporting evidence in the form of videotapes and photographs refused admissibility in some cases and an unreasonably high burden of proof applied. Further, the vote-buying prohibition in Article 74.13 of the election law was interpreted by courts in a narrow manner that is inconsistent with the spirit of the law. There were conflicting legal rulings issued.

Many vote-buying cases involved the supply of goods and services to students and institutions serving youth, such as excursions, sports uniforms, backpacks, computers, and provision of community services such as medical exams or financial incentives to low-income families. The courts dismissed the vast majority of these cases, some courts

another court, on its own initiative, checked the CEC website to confirm the complainant in that case was an electoral subject.

⁵⁶ The claimant submitted an audiotape made inside the DEC while the candidate and *Mission Canada* observers were persistently knocking on the locked door trying to gain entry. On the tape one of the DEC members is heard proclaiming that the candidate and *Mission Canada* observers need psychiatric treatment. The court ruled the audiotape was not proof the DEC member had made the statement and did not call any witnesses to verify it.

⁵⁷ Protocols are the documented results of the elections in a polling station with the signatures of the election commission members.

ruled that the provisions were given by charitable institutions, and thus did not constitute vote-buying, though the courts acknowledged the candidates' affiliation with these charities. One court found a candidate responsible for vote-buying for having gifted school uniforms to children, while two other courts ruled the opposite – that campaign gifts to persons under voting age was not unlawful.⁵⁸ One court ruled that giving voters packages of goods worth 180 Hryvnia (approx. \$23), six times higher than the legal limit of 30 Hryvnia for campaign promotional materials, was not unlawful as each of the goods in the package was worth less than 30 Hryvnia.

While many cases of vote-buying were left without effective consideration by administrative courts and law enforcement bodies, one opposition party was held accountable by a general court for vote-buying as an administrative offence, merely for serving hot tea and cookies at a campaign tent.⁵⁹ In the few cases in which candidates were found responsible for vote-buying, the courts ordered the candidates to refrain from vote-buying and the CEC issued warnings, while criminal charges were never brought by law enforcement bodies.⁶⁰

Many court cases alleged abuse of administrative resources in campaigning, including campaign materials on and in public buildings and transportation, campaigning in public buildings, use of public infrastructure, use of official position in campaigning and use of state media to campaign. The vast majority of these cases were dismissed or refused consideration. In dismissing cases, courts issued rulings that failed to apply fair and reasonable interpretations of evidence and law. For example, an appeal court, in overturning a lower court decision, ruled that a campaign poster on a state-owned building, bearing the motto of the ruling party and the logo of a regional branch of the party, was not campaign material because that branch of a political party is not an electoral subject. Other courts refused to consider campaign material to be campaign material. For example, a court ruled that placement of campaign posters inside a DEC was not unlawful – in clear contravention of the law.⁶¹

Complaints against public officials using their position to campaign were dismissed on grounds that the officials' speeches were referring to the candidates (and their programs) as private persons and not as electoral subjects. Some courts ruled that use of state resources such as fire trucks and public buildings for campaign purposes was not unlawful as the electoral subjects had entered into business contracts with the relevant public institutions to use those resources.

OTHER CAMPAIGN-RELATED CASES

Many court cases related to campaign materials that lacked the legally required technical information on name of ordering entity, printing company, numbers printed, etc. or that were posted in unauthorized places. The majority of these cases were dismissed on grounds of lack of evidence, with respondents merely denying ordering or posting the materials in question.

⁵⁸ The respondent in one of the latter cases was the son of the Prime Minister of Ukraine.

⁵⁹ The political party was fined 510 Hryvnia (approx. \$60). Under the Code of Administrative Offences, the police are responsible for submitting cases of election-related administrative offences to the courts.

⁶⁰ Article 212.9 of the Administrative Offences Code provides for the offence of violation of election campaign regulations (which include vote-buying) and Article 157 of the Criminal Code provides, in part, for the offence of precluding a citizen from freely exercising the right to vote accompanied by vote-buying.

⁶¹ Article 74.4 of the election law provides: "Placing election campaigning materials and political advertisements on the buildings and in the premises of state executive bodies...and bodies of local self-government, state-owned and municipal enterprises, institutions and organizations shall be prohibited."

PARTICIPATION OF WOMEN

Ukraine holds one of the lowest spots on the world index for women's political rights. According to data compiled by the Inter-Parliamentary Union, Ukraine is 123rd out of 144 countries with regard to the percentage of female representation in national Parliaments. These elections will have done little to improve women's electoral representation. Of 450 newly-elected members of Parliament, only 44 are women – 15 elected as single-mandate constituents, and 29 through party lists.

Although this represents an increase of eight female representatives from 36 in the previous Parliament, it will do little to bump Ukraine up the ladder in the world classification of elected female national representatives. Once the figures are updated to include the results of these elections, Ukraine will move from eight per cent to 10 per cent.

In 2010, the Committee for the Convention on the Elimination of Discrimination against Women, (CEDAW), to which Ukraine is a signatory, noted this gap between intent and action. In its comments on Ukraine's submission on its implementation of the Convention, the Committee "express[ed] concern about the underrepresentation of women in high-level elected and appointed bodies, including as members of Parliament.... [and] urges the State party to take measures to increase the representation of women in elected and appointed bodies through, among other things, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention."

Although articulated within Ukrainian law, these concerns have yet to be taken up by the political parties themselves. Of the 22 parties vying for seats in the Parliament, the percentage of women included in their party lists ranged from six per cent, (Svoboda) to 35 per cent, (People's Labour Union of Ukraine). Yet, even these statistics can be misleading. The People's Labour Union only had 17 candidates on their party list and did not win any seats. None of the women on Svoboda's party list were in the top 30, virtually guaranteeing that the party would have few female representatives, although two women have been elected from their 12 winning majoritarian candidates.

While UDAR had women filling 40 percent of the top 10 positions on their party list, women represented less than 17 per cent of the overall party list. Batkivschyna fared worse: they had no women in the top 10 places and only 13 per cent of the party list were women. The Party of Regions was marginally better in its gender representation, with two women in the top 10, and 14 per cent overall in the party list.

The number of women was comparatively higher within the election administration, including four women on the 15-member Central Election Commission (CEC). As *Mission Canada's* second interim report noted, women are well-represented on election commissions, particularly at the Precinct Election Commission (PEC) level, where for the most part, women were the majority.

However, this is more reflective of the fact that the level of compensation offered does not reflect the amount of work that is involved in serving in administration positions, especially in PECs, where for the most part the work is voluntary except for two days for the vote and count.

Both short and long-term observers noted that there tended to be a discrepancy between the number of women members and the fact that often the paid positions of Chair and Deputy Chair were held by men (although in most cases, the third paid position of Secretary was usually held by a woman).

Interlocutors of both genders reported that men were less likely to be involved in the administration of the electoral process because it was generally regarded as "clerical" or "women's" work, and that low pay and short-term nature of the work held less interest for Ukrainian men.

Observers noted that men and women voted in equal numbers, although there tended to be more elderly female voters than male – perhaps reflective of the disparity in life expectancy between men and women in Ukraine. Conversely, it was also noted that more young men voted than young women.

Ultimately, while the Constitution and laws of the country guarantee the women of Ukraine the opportunity for full political enfranchisement, there are few real, practical mechanisms in place to increase women's representation in politics and the political will to do so appears to lag the law.

DOMESTIC AND INTERNATIONAL OBSERVERS

A large number of domestic and international observers were present during the election. As of October 25, 2012, 68 domestic organizations registered over 19,000 observers. Individual countries registered 519 observers (from 28 countries; the vast majority from Canada); 3,278 international election observers from 35 international organizations were registered. The registration of *Mission Canada* observers by the Central Election Commission (CEC) was efficient and timely. In the election period, *Mission Canada* observers reported very few problems with access to relevant interlocutors, government and election administration bodies. There were isolated reports of difficulties of accreditation for domestic observers.

Ukraine boasts several significant civil society groups which act as domestic election observers during elections. Two of the most prominent are OPORA (ОПОРА) and the Committee of Voters of Ukraine (Комітет виборців України). The former registered 3,835 domestic observers – more than the total of international observers – and the latter registered 6,270 observers. Another active group is the Women's Consortium of Ukraine, which monitored the participation of women in the election process. There were also groups closely aligned to political parties including Kontenent which had over 6,000 registered observers.

The domestic observer groups demonstrated significant expertise in the area of analysis, and were also able to garner a significant number of volunteers to act as observers on Election Day. International funding bodies also provided support on a longer term basis to enable further skills development by these groups.

Mission Canada commends the robust activity of such organizations as a democratically healthy phenomenon which contributes to civil society and the protection of civil rights.

According to CEC Resolution 1074, adopted September 25, official observers were prohibited from observing the computer data entry of Precinct Election Commission (PEC) result protocols at the District level, with the ruling stating that the transfer of results is merely operational, and not a stage of the electoral process. The court decision applied equally to international and domestic observers, as well as party scrutineers, and undermined the legal right of observers (domestic and international) to observe the entire electoral process. This reduced the overall level of transparency of the election. Moreover, as many of the serious irregularities occurred at this stage of the process, the prohibition served to derogate significantly from perceptions of fairness, and freedom from tampering – and impacted on the perception of the legitimacy of the final count.

INTERACTION WITH STAKEHOLDERS

Throughout the election campaign, *Mission Canada* established working relationships with a variety of stakeholders including domestic and international observer missions, political parties and non-governmental organization (NGOs).

In the week leading up to Election Day, *Mission Canada*, through the Head of Mission, undertook a series of meetings with the leadership of other International and Domestic Election Observation Missions, Political Parties, NGOs, ambassadors and representatives of the diplomatic corps and key Ukrainian officials including Prime Minister Mykola Azarov, Foreign Minister Hryshenko, Central Electoral Commission Chairman Volodymyr Shapoval and the parliamentary ombudsman of Ukraine, Valeriya Lutkovskaya. See Annex 2 for a complete list of meetings.

These meetings permitted *Mission Canada* to receive and share observer information with other international election observation missions, and permitted *Mission Canada* to explain its mandate and role as an independent, and professional observation mission, operating according to accepted international standards.

ELECTION DAYS

THE IMMEDIATE PRE-ELECTION PERIOD

On October 23, observers were deployed to all oblasts and administrative territories in Ukraine.⁶² One hundred and eighty teams of two observers each observed the immediate pre-election period to assess the level of preparation of the election administration and to consult with local interlocutors. Observers visited over 1,500 polling stations in the days before Election Day. In general, the level of preparation of the Central Election Commissions (CECs) was satisfactory.

Observers stated that the overall impression of polling stations was good or very good over 90 per cent of the cases. Some isolated problems were identified, including in the transfer of ballots from the District Election Commission (DEC) to the PEC, high numbers of changes to commission membership, and high numbers of mobile voting applications filed in the final days of the election campaign.

On the eve of the election, the Kyiv City District Administrative Court issued a decision banning the holding of a peaceful assembly by the respondent, the Coalition of Participants of the Orange Revolution, at the city's Independence Square (*Maidan*) and the Central Election Commission's (CEC) location from October 28 through November 12, 2012. The justification for the ban lacked sound rationale. Moreover, the court ruled the ban applied to all subjects though courts apparently have no authority to issue such general bans.

ELECTION DAY

OPENING OF POLLING STATIONS

All observer teams, as well as Group and Division Leaders, observed the opening procedure of polling stations. Almost two-thirds of teams observed openings in rural polling stations. Opening was on time in over 80 per cent of polls observed, with no major irregularities. However, several procedural infractions were witnessed. In total 194 openings were observed; in 91.9 per cent of cases the general assessment of the opening was 'good' or 'very good.'

THE VOTING PERIOD

Observer teams visited over 1,500 polling stations during voting. Unrest during the voting period was minimal. Observers noted problems with electoral procedures. While not widespread, numerous violations were documented. These included vote-buying, forged mobile voting certificates, the use of disappearing ink,⁶³ underage students being paid to vote, unauthorized people present in polling stations, unauthorized people guiding the work of PECs and numerous voters being added to voting lists without court orders.

In several polling stations, election commissioners complained to observers about intimidation and pressure to deliver a certain result. In one single-mandate district (SMD), a candidate admitted to observers that he was paid to have his commission members work in the interests of another candidate. It is noted, however, that in the vast majority of polling stations the overall situation was assessed as being 'good' or 'very good.'

Observers noted isolated problems in access to polling stations, and polling station documents, as well as police and other government officials tracking the movements of *Mission Canada* observers. There was one case of violence

⁶² The list of short-term observer deployments is attached in ANNEX 4.

⁶³ In DEC 133, Odessa.

Chart 1: Overall Assessment of PEC Openings

The conduct of the opening was:

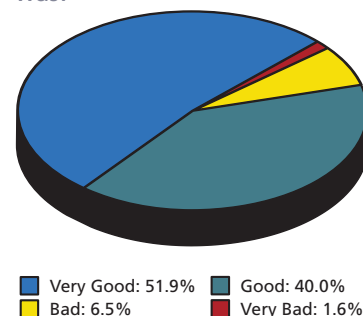
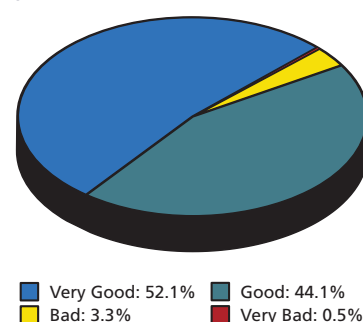


Chart 2: Overall Assessment of the Voting Period

The conduct of the voting period was:



"On Election Day, PEC and DEC members were working honestly and diligently. Many of them were referring to their Law of Ukraine books on a regular basis, as the law has changed many times over the last few years."

Tamara Bolotenko,
Group Leader Chernivtsi

against a *Mission Canada* locally-engaged staff member (driver),⁶⁴ who was attacked in full view of the police.

The violations during the voting period were not systemic. However, in many SMDs, the margin between winning and losing was very small. In specific ridings, the violations observed may have had a substantive impact on the outcome of the final result.

THE COUNT AND TRANSFER OF RESULTS

As part of the Election Day monitoring activities, short-term observers (STOs) were instructed to remain at the polling stations during the counting of ballots, and observe the transfer of the protocols from the PECs to the DEC.

The ballot count and transfer of results was the most problematic aspect of voting day. The largest problems were delays in the count. This occurred in a number of polling stations as did delays in the transfer of the results to the DEC. Observers found that there were expulsions of observers or PEC members in almost 20 per cent of precincts where the count was observed. Further, almost 20 per cent of PECs experienced significant errors or procedural irregularities. More than 10 per cent of counts were assessed generally negatively, and transparency was assessed as bad or very bad in more than 10 per cent of PECs. Several tense situations were reported in PECs and DEC. Of the 124 transfers of PEC results to the DEC which were observed; in 30.7 per cent of cases, the conduct of the transfer of results from the PEC to the DEC was described as 'very bad' or 'bad.'

POST-ELECTION DEVELOPMENTS

TABULATION OF RESULTS

In the days after the closing of polls, serious problems emerged with the tabulation of results by the District Election Commissions (DECs). In many DECs, the tabulation of results was extraordinarily long. Precinct Election Commission (PEC) members were forced to stay for days without rest at the DECs, in crowded, tense and often inhumane conditions. In some cases PEC members left the DECs with their election materials without submitting results. Several DECs took breaks, in breach of the law, during the tabulation process. The last DEC (223, Kyiv city) did not report their results to the Central Election Commission (CEC) until November 9.

There were also examples of violence during tabulation of results such as in DEC 132 where one observer noted:

"...between 3 and 4 p.m., special forces again "stormed" the building. This time it is clear that force was used. Several protestors were hurt in the attack. I spoke with one who had the last two fingers of his left hand broken and at least one ended up in hospital – tear gas and truncheons were definitely used."

The process of tabulation in several cases was non-transparent, chaotic, and marred by violations. Observers noted, for example, cases of PEC protocols being 'corrected' on site at the DEC without the approval of the required quorum of members, and the use or existence of unfilled, pre-signed protocols which could allow for falsifications.⁶⁵ A high number of PEC protocols were sent back to the PECs for corrections. *Mission Canada* observed the tabulation

⁶⁴ In Luhansk oblast.

⁶⁵ As, for example, in PECs in DECs 95 and 134.

"Closing and count process (was) organized and peaceful: (It was) a busy period, and each PEC was well prepared to deal with the structured process. The work was done with deliberation and attention to detail. The PEC members maintained their sense of humour and camaraderie throughout the process."

Richard Williams,
Division Leader Donetsk
and Luhansk

Chart 3: Overall Assessment of Ballot Transfers

The conduct of the handover and tabulation procedures was:

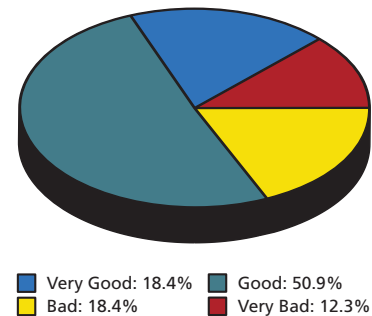
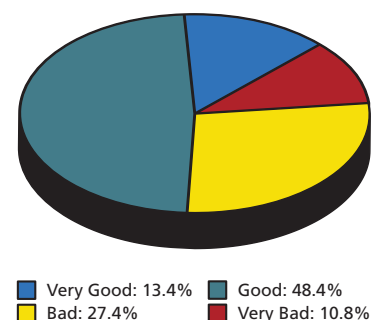


Chart 4: Overall Assessment of the Conduct at DECs

The conduct of the handover and tabulation procedures at this DEC was:



of results in 129 DEC; in 38.2 per cent of DEC, the tabulation process was characterized as ‘very bad’ or ‘bad.’

Moreover, there were serious problems with manipulation of electronic results, as observed on the CEC website. Egregious cases were noted of results being changed after 100 per cent of polling station protocols were submitted by DEC (to the CEC), as well as cases of PECs with anomalous results.⁶⁶ The CEC admitted that they received falsified electronic transfers of results.⁶⁷ In general, observers were not allowed into the tabulation rooms, by decision of the CEC, upheld by the courts. This limited our ability to fully observe a vital phase of the election process: the aggregate tallying of votes.

An example of the difference between the results in the original protocols and those posted on the CEC website occurred in DEC 197 in Kaniv (Table 1).

Table 1: Result differences between actual protocols and CEC website, DEC 197

PEC number	CEC website Votes for Gubsky	CEC website Votes for Datsenko	Actual protocol Votes for Gubsky	Actual protocol Votes for Datsenko
710888	819	127	189	525
710893	624	263	172	533
710884	655	115	179	491
710897	779	54	200	454
710898	287	54	46	188
710899	416	482	256	482

Mission Canada observers noted cases of pressure and intimidation of both PEC and DEC members by candidates and their representatives. This fact, coupled with the intentional delays in tabulation throughout the process, is evidence of attempts to manipulate results, particularly in competitive and tight races. A deputy head of the CEC stated on November 1, “...the most important phase of the election, tabulation of voting and results of the election, today has entered a very dreadful phase.”

Cases of manipulation of the will of the voters were noted in single-mandate districts (SMDs) 11 (Vinnytsia oblast), 94 (Kyiv oblast), 132 (Mykolaiv oblast), 194 and 197 (Cherkassy oblast), and 223 (Kyiv city). Many violations occurred, including ballots being spoiled during recounts (SMDs 11, 223), electronic data being manipulated (194, 197), apparent falsification of protocols (197), and destruction of election materials (11, 197). In 132, a court illegally ordered the confiscation of election materials from the DEC premises and Berkut special forces stormed the DEC and confiscated the PEC protocols, using tear gas against protestors.

In DEC 94, questionable court decisions (confirming that Party of Regions observers were barred from 27 polling stations) were used as a pretext by the DEC to annul the results in these precincts. This discretionary decision, adopted in a single vote for all 27 PECs, was taken without discussion or consideration, and did not provide grounds. This decision disenfranchised over

⁶⁶ As, for example, in the case of SMD 132 ballots were removed by the state security service, returned and taken again and returned again. The CEC stated that this DEC's results would be reviewed and were subsequently invalidated.

⁶⁷ In more than a dozen cases the CEC pointed to specific problems in the tabulation and entry of results and refused to validate the results and determine the outcome of the election in five districts.

“Members of *Mission Canada* went to DEC 222. At 4:00am... there were only 2 PECs processed. As the observers entered the room, some progress started to occur in reviewing protocols. As these observers left at 6:30am they witnessed several PEC members in a vehicle manually changing their Protocols rather than returning to their PECs and reconvening their commissions.”

Marc Shwec,
Division Leader Kyiv

“The DEC were not organized. DEC were overcrowded with police, PEC members and observers representing different parties. The main problem was the poor organization of the process of handover from PECs to DEC.”

Bogdan Pogrebennyk,
Group Leader Chernihiv

25,000 voters, and affected the overall results in the district in favour of the candidate from the ruling party. In subsequent court cases relevant evidence was ignored or dismissed and the court found that the DEC had acted lawfully. This decision deprived over 25,000 citizens of their right to a free expression of their will.

The vote tabulation process was a regrettable departure from overall Election Day operations during polling hours. The serious problems marring the tabulation process undermined the validity of results in multiple ridings, meaning the will of the people was likely not reflected in the final results.

THE REACTION TO PROBLEMS IN VOTE TABULATION

In SMDs 94, 132, 194, 197 and 223 the violations in the vote tabulation process were of such magnitude that on November 5 the CEC took a decision stating that it was unable to establish results in these districts and asked parliament to establish a legal basis for re-elections to be held in these ridings. It is legally unclear, however, whether the CEC had to ask Parliament to establish a legal basis, or whether the CEC has the authority to establish re-elections in the event that results cannot be established.

The CEC did not use all of the mechanisms at its disposal to attempt to establish results. For example, there is video evidence at all of the precincts, where the original PEC protocols had to be shown on camera. This evidence was not used to establish results in these five precincts.

On November 10, the CEC declared results for the 225 proportional representation seats. Importantly, five members of the Commission offered dissenting opinions as to the validity of the results when signing the protocol. The results of the election are brought into doubt by the fact that one third of the members of the CEC are not confident that the established results reflect the true will of the people.

POST-ELECTION ADMINISTRATIVE COURT CASES

Hundreds of complaints relating to a wide range of irregularities in the voting, counting, and tabulation process in districts nationwide were lodged with administrative courts, many requesting recounts and invalidation of results at precinct levels. Many cases concerned serious irregularities in a DEC's actions during the tabulation process, and allegations of intentional falsifications of results. A number of court cases concerned the refusal of DEC's to register complaints, or for failure to consider complaints, during the tabulation process.

The adjudication of cases in the post-election period included a lack of transparency and due process, and inconsistent application and misapplication of the law. The written court decisions generally failed to provide comprehensive and clear factual and legal reasoning. There were instances of courts being used for apparent political gain and in some cases, flawed court decisions contributed to the election of candidates nominated by, or affiliated with, the ruling party. Courts appear to favour complaints lodged by the ruling party and affiliated candidates, disproportionately upholding claims of obstruction of their observers and candidates, and granting their requests for recounts. Opposition parties and candidates were disproportionately left without effective recourse for protection of their received votes, and in effect, voters were denied protection of their voting rights.

Several cases alleged that electoral results figures transferred by DEC's to the CEC via the computer system were inconsistent with the PEC protocols and intentionally falsified. In one case, the court refused to consider relevant supporting evidence submitted by the claimant, including videotape of the counting process to prove the correct results. In dismissing the case, the court relied on an apparently falsified protocol of results, *because* it corresponded

“Upon arrival (at the DEC) at 3:40am after completing the ballot count, there were hundreds of people waiting outside the gate in the freezing rain and snow. The DEC was not letting anyone into the building...The Chair of our PEC was informed that it (the wait) would be at least 4 hours so they went back to the polling station to wait. Other PEC (members) that had driven 2 hours had nowhere to wait except in their car, or stand outside in the snow.”

Robert Henderson, Division
Leader Ternopil Oblast

“In general, the process inside the DEC was both organized and peaceful. However, the line-ups to access the receiving area at the DEC was chaotic and disorganized in many places. Many were lacking a sufficient plan for the arrival of the PECs. In some cases, PEC members left all materials with the police officer and left the line to sleep elsewhere (DEC 25).”

Kim Howson,
Group Leader Kharkiv

with the figures in the computer results, yet despite contradictory results shown in the videotape. Other courts failed to order recounts in situations where the integrity of results was in question. Courts did not apply a transparent and consistent approach to the handling of recounts and invalidation requests.

A number of cases challenged polling station results based on the DEC's failure to check the integrity of the packages of electoral documents received from PECs, as required by Article 94.5 of the election law. In dismissing a case, one court ruled that though the check was required, there was no evidence it had not been done, while another court, in dismissing a case, ruled that while the DEC had not checked the integrity of the package, the checking is not legally mandated but merely a right which the DEC members can choose to exercise or not – clearly a reinterpretation that defies Article 94.5.

In one court case challenging the DEC's undue delay in tabulating the results, the court ordered the CEC to assume the powers of the DEC and complete the tabulation process itself, as required under Article 97.5 of the election law. The CEC failed to do so, and without attempting to verify the election results in the district, adopted a resolution that it was impossible to establish the district's results and proposed the holding of a repeat election.

Several court decisions banned the holding of election-related peaceful assemblies in the post-election period. On the eve of the election, the Kyiv City District Administrative Court issued a decision banning the holding of a peaceful assembly by the respondent, the Coalition of Participants of the Orange Revolution, at the city's independence square (*Maidan*) and before the CEC's headquarters from October 28 through November 12, 2012. The justification of the ban – the potential danger due to “competing political interests” – is an unduly broad ground. Moreover, the court ruled the ban applied to all subjects, notwithstanding that courts do not have authority to issue such general bans. Requests by several opposition parties to hold post-election peaceful assemblies in other cities in various regions were also denied by courts on similar grounds, with one court citing expected inclement weather as a pretext.

CONCLUSIONS

In *Mission Canada's* assessment, the 2012 elections had significant shortcomings. It is noteworthy that while there was a degradation of Ukraine's democratic experience, Ukrainian society has demonstrated a growth in its social consciousness. Canada should continue its engagement with, and support for, Ukraine's civil society organizations.

Canadians at large should support Ukraine's civil society, and foster Ukraine's independent media, human rights awareness and monitoring, economic development, and respect for the rule of law and democratic principles.

Canada should work with non-governmental organization (NGO) partners in Ukraine to build a greater capacity and public awareness of electoral campaign related best practices and increased transparency in accordance with international standards.

Further, Canada should work with the Government of Ukraine and the Central Electoral Commission to promote best practices for voter awareness and public education campaigns around voting and democratic rights.

Ukraine requires significant structural and legal reforms, as well as implementation mechanisms to create a fair election environment. Democratic reform requires an independent judiciary, consistent and fair application of the rule of law in both its letter and spirit.

Mission Canada concludes that – taking into account its interim reports, the findings of Election Day, and the subsequent problems in transfer of results and tabulation of data – Ukraine's parliamentary elections fell short of meeting international standards, and that these elections marked a regression in Ukraine's democratic development.

RECOMMENDATIONS

ELECTION ADMINISTRATION

- 1) In keeping with international best practices, a legal framework for the establishment of constituency boundaries should be developed and include clear and objective criteria that ensure voter equity, respect for existing administrative and natural boundaries, and integrity of geographic cohesion of minority groups. The delineation process should be applied transparently and consistently across the country and should include input from stakeholders and communities of interest.
- 2) Ukraine should continue to have Election Commission members that are representatives of electoral participants be they parties or independent candidates.
- 3) The Central Election Commission (CEC) lotteries for Precinct Election Commissions (PECs) and District Election Commissions (DECs) prescribed by Ukrainian electoral law should ensure balanced representation of national and local electoral participants. It would be advisable to strengthen the legislation to ensure that parties be permitted to nominate representatives for DECs and PECs only in districts where they have a candidate running, or if they have a slate of party list candidates for the proportional system. Conversely, parties or candidates should be denied representation on a DEC or PEC if they cease to have a duly registered candidate.
- 4) In order to improve transparency, the decisions of the DECs should be posted immediately on the CEC website.
- 5) If video cameras are used in future elections, they should record and publicly disseminate via Internet, in real time, all components of the Election Day process including tabulation and transmission of vote counts. They should be installed at the DECs with the requirement that all DEC proceedings and deliberations be recorded and broadcast as well.
- 6) Given the recent improvements to the State Voter Registry (SVR), voters, political parties and non-governmental organizations (NGOs) should be granted ongoing access to verify its accuracy. The reporting/investigation process for inaccuracies should be strengthened by increasing transparency and accountability. International observers should also be granted the right to a copy of the PEC vote count protocol, as was the case in previous elections. To improve transparency of the election administration, discussions of commissions should be held in public sessions. Agendas and draft documents should be made available to electoral participants and observers on a timely basis.

ELECTORAL LAW

- 7) Electoral law reform should, in future, be inclusive and transparent with the involvement of all electoral stakeholders including relevant civil society groups.
- 8) Except in extraordinary cases – in which serious deficiencies have been revealed in the legislation or its application and when there is an effective political and public consensus on the need to correct them – changes to the legal framework should not be made less than one year prior to an election.⁶⁸

COMPLAINTS AND APPEALS

- 9) Work should be undertaken to reform the legal framework to create a more simplified and accessible complaints and appeals process and remove overlapping jurisdiction of the courts and election commissions in the adjudication of complaints and appeals. Timelines for filing and consideration of complaints should be realistic to allow for the preparation of submissions and adjudicate complaints thoroughly and professionally.
- 10) Transparency in the election dispute resolution process could be enhanced by election commissions fully presenting and discussing complaints in its public sessions with active participation of all interested parties. The practice of holding private sessions to decide on complaints prior to public sessions should cease.
- 11) To enhance transparency in the complaint and appeals process, the Law on Access to Judicial Decisions should be amended to ensure the names and party affiliations of all subjects related to election-related claims are published.

⁶⁸ European Commission for Democracy Through Law (CDL, or Venice Commission), *Code of Good Practice in Electoral Matters, Guidelines and Explanatory Report*, adopted 18-19 October 2002 ("CDL Guidelines").

- 12) The CEC, administrative courts and law enforcement agencies should closely coordinate to clarify jurisdictional matters and to ensure all complaints are substantively handled, as administrative law matters and criminal (quasi-criminal) offences.
- 13) The election law should be amended to provide clear remedies for breaches of the law, particularly campaign-related malpractices, to ensure that violations of electoral rights are effectively addressed.
- 14) Election commissions and administrative courts should fully adhere to the principles of impartiality, due process, and rule of law in handling complaints. All complaints should be considered on their merits. The letter and spirit of the law should be respected and consistently applied. Decisions must provide comprehensive and clear factual and legal reasoning.
- 15) To enhance consistency in the election dispute resolution process, the CEC and higher courts should collaborate to establish and publish, on a timely basis, interpretations of key issues in the electoral law that are in need of clarification.
- 16) Electoral offenders should be prosecuted promptly, consistently, and impartially according to the electoral law.

DOMESTIC OBSERVERS AND INTERNATIONAL OBSERVERS

- 17) Funding and support should continue to be provided to domestic observers and election-oriented civil society groups by international electoral experts and funding agencies, in order to maximize the capacity of domestic observers to support democratization and human rights.
- 18) Election observers should be permitted to observe all aspects of the electoral process including the computer transfer of results from the PECs to the DEC, and from the DEC to the CEC. In order to increase transparency and public confidence, access to all components of the electoral process should be provided to all accredited election observers, including the computer vote tabulation room at the DEC.
- 19) The capacity of domestic NGO election monitoring groups should be strengthened in the interest of transparency and building public confidence.

ANNEX 1 - ABOUT MISSION CANADA AND CANADEM

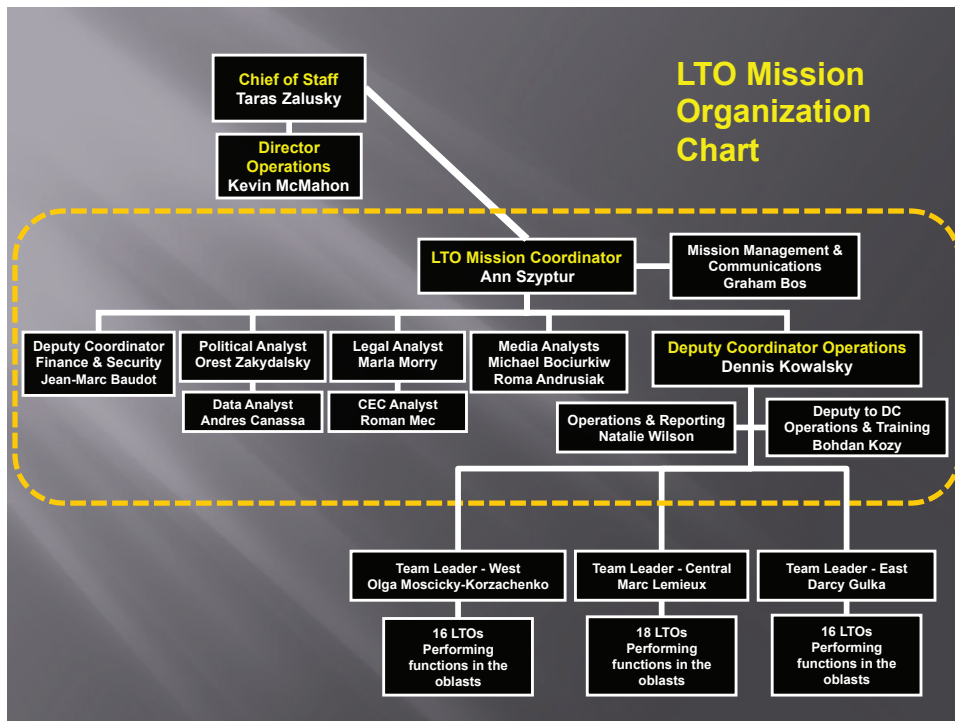
In 2010, Ukrainian Prime Minister Mykola Azarov extended an invitation to Canadian Prime Minister Stephen Harper for Canada to observe Ukraine’s 2012 parliamentary elections.

Heeding this request, the Government of Canada sponsored the largest ever delegation of long- and short-term Canadian election observers to oversee Ukraine’s parliamentary elections of October 28, 2012.

In early 2012 CANADEM was asked by the Canadian Government to design, staff, deploy, and manage a large stand-alone Election Observation Mission (EOM) of both long- and short-term Canadian observers to Ukraine’s parliamentary elections. The Canadian Department of Foreign Affairs and International Trade and the Canadian International Development Agency jointly funded *Mission Canada Ukraine Election 2012*, in the amount of \$7 million.

A not-for-profit non-governmental agency, CANADEM has recruited, screened and deployed election observers and other democracy experts for over a decade. Its independent status helped to validate the impartiality of *Mission Canada*.

Mission Canada consisted of 422 election observers, including 65 LTOs who were deployed from early August and were able to observe the entire election process.



The mandate of *Mission Canada* was to observe, record and report on whether the election genuinely reflected the democratic expression of the voters in Ukraine. The election observers were charged with observing, recording, and reporting on the election campaign according to established international standards and best practices, while in no way interfering with, or intervening in, the electoral process.

Concurrently but quite separate from *Mission Canada*’s 422 observers, CANADEM deployed 68 Canadian observers to join the Organization for Security and Cooperation in Europe (OSCE) International Election Observer Mission. Canada further deployed 10 federal Members of Parliament as part of the OSCE Parliamentary Assembly Election Observation Mission. *Mission Canada*’s 422 observers plus the other 78 observers made up a total of 500 election observers funded by the Government of Canada.

MISSION CANADA STRUCTURE, STAFFING, AND OPERATIONS

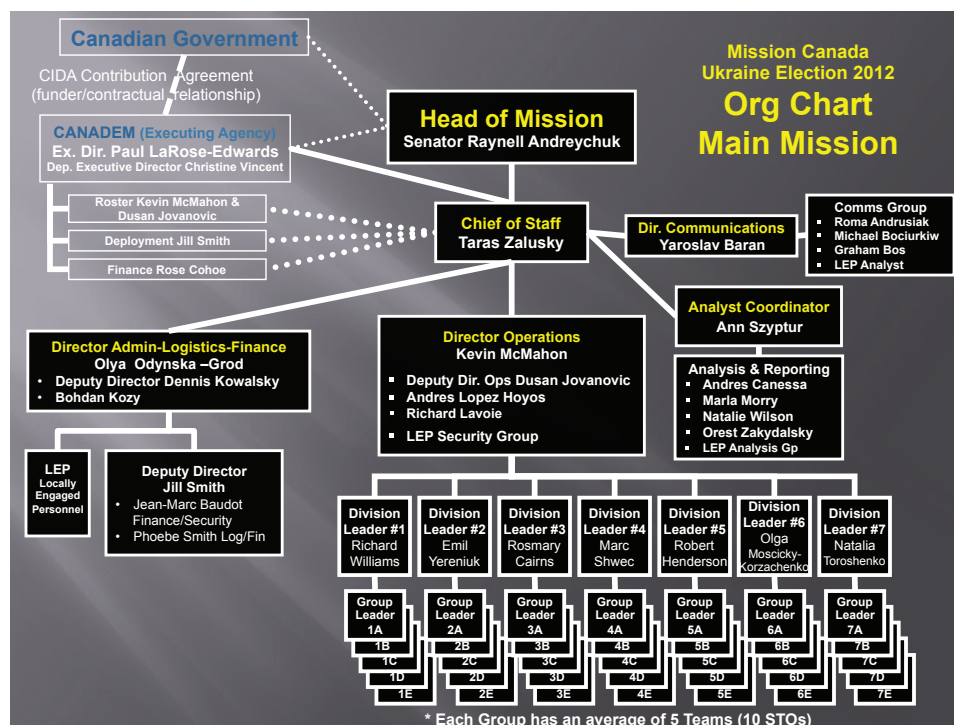
This largest ever Canadian Government contribution to monitoring the electoral process in Ukraine was manifested in the decision to have CANADEM include 65 LTOs as a key component of *Mission Canada*.

The LTO mission began its deployment from Ottawa on August 8, remaining in the field for over three months, until November 15. The LTO mission had a core team of 12 observers based in Kyiv, while the majority of the LTOs were deployed across Ukraine in teams of two.

This enhancement from CANADEM's *Mission Canada* two years earlier in 2010 served to substantially increase the impact of *Mission Canada*. The ability of observers to observe a considerable part of the electoral campaign allowed *Mission Canada* to have a broader understanding of all components of the election campaign including the media environment as well as the establishment and workings of election commissions. Having an LTO component to *Mission Canada* allowed it to enter into ongoing relationships with other international and domestic election observation missions, as well as Ukrainian civil society organizations and international NGOs. Furthermore, relationships and observation of political candidates, parties and electoral commissions provided valuable information not only on the pre-electoral campaign but also on the areas where there were more likely to be issues on Election Day itself.

Equally important was the enhanced ability to prepare STOs for Election Day, including:

- Training on Election Day procedures and issues they would encounter;
- Providing appropriate accommodation and transportation; and
- Identifying areas of responsibility for STOs to consider for Election Day monitoring.



Mission Canada was comprised of 422 observers, including seven Divisional Leaders and 37 Group Leaders. During this short term phase, eight days before Election Day and three days after, *Mission Canada* maintained a core operational team in Kyiv in order to both support the observers deployed across Ukraine, and collect and synthesise their observation reports.

In organizational terms, *Mission Canada* was led by a Head of Mission, a core management team in Kyiv, and seven Divisions. Each of the seven Divisions had an average of five Groups, and each Group had an average of five Teams composed of two observers per team. There were 180 Teams.

Mission Canada STOs were volunteers who had taken leaves of absence from their regular jobs and responsibilities, and were involved with *Mission Canada* in their private capacity. The LTOs who were deployed for over three months

had substantial electoral, democracy, and Ukraine expertise, and were paid a modest honorarium in recognition of the time commitment of their participation.

Selection of all observers was conducted by CANADEM and merit-based. The merit-based selection criteria included election observation experience, Ukraine experience, and Ukrainian and/or Russian language skills. The final selection was also guided by the principles of gender balance and pan-Canadian, proportional regional representation. The objective was to build teams of complementary skills and experience. CANADEM first built the LTO 'team' and then a full mission 'team' of 422 that would enable *Mission Canada* to effectively carry out its mandate. The selection process also reflected the interest of Canadians in Ukrainian democracy, and approximately 40 per cent of *Mission Canada's* observers were members of the Ukrainian-Canadian community. While many observers were older Canadians with substantial electoral experience, most were younger so as to provide a generational cross section of Canadians including the next generation of Canadian observers.

More than 3,000 candidates were considered for the LTO and STO positions. Most were already registered with CANADEM, but over 500 new registrants applied on-line to CANADEM.

Mission Canada included over 800 members: 422 Canadian election observers; and over 400 locally-engaged personnel (LEP), ranging from Ukraine subject matter experts, administrative and local logistics support, drivers, and translators.

Substantial training was provided to ensure that all observers were sufficiently aware of EOM principles and procedures, *Mission Canada* principles and procedures, and Ukraine situational awareness (See Annex 3):

- The LTO core team received three days of training in Ottawa;
- The LTO main group received three days training in Kyiv; and
- The STOs received one day of orientation in Ottawa and training over three days in Kyiv.

All *Mission Canada* observers were required to sign a Code of Conduct to ensure a proper understanding of their role in observing elections based on international standards.

ANNEX 2 - MEETINGS HELD WITH MISSION CANADA'S HEAD OF MISSION

Organization	Person(s)
Parliament of Ukraine	Valeriya Lutkovska, (Commissioner for Human Rights)
Party of Regions (Political Party)	Leonid Kozhara, (Head of International Department)
OPORA	Olya Aivazovskaya, (Chair of OPORA)
Observation Mission in Ukraine "ENEMO"	Peter Novotny, (Head of the Mission)
The Verkhovna Rada of Ukraine (Parliament)	Volodymyr Lytvyn, (Speaker)
Organization for Security and Co-operation in Europe/ Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	Dame Audrey Glover, (Head of the Mission)
OSCE Parliamentary Assembly (OSCE PA)"	Walburga Habsburg Douglas, (Special Co-ordinator to the OSCE)
Committee of Voters of Ukraine	Oleksandr Chernenko, (Chairman of the Board)
United Opposition -"Batkivschyna" (Political Party)	Turchinov Oleksandr, (First Deputy Head of the Party)
North Atlantic Treaty Organization Parliamentary Assembly (NATO PA)	Assen Agov, (the Head of NATO PA Delegation) David Hobbs, (Secretary General)
UDAR (Political Party)	Vitalii Kovalchuk, (Vice Chairman) Maryna Borysenko, (Legal Advisor)
Central Election Commission (CEC) of Ukraine	Volodymyr Shapoval, (Head of CEC)
National Democratic Institute (NDI)	Kristina Wilfore, (Director)
International Republican Institute (IRI)	David Drier, (US Congressman, Head of Delegation) Michael Druckman, (Resident Program Officer in Ukraine)
Government of Ukraine	Mykola Azarov, (Prime Minister of Ukraine)
Parliamentary Assembly of Council of Europe (PACE)	Andreas Gross, (Leader of the Socialist Group)
Embassy of Canada to Ukraine	Troy Lulashnyk, (Ambassador)
Ukrainian World Congress International Observer Mission	Paul M. Grod, (Head of Mission)
All Ukrainian Union "Svoboda" Party (Political Party)	Taras Osaulenko, (Head of International Relations, Svoboda)
United States of America Embassy to Ukraine	John Tefft, (Ambassador)
European Exchange	Stefanie Schiffer, (Chair of the European Exchange)

ANNEX 3 - SCHEDULES OF TRAINING: LTOS AND STOS



UKRAINE ELECTION 2012
MISSION CANADA

Long Term Observer Training – Kyiv, President Hotel

August 31, 2012 – September 2, 2012

DAY ONE – Friday August 31, 2012

- 8:00 – 9:00** **Registration (Handout of Training Package)**
- 9:00 – 10:00** **Welcome and Introductions**
- Taras Zalusky, Chief of Staff; Ann Szyptur, LTO Mission Coordinator; Graham Bos, Communications/Mission Management; Dennis Kowalsky, Deputy Coordinator Operations**
- 10:00 – 10:15** **1.0 LTOs and the Election Observation Mission**
- Graham Bos, Communications/Mission Management; Dennis Kowalsky, Deputy Coordinator Operations**
An overview of the mission's staffing structure and the role of LTOs, as well as LTO terms of reference, including activities during deployment and expectations will be discussed.
- 10:45 – 12:15** **2.0 Declaration of Principles for International Election Observation, International standards for democratic elections and Code of Conduct for Election Observers**
- Ann Szyptur, LTO Mission Coordinator; Dennis Kowalsky, Deputy Coordinator Operations)**
LTOs will receive an overview of CANADEM's commitment to the Declaration of Principles for International Election Observation, International standards for democratic Elections, and Observer Code of Conduct. LTOs will break into smaller groups to discuss interpretation of Code, ethical/appropriate behavior. *Code of Conduct declarations to be handed out during the session for signature.*
- 13:15-13:45** **3.0 Mission Security and Communication**
- Emile Ares, Second Secretary & Vice- Consul, Dennis Roache, Mission Security Officer Canadian Embassy/Jean-Marc Baudot, Security Focal Point Mission Canada**
During this session LTOs will discuss security awareness during their deployment as well as specific security and evacuation plans, the importance of security call-ins, and other communication.

- 13:45-14:15** **4.0 Country overview and political briefing**
- Greg Lermeyer, Counsellor, Embassy of Canada**
 This session will include a presentation on the historical, socio-economic, and geopolitical environment of Ukraine, including an overview of the state structure, political system, and election system.
- 14:15-14:45** **5.0 Human Rights and Democratic Development in Ukraine**
- Oleh Rybachuk, CHESNO**
 This session will include a presentation on the state of democracy in Ukraine and an overview of the main issues in the 2012 election.
- 15:00 – 16:30** **6.0 Media Environment**
- Natalia Ligachova, Editor-in-chief, Telekritika; Victoria Syumar, Executive Director, Institute of Mass Information**
 LTOs will receive an overview of the media landscape as it relates to the election.
- 16:45 – 17:30** **6.1 Mission Canada’s Media Policy**
- Roma Andrusiak, Media Analyst; Michael Bociurkiw, Media Analyst**
 A discussion of the importance of appropriate responses to media for LTOs, including an explanation of why *Mission Canada* has developed its Media policy (including social media).
-

DAY TWO – Saturday, September 1, 2012

- 8:45 – 9:00** *Review of Day One*
- 9:00 – 11:00** **7.0 The Legal Framework for the Pre-election day period**
- Serhiy Kalchenko, Partner, Moor & Partners Law Firm, Election Law Expert**
 During this session LTOs will be provided with an overview of the bodies responsible for election management, their responsibilities in the pre-election period, the law and regulations with regards to electoral administration, voter registration, campaigning and other relevant subjects.
- 11:30 – 12:45** **7.1 Long-term Election Observation – findings of domestic observers**
- Olha Ayvazovska, Head of Board, OPORA Civic Network**
 This presentation will focus on the analysis of the election process to date from the point of view of domestic election observers. The presentation will cover topics such as the process of registration of candidates, the registration of party and candidate representatives at the election commissions, the election campaign, and the role of domestic election observers.
- 13:45 – 15:30** **7.2 LTO Observation Strategies and Techniques**
- Orest Zakydalsky, Political Analyst; Marla Morry, Legal Analyst**
 Discussion, in working groups, will revolve around working effectively in teams, the steps to prepare, organize and conduct successful meetings with relevant stakeholders, and collecting evidence to assess claims and to substantiate conclusions.
- 15:45 – 17:45** **7.2 LTO Observation Strategies and Techniques (Continued)**

17:45-18:15

7.3 LTO Reporting

Orest Zakydalsky, Political Analyst; Marla Morry, Legal Analyst

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

DAY THREE – Sunday, September 2, 2012

9:00 – 9:15

Review of Day Two

9:15 – 10:00

8.0 Gender and Minorities

Maria Alekseyenko, Women’s Consortium of Ukraine

This session will include a presentation on gender and minority issues in Ukraine, as well as within the overall election process. Topics of discussion will include issues related to women’s participation and issues affecting the participation of national minorities in elections.

10:00 – 10:45

9.0 Finance Overview

Jean-Marc Baudot, Security Focal Point

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

11:15 – 12:00

10.0 Coordination with other EOMs

Ann Szyptur, LTO Mission Coordinator; Dennis Kowalsky, Deputy Coordinator Operations

During this session, LTOs will be given an overview of both the domestic and international EOMs in Ukraine. LTOs will also be given a brief description of their responsibilities vis-à-vis preparation for the short-term delegation.

12:00-12:45

11.0 LTO Deployment

Ann Szyptur, LTO Mission Coordinator; Dennis Kowalsky, Deputy Coordinator Operations

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

12:45 – 13:00

12.0 Training Evaluation (Bohdan Kozy, Operations Officer)

14:00 – 16:00

13.0 Distribution of Deployment supplies, IT Equipment Training

Natalia Wilson, Operations Officer; Jean-Marc Baudot, Security Focal Point

Throughout the remainder of the afternoon, LTOs will prepare for deployment, including scheduling appropriate times for the distribution of deployment kits, funds, and IT training (smart phones).



**UKRAINE ELECTION 2012
MISSION CANADA**

Short Term Observer Training – October 19, 21-23, 2012

DAY ONE – Friday, October 19, 2012: Ottawa, Museum of Civilization

- 9:00 – 10:00** **Overview of Mission; Mission Mandate and Intent**
- Paul LaRose-Edwards, Executive Director CANADEM;
Senator Raynell Andreychuk, *Mission Canada* Head of Mission;
Taras Zalusky, *Mission Canada* Chief of Staff**
- 10:00 – 11:00** **Code of Conduct and Communications Protocols**
- Yaroslav Baran, *Mission Canada* Director of Communications**
- 11:00 – 11:30** **Kyiv Briefing, Logistics, and Security Arrangements**
- Taras Zalusky, *Mission Canada* Chief of Staff**
- 11:30 – 12:30** **International democracy promotion trends and the importance of EOMs**
- Craig Jenness, Director of the United Nations Electoral Assistance Division**
- 12:30 – 13:00** **Democratization and Election Observation Missions: A personal perspective, Q&A**
- Shuvaloy Majumdar, former International Republican Institute (IRI) Section Head**
- 14:00 – 15:00** **Remarks from the Government of Canada**
- Introduction by Senator Raynell Andreychuk, *Mission Canada* Head of Mission;
The Right Honourable Stephen Harper, Prime Minister of Canada;
The Honourable John Baird, Minister of Foreign Affairs;
The Honourable Julian Fantino, Minister of International Cooperation**
- 16:00 – 16:15** **Closing Remarks**
- Senator Raynell Andreychuk, *Mission Canada* Head of Mission**
-

DAY TWO - Sunday, October 21, 2012: Kyiv, President Hotel

- 8:30 – 9:00** **Group Leaders and Division Leaders Registration (Handout of Training Materials)**

9:00 – 12:00	Mission Canada Management Briefing Structure of <i>Mission Canada</i> , Roles and Responsibilities of Group Leaders and Division Leaders, Deployment Strategy, Reporting Requirements; Taras Zalusky, Chief of Staff
13:00- 14:00	Registration (handout of STO training materials to STOs)
14:00- 14:45	1.0 Mission Overview Opening remarks and welcome by Taras Zalusky, Chief of Staff; an Introduction of His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine Mission Mandate and Intent, Introductions of the Senior Management Team and their roles and responsibilities, Taras Zalusky, Chief of Staff
14:45 – 15:15	2.0 Mission Security and Communication Sharon Landry, Counsellor and Consul; Dennis Roache, MPSS Detachment Commander, Canadian Embassy; and Jean-Marc Baudot, Security Focal Point Mission Canada
15:15-15:45	3.0 Country overview and political briefing Gregory Lemermeyer, Counsellor, Embassy of Canada
16:15 – 17:30	4.0 Gender Monitoring of Parliamentary Elections Maria Alekseyenko, Women’s Consortium
17:30 – 18:00	5.0 STO Deployment Plan and Group Leader Introductions Olya Odynska-Grod, Director Admin-Logistics-Finance-Security Specific deployment plans and announcement of Division and Group Leaders.

DAY THREE - Monday, October 22, 2012: Kyiv, President Hotel

9:00 – 9:15	<i>Debrief of Previous Day</i>
9:15 – 9:45	6.0 Landscape of Political Parties and Campaign Issues Orest Zakydalsky, Political Analyst Description of participating political parties as they appear on the ballot and key issues
9:45- 11:00	7.0 Election Landscape, Key Observations of Mission Canada LTOs Ann Szyptur, Mission Canada Coordinator; Marla Morry, Legal Analyst; Orest Zakydalsky, Political Analyst
11:30-15:00	8.0 Election Administration System, Election Day Procedures and Rights of Observers Vadym Halychuk, Partner, Moor & Partners Law Firm, Election Law Expert Rights and Responsibilities of Election Observers, Election Administration System, Election Day Procedures including Polling Station Set Up and authorized persons; Opening Procedures; Voting procedures (including special voting procedures); Closing and counting procedures, invalid ballots; Tabulation Procedures; with references to electoral law

15:00 – 15:30	9.0 Media Environment Michael Bociurkiw, Media Analyst
15:30 – 16:00	10.0 Other Electoral Observer Missions Ann Szyptur, Mission Canada Co-ordinator An overview of international and domestic EOM's in Ukraine
16:30 – 18:00	11.0 What to look out for during Election Week Olha Ayvazovska, Head of Board, OPORA Civic Network Presentation on the election process to date and potential types of election violations
18:00 -18:10	Planning for Tomorrow's Deployment Olya Odynska-Grod, Director Admin-Logistics-Finance-Security

DAY FOUR - Tuesday, October 23, 2012: Kyiv, President Hotel

<i>9:00 – 9:15</i>	<i>Debrief of Previous Day</i> Welcome by Senator Raynell Andreychuk, Mission Canada Head of Mission
9:15-10:45	12.0 STO Observation and Reporting Orest Zakydalsky, Political Analyst/Marla Morry, Legal Analyst Presentation on guidelines for observation and the different types of reports; reporting expectations; the scope and content of reporting and tips on what makes a good report. A detailed walkthrough of all STO Reports. Questions and Answers
10:45-11:15	13.0 Financial Policies for the Main Mission Olya Odynska-Grod, Director Admin-Logistics-Finance-Security
11:15 – 11:30	Concluding Remarks Senator Raynell Andreychuk, Head of Mission; Taras Zalusky, Chief of Staff
11:30- 12:00	Group Picture
13:00 onwards	Deployment Begins – Conference Hall will have the most relevant deployment information with support personnel in attendance.

ANNEX 4 - MISSION CANADA OBSERVERS

LTOs were deployed across all regions of Ukraine with the number of observers in each region based on the population of that region. The oblasts of Donetsk, Dnipropetrovsk and Luhansk were observed by 2 teams of two. In the regions of Ternopil and Chernivtsi, Mykolaiv and Kherson, Crimea and Sevastopol, Volyn and Rivne, Vynnytsia and Khmelnytskyj, one LTO team was responsible for two regions. The LTOs submitted two interim reports highlighting the issues that had been observed. The information from those reports is included in this final report.

A total of 422 STOs were deployed across all regions of Ukraine on Tuesday, October 23, 2012. There were a total of 10 teams covering 180 of the 225 DECes.

LIST OF SHORT TERM OBSERVERS BY OBLAST

DIVISION LEADERS (7 DL)

- 1) Richard Williams
- 2) Emil Yereniuk
- 3) Rosemary Cairns
- 4) Marc Shwec
- 5) Robert Henderson
- 6) Olga Moscicky-Korzachenko
- 7) Natalia Toroshenko

CHERKASSY (GL + 10)

Juan Aristides Barranco Abrego
– Group Leader

- 1) Alann Nazarevich
- 2) Alasdair Maughan
- 3) Alexander Andrushevich
- 4) Deborah Nider
- 5) Mathieu Jacques
- 6) Michael Strapko
- 7) Parveen Nijjar
- 8) Richard Nyberg
- 9) Sheryl McLaughlin
- 10) Svitlana Novik- Hirnyk

CHERNIHIV (GL + 10)

Bogdan Pogrebennyk
– Group Leader

- 1) Alexander Hetmanczuk
- 2) Christine Poulin
- 3) Jean – Jacques Lauzier
- 4) Luba Magdenko
- 5) Michellene Sigurdson
- 6) Niloofar Rezaei – Boroun
- 7) Peter Reimer
- 8) Robert Purves
- 9) Robin Rix
- 10) Sheila Miller

CHERNIVTSI (GL + 8)

Tamara Bolotenko – Group Leader

- 1) Bernard Haven
- 2) Bruce Hatch
- 3) Gabriella Mezo – Kricsfalusy
- 4) John Enright
- 5) Kevin Sirko
- 6) Lesa Semcesen
- 7) Mark Gross
- 8) Robert Ermel

CRIMEA (2 GL + 10 + 10)

Oleg Vodoviz - Group Leader

Patricia Maruschak - Group Leader

- 1) Charles Messier
- 2) Charles (Chuck) Young
- 3) Chris Bassel
- 4) Colleen Turkotte
- 5) Danylo Korbabicz
- 6) Gerald Luciuk
- 7) Helena Klid
- 8) Irene Balan
- 9) Jaroslaw Stecko
- 10) Larysa Hayduk
- 11) Louis Marianych
- 12) Muhammad Rasheed
- 13) Natalia Lesniokova
- 14) Oksana Rewa
- 15) Olena Bykova
- 16) Rada Howe
- 17) Richard O'Reilly
- 18) Tamara Wajda
- 19) Ulanna Wityk
- 20) Viktor Skihar

DNIPROPETROVSK

(3 GL + 10 + 10 + 8)

Oksana Olifirovych – Group Leader

Kimberly Howson – Group Leader

Aimee Lavoie – Group Leader

- 1) Amy Fallis
- 2) Bryan Burton
- 3) Chris Yaccato
- 4) David Jackson
- 5) Derrick Martens
- 6) Francois Hummell
- 7) Larissa Adameck
- 8) Laurence Morrissette
- 9) Iryna Romanenko
- 10) Jean – Marc Laperle
- 11) Jonathan Matters
- 12) Julia Goloshcuk
- 13) Kevin Lacey
- 14) Micheline Begin
- 15) Nadia Zelisko
- 16) Norma Chambers
- 17) Oksana Bondarchuk
- 18) Orest Dykyj
- 19) Oriana Kobelak
- 20) Paul Pirie
- 21) Raymond Cardinal
- 22) Robert Windsor
- 23) Roman Bazikalov
- 24) Sahar Ghadhban
- 25) Sonia Holiad
- 26) Thomas Lynd
- 27) Vera Petraskevych
- 28) Yaroslav Lozowchuk

DONETSK (3 GL + 10 + 10 + 10)

George Bachman – Group Leader
Ted Lojko – Group Leader
Irina Koulatchenko – Group Leader

- 1) Abdullahi Gas
- 2) Andre Ilunga
- 3) Annie Bélizaire
- 4) Calvin Blackwood
- 5) Charles-André Goulet
- 6) Daniel Ahmad
- 7) Debra Bodkin
- 8) Germain Amoni
- 9) Ihor Boki
- 10) Ivan Lapczak
- 11) Jeanne Coutu
- 12) Jennifer Cooper
- 13) Krystyna Lazar
- 14) Kyle Griffin
- 15) Lesia Dmytryszyn
- 16) Lina Gavrilo
- 17) Lyse Côté Bolanos
- 18) Maria Ghazzaoui
- 19) Marika Panchuk
- 20) Mathier Arsenault
- 21) Nancy Gerrard
- 22) Olenka Batruch
- 23) Oksana Wells
- 24) Olya Shewelli
- 25) Philip Bury
- 26) Richard Denham
- 27) Robert Foulkes
- 28) Xiangrong Huang
- 29) Yuliya Prodaniuk
- 30) Yuri Petlura

IVANO – FRANKIVSK (GL + 9)

Alexandra Chyczij – Group Leader

- 1) Barbara Murray
- 2) Bernard Snow
- 3) David Prokopchuk
- 4) Deborah Sirko
- 5) Ella Federau
- 6) George Luczkiw
- 7) George Trainor
- 8) Murray Thorpe
- 9) Pavle Stakic

KHARKIV (2GL + 12 + 12)

Olena Baran – Group Leader
Romain Lorraine - Group Leader

- 1) Alesia Nahirny
- 2) Anna Chukur
- 3) Branislav Jakic
- 4) George Babaris
- 5) E. Josey
- 6) Ellen Barry
- 7) Heather McPherson
- 8) Jaroslaw Grod
- 9) Linda Blake
- 10) Marcus Abrametz
- 11) Lori McKee – Jeske
- 12) Yves Boulanger
- 13) Brenton MacLeod
- 14) Alek Jerinic
- 15) Maryna Prokopenko
- 16) Jaroslaw Balan
- 17) Marta Dyczok
- 18) Tom Allison
- 19) Zynb Alsalihiy
- 20) Max Baier
- 21) Daniel Popadick
- 22) Helene Bolduc
- 23) Yuk-kuen Annie Cheung
- 24) Raymond Beley

KHERSON (GL + 10)

Jaroslav Semcesen – Group Leader

- 1) Carol Forde
- 2) Dzmitry Elyashevich
- 3) Frederick Bradley
- 4) Jennifer Button
- 5) Lise Bourgault
- 6) Maude Kostine
- 7) Nataliya Vinitzka
- 8) Rania Karam
- 9) Raymond Carrier
- 10) Tony Berezowecki

KHMELNYTSYI (GL + 10)

Lara Zaluski – Group Leader

- 1) Andre Tessier
- 2) Brenda Wemp
- 3) Doreen Steidle
- 4) Doris Dankowych
- 5) George Aitken
- 6) Girum Tesfaye
- 7) John Sullens
- 8) Paul Smith
- 9) Steven Skorenky
- 10) Tamara Rudenko – Charalambij

KIROVOHRAD (GL + 10)

Valentyna Golash – Group Leader

- 1) Abdelkrim Mattalah
- 2) Alexander Koshlich
- 3) Alexandra Nikitchina
- 4) Andrea Kardasz
- 5) Caroline Lemay
- 6) David Morris
- 7) Gary Lutwick
- 8) Helen Lanctot
- 9) Shana Kaiser
- 10) Zakaria Keita

KYIV (GL + 15)

Marc Lemieux – Group Leader

- 1) Ada Chan
- 2) Barry Bruce
- 3) Brian Clow
- 4) David Halcovitch
- 5) Donna Celle
- 6) Douglas Cargo
- 7) Elizabeth Pelton
- 8) Jasmin Cheung – Gertler
- 9) Jerry Tratch
- 10) Nancy Lyzaniwski
- 11) Ostap Skrypnyk
- 12) Phil Tweedie
- 13) Pierre Mychaltchouk
- 14) Christine Czoli
- 15) Neville Sloane

KYIV OBLAST (2 GL + 8 + 8)

Denis Robert - Group Leader
Michael Walker – Group Leader

- 1) Andrew Iwasykiw – Poticzny
- 2) David Ackermann
- 3) Eduardo Collier
- 4) Jane Kovarik
- 5) Jean Devlin
- 6) Jeremy Bryan
- 7) Julia Boyle
- 8) Lianne Carley
- 9) Lois Johnson
- 10) Manon Boisvert
- 11) Michael Creighton
- 12) Nadine Khoury
- 13) Orest Steciw
- 14) Richard Lavoie
- 15) Roman Herchak
- 16) Taisa Monastyrski

LUHANSK (2 GL + 10 + 8)

Darcy Gulka – Group Leader

Yuri Daschko - Group Leader

- 1) Alexandra Berly
- 2) Ayad Khilkhali
- 3) Christine Kozak
- 4) Evgueni Tormantovski
- 5) Igor Kryz
- 6) Josee Lavoie
- 7) Karen Frost
- 8) Lidia Melnikov
- 9) Lyudmyla Shutova
- 10) Maria – Helena Collier
- 11) Michael Hrycak
- 12) Patrick Lai
- 13) Roman Doshchak
- 14) Taras Nahirny
- 15) Terence Yemen
- 16) Timothy Wood
- 17) Yana Evason
- 18) Yelena Belopolsky

LVIV (2 GL + 10 + 8)

Christine Kuzyk - Group Leader

Sean Murdoch – Group Leader

- 1) Angie Szuch
- 2) Cassandra Mathies
- 3) Christopher Waters
- 4) Dorothee Roy
- 5) Freda Myco
- 6) Gilles Couturier
- 7) Jackson Gordon Teti
- 8) Jocelyn Plamondon
- 9) Larry Bennett
- 10) Michelle Mungall
- 11) Nicholas Smith
- 12) Rene Leclerc
- 13) Ross Keith
- 14) Stefanie Landry
- 15) Steven Van Groningen
- 16) Vlad Ionescu
- 17) William Schultz
- 18) Wynet Smith

MYKOLAIV (GL + 10)

Diane Lepine – Group Leader

- 1) Alayna Jay
- 2) David Law
- 3) Francis Nsoki - Ndombasi
- 4) George Jaskiw
- 5) Karina Mullally
- 6) Marilyn Moisan
- 7) Roman Kucher
- 8) Thomas Nemetchek
- 9) V. Mortimer
- 10) Vera Martynkiw

ODESSA (2 GL + 10 + 8)

Corey Levine – Group Leader

Peter Czurylowicz - Group Leader

- 1) Andrew Malysh
- 2) Charles O'Donnell
- 3) Claude Nadeau
- 4) Grant Mcleod
- 5) Jaroslaw Holowko
- 6) Joshua Mendelsohn
- 7) Kyla McCandie Glustien
- 8) Laura Jowsey (Deimling)
- 9) Marianka Charalambij
- 10) Mark Kopinec
- 11) Natalia Khanenko – Friesen
- 12) Oleksiy Opanasiuk
- 13) Patricia Atkinson
- 14) Philip Martin
- 15) Robert Kalinovich
- 16) Ryan Morrison
- 17) Taisa Petryshyn
- 18) Valentyna Volkova

POLTAVA (GL + 11)

Olesia Luciw – Andryjowycz

– Group Leader

- 1) Bohdan Klid
- 2) Bruce Passmore
- 3) Fatima Remtulla
- 4) Genevieve Proulx
- 5) Karen Reed
- 6) Mariam Rossignol
- 7) Melissa Rudderham
- 8) Riccardo Rossi –Ricci
- 9) Stavros Rougas
- 10) Vadym Razumyeyev
- 11) Vincent Szyk

RIVNE (GL + 8)

Viktoriya Thomson – Group Leader

- 1) Brian Parnega
- 2) Edward Kerr
- 3) Justin Lotorkone Laku
- 4) Mathieu Leonard
- 5) Natalie Myhal
- 6) Orysia Krucko
- 7) Sara Nikolic
- 8) Thomas Morrow

SUMY (GL + 10)

Michele Breton – Group Leader

- 1) Aleisha Arnusch
- 2) Alexander Tyssiak
- 3) Anne Sochan
- 4) Bronwyn Russel
- 5) Christopher Yonke
- 6) Farah Shroff
- 7) Mykola Soroka
- 8) Philippe LAFortune
- 9) Richard McTaggart
- 10) Thuy Thach

TERNOPIL (GL + 7)

Marc Lamontagne – Group Leader

- 1) Darija Muharemagic
- 2) Diane Dagenais
- 3) James Ryan
- 4) Janice Malainey
- 5) Kelly Moore
- 6) Robert Pidzamecky
- 7) Robert Richard

VINNITSYA (GL + 14)

Sonia Mickevicius – Group Leader

- 1) Adriana Wilson
- 2) Florence Larkin
- 3) Helen Bulat
- 4) Jean Francois Bonin
- 5) Joseph William Lafrance
- 6) Julie Lapalme
- 7) Kalyna Kardash
- 8) Kimberly Kippen
- 9) Luba Baran
- 10) Michael Johns
- 11) Nicolette Carlan
- 12) Patricia MacIntosh
- 13) Paul Maillet
- 14) Robert Lummack

VOLYN (GL + 7)

William Pardy – Group Leader

- 1) Kilim Park
- 2) Larry Duffield
- 3) Michael Wowk
- 4) Nur Qase
- 5) Peter Goldring
- 6) Stephanie Plante
- 7) Walter Prystajecy

ZAKARPATYA (2 GL + 10)

Andriy Teliszewsky – Group Leader

Barbara Puszkar – Group Leader

- 1) Adriana Sirskyj
- 2) David Critchlow
- 3) Ellen Shustik
- 4) Eric Crowe
- 5) Gary Ellis
- 6) Geoffrey Hamilton
- 7) Lloyd Dalziel
- 8) Marc Douville
- 9) Mark Jakubecki
- 10) Michael Kennedy

ZAPORIZZHA (GL + 14)

Magali Paradis – Group Leader

- 1) Alexander Vergeychik
- 2) Ashley Crossley
- 3) Dallas Alderson
- 4) Damon Berlin
- 5) Darren Boisvert
- 6) Eugenia Leskiw
- 7) Glenn Bradbury
- 8) Kevin Brown
- 9) Larysa Eliuk
- 10) Ludmila Lavrinuk
- 11) Maria Borges
- 12) Roman Hruby
- 13) Tara Lawrence
- 14) Thérèse Boullard

ZHYTOMYR (GL + 12)

Brygida Cross – Group Leader

- 1) Anna Clarke
- 2) Audrey Olson
- 3) Bonaventure Nzeyimana
- 4) Columbus Igboanusi
- 5) David Nurse
- 6) Edward Benjamin
- 7) Iryna Revutsky
- 8) Ivan Kupchenko
- 9) Ludovic Pepin
- 10) Marco Jacuta
- 11) Margaret Pfaff
- 12) Nadia Melnycky

MISSION CANADA SENIOR MISSION MANAGEMENT

The Honourable Raynell Andreychuk, Senator, Head of Mission

Taras Zalusky, Chief of Staff

Ann Szyptur, LTO Mission Coordinator

Yaroslav Baran, Director of Communications

Olya Odynska-Grod, Director Admin-Logistics-Finance-Security

Kevin McMahon, Director of Operations

Dennis Kowalsky, Deputy Coordinator of Operations

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Jean-Marc Baudot, Finance and Security

Michael Bociurkiw, Media Analyst

Graham Bos, Mission Management and Communications

Andres Canessa, Data Coordinator and Analyst

Dusan Jovanovic, Deputy Director of Operations

Bohdan Kozy, Deputy to the DC Operations

Andrés Lopez-Hoyos, Operations

Roman Mec, CEC Liaison

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Jillian Smith, Deputy Director Admin-Logistics-Finance

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Orest Zakydalsky, Political Analyst

LONG-TERM OBSERVERS

Darcy Gulka, Team Leader – East

Marc Lemieux, Team Leader – Central

Olga Moscicky-Korzachenko, Team Leader – West

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George Bachman

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Oksana Olifirovych

Olena Baran

Branislav Jekic

William Pardy

Juan Aristides Barranco Abrego

Robert Kalinovich

Magali Paradis

Roman Bazikalov

Ayad Khilkhal

David Prokopchuk

Edward J Benjamin

Irina Koulatchenko

Barbara Puszkur

Tony Berezowecki

Orysia Krucko

Lorraine Romain

Alexandra Berly

Jean-Jacque Lauzier

Stavros Rougas

Ihor Boki

Diane Lepine

Ostap Skrypyk

Tamara Bolotenko

Corey Levine

Anne Sochan

Michèle Breton

Ted Lojko

Angie Szuch

Rosemary Cairns

Nancy Lyzaniwski

Andriy Teliszewsky

Brygida Cross

Brenton MacLeod

Phil Tweedie

Ella Federau

Luba Magdenko

Oleg Vodoviz

Valentyna Golash

Sonia Mickevicius

Michael Walker

Robert Henderson

Sean Murdock

Emil Yereniuk

Roman Herchak

Alexandra Nikitchina

Lara Zaluski

KEY LOCALLY ENGAGED PERSONNEL

Oksana Zubriy, Locally Engaged Personnel Coordinator and Logistics

Katerina Kucherova, Logistics and Administrative Support Officer

Serhiy Perepiatenko, IT Support

Maryna Yaroshevych, Executive Assistance to LTO Mission Coordinator & Mission Management

Vladlena Shcherbakova, Operations Assistant

Iryna Lavens, Operations Assistant

Olesia Oleshko, Media Analyst

Zinaida Shoulga, Senior Interpreter and Translator

CANADEM STAFF ON-MISSION

Kevin McMahon, Roster Division Director; Andrés Lopez-Hoyos, Roster Division Deputy Director; Dusan Jovanovic, Senior Roster Program Officer; Jillian Smith, Deployment Division Director; Phoebe Smith, Deployment Officer; Graham Bos, Communications Officer; Cassandra Mathies, Deployment Assistant; Richard Lavoie, Training Development.

CANADEM STAFF IN ACTIVE SUPPORT OF MISSION FROM OTTAWA HEADQUARTERS

Paul LaRose-Edwards, Executive Director; Christine Vincent, Deputy Executive Director; Fattana Atayee, Senior Roster Program Officer; François-Guillaume Lapointe, Deployment Officer; Jeannine Richard, Deployment Officer; Alisha Todd, Deputy Director of Training; Rose Cohoe, Finance Director; Nick Kaminski, Financial Assistant; Hugo Ortega, IT Director; Anthony Stanisci, IT Support; Marissa Gibson, Deployment Assistant; Felix Lapointe, Deployment Assistant; Steve Young, Director of Training; Randy Weekes, Director of Duty of Care Program.

ACKNOWLEDGMENTS

EXTERNAL SPEAKERS AT OTTAWA ORIENTATION

The Right Honourable Stephen Harper, Prime Minister of Canada
The Honourable John Baird, Minister of Foreign Affairs
The Honourable Julian Fantino, Minister of International Cooperation
Craig Jenness, Director of the United Nations Electoral Assistance Division
Shuvaloy Majumdar

EXTERNAL SPEAKERS AT KYIV TRAININGS

His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine
Maria Alekseyenko, Director, Women's Consortium of Ukraine
Emile Arés, Second Secretary and Vice-Consul, Embassy of Canada to Ukraine
Olha Ayvazoska, Head of Board, OPORA Civic Network
Vadym Halychuk, Partner, Moor & Partners Law Firm
Serhiy Kalchenko, Partner, Moor & Partners Law Firm
Sharon Landry, Counsellor and Consul, Embassy of Canada to Ukraine
Gregory Lemermeyer, Counsellor, Embassy of Canada to Ukraine
Natalia Ligachova, Editor-in-chief, Telekritika
Dennis Roache, MPSS Detachment Commander, Embassy of Canada to Ukraine
Oleh Rybachuk, CHESNO
Victoria Syumar, Executive Director, Institute of Mass Information

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GOVERNMENT OF CANADA IN OTTAWA

Bob Johnston, Regional Director General - Europe, Middle East, Maghreb, Afghanistan and Pakistan, CIDA
Gina Watson, Ukraine Country Coordinator, CIDA
Stéphanie Cyr, Analyst, Ukraine Program, CIDA
Steve Podesto, Senior Development Officer, Ukraine Program, CIDA
Tara Denham, Deputy Director, Stabilization and Reconstruction Programs Division, DFAIT

EMBASSY OF CANADA TO UKRAINE

His Excellency Troy Lulashnyk, Ambassador of Canada to Ukraine
Natalka Cmoc, Counsellor (Technical Cooperation)
Gregory Lemermeyer, Counsellor
Iryna Gubarets, Project Officer
Emile Arés, Second Secretary and Vice-Consul
Sharon Landry, Counsellor and Consul
Dennis Roache, MPSS Detachment Commander
Inna Tsarkova, Political and Economic Program Officer
Anna Mischenko, Consular Assistant

APPENDIX - STATISTICAL RESULTS OF OBSERVATIONS OF MISSION CANADA

POLLING STATIONS VISITED PRIOR TO ELECTION DAY

TOTAL PECS VISITED: 3148

POLLING STATION	Urban	Rural	
	62%	38%	
TYPE	Regular	Special	
	95%	5%	
SIZE	Small	Medium	Large
	14%	33%	53%

GENDER

PEC ROLE	Male	Female
Chairperson	30%	70%
Deputy	27%	73%
Secretary	10%	90%

POLLING STATION (PS) VICINITY

Question	Yes	No
Was physical access into the station difficult	42.50%	57.50%
Is the signage for the location of the PS clearly visible	83.20%	16.80%
Was the PS open when you arrived	91.20%	8.80%

CIRCUMSTANCES OUTSIDE THE POLLING STATION (PS)

Question	Yes	No	Not Known
Are campaign activities taking place in the vicinity of the PS*	1.90%	67.20%	30.80%
Are campaign materials around the vicinity of the PS*	4.10%	63.30%	32.60%
Other problems in the vicinity of the PS	2.00%	98.00%	

* On Saturday 27 October 2012

CIRCUMSTANCES INSIDE THE POLLING STATION (PS)

Question	Yes	No
Any campaign material inside the PS	4.80%	95.20%
Other problems	3.90%	96.10%

READINESS OF THE PEC

Question	Yes	No	Not Known
Were any PEC members present in the PEC	94.70%	5.00%	0.30%
Did PS officials receive formal training	93.00%	4.00%	3.00%
Were all necessary election materials received	60.00%	36.00%	4.00%
Was the ballot transfer protocol shown to you upon request	40%	17%	43%

BALLOT BOXES

Question	Yes	No	Not Known
Is the safe where ballots are stored guarded by a representative of the police	60.00%	9.70%	30.30%
Was the sealed tape on the safe/metal strong box with ballots intact	64.60%	30.70%	4.60%
If no, were the ballots recounted	6.00%	11.00%	83.10%
If no, was the Ministry of Interior plus DEC contacted and an Act prepared	3.70%	8.70%	87.50%

OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

Question	Yes	No	Not Known
Were there person(s) present who are not PEC members who appeared to be directing work of PEC	3.80%	93.10%	3.10%
Did any observers, candidate/party representative or anyone present inform you of problems or potential problems, at this PS	2.80%	93.90%	3.30%
Were any official complaints filed at this PS	1.60%	93.40%	5.00%

TRANSPARENCY AT THE POLLING STATION

Question	Yes	No
Were you in any way restricted in your observation of this PEC	5.60%	94.40%
Were you granted full co-operation from the PEC during your stay	92.80%	7.20%

OVERALL ASSESSMENT OF THE POLLING STATION

Question	Very Bad	Bad	Good	Very Good
Your overall impression at this Polling Station is:	2.00%	8.30%	51.50%	38.20%

PEC OPENING

TOTAL PECS VISITED: 194

POLLING STATION	Urban	Rural	
	73.70%	26.30%	
TYPE	Regular	Special	
	96.90%	3.10%	
SIZE	Small	Medium	Large
	4.70%	31.40%	63.90%

GENDER

PEC ROLE	Male	Female
Chairperson	37.00%	63.00%
Deputy	27.40%	72.60%
Secretary	11.60%	88.40%

TRANSPARENCY AT PEC OPENING

Question	Yes	No
Did all persons present have a clear view of the opening procedures	94.80%	5.20%
Were you in any way restricted in your observation of the opening procedures	3.60%	96.40%
Were you granted full cooperation from the PEC during your stay	97.90%	2.10%

OVERALL ASSESSMENT OF PEC OPENING

Question	Very Bad	Bad	Ok	Good	Very Good
The overall conduct was:	1.62%	6.49%	-	40.00%	51.89%
General environment/ circumstances		4.17%	14.58%	40.63%	40.63%
Procedures followed	1.57%	5.24%	13.09%	31.94%	48.17%
PEC's understanding of procedures	1.05%	1.57%	15.71%	30.37%	51.31%
Performance of PEC	1.05%	2.09%	14.14%	34.03%	48.69%
Transparency of the opening process	0.52%	1.04%	9.90%	26.04%	62.50%

VOTING PERIOD

TOTAL PEC VISITED: 1385

POLLING STATION	Urban	Rural	
	69.20%	30.80%	
TYPE	Regular	Special	
	96.10%	3.90%	
SIZE	Small	Medium	Large
	10.10%	31.40%	58.50%

GENDER

PEC ROLE	Male	Female
Chairperson	29.40%	70.60%
Deputy	25.90%	74.10%
Secretary	11.30%	88.70%

CIRCUMSTANCES OUTSIDE THE POLLING STATION (PS)

Question	Yes	No
Are campaign activities taking place in the vicinity of the PS	1.02%	98.98%
Are campaign materials around the vicinity of the PS	3.28%	96.72%
Is there a large crowd waiting to vote	4.22%	95.78%
Is there tension or unrest in the vicinity of the PS	1.53%	98.47%
Was physical access into the station difficult	29.31%	70.69%
Other problems in the vicinity of the PS	2.41%	97.59%

CIRCUMSTANCES INSIDE THE POLLING STATION (PS)

Question	Yes	No
Overcrowding	5.09%	94.91%
Any campaign material inside PS	0.73%	99.27%
Anyone attempting to influence voters whom to vote for	1.38%	98.62%
Any pressure/intimidation of voters	1.60%	98.40%
Any tension/unrest inside PS	1.96%	98.04%
Other problems	5.27%	94.73%

ARRANGEMENTS AND TRANSPARENCY INSIDE THE POLLING STATION (PS)

Question	Yes	No	Not Known
Was the PS lay out adequate to conduct polling	94.77%	5.09%	0.15%
Were the ballot box(es) sealed properly	95.63%	3.78%	0.58%
Were all necessary election materials present	95.69%	3.65%	0.66%
Were the number of ballots received entered on the Vote Count protocols yet	66.67%	24.04%	9.29%
Were all booths appropriate	97.27%	1.67%	1.06%

PROBLEMS OR IRREGULARITIES INSIDE THE POLLING STATION

Question	Yes	No	Not Known
Were voters turned away because their names were not on the voter's list	13.62%	81.05%	5.33%
Were any voters who were not on the voter's list allowed to vote without a court order	0.60%	91.95%	7.46%
Voters denied the right to vote for inappropriate reasons	0.67%	93.33%	6.00%
Voters without proper ID allowed to vote	1.55%	92.90%	5.54%
Series of seemingly identical signatures on the voter's list	1.41%	92.28%	6.31%
Voters voting in groups	5.08%	90.13%	4.79%
Anyone voting more than once	0.22%	93.42%	6.36%
Anyone attempting to vote more than once	0.30%	93.28%	6.42%
Cases of proxy voting	1.11%	92.21%	6.68%
Same person "assisting" numerous voters	0.52%	95.43%	4.05%
Any unauthorized person assisting the voters	0.81%	94.59%	4.59%
Anyone voting with a pre-marked ballot paper	0.15%	91.32%	8.53%
Indications of ballot box stuffing	0.52%	96.60%	2.88%
Any PEC member or observer being ejected or dismissed	0.52%	97.27%	2.21%
Other procedural problems	3.79%	96.21%	

TRANSPARENCY AT POLLING STATION

Question	Yes	No	Not Known
Were you restricted in your observation in any way	3.70%	96.30%	
Were you granted full co-operation from the PEC during your stay	93.50%	6.50%	
Were all phases of the voting process and ballot boxes visible to the PEC and observers	93.40%	6.00%	0.60%

NUMBER OF VOTERS DURING VOTING PERIOD OBSERVED

Question	< 5	10-May	11-50	> 50
How many persons voted while you were observing the voting at this PS	9.30%	14.10%	55.30%	21.30%

OVERALL ASSESSMENT OF THE VOTING PERIOD

Question	Very Bad	Bad	Ok	Good	Very Good
The overall conduct of the voting period was:	0.5%	3.3%	-	44.1%	52.1%
General environment/ circumstances	0.4%	3.3%	14.8%	36.6%	44.8%
Procedures followed	0.2%	2.4%	11.8%	34.7%	50.9%
PEC's understanding of voting procedures	0.1%	0.6%	11.7%	33.8%	53.7%
Voters' understanding of voting procedures	0.4%	1.0%	17.0%	36.6%	44.9%
Performance of PEC	0.3%	1.6%	11.7%	35.3%	51.2%
Transparency of the voting process	0.9%	1.8%	11.2%	30.1%	56.1%

ASSESSMENT OF VOTING PERIOD BY REGION

Region	Very Bad	Bad	Good	Very Good
Autonomous Region of Crimea	2.60%	2.60%	48.70%	46.20%
Cherkassy	0.00%	3.80%	28.80%	67.30%
Chernihiv	0.00%	2.40%	29.30%	68.30%
Chernivtsi	2.90%	0.00%	25.70%	71.40%
Dnipropetrovsk	0.00%	3.60%	45.90%	50.50%
Donetsk	1.30%	1.30%	35.10%	62.30%
Ivano-Frankivsk	0.00%	0.00%	46.40%	53.60%
Kharkiv	1.50%	3.00%	24.20%	71.20%
Kherson	0.00%	0.00%	64.50%	35.50%
Khmelnysky	0.00%	3.70%	48.10%	48.10%
Kyiv city	0.00%	4.20%	50.00%	45.80%
Kyiv oblast	0.00%	3.40%	25.40%	71.20%
Kirovohrad	0.00%	7.10%	85.70%	7.10%
Luhansk	1.10%	1.10%	48.90%	48.90%
Lviv	0.00%	5.10%	37.20%	57.70%
Mykolaiv	0.00%	2.60%	26.30%	71.10%
Odessa	0.00%	7.50%	56.60%	35.80%
Poltava	0.00%	2.60%	42.10%	55.30%
Rivne	0.00%	3.30%	40.00%	56.70%
Sevastopol	0.00%	3.30%	60.00%	36.70%
Sumy	2.90%	5.90%	50.00%	41.20%
Ternopil	0.00%	3.00%	33.30%	63.60%
Transcarpathian	0.00%	2.10%	52.10%	45.80%
Vinnytsia	0.00%	8.70%	26.10%	65.20%
Volyn	0.00%	0.00%	50.00%	50.00%
Zaporozhye	2.70%	5.40%	78.40%	13.50%
Zhytomir	0.00%	2.20%	75.60%	22.20%
Percentage of Total:	0.50%	3.30%	44.20%	52.00%

ASSESSMENT OF VOTING PERIOD BY DEC

Region & DEC	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	2.60%	2.60%	48.70%	46.20%	100.00%
2	0.00%	0.00%	100.00%	0.00%	
3	20.00%	0.00%	40.00%	40.00%	
4	0.00%	0.00%	75.00%	25.00%	
5	0.00%	0.00%	20.00%	80.00%	
6	0.00%	0.00%	22.20%	77.80%	
8	0.00%	0.00%	50.00%	50.00%	
9	0.00%	0.00%	80.00%	20.00%	
10	0.00%	25.00%	50.00%	25.00%	
Cherkassy region	0.00%	3.80%	28.80%	67.30%	100.00%
194	0.00%	14.30%	42.90%	42.90%	
195	0.00%	0.00%	50.00%	50.00%	
196	0.00%	0.00%	0.00%	100.00%	
197	0.00%	0.00%	22.20%	77.80%	
198	0.00%	7.70%	38.50%	53.80%	
199	0.00%	0.00%	10.00%	90.00%	
200	0.00%	0.00%	30.00%	70.00%	
Chernihiv region	0.00%	2.40%	29.30%	68.30%	100.00%
205	0.00%	7.10%	14.30%	78.60%	
206	0.00%	0.00%	36.40%	63.60%	
207	0.00%	0.00%	80.00%	20.00%	
210	0.00%	0.00%	18.20%	81.80%	
Chernivtsi region	2.90%	0.00%	25.70%	71.40%	100.00%
201	0.00%	0.00%	60.00%	40.00%	
202	7.70%	0.00%	0.00%	92.30%	
203	0.00%	0.00%	100.00%	0.00%	
204	0.00%	0.00%	8.30%	91.70%	
Dnipropetrovsk region	0.00%	3.60%	45.90%	50.50%	100.00%
24	0.00%	12.50%	62.50%	25.00%	
25	0.00%	0.00%	36.40%	63.60%	
26	0.00%	0.00%	0.00%	100.00%	
27	0.00%	0.00%	75.00%	25.00%	
28	0.00%	0.00%	20.00%	80.00%	
29	0.00%	0.00%	100.00%	0.00%	
30	0.00%	11.10%	88.90%	0.00%	
31	0.00%	0.00%	0.00%	100.00%	
32	0.00%	0.00%	66.70%	33.30%	
33	0.00%	0.00%	14.30%	85.70%	
34	0.00%	0.00%	0.00%	100.00%	
35	0.00%	33.30%	66.70%	0.00%	
36	0.00%	0.00%	27.30%	72.70%	
37	0.00%	0.00%	100.00%	0.00%	
38	0.00%	0.00%	25.00%	75.00%	
40	0.00%	0.00%	85.70%	14.30%	
Donetsk region	1.30%	1.30%	35.10%	62.30%	100.00%
41	0.00%	0.00%	50.00%	50.00%	
42	0.00%	0.00%	100.00%	0.00%	
45	0.00%	0.00%	0.00%	100.00%	
47	0.00%	0.00%	0.00%	100.00%	
48	0.00%	0.00%	0.00%	100.00%	
49	0.00%	0.00%	75.00%	25.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
50	0.00%	12.50%	0.00%	87.50%	
51	0.00%	0.00%	25.00%	75.00%	
52	0.00%	0.00%	33.30%	66.70%	
53	0.00%	0.00%	0.00%	100.00%	
55	0.00%	0.00%	0.00%	100.00%	
57	0.00%	0.00%	20.00%	80.00%	
58	0.00%	0.00%	0.00%	100.00%	
59	0.00%	0.00%	50.00%	50.00%	
60	0.00%	0.00%	75.00%	25.00%	
61	12.50%	0.00%	37.50%	50.00%	
Ivano-Frankivsk region	0.00%	0.00%	46.40%	53.60%	100.00%
83	0.00%	0.00%	0.00%	100.00%	
85	0.00%	0.00%	37.50%	62.50%	
86	0.00%	0.00%	62.50%	37.50%	
87	0.00%	0.00%	57.10%	42.90%	
89	0.00%	0.00%	50.00%	50.00%	
Kharkiv region	1.50%	3.00%	24.20%	71.20%	100.00%
168	0.00%	0.00%	100.00%	0.00%	
170	0.00%	0.00%	40.00%	60.00%	
171	0.00%	12.50%	0.00%	87.50%	
172	0.00%	0.00%	12.50%	87.50%	
174	0.00%	0.00%	66.70%	33.30%	
175	0.00%	0.00%	0.00%	100.00%	
176	0.00%	0.00%	40.00%	60.00%	
177	0.00%	0.00%	16.70%	83.30%	
178	0.00%	33.30%	66.70%	0.00%	
179	20.00%	0.00%	20.00%	60.00%	
180	0.00%	0.00%	0.00%	100.00%	
181	0.00%	0.00%	0.00%	100.00%	
Kherson region	0.00%	0.00%	64.50%	35.50%	100.00%
182	0.00%	0.00%	100.00%	0.00%	
183	0.00%	0.00%	87.50%	12.50%	
184	0.00%	0.00%	33.30%	66.70%	
185	0.00%	0.00%	71.40%	28.60%	
186	0.00%	0.00%	20.00%	80.00%	
Khmelnysky region	0.00%	3.70%	48.10%	48.10%	100.00%
188	0.00%	0.00%	50.00%	50.00%	
189	0.00%	0.00%	100.00%	0.00%	
190	0.00%	0.00%	0.00%	100.00%	
191	0.00%	0.00%	100.00%	0.00%	
192	0.00%	0.00%	20.00%	80.00%	
193	0.00%	14.30%	85.70%	0.00%	
Kyiv city	0.00%	4.20%	50.00%	45.80%	100.00%
211	0.00%	0.00%	50.00%	50.00%	
212	0.00%	8.30%	33.30%	58.30%	
213	0.00%	16.70%	16.70%	66.70%	
214	0.00%	0.00%	87.50%	12.50%	
215	0.00%	0.00%	80.00%	20.00%	
216	0.00%	0.00%	100.00%	0.00%	
217	0.00%	0.00%	75.00%	25.00%	
218	0.00%	0.00%	0.00%	100.00%	
219	0.00%	0.00%	0.00%	100.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
220	0.00%	0.00%	85.70%	14.30%	
221	0.00%	8.30%	8.30%	83.30%	
222	0.00%	0.00%	75.00%	25.00%	
223	0.00%	0.00%	0.00%	100.00%	
Kyiv oblast	0.00%	3.40%	25.40%	71.20%	100.00%
90	0.00%	20.00%	40.00%	40.00%	
91	0.00%	0.00%	0.00%	100.00%	
92	0.00%	0.00%	22.20%	77.80%	
93	0.00%	0.00%	18.20%	81.80%	
94	0.00%	0.00%	12.50%	87.50%	
95	0.00%	14.30%	28.60%	57.10%	
96	0.00%	0.00%	33.30%	66.70%	
97	0.00%	0.00%	28.60%	71.40%	
98	0.00%	0.00%	37.50%	62.50%	
Kirovohrad region	0.00%	7.10%	85.70%	7.10%	100.00%
99	0.00%	0.00%	85.70%	14.30%	
100	0.00%	0.00%	100.00%	0.00%	
101	0.00%	0.00%	87.50%	12.50%	
102	0.00%	0.00%	100.00%	0.00%	
103	0.00%	40.00%	60.00%	0.00%	
Luhansk region	1.10%	1.10%	48.90%	48.90%	100.00%
105	0.00%	0.00%	0.00%	100.00%	
106	0.00%	0.00%	25.00%	75.00%	
107	0.00%	0.00%	57.10%	42.90%	
108	0.00%	0.00%	60.00%	40.00%	
109	5.30%	0.00%	26.30%	68.40%	
110	0.00%	0.00%	88.90%	11.10%	
111	0.00%	0.00%	63.60%	36.40%	
112	0.00%	0.00%	25.00%	75.00%	
113	0.00%	0.00%	75.00%	25.00%	
114	0.00%	12.50%	62.50%	25.00%	
Lviv region	0.00%	5.10%	37.20%	57.70%	100.00%
115	0.00%	0.00%	100.00%	0.00%	
116	0.00%	0.00%	0.00%	100.00%	
117	0.00%	0.00%	55.60%	44.40%	
118	0.00%	0.00%	75.00%	25.00%	
119	0.00%	25.00%	0.00%	75.00%	
120	0.00%	0.00%	50.00%	50.00%	
121	0.00%	42.90%	42.90%	14.30%	
122	0.00%	0.00%	0.00%	100.00%	
123	0.00%	0.00%	0.00%	100.00%	
124	0.00%	0.00%	44.40%	55.60%	
125	0.00%	0.00%	100.00%	0.00%	
126	0.00%	0.00%	21.40%	78.60%	
Mykolaiv region	0.00%	2.60%	26.30%	71.10%	100.00%
127	0.00%	0.00%	25.00%	75.00%	
128	0.00%	0.00%	30.80%	69.20%	
129	0.00%	16.70%	16.70%	66.70%	
131	0.00%	0.00%	0.00%	100.00%	
132	0.00%	0.00%	100.00%	0.00%	
Odessa region	0.00%	7.50%	56.60%	35.80%	100.00%
133	0.00%	0.00%	50.00%	50.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
134	0.00%	0.00%	100.00%	0.00%	
135	0.00%	25.00%	75.00%	0.00%	
138	0.00%	25.00%	75.00%	0.00%	
139	0.00%	0.00%	14.30%	85.70%	
140	0.00%	0.00%	40.00%	60.00%	
141	0.00%	0.00%	83.30%	16.70%	
142	0.00%	16.70%	50.00%	33.30%	
143	0.00%	0.00%	33.30%	66.70%	
Poltava	0.00%	2.60%	42.10%	55.30%	100.00%
144	0.00%	0.00%	100.00%	0.00%	
145	0.00%	0.00%	20.00%	80.00%	
146	0.00%	0.00%	0.00%	100.00%	
147	0.00%	0.00%	16.70%	83.30%	
148	0.00%	12.50%	87.50%	0.00%	
149	0.00%	0.00%	0.00%	100.00%	
150	0.00%	0.00%	16.70%	83.30%	
Rivne region	0.00%	3.30%	40.00%	56.70%	100.00%
153	0.00%	0.00%	80.00%	20.00%	
154	0.00%	0.00%	66.70%	33.30%	
155	0.00%	11.10%	11.10%	77.80%	
156	0.00%	0.00%	12.50%	87.50%	
Sevastopol	0.00%	3.30%	60.00%	36.70%	100.00%
224	0.00%	11.10%	88.90%	0.00%	
225	0.00%	0.00%	14.30%	85.70%	
280	0.00%	0.00%	0.00%	100.00%	
282	0.00%	0.00%	100.00%	0.00%	
294	0.00%	0.00%	80.00%	20.00%	
301	0.00%	0.00%	0.00%	100.00%	
398	0.00%	0.00%	0.00%	100.00%	
402	0.00%	0.00%	100.00%	0.00%	
707	0.00%	0.00%	100.00%	0.00%	
717	0.00%	0.00%	100.00%	0.00%	
804	0.00%	0.00%	100.00%	0.00%	
997	0.00%	0.00%	0.00%	100.00%	
Sumy region	2.90%	5.90%	50.00%	41.20%	100.00%
157	0.00%	25.00%	50.00%	25.00%	
158	0.00%	0.00%	100.00%	0.00%	
159	12.50%	0.00%	75.00%	12.50%	
161	0.00%	0.00%	0.00%	100.00%	
162	0.00%	16.70%	66.70%	16.70%	
Ternopil region	0.00%	3.00%	33.30%	63.60%	100.00%
163	0.00%	0.00%	28.60%	71.40%	
164	0.00%	0.00%	33.30%	66.70%	
165	0.00%	0.00%	16.70%	83.30%	
166	0.00%	16.70%	66.70%	16.70%	
167	0.00%	0.00%	25.00%	75.00%	
Transcarpathian	0.00%	2.10%	52.10%	45.80%	100.00%
68	0.00%	6.30%	18.80%	75.00%	
69	0.00%	0.00%	100.00%	0.00%	
71	0.00%	0.00%	68.80%	31.30%	
72	0.00%	0.00%	100.00%	0.00%	
73	0.00%	0.00%	0.00%	100.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
Vinnytsia region	0.00%	8.70%	26.10%	65.20%	100.00%
11	0.00%	75.00%	0.00%	25.00%	
12	0.00%	0.00%	20.00%	80.00%	
13	0.00%	0.00%	50.00%	50.00%	
14	0.00%	20.00%	0.00%	80.00%	
15	0.00%	0.00%	33.30%	66.70%	
16	0.00%	0.00%	33.30%	66.70%	
17	0.00%	0.00%	16.70%	83.30%	
18	0.00%	0.00%	40.00%	60.00%	
Volyn region	0.00%	0.00%	50.00%	50.00%	100.00%
19	0.00%	0.00%	11.10%	88.90%	
20	0.00%	0.00%	88.90%	11.10%	
21	0.00%	0.00%	16.70%	83.30%	
22	0.00%	0.00%	72.70%	27.30%	
23	0.00%	0.00%	0.00%	100.00%	
Zaporozhye region	2.70%	5.40%	78.40%	13.50%	100.00%
74	0.00%	0.00%	100.00%	0.00%	
75	0.00%	14.30%	71.40%	14.30%	
76	0.00%	0.00%	100.00%	0.00%	
78	11.10%	0.00%	66.70%	22.20%	
79	0.00%	0.00%	85.70%	14.30%	
80	0.00%	33.30%	66.70%	0.00%	
82	0.00%	0.00%	66.70%	33.30%	
Zhytomir region	0.00%	2.20%	75.60%	22.20%	100.00%
62	0.00%	0.00%	85.70%	14.30%	
63	0.00%	0.00%	62.50%	37.50%	
64	0.00%	12.50%	87.50%	0.00%	
65	0.00%	0.00%	100.00%	0.00%	
66	0.00%	0.00%	28.60%	71.40%	
67	0.00%	0.00%	90.00%	10.00%	
Percentage of Total:	0.50%	3.30%	44.20%	52.00%	100.00%

CLOSING AND COUNTING

TOTAL PEC CLOSINGS OBSERVED: 170

POLLING STATION	Urban	Rural	
	72.20%	27.80%	
TYPE	Regular	Special	
	92.40%	7.60%	
SIZE	Small	Medium	Large
	19.40%	38.20%	42.40%

GENDER

PEC ROLE	Male	Female
Chairperson	31.40%	68.60%
Deputy	29.40%	70.60%
Secretary	8.30%	91.70%

CLOSING OF THE POLLING STATION (PS)

Question	Yes	No	Not Known
Were voters waiting to vote inside the PS at 20:00 hours	6.50%	93.50%	
If YES, Were they allowed to vote	63.60%	9.10%	27.30%
Did the PS close on time	91.10%	8.90%	

OFFICIALS AND (UN)AUTHORIZED PERSONS IN THE PREMISES

Question	Yes	No	Not Known
Were party observers present at the closing of this PS	100.00%		
Were independent candidate observers present at the closing of this PS	76.60%	19.80%	3.60%
Were other international election observers present	8.40%	91.00%	0.60%
Were domestic non-partisan organizations observers present at the closing of this PS	32.30%	66.50%	1.20%
Were any unauthorized persons present in the PS during closing	4.80%	94.60%	0.60%
If YES, were they directing/interfering in the work of the PEC		100.00%	
Did any observers or candidate/party representative inform you of problems at this PS	9.30%	90.70%	

OPENING OF THE BALLOT BOXES (MOBILE AND STATIONARY)

Question	Yes	No	Not Known
Were the seals of all the ballot boxes intact/undamaged	98.20%	1.80%	
Was one control sheet found in every regular ballot box and two control sheets for every mobile box	97.60%	2.40%	
If NO to 2, were ballots left uncounted from such ballot box(es) ?	33.30%	66.70%	-
If NO to 2, did the PEC create an "Act"?	-	75.00%	25.00%

COUNTING OF VOTES

Question	Yes	No	Not Known
Were all ballots pre-stamped with the PEC stamp	97.60%	0.60%	1.80%
Was the choice on every ballot announced aloud	96.43%	3.57%	
Were the valid/invalid ballots determined in a reasonable manner	98.21%	1.79%	-
Were the valid/invalid ballots determined in a consistent manner	98.80%	1.20%	-
Were all PEC members free to examine the ballot	97.04%	2.96%	
Did the appointed PEC members announce the number of invalid ballots	95.15%	4.85%	
Was the number of invalid ballots entered in both protocols (pt. 12)	93.75%	1.25%	5.00%
Did the PEC pack and seal the ballots for each candidate and party separately	98.03%	1.32%	0.66%

DID YOU OBSERVE ANY OF THE FOLLOWING PROBLEMS OR IRREGULARITIES?

Question	Yes	No
Observer/s or PEC member/s being expelled from the PS	6.50%	93.50%
PS overcrowded	5.30%	94.70%
Non-PEC member/s participating in the count	4.10%	95.90%
Were figures already entered in the protocols changed after opening the ballot boxes	2.50%	97.50%
Observers or PEC members not allowed to examine the ballots upon request	6.50%	93.50%
Official protocol forms pre-signed by PEC members	8.40%	91.60%
Any falsification of voting list entries, results or protocols	3.00%	97.00%
Any significant procedural errors or omissions	14.90%	85.10%
Any consistently anomalous marks on ballots (triangles, stars, etc.)	3.70%	96.30%
Indications of ballot box stuffing (e.g. ballots in stacks inside box or multiples folded together)	3.60%	96.40%
Were video cameras installed and operating in the polling station?	88.60%	11.40%
If YES, did the placement of the cameras have a clear view of the closing and counting procedures	85.60%	14.40%

COMPLETION OF THE PEC PROTOCOL/ PROCEDURAL ERRORS

Question	Yes	No	Not Known
Was the sequence of steps prescribed strictly followed	83.30%	16.70%	
Did the PEC complete any "Act" on counting discrepancies or irregularities	13.80%	86.30%	
Did all PEC members agree on the figures entered in the protocol	97.00%	1.80%	1.20%
Did the PEC members have difficulties filling in the protocol	19.50%	80.50%	
Did the PEC revise figures established earlier in the process	14.10%	79.10%	6.70%
Was any dissenting opinion of PEC members on the count attached to the protocol	2.50%	97.50%	
Did any present PEC member refuse to sign the protocol	3.60%	96.40%	
Was a copy of the protocol posted for public information	63.30%	10.00%	26.70%
Did all entitled persons who requested receive copies of the protocol	96.30%	3.70%	
Did you receive a copy of the protocol	70.20%	29.80%	

TRANSPARENCY

Question	Yes	No
Did all persons present have a clear view of the counting procedures	97.60%	2.40%
Were you in any way restricted in your observation of the counting procedures	4.80%	95.20%

OVERALL ASSESSMENT OF THE COUNTING PROCESS

Question	Very Bad	Bad	Ok	Good	Very Good
The overall conduct of the counting process is:	3.10%	11.10%	-	44.40%	41.40%
General environment/ circumstances	1.80%	6.60%	16.20%	37.70%	37.70%
Procedures followed	4.80%	8.40%	16.20%	31.10%	39.50%
PEC's understanding of counting procedures	4.20%	7.20%	16.90%	31.30%	40.40%
Performance of PEC	2.40%	10.80%	18.00%	34.10%	34.70%
Transparency of the counting process	3.00%	5.40%	11.40%	25.70%	54.50%

TRANSPARENCY BY REGION

Did all persons present have a clear view of the counting procedures

Region	YES	NO
Autonomous Region of Crimea	100.00%	0.00%
Cherkassy	100.00%	0.00%
Chernihiv	100.00%	0.00%
Chernivtsi	100.00%	0.00%
Dnipropetrovsk	91.70%	8.30%
Donetsk	100.00%	0.00%
Ivano-Frankivsk	100.00%	0.00%
Kharkiv	100.00%	0.00%
Kherson	100.00%	0.00%
Khmelnysky	100.00%	0.00%
Kyiv city	100.00%	0.00%
Kyiv oblast	83.30%	16.70%
Kirovohrad	85.70%	14.30%
Luhansk	100.00%	0.00%
Lviv	100.00%	0.00%
Mykolaiv	100.00%	0.00%
Odessa	100.00%	0.00%
Poltava	100.00%	0.00%
Rivne	100.00%	0.00%
Sevastopol	100.00%	0.00%
Sumy	100.00%	0.00%
Ternopil	100.00%	0.00%
Transcarpathian	100.00%	0.00%
Vinnytsia	100.00%	0.00%
Volyn	100.00%	0.00%
Zaporozhye	100.00%	0.00%
Zhytomir	83.30%	16.70%
Percentage of Total:	97.60%	2.40%

TRANSPARENCY BY REGION

Were you in any way restricted in your observation of the counting procedures

Region	YES	NO	Total	YES	NO	Total
Autonomous Region of Crimea	0.00%	100.00%	100.00%		5	5
Cherkassy	0.00%	100.00%	100.00%		7	7
Chernihiv	0.00%	100.00%	100.00%		4	4
Chernivtsi	0.00%	100.00%	100.00%		5	5
Dnipropetrovsk	0.00%	100.00%	100.00%		12	12
Donetsk	12.50%	87.50%	100.00%	1	7	8
Ivano-Frankivsk	0.00%	100.00%	100.00%		4	4
Kharkiv	10.00%	90.00%	100.00%	1	9	10
Kherson	0.00%	100.00%	100.00%		5	5
Khmelnysky	0.00%	100.00%	100.00%		6	6
Kyiv city	12.50%	87.50%	100.00%	1	7	8
Kyiv oblast	16.70%	83.30%	100.00%	1	5	6
Kirovohrad	14.30%	85.70%	100.00%	1	6	7
Luhansk	0.00%	100.00%	100.00%		9	9
Lviv	0.00%	100.00%	100.00%		11	11
Mykolaiv	0.00%	100.00%	100.00%		4	4
Odessa	18.20%	81.80%	100.00%	2	9	11
Poltava	0.00%	100.00%	100.00%		6	6
Rivne	0.00%	100.00%	100.00%		4	4
Sevastopol	33.30%	66.70%	100.00%	1	2	3
Sumy	0.00%	100.00%	100.00%		4	4
Ternopil	0.00%	100.00%	100.00%		5	5
Transcarpathian	0.00%	100.00%	100.00%		4	4
Vinnysia	0.00%	100.00%	100.00%		7	7
Volyn	0.00%	100.00%	100.00%		3	3
Zaporozhye	0.00%	100.00%	100.00%		4	4
Zhytomir	0.00%	100.00%	100.00%		6	6
Total:	4.80%	95.20%	100.00%	8	160	168

OVERALL ASSESSMENT OF THE COUNTING PROCESS BY REGION

In general, the overall conduct of the counting process is:

Region	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	20.00%	20.00%	40.00%	20.00%	
Cherkassy	0.00%	28.60%	28.60%	42.90%	
Chernihiv	0.00%	0.00%	25.00%	75.00%	
Chernivtsi	0.00%	0.00%	60.00%	40.00%	
Dnipropetrovsk	8.30%	16.70%	41.70%	33.30%	
Donetsk	0.00%	0.00%	62.50%	37.50%	
Ivano-Frankivsk	0.00%	33.30%	33.30%	33.30%	
Kharkiv	0.00%	10.00%	30.00%	60.00%	
Kherson	0.00%	20.00%	20.00%	60.00%	
Khmelnitsky	20.00%	0.00%	20.00%	60.00%	
Kyiv city	12.50%	25.00%	37.50%	25.00%	
Kyiv oblast	16.70%	33.30%	33.30%	16.70%	
Kirovohrad	0.00%	14.30%	57.10%	28.60%	
Luhansk	0.00%	0.00%	57.10%	42.90%	
Lviv	0.00%	9.10%	63.60%	27.30%	
Mykolaiv	0.00%	25.00%	0.00%	75.00%	
Odessa	0.00%	0.00%	50.00%	50.00%	
Poltava	0.00%	0.00%	50.00%	50.00%	
Rivne	0.00%	0.00%	25.00%	75.00%	
Sevastopol	0.00%	0.00%	66.70%	33.30%	
Sumy	0.00%	0.00%	75.00%	25.00%	
Ternopil	0.00%	20.00%	20.00%	60.00%	
Transcarpathian	0.00%	0.00%	0.00%	100.00%	
Vinnitsia	0.00%	0.00%	50.00%	50.00%	
Volyn	0.00%	0.00%	66.70%	33.30%	
Zaporozhye	0.00%	25.00%	75.00%	0.00%	
Zhytomir	0.00%	16.70%	83.30%	0.00%	
Percentage of Total:	3.10%	11.10%	44.40%	41.40%	100.00%

BALLOT TRANSFERS WITNESSED

TOTAL TRANSFERS WITNESSED: 124

POLLING STATION	Urban	Rural	
	74.40%	25.60%	
TYPE	Regular	Special	
	91.70%	8.30%	
SIZE	Small	Medium	Large
	25.40%	37.30%	37.30%

GENDER

PEC ROLE	Male	Female
Chairperson	36.80%	63.20%
Deputy	31.60%	68.40%
Secretary	9.50%	90.50%

OVERALL ASSESSMENT OF BALLOT TRANSFERS

Question	Very Bad	Bad	Ok	Good	Very Good
The conduct of the handover and tabulation procedures was:	12.30%	18.40%	-	50.90%	18.40%
General environment/ circumstances	18.60%	19.50%	22.90%	31.40%	7.60%
DEC's organization of the process	16.20%	17.90%	22.20%	28.20%	15.40%
DEC's understanding of procedures	2.70%	6.20%	26.50%	42.50%	22.10%
Your confidence in the accuracy of computerized results	11.50%	15.40%	33.70%	26.00%	13.50%
Transparency of the process at the DEC	8.00%	17.90%	25.00%	27.70%	21.40%

OVERALL ASSESSMENT OF BALLOT TRANSFERS BY REGION

In general, the conduct of the handover and tabulation procedures was:

Region	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	0.00%	0.00%	66.70%	33.30%	
Cherkassy	20.00%	40.00%	40.00%	0.00%	
Chernihiv	25.00%	50.00%	25.00%	0.00%	
Chernivtsi	0.00%	33.30%	66.70%	0.00%	
Dnipropetrovsk	0.00%	0.00%	83.30%	16.70%	
Donetsk	0.00%	0.00%	100.00%	0.00%	
Ivano-Frankivsk	33.30%	33.30%	33.30%	0.00%	
Kharkiv	0.00%	9.10%	27.30%	63.60%	
Kherson	25.00%	0.00%	75.00%	0.00%	
Khmelnysky	0.00%	0.00%	50.00%	50.00%	
Kyiv city	0.00%	0.00%	80.00%	20.00%	
Kyiv oblast	33.30%	16.70%	16.70%	33.30%	
Kirovohrad	0.00%	50.00%	25.00%	25.00%	
Luhansk	20.00%	40.00%	20.00%	20.00%	
Lviv	0.00%	40.00%	60.00%	0.00%	
Mykolaiv	50.00%	0.00%	50.00%	0.00%	
Odessa	14.30%	14.30%	71.40%	0.00%	
Poltava	0.00%	20.00%	80.00%	0.00%	
Rivne	25.00%	25.00%	25.00%	25.00%	
Sevastopol	0.00%	0.00%	100.00%	0.00%	
Sumy	0.00%	0.00%	100.00%	0.00%	
Ternopil	50.00%	0.00%	50.00%	0.00%	
Transcarpathian	33.30%	0.00%	33.30%	33.30%	
Vinnysia	0.00%	0.00%	100.00%	0.00%	
Zaporozhye	14.30%	14.30%	42.90%	28.60%	
Zhytomir	0.00%	50.00%	33.30%	16.70%	
Percentage of Total:	12.30%	18.40%	50.90%	18.40%	100.00%

OVERALL ASSESSMENT OF BALLOT TRANSFERS BY DEC

The conduct of the handover and tabulation procedures was:

Region & DEC	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	0.00%	0.00%	66.70%	33.30%	100.00%
5	0.00%	0.00%	100.00%	0.00%	
6	0.00%	0.00%	0.00%	100.00%	
8	0.00%	0.00%	100.00%	0.00%	
Cherkassy	20.00%	40.00%	40.00%	0.00%	100.00%
194	0.00%	0.00%	100.00%	0.00%	
198	0.00%	100.00%	0.00%	0.00%	
199	0.00%	100.00%	0.00%	0.00%	
200	100.00%	0.00%	0.00%	0.00%	
Chernihiv	25.00%	50.00%	25.00%	0.00%	100.00%
206	0.00%	100.00%	0.00%	0.00%	
209	0.00%	0.00%	100.00%	0.00%	
210	100.00%	0.00%	0.00%	0.00%	
Chernivtsi	0.00%	33.30%	66.70%	0.00%	100.00%
201	0.00%	0.00%	100.00%	0.00%	
202	0.00%	0.00%	100.00%	0.00%	
203	0.00%	100.00%	0.00%	0.00%	
Dnipropetrovsk	0.00%	0.00%	83.30%	16.70%	100.00%
28	0.00%	0.00%	0.00%	100.00%	
29	0.00%	0.00%	100.00%	0.00%	
30	0.00%	0.00%	100.00%	0.00%	
31	0.00%	0.00%	100.00%	0.00%	
36	0.00%	0.00%	100.00%	0.00%	
37	0.00%	0.00%	100.00%	0.00%	
Donetsk	0.00%	0.00%	100.00%	0.00%	100.00%
49	0.00%	0.00%	100.00%	0.00%	
Ivano-Frankivsk	33.30%	33.30%	33.30%	0.00%	100.00%
83	100.00%	0.00%	0.00%	0.00%	
85	0.00%	0.00%	100.00%	0.00%	
87	0.00%	100.00%	0.00%	0.00%	
Kharkiv	0.00%	9.10%	27.30%	63.60%	100.00%
169	0.00%	0.00%	0.00%	100.00%	
170	0.00%	100.00%	0.00%	0.00%	
171	0.00%	0.00%	100.00%	0.00%	
172	0.00%	0.00%	0.00%	100.00%	
174	0.00%	0.00%	0.00%	100.00%	
176	0.00%	0.00%	0.00%	100.00%	
177	0.00%	0.00%	100.00%	0.00%	
179	0.00%	0.00%	100.00%	0.00%	
180	0.00%	0.00%	0.00%	100.00%	
Kherson	25.00%	0.00%	75.00%	0.00%	100.00%
182	0.00%	0.00%	100.00%	0.00%	
183	0.00%	0.00%	100.00%	0.00%	
184	100.00%	0.00%	0.00%	0.00%	
186	0.00%	0.00%	100.00%	0.00%	
Khmelnysky	0.00%	0.00%	50.00%	50.00%	100.00%
191	0.00%	0.00%	100.00%	0.00%	
192	0.00%	0.00%	0.00%	100.00%	
Kyiv city	0.00%	0.00%	80.00%	20.00%	100.00%

Region & DEC	Very Bad	Bad	Good	Very Good	Total
212	0.00%	0.00%	100.00%	0.00%	
215	0.00%	0.00%	100.00%	0.00%	
221	0.00%	0.00%	50.00%	50.00%	
222	0.00%	0.00%	100.00%	0.00%	
Kyiv oblast	33.30%	16.70%	16.70%	33.30%	100.00%
90	0.00%	0.00%	100.00%	0.00%	
92	0.00%	100.00%	0.00%	0.00%	
93	0.00%	0.00%	0.00%	100.00%	
94	0.00%	0.00%	0.00%	100.00%	
96	100.00%	0.00%	0.00%	0.00%	
97	100.00%	0.00%	0.00%	0.00%	
Kirovohrad	0.00%	50.00%	25.00%	25.00%	100.00%
99	0.00%	100.00%	0.00%	0.00%	
100	0.00%	100.00%	0.00%	0.00%	
102	0.00%	0.00%	0.00%	100.00%	
103	0.00%	0.00%	100.00%	0.00%	
Luhansk	20.00%	40.00%	20.00%	20.00%	100.00%
107	0.00%	50.00%	0.00%	50.00%	
108	100.00%	0.00%	0.00%	0.00%	
110	0.00%	100.00%	0.00%	0.00%	
111	0.00%	0.00%	100.00%	0.00%	
Lviv	0.00%	40.00%	60.00%	0.00%	100.00%
118	0.00%	100.00%	0.00%	0.00%	
119	0.00%	100.00%	0.00%	0.00%	
124	0.00%	0.00%	100.00%	0.00%	
125	0.00%	0.00%	100.00%	0.00%	
126	0.00%	0.00%	100.00%	0.00%	
Mykolaiv	50.00%	0.00%	50.00%	0.00%	100.00%
129	100.00%	0.00%	0.00%	0.00%	
131	0.00%	0.00%	100.00%	0.00%	
Odessa	14.30%	14.30%	71.40%	0.00%	100.00%
133	0.00%	0.00%	100.00%	0.00%	
134	0.00%	0.00%	100.00%	0.00%	
139	0.00%	0.00%	100.00%	0.00%	
140	100.00%	0.00%	0.00%	0.00%	
141	0.00%	100.00%	0.00%	0.00%	
142	0.00%	0.00%	100.00%	0.00%	
Poltava	0.00%	20.00%	80.00%	0.00%	100.00%
146	0.00%	0.00%	100.00%	0.00%	
147	0.00%	0.00%	100.00%	0.00%	
148	0.00%	0.00%	100.00%	0.00%	
149	0.00%	100.00%	0.00%	0.00%	
150	0.00%	0.00%	100.00%	0.00%	
Rivne	25.00%	25.00%	25.00%	25.00%	100.00%
153	0.00%	100.00%	0.00%	0.00%	
154	100.00%	0.00%	0.00%	0.00%	
155	0.00%	0.00%	0.00%	100.00%	
156	0.00%	0.00%	100.00%	0.00%	
Sevastopol	0.00%	0.00%	100.00%	0.00%	100.00%
224	0.00%	0.00%	100.00%	0.00%	
Sumy	0.00%	0.00%	100.00%	0.00%	100.00%
157	0.00%	0.00%	100.00%	0.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
158	0.00%	0.00%	100.00%	0.00%	
159	0.00%	0.00%	100.00%	0.00%	
Ternopil	50.00%	0.00%	50.00%	0.00%	100.00%
163	0.00%	0.00%	100.00%	0.00%	
164	100.00%	0.00%	0.00%	0.00%	
Transcarpathian	33.30%	0.00%	33.30%	33.30%	100.00%
68	0.00%	0.00%	50.00%	50.00%	
69	100.00%	0.00%	0.00%	0.00%	
71	50.00%	0.00%	50.00%	0.00%	
73	0.00%	0.00%	0.00%	100.00%	
Vinnysia	0.00%	0.00%	100.00%	0.00%	100.00%
11	0.00%	0.00%	100.00%	0.00%	
15	0.00%	0.00%	100.00%	0.00%	
16	0.00%	0.00%	100.00%	0.00%	
18	0.00%	0.00%	100.00%	0.00%	
Zaporozhye	14.30%	14.30%	42.90%	28.60%	100.00%
76	0.00%	0.00%	0.00%	100.00%	
77	0.00%	0.00%	100.00%	0.00%	
78	100.00%	0.00%	0.00%	0.00%	
79	0.00%	100.00%	0.00%	0.00%	
80	0.00%	0.00%	100.00%	0.00%	
Zhytomir	0.00%	50.00%	33.30%	16.70%	100.00%
62	0.00%	0.00%	100.00%	0.00%	
63	0.00%	100.00%	0.00%	0.00%	
64	0.00%	100.00%	0.00%	0.00%	
65	0.00%	0.00%	100.00%	0.00%	
66	0.00%	0.00%	0.00%	100.00%	
67	0.00%	100.00%	0.00%	0.00%	
Percentage of Total:	12.30%	18.40%	50.90%	18.40%	100.00%

OBSERVATIONS AT DECS

PERSONS IN THE DEC PREMISES

Question	Yes	No	Not Known
Were party observers present	84.40%	4.70%	10.90%
Were independent candidate observers present	56.30%	14.20%	29.50%
Were other international election observers present	45.30%	46.90%	7.80%
Were domestic non-partisan organizations present	44.20%	31.60%	24.20%
Were any unauthorized persons present inside the DEC premises	7.80%	70.30%	21.90%
If yes, were they directing/interfering in the work of the DEC	8.30%	91.70%	
Did any observers or candidate/party representative inform you of problems at this DEC	28.10%	71.90%	
Any official complaints filed with the DEC	18.20%	48.10%	33.70%

PROBLEMS AND IRREGULARITIES

Question	Yes	No
Observers expelled from the DEC	1.60%	98.40%
Observers not allowed to familiarize themselves with all aspects of the process	7.90%	92.10%
PEC correcting or filling in protocol without a formal DEC decision	5.30%	94.70%
Were you in any way restricted in your observation at the DEC	10.60%	89.40%

TRANSFER/SUBMISSION OF RESULTS PROTOCOLS AND ELECTION MATERIAL TO DEC

Question	Never	Sometimes	Mostly	Always	Not Known
Were the seals on the PECs' material intact upon arrival	-	6.20%	18.10%	66.80%	8.80%
Did the PECs deliver all required documentation to the DEC	0.50%	2.60%	23.80%	64.20%	8.80%

PEC PROTOCOL CHECK

Question	Never	Sometimes	Mostly	Always	Not Known
Did the PECs submit two copies of each of the protocols to the DEC	-	1.00%	14.00%	73.60%	11.40%
Did figures in the protocols display any obvious signs of having been altered	43.00%	4.70%	1.00%	9.30%	42.00%
Did the figures in the PEC protocols add up	2.10%	7.80%	35.80%	33.70%	20.70%

OVERALL ASSESSMENT OF CONDUCT AT DECS

Question	Very Bad	Bad	Ok	Good	Very Good
The overall conduct of the handover and tabulation procedures at this DEC is:	10.80%	27.40%	-	48.40%	13.40%
General environment/ circumstances	18.10%	21.20%	22.80%	31.60%	6.20%
DEC's organization of the process	16.70%	18.80%	24.00%	26.00%	14.60%
DEC's understanding of procedures	5.80%	11.10%	21.20%	37.60%	24.30%
Your confidence in the accuracy of computerized results	14.60%	22.90%	33.10%	18.50%	10.80%
Transparency of the process at the DEC	8.90%	24.60%	25.70%	28.30%	12.60%

OVERALL ASSESSMENT OF HANDOVER AND TABULATION CONDUCT AT DECS BY REGION

Region	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	0.00%	0.00%	100.00%	0.00%	
Cherkassy	20.00%	40.00%	40.00%	0.00%	
Chernihiv	0.00%	0.00%	66.70%	33.30%	
Chernivtsi	0.00%	25.00%	50.00%	25.00%	
Dnipropetrovsk	0.00%	0.00%	76.90%	23.10%	
Donetsk	50.00%	0.00%	0.00%	50.00%	
Ivano-Frankivsk	25.00%	75.00%	0.00%	0.00%	
Kharkiv	5.90%	11.80%	47.10%	35.30%	
Kherson	28.60%	0.00%	71.40%	0.00%	
Khmelnysky	0.00%	25.00%	25.00%	50.00%	
Kyiv city	0.00%	70.00%	20.00%	10.00%	
Kyiv oblast	0.00%	33.30%	50.00%	16.70%	
Kirovohrad	20.00%	40.00%	40.00%	0.00%	
Luhansk	0.00%	12.50%	87.50%	0.00%	
Lviv	7.10%	21.40%	71.40%	0.00%	
Mykolaiv	12.50%	0.00%	25.00%	62.50%	
Odessa	0.00%	50.00%	50.00%	0.00%	
Poltava	25.00%	12.50%	50.00%	12.50%	
Rivne	16.70%	58.30%	16.70%	8.30%	
Sumy	0.00%	40.00%	60.00%	0.00%	
Ternopil	16.70%	50.00%	33.30%	0.00%	
Transcarpathian	20.00%	0.00%	60.00%	20.00%	
Vinnytsia	0.00%	14.30%	71.40%	14.30%	
Volyn	100.00%	0.00%	0.00%	0.00%	
Zaporozhye	0.00%	28.60%	71.40%	0.00%	
Zhytomir	33.30%	33.30%	33.30%	0.00%	
Percentage of Total:	10.80%	27.40%	48.40%	13.40%	100.00%

OVERALL ASSESSMENT OF HANDOVER AND TABULATION CONDUCT AT DECS BY REGION

Region & DEC	Very Bad	Bad	Good	Very Good	Total
Autonomous Region of Crimea	0.00%	0.00%	100.00%	0.00%	100.00%
1	0.00%	0.00%	100.00%	0.00%	
8	0.00%	0.00%	100.00%	0.00%	
Cherkassy	20.00%	40.00%	40.00%	0.00%	100.00%
194	0.00%	0.00%	100.00%	0.00%	
198	0.00%	100.00%	0.00%	0.00%	
199	50.00%	50.00%	0.00%	0.00%	
200	0.00%	0.00%	100.00%	0.00%	
Chernihiv	0.00%	0.00%	66.70%	33.30%	100.00%
206	0.00%	0.00%	100.00%	0.00%	
209	0.00%	0.00%	100.00%	0.00%	
210	0.00%	0.00%	0.00%	100.00%	
Chernivtsi	0.00%	25.00%	50.00%	25.00%	100.00%
201	0.00%	0.00%	50.00%	50.00%	
203	0.00%	100.00%	0.00%	0.00%	
204	0.00%	0.00%	100.00%	0.00%	
Dnipropetrovsk	0.00%	0.00%	76.90%	23.10%	100.00%
26	0.00%	0.00%	100.00%	0.00%	
28	0.00%	0.00%	100.00%	0.00%	
29	0.00%	0.00%	50.00%	50.00%	
31	0.00%	0.00%	0.00%	100.00%	
32	0.00%	0.00%	75.00%	25.00%	
34	0.00%	0.00%	100.00%	0.00%	
36	0.00%	0.00%	100.00%	0.00%	
37	0.00%	0.00%	100.00%	0.00%	
Donetsk	50.00%	0.00%	0.00%	50.00%	100.00%
49	0.00%	0.00%	0.00%	100.00%	
50	100.00%	0.00%	0.00%	0.00%	
Ivano-Frankivsk	25.00%	75.00%	0.00%	0.00%	100.00%
83	100.00%	0.00%	0.00%	0.00%	
85	0.00%	100.00%	0.00%	0.00%	
86	0.00%	100.00%	0.00%	0.00%	
87	0.00%	100.00%	0.00%	0.00%	
89	100.00%	0.00%	0.00%	0.00%	
Kharkiv	5.90%	11.80%	47.10%	35.30%	100.00%
168	100.00%	0.00%	0.00%	0.00%	
169	0.00%	0.00%	0.00%	100.00%	
170	0.00%	100.00%	0.00%	0.00%	
171	0.00%	0.00%	100.00%	0.00%	
172	0.00%	0.00%	0.00%	100.00%	
174	0.00%	0.00%	75.00%	25.00%	
177	0.00%	0.00%	100.00%	0.00%	
179	0.00%	0.00%	0.00%	100.00%	
180	0.00%	0.00%	100.00%	0.00%	
181	0.00%	0.00%	50.00%	50.00%	
Kherson	28.60%	0.00%	71.40%	0.00%	100.00%
182	0.00%	0.00%	100.00%	0.00%	
183	0.00%	0.00%	100.00%	0.00%	
184	100.00%	0.00%	0.00%	0.00%	
185	0.00%	0.00%	100.00%	0.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
Khmelnysky	0.00%	25.00%	25.00%	50.00%	100.00%
189	0.00%	0.00%	100.00%	0.00%	
191	0.00%	0.00%	0.00%	100.00%	
192	0.00%	0.00%	0.00%	100.00%	
193	0.00%	100.00%	0.00%	0.00%	
Kyiv city	0.00%	70.00%	20.00%	10.00%	100.00%
212	0.00%	0.00%	50.00%	50.00%	
213	0.00%	0.00%	100.00%	0.00%	
214	0.00%	100.00%	0.00%	0.00%	
215	0.00%	100.00%	0.00%	0.00%	
217	0.00%	100.00%	0.00%	0.00%	
220	0.00%	100.00%	0.00%	0.00%	
222	0.00%	100.00%	0.00%	0.00%	
Kyiv oblast	0.00%	33.30%	50.00%	16.70%	100.00%
90	0.00%	0.00%	100.00%	0.00%	
92	0.00%	0.00%	100.00%	0.00%	
93	0.00%	0.00%	0.00%	100.00%	
94	0.00%	100.00%	0.00%	0.00%	
97	0.00%	100.00%	0.00%	0.00%	
Kirovohrad	20.00%	40.00%	40.00%	0.00%	100.00%
99	100.00%	0.00%	0.00%	0.00%	
101	20.00%	20.00%	60.00%	0.00%	
102	0.00%	100.00%	0.00%	0.00%	
103	0.00%	66.70%	33.30%	0.00%	
Luhansk	0.00%	12.50%	87.50%	0.00%	100.00%
104	0.00%	0.00%	100.00%	0.00%	
106	0.00%	0.00%	100.00%	0.00%	
107	0.00%	0.00%	100.00%	0.00%	
110	0.00%	100.00%	0.00%	0.00%	
111	0.00%	0.00%	100.00%	0.00%	
112	0.00%	0.00%	100.00%	0.00%	
Lviv	7.10%	21.40%	71.40%	0.00%	100.00%
116	0.00%	50.00%	50.00%	0.00%	
119	0.00%	0.00%	100.00%	0.00%	
120	33.30%	33.30%	33.30%	0.00%	
121	0.00%	0.00%	100.00%	0.00%	
124	0.00%	0.00%	100.00%	0.00%	
125	0.00%	100.00%	0.00%	0.00%	
126	0.00%	0.00%	100.00%	0.00%	
Mykolaiv	12.50%	0.00%	25.00%	62.50%	100.00%
127	25.00%	0.00%	25.00%	50.00%	
128	0.00%	0.00%	0.00%	100.00%	
129	0.00%	0.00%	100.00%	0.00%	
Odessa	0.00%	50.00%	50.00%	0.00%	100.00%
133	0.00%	100.00%	0.00%	0.00%	
134	0.00%	0.00%	100.00%	0.00%	
138	0.00%	0.00%	100.00%	0.00%	
139	0.00%	100.00%	0.00%	0.00%	
141	0.00%	50.00%	50.00%	0.00%	
Poltava	25.00%	12.50%	50.00%	12.50%	100.00%
145	0.00%	0.00%	0.00%	100.00%	
146	66.70%	0.00%	33.30%	0.00%	

Region & DEC	Very Bad	Bad	Good	Very Good	Total
147	0.00%	0.00%	100.00%	0.00%	
148	0.00%	0.00%	100.00%	0.00%	
149	0.00%	100.00%	0.00%	0.00%	
150	0.00%	0.00%	100.00%	0.00%	
Rivne	16.70%	58.30%	16.70%	8.30%	100.00%
153	14.30%	85.70%	0.00%	0.00%	
154	100.00%	0.00%	0.00%	0.00%	
155	0.00%	0.00%	0.00%	100.00%	
156	0.00%	33.30%	66.70%	0.00%	
Sumy	0.00%	40.00%	60.00%	0.00%	100.00%
157	0.00%	0.00%	100.00%	0.00%	
158	0.00%	100.00%	0.00%	0.00%	
159	0.00%	0.00%	100.00%	0.00%	
162	0.00%	100.00%	0.00%	0.00%	
Ternopil	16.70%	50.00%	33.30%	0.00%	100.00%
163	0.00%	0.00%	100.00%	0.00%	
164	50.00%	50.00%	0.00%	0.00%	
165	0.00%	100.00%	0.00%	0.00%	
167	0.00%	100.00%	0.00%	0.00%	
Transcarpathian	20.00%	0.00%	60.00%	20.00%	100.00%
68	0.00%	0.00%	100.00%	0.00%	
71	33.30%	0.00%	66.70%	0.00%	
73	0.00%	0.00%	0.00%	100.00%	
Vinnytsia	0.00%	14.30%	71.40%	14.30%	100.00%
11	0.00%	33.30%	66.70%	0.00%	
12	0.00%	0.00%	100.00%	0.00%	
13	0.00%	0.00%	100.00%	0.00%	
15	0.00%	0.00%	0.00%	100.00%	
18	0.00%	0.00%	100.00%	0.00%	
Volyn	100.00%	0.00%	0.00%	0.00%	100.00%
22	100.00%	0.00%	0.00%	0.00%	
Zaporozhye	0.00%	28.60%	71.40%	0.00%	100.00%
74	0.00%	0.00%	100.00%	0.00%	
76	0.00%	0.00%	100.00%	0.00%	
77	0.00%	0.00%	100.00%	0.00%	
78	0.00%	100.00%	0.00%	0.00%	
79	0.00%	100.00%	0.00%	0.00%	
80	0.00%	0.00%	100.00%	0.00%	
Zhytomir	33.30%	33.30%	33.30%	0.00%	100.00%
62	0.00%	0.00%	100.00%	0.00%	
63	0.00%	0.00%	100.00%	0.00%	
64	100.00%	0.00%	0.00%	0.00%	
65	100.00%	0.00%	0.00%	0.00%	
66	0.00%	100.00%	0.00%	0.00%	
67	0.00%	100.00%	0.00%	0.00%	
Percentage of Total:	10.80%	27.40%	48.40%	13.40%	100.00%



MISSION CANADA
UKRAINE ELECTION 2012

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