



**The Ukrainian World Congress International Observation Missions to  
Ukraine's 2020 Local Elections  
Elections October 25, 2020  
PRELIMINARY OBSERVATIONS**

*Kyiv, Ukraine*

*October 26, 2020*

**The UWC and the UCCA International Election Observation Missions present Preliminary Observations, which confirm that the local elections in Ukraine, that took place on 25 October 2020, were conducted in accordance with Ukrainian law and generally meet the standards for democratic elections.**

The Ukrainian World Congress (UWC) and Ukrainian Congress Committee of America (UCCA) International Election Observation Missions present **Preliminary Observations** confirming that the local elections in Ukraine held on October 25, 2020, took place in accordance with Ukrainian law and overall meet the standards for democratic elections.

The Ukrainian World Congress is the international coordinating body for Ukrainian communities in the diaspora representing the interests of over 20 million Ukrainians. The UWC has a network of member organizations and ties with Ukrainians in over 60 countries. Founded in 1967, the UWC was recognized in 2003 by the United Nations Economic and Social Council as a non-governmental organization with special consultative status and obtained in 2018 participatory status as an international non-governmental organization with the Council of Europe.

On 11 July 2019, the Prosecutor General of the Russian Federation declared the UWC to be an undesirable organization, that constitutes a threat to the constitutional framework and security of the Russian Federation.

Since 1999, the UWC deployed election observation missions to monitor all Presidential and Parliamentary Elections in Ukraine. In 2020 the UWC has deployed its mission to observe local elections.

The Ukrainian Congress Committee of America, the national umbrella organization in the United States representing the interests of Americans of Ukrainian descent for 80 years has been conducting comprehensive civic education programs in Ukraine to teach citizens the benefits of democracy and free market economic reforms since 1991. A large

part of the UCCA's Civic Education work has included hosting delegations of international election observers to monitor Ukraine's presidential and parliamentary elections. UCCA Delegations have monitored every election held in Ukraine since 1991.

In 2004, during the historic Orange Revolution, the UCCA's delegation, which numbered 2,408 individuals, was the largest delegation of International Election Observers ever registered by Ukraine's Central Election Commission, surpassing the OSCE's delegation by almost 1,000 observers.

The Central Election Commission has accredited 12 official observers from the Ukrainian World Congress and 14 official observers from the Ukrainian Congress Committee of America (UCCA) to monitor local elections on October 25, 2020 (CEC resolutions № 294 of September 24, 2020, № 313 of September 29, 2020, and № 384 of October 15, 2020)

The purpose of the UWC and UCCA Election Observation Missions is to support an open and transparent electoral process in Ukraine. The UWC and the UCCA support Ukraine's commitment to OSCE standards for free and fair elections, which reflect the will of the electorate and do not support any candidate, political party or a bloc.

Due to the global pandemic and travel restrictions, the Election Observation Missions consist of expats and Ukrainian diaspora who are already in Ukraine.

The UWC Mission has mobilized a group of experts and observers to conduct media monitoring. Observers monitor information in the media for any evidence of disinformation. Online information is checked for accuracy and classified according to sources and topics.

The UWC Mission works closely with the observation mission of its member organization, the Ukrainian Congress Committee of America (UCCA) which has delegated 14 official observers. Combined the two missions employ 26 official observers from six countries.

Combined, the UWC and UCCA Election Observation Mission is the fifth largest international observation mission following the Office for Democratic Institutions and Human Rights (OSCE/ODIHR), European Network of Election Monitoring Organizations (ENEMO), National Democratic Institute for International Relations (NDI), and "International Community for Human Rights" NGO.

By its composition and scope, the UWC and UCCA Election Observation Missions are unique in that they:

- consist of a majority of Ukrainian-speaking observers who are knowledgeable about the situation in Ukraine;
- include long-term observers who will carry out media monitoring outside Ukraine and
- include short-term observers who will monitor the electoral process.

On October 22, 2020, the International Election Observation Mission of the Ukrainian World Congress conducted training for 26 official observers participating in UWC and UCCA election observation missions. The training was moderated by Natalia Nemyliwska, Chief Observer of the UWC Mission. Oleksandr Neberykut, a representative of the leading

OPORA NGO that specializes in election observations, and Reno Domenico, UCCA's Chief Observer, provided useful information on theoretical aspects of the election process, including the recently adopted Electoral Code of Ukraine (ECU), and shared practical knowledge of the observation process on election day.

"Since 1991, the people of Ukraine have embarked on a historic path to independence and democracy. Throughout this time the UWC and UCCA election observation missions have played an important role on this path. These missions would not have been possible without a deep sense of responsibility and volunteerism from our diaspora communities. Thank you! You are making a significant contribution to a people and country that have suffered immensely over the centuries," said Borys Wrzesnewskij, Head of the UWC International Election Observation Mission while addressing the UWC and UCCA Mission Participants.

These elections are different from any other election in Ukraine's history, not only because of the challenges posed by the pandemic and the fact that local governments now have a greater say in their local affairs. Despite the above-mentioned circumstances, UWC remains committed to supporting transparency and fairness of electoral process.

The complexity of the process of holding local elections was added by a significant change in the administrative-territorial structure of oblasts<sup>1</sup> three months before the election date. Resolution № 807-IX of the Verkhovna Rada of Ukraine "On the formation and liquidation of districts" issued on July 17, 2020 stipulates the liquidation of 490 districts (raions<sup>2</sup>) and creation of 136 consolidated districts (raions) instead in all oblasts of Ukraine as well as in the Autonomous Republic of Crimea.

Another factor to complicate the electoral process was the COVID-19 pandemic. The decision, adopted at an extraordinary meeting of the Cabinet of Ministers of Ukraine on September 14, 2020, stipulates additional requirements for anti-epidemic measures during the organization and conduct of elections for the period of quarantine because of the spread of COVID-19 in Ukraine.

The core teams of the UWC and UCCA Election Observation Missions include:

**Borys Wrzesnewskij**, former Member of the Parliament of Canada – Head of UWC Election Observation Mission;

**Andrew Futey**, President of the Ukrainian Congress Committee of America (UCCA) – Head of UCCA Election Observation Mission,;

**Natalia Nemyliwska**, Director of the UWC Economic Prosperity and Investment Committee – UWC Chief Observer;

**Reno Domenico**, long-term international observer – UCCA Chief Observer;

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<sup>1</sup> Oblast or a region is one of Ukraine's 24 primary territorial administrative units.

<sup>2</sup> Raion or district is a smaller than oblast territorial administrative unit of Ukraine.

**Tamara Olexy**, UWC Regional Vice President and UCCA Executive Director - Mission Coordinator;

The UWC and UCCA Missions are completely independent and do not receive government funding.

The UWC mission also employs Ukrainian electoral experts:

**Yaroslav Sydorovych** – head of the expert group.

The UWC and UCCA Election Observation Missions consist of volunteers committed to Ukraine's democratic progress.

The UWC Mission has organized a team of observers who work remotely from their countries of residence and monitor the global media space for misinformation.

Monitoring activities began in September 2020 and will continue until the end of local elections.

Disinformation in the weeks approaching the local elections in Ukraine has been identified as one of the most serious threats to a free and unobstructed democratic electoral process without foreign interference. Media experts and think tanks continue to warn about the dangers of fabricated and false information, which is intended to influence the opinion of voters and cause confrontation and conflict. The disinformation campaign is not limited to Ukraine's info space, but spreads throughout the world in order to mislead Ukraine's allies. **The results of foreign media monitoring of Ukraine's local elections are enclosed.**

The UWC mission analyzes local elections based on Ukraine's international commitments to democracy, rule of law, freedom of speech and a free and fair election process.

UWC and UCCA international missions focused on the following key tasks:

- analysis of the legal basis of the electoral process, particularly, the Electoral Code of Ukraine, and Ukraine's commitment to an Organization for Security and Cooperation in Europe and the Council of Europe and in the context of other international standards of democratic expression of will;
- evaluating Ukraine's preparedness to ensure democratic elections, counteracting possible foreign interference, manipulation and violations of the electoral process;
- monitoring of Ukraine's readiness to hold elections during the pandemic;
- media monitoring that also covers international media;
- observation of the election process on the eve of and on election day at polling stations, as well as observing the vote counting process and the announcement of election results.

**The Missions note a number of positive legislative changes compared to the 2015 local elections.**

This is the first time when the **suffrage by internally displaced persons (IDPs) and internal labor migrants** has been adjusted for the purpose of local elections as well as the **innovative electronic services to change the electoral address have been introduced.**

Almost 92,000 voters (10 percent of the total amount of IDPs) used this service and changed their voting address to participate in the local elections. More people could have exercised their right to vote in these local elections if it wasn't for the lack of time to explain innovative mechanisms for changing the electoral address.

Another positive factor is the approach toward **gender representation** introduced in the Electoral Code of Ukraine during the formation of single and territorial electoral lists, provisioning the inclusion of at least two candidates of each gender in every consecutive set of five candidates (at least two male/female candidates among the first five candidates numbered first through fifth on a list, then the next set of five and so on.)

It's been the first time that Ukraine has adopted the **legislative norms to fully ensure the voting rights of people with disabilities.** The transitional provisions of the Electoral Code of Ukraine obligated the local governments to ensure that persons with disabilities and other groups of citizens with limited capacity to move independently have access to the polling stations provided for the regular precinct election commissions to facilitate their activities and hold elections.

Thus, the issue of polling stations accessibility requires the attention of the general public and observers, including international official observer missions.

According to the results of the monitoring of the accessibility of the polling stations conducted by the OPORA civic network NGO in July-August 2020, it was determined that out of 500 polling stations 15 (3%) were accessible to people with disabilities, 281 (56.2%) were not easily accessible and 204 (40.8%) were inaccessible.

The penalty for electoral fraud has been increased. Persons guilty of violating the Electoral Code, rights of voters, candidates, local organizations of political parties - the subjects of the election process, may become subject to criminal, administrative or other types of prosecution in accordance with the Law.

The missions were alarmed by the fact that despite Verkhovna Rada's July announcement about the local elections taking place all over Ukraine except for the temporarily occupied territories the Central Election Commission, acting on the appeal from the heads of civil-military administrations of Luhansk and Donetsk oblasts, found it impossible to hold the first local elections of the deputies of the village, settlement and city councils and respective village, settlement and city mayors in accordance with the ECU on October 25, 2020.

The list includes 10 village, settlement, and city territorial communities of Bakhmut raion (Svitlodar and Toretsk city territorial communities), Volnovakha raion (Myrne, and

Ol'hynka settlement territorial communities, Volnovakha and Vuhledar city territorial communities), Mariupol raion (Sartana settlement territorial community) and Pokrovsk raion (Ocheretyne settlement territorial community, Avdiivka and Mar'inika city territorial communities) of Donetsk oblast and eight communities from Sievierodonetsk raion (Hirske, Lysychansk, Popasna and Sievierodonetsk city territorial communities) and Shchastya raion (Nyzhnioteple village territorial community, Stanytsia Luhanska and Shyrokyi settlement territorial communities and Shchastya city territorial community) of Luhansk region.

The Law of Ukraine "On Civil-Military Administrations" outside the scope of the Electoral Code of Ukraine gives the civil-military administrations of settlements in the respective areas the authority to make decisions on organizing elections of state and local government bodies, village, settlement, and city mayors within a respective administrative-territorial unit. The civil-military administrations of settlements exercise the delegated executive powers granted to local self-government bodies by the laws of Ukraine. The raion and oblast civil-military administrations, along with exercising the powers of local state administrations in certain areas, also have the authority to organize all-Ukrainian referendums and elections of state bodies and local self-government bodies within respective administrative-territorial units as well as provide conclusions to the Central Election Commission on the possibility of organizing and preparing in accordance with the law for the relevant elections in the respective territories.

In 2019, these 18 communities held both presidential and parliamentary elections. Now that a ceasefire had been declared the conditions for holding elections are likely to be more favorable than a year ago.

The election of deputies to six district councils took place in the following territories: Bakhmut, Volnovakha, Mariupol, Pokrovsk district councils of Donetsk oblast and Sievierodonetsk, Shchastya raion councils of Luhansk oblast.

### **COMPARATIVE ANALYSIS**

#### **Of implementation of citizens' suffrage in reference to elections of deputies of raion councils, deputies of city, settlement, village councils and village, settlement, city mayors of territorial communities in some districts of Donetsk and Luhansk oblasts on October 25, 2020**

[\(\[cvk.gov.ua\]\(http://cvk.gov.ua\)\)](http://cvk.gov.ua)

Name of raion, oblast	Number of voters who will elect deputies of raion councils	Number of voters who will elect deputies of city, settlement, village councils and city, settlement, village mayors	Number of voters who are deprived of the right to elect deputies of city, settlement, village councils, city, settlement, village mayors
<b>Bakhmut raion of Donetsk oblast</b>	<b>167,631</b>	<b>98,950</b>	<b>68,681</b>
<b>Volnovakha raion of Donetsk oblast</b>	<b>116,198</b>	<b>40,774</b>	<b>75,424</b>

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Mariupol raion of Donetsk oblast	353,123	338,498	14,625
Pokrovsk raion of Donetsk oblast	315,467	238,199	77,268
Sievierodonetsk raion of Luhansk oblast	287,593	65,483	222,110
Shchastya raion of Luhansk oblast	61,703	15,356	46,347
<b>Total</b>	<b>1,301,715</b>	<b>797,260</b>	<b>504,455</b>

The Missions notice the imperfection of the legislation, which gives Civil-Military Administrations the right not to comply with the resolution of the Verkhovna Rada of Ukraine and to decide on the impossibility of holding local elections. Notably, Civil-Military Administrations have a conflict of interest with local communities as to control over community funds.

**More than 500,000 voters were effectively robbed of their constitutional right to elect the government of local self-government bodies.**

The Heads of Mission submitted an official letter to the Chairman of The Verkhovna Rada of Ukraine, Mr. Dmytro Razumkov, expressing their concern over the implementation of the citizens' voting rights requesting that the Committee of the Verkhovna Rada of Ukraine on State Power, Local Self-Government, Regional Development and Urban Planning **“holds hearings on the restoration of the constitutional suffrage of citizens living in 18 territorial communities who were deprived of the right to elect representative bodies of local self-government in the October 25, 2020, local elections in a manner not determined by the Electoral Code of Ukraine. The heads of the Donetsk and Luhansk oblast civil-military administrations should be invited to the hearing to provide a detailed explanation of all the circumstances that served as grounds for canceling the local elections in 18 territorial communities.”**

Since the launch of the electoral process the UWC and UCCA International Election Observation Missions met with representatives of key government bodies that were responsible for facilitating various aspects of the election: CEC leadership, the Ministry of Interior, the National Police of Ukraine, the Ministry of Health of Ukraine, the Ministry of Foreign Affairs of Ukraine, and respective representatives of the Verkhovna Rada of Ukraine. The UWC and UCCA observation missions also worked closely with international missions, including the OSCE, expert NGOs such as the Committee of Voters of Ukraine and OPORA, and a number of other NGOs and think tanks. In addition, meetings were held with the Hierarchs of Ukrainian Churches.

Ukraine's authorities and law enforcement agencies have generally ensured the integrity and safety of the election process, despite the continued hybrid aggression of the Russian Federation against Ukraine and other challenges.

This, together with Russia's interference in the electoral process in other independent countries, has forced the Ukrainian authorities to closely monitor any potential threat of foreign interference in the electoral process.

Ukrainian authorities have assured of their readiness to act accordingly and respond to potential threats. While preparing to counter potential threats to the electoral process, the Ukrainian authorities sought cooperation with international partners to learn from past experiences and best practices.

In fact, Russia's hybrid military aggression against Ukraine had the largest negative impact on the 2020 local elections in Ukraine, as it did not allow the Ukrainian people to elect local governments in Crimea and in the occupied territories of Donbas.

The Missions note that **any direct interference in Ukraine's internal affairs by foreign states** is absolutely unacceptable. This includes campaigning for a political party during **Hungarian State Secretary Janos Arpad Potapy's** visit to Transcarpathian region and the call of **Hungarian Foreign Minister Péter Szijjártó** addressing Hungarians of Transcarpathia to support party KMKSZ – Hungarian Party in Ukraine in the local elections on 25 October 2020.

**On election day, the election process was monitored by official observers from six countries of the world, namely, Canada, USA, Denmark, Switzerland, Great Britain and France.**

**The UWC and UCCA missions observed the election process in Dnipropetrovsk, Donetsk, Kyiv, Chernihiv oblasts, and in the city of Kyiv.**

**Official observers noted minor irregularities and difficulties at selected polling stations, including:**

- difficulties with access of elderly people and people with disabilities to some polling stations, that were located on the second and third floors, lack of elevators, necessity to walk up the stairs to get to the polling station, lack of ramps;
- non-compliance with anti-epidemiological measures, particularly, regarding social distancing and wearing masks; some members of precinct election commissions and voters didn't wear masks, gloves;
- delays in opening some polling stations;
- lack of ballot boxes, in one case one of the two mobile ballot boxes could not be sealed;
- improper sealing and placement of ballot boxes, including mobile ballot boxes, at the polling station;
- attempts to take a picture with a ballot paper and attempts to take a ballot paper outside, to which the police adequately reacted and stopped the violations;
- lack of voting booths, including special voting booths for people with disabilities;
- voting of people with disabilities in wheelchairs outside the booths;
- the curtains in the booths were transparent because of the light from an inside, which posed a risk of anyone outside the booth witnessing who people voted for;



- some voters who came to vote had plastic bags bearing symbols of a political party, which could be interpreted as prohibited campaigning; - absence of names in the voter lists of persons who were discharged from hospitals on the eve of the voting day;
- extremely time-consuming process of making handwritten copies of the protocol.

The "5 questions from the President of Ukraine" polling was conducted at the exit from polling stations. There were polling stations where no such polling was conducted.

**These violations were not systemic and generally did not affect the voting results.**

According to the CEC, voter turnout on election day, October 25, 2020, was 36.88%. It is almost 10% lower than the turnout in the 2015 local elections, which was 46.6%.

The conclusions of the UWC and UCCA missions are based upon direct observations by the official observers and meetings with senior government officials, Hierarchs of the Ukrainian Churches, representatives of NGOs and the international community.

**Based on the results of the UWC and UCCA Missions' observation, the 2020 local elections in Ukraine took place in accordance with Ukrainian law and generally meet the standards for democratic elections.**

**These preliminary observations are submitted prior to the completion of vote counting, the announcement of the preliminary and final results of the election, and adjudication of possible complaints and appeals.**

The UWC and UCCA Election Observation Missions will publish a comprehensive final report, offering recommendations for potential improvements of the election legislation following the announcement of the results of October 25 local elections, possible second round and announcement of the repeat voting results in about eight weeks after the completion of the electoral process.

**The UWC and UCCA Missions express their gratitude to the official observers who monitored elections and to the Ukrainian people for their hospitality during their work, particularly on October 25, 2020, the day of monitoring of the local elections in Ukraine.**

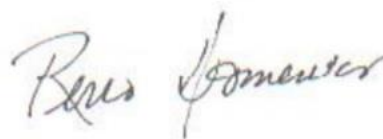
Preliminary observations of the UWC and UCCA Election Observation Missions were presented at 3:00 pm at Ukraine Crisis Media Center in Kyiv on October 28, 2020.

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## **Foreign Media Monitoring Results**

### **(Election Day, October 25, 2020)**

On October 25, 2020, Ukraine has appeared in more than 30 English language news and media publications. There is a considerable amount of news pieces related to Ukraine's involvement in a scandal associated with Hunter Biden, Joe Biden's second son, in view of the upcoming US presidential elections. The rest of the articles containing positive, neutral, negative, or criticizing information about Ukraine or Ukraine's elections or that cover the issues affecting the elections are highlighted below.

1. France 24: **Ukraine's Zelensky suffers setback in local elections**  
(<https://www.france24.com/en/live-news/20201025-ukraine-s-zelensky-suffers-setback-in-local-elections>)

"Early exit polls showed that Ukraine's President Volodymyr Zelensky has suffered a setback in Sunday's local elections, while his pro-Russian and pro-European rivals are leading in most of the country's major cities.

In nine major cities and regional centres across the country where the polls were held, no presidential party candidate was elected mayor -- not even in Zelensky's hometown."

2. Sputnik News: **FEMEN Activist Gets Naked in Front of Ukraine's President Zelensky Near Polling Station – Video**  
(<https://sputniknews.com/europe/202010251080874048-femen-activist-gets-naked-in-front-of-ukraines-president-zelensky-at-polling-station---video/>)

3. TASS: **Voter turnout at Sunday's local elections in Ukraine stands at about 37% - CEC** (<https://tass.com/world/1216175>)

"Local elections however were not held in Donbass territories that are not controlled by Kiev. Neither were they held in 18 territories of the Donetsk and Lugansk regions that are controlled by the central government. The Central Election Commission explained that by security problems."

4. Irish Sun: **Ukrainians Go To The Polls In Historic Local Elections**  
(<https://www.irishsun.com/news/266783494/ukrainians-go-to-the-polls-in-historic-local-elections>)

"The polls are considered the most consequential local elections in Ukraine's modern history, with all local officials up for replacement and the new local governments being granted expanded financial and political independence from the central government. [...]"

Recent public opinion polls show that about 70 percent of Ukrainians believe the country is headed in the wrong direction, while Zelenskiy's personal approval rating has dipped below 50 percent.”

5. [Same as above] Voice of America: **Ukrainians Go to the Polls in Historic Local Elections** (<https://www.voanews.com/europe/ukrainians-go-polls-historic-local-elections>)
6. Reuters: **Ukraine protests against Hungarian actions in local elections** (<https://uk.reuters.com/article/uk-ukraine-election-hungary/ukraine-protests-against-hungarian-actions-in-local-elections-idUKKBN27B1NV>)  
 “Ukraine’s foreign ministry said on Monday it had handed the Hungarian ambassador a note of protest for what it described as political agitation by Hungarian officials in favor of a party contesting local elections in Ukraine. [...] ...Hungarian officials had called on Ukrainians living in the region bordering Hungary to vote for the Party of Hungarians, actions which violated Ukrainian law.”
7. Times Colonist/Associated Press: **Ukraine’s local elections test leader and his young party** (<https://www.timescolonist.com/ukraine-s-local-elections-test-leader-and-his-young-party-1.24226862>)
8. RadioFreeEurope/RadioLiberty: **Early Results Show Blow To Zelenskiy, Servant Of The People Party In Ukraine's Local Elections** (<https://www.rferl.org/a/zelenskiy-stresses-free-nature-of-elections-in-ukraine-after-historic-vote/30912509.html>)  
 “The OPORA civic group, which had observers in all regions of Ukraine, said on October 26 that, in general, the elections had been held without violations and in accordance with the election law.

The Central Election Commission (TsVK) [CEC] said that the most widespread violation was the continuation of campaigning on election day. The violations were not severe enough to significantly distort the results, the TsVK [CEC] said.”

9. Atlantic Council: **Ukrainian local elections: Zelenskyy fairytale is over** (<https://www.atlanticcouncil.org/blogs/ukrainealert/ukrainian-local-elections-zelenskyy-fairytale-is-over/>)  
 “Based on exit polls released following the election, there are **four major outcomes**.  
**First**, this was a vote in favor of local strongmen. Incumbent mayors look to have won virtually everywhere, regardless of whether they are considered corrupt or not.  
**Second**, participation was very low, with an estimated turnout of only 37 percent. This was almost 10% fewer than the 46.5% who voted in Ukraine’s last round of local elections in 2015 and suggests a demobilized electorate.  
**Third**, all of the national parties received a big vote of no confidence from the Ukrainian electorate. The pro-Kremlin Opposition Platform–For Life party did comparatively well, while President Volodymyr Zelenskyy’s Servant of the People party performed particularly poorly. However, none of the country’s national parties proved themselves capable of overcoming the local parties of individual city mayors.  
**The fourth** key conclusion from Ukraine’s local elections is that Ukrainian democracy remains vibrant. At this stage, it appears that only the mayors of Kharkiv and Vinnytsia gained absolute majorities in the first round and will

avoid head-to-head runoffs. All the other major cities will witness a second round of voting between the two leading candidates in three weeks. In virtually every single city, the incumbents remain heavily favored to win, but the fact that so many runoffs have proven necessary points to encouraging levels of political competition.”