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**The Ukrainian Elections: Implications for Ukraine's Future Direction
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I. Conduct of the Elections

Ukraine has conducted five elections in the last three years and IRI has deployed observation missions to monitor each of them. IRI's election observation delegation found that Ukraine's September 30, 2007, parliamentary elections broadly met international standards.

Election officials at polling stations and territorial commissions should be commended for providing a calm, peaceful environment on Election Day. The major political parties should also be commended for their efforts in the process; party activists served as members of polling station commissions, territorial election commissions and as observers.

IRI found that during the campaign period, parties and candidates were allowed to campaign freely and had access to media outlets. Journalists were allowed to cover the campaign without undue interference, and parties were able to purchase time on television, radio and in newspapers without restriction.

Importantly, the use of administrative resources during the campaign was limited.

While Ukraine continues to demonstrate improvements in various aspects of election administration, problems with the voter lists continue to undermine confidence in the elections, with reports of inaccuracies persisting. Last minute regulations by the Central Election Commission (CEC) created confusion among the electorate and possibly led to the disenfranchisement of hundreds of thousands of voters. After conducting five elections in less than three years, Ukraine should be beyond the problems seen in these elections. IRI urges the Ukrainian parliament and election officials to address the quality of the voter lists to ensure their accuracy for the next election. This effort will require the commitment of all of Ukraine's political parties, and IRI urges them to take a positive role in reaching a solution.

The ability of the judicial system to act as an equal and independent branch of government during the election campaign was called into question. Doubts of the judiciary's impartiality and inability to make decisions in a timely manner called into question its ability to resolve election disputes.

II. Implications for Party Building

The recent elections also yielded results with profound implications for political parties and elections in Ukraine.

Since independence, Ukraine's electorate has been divided between East and West, Russian speaking and Ukrainian speaking, respectively. This divide dates back centuries.

The third round of voting in the 2004 Presidential race demonstrated the strength of the Party of Regions in the East and the dominance of the orange forces in the West.

In 2004 Viktor Yanukovich received 44.2% of the vote, while Viktor Yushchenko received 51.99% of the vote.

In 2006, the parliamentary election reinforced this Regions-orange divide. The orange forces were unable to break-out of their regional base as was the Regions side.

Combined, the orange side won 36.24% of the vote, whereas the Regions forces earned 41.49% of the vote.

However, the 2007 snap parliamentary election marked a subtle but fundamental change in this geographical split for one party in particular, the Bloc of Yulia Tymoshenko (BYUT). Results demonstrate the striking returns for BYUT, while the Party of Regions, and Our Ukraine Bloc, remained relatively unchanged in their percentages.

In general, BYUT increased its national total vote by 8.42%, from 22.29% in 2006 to 30.71% in 2007.

BYUT made inroads in the East by aggressively reaching out to Eastern voters. Ms. Tymoshenko made appearances in the densely populated Russian-speaking cities across the East, the party established efficient campaign headquarters throughout the East, and worked diligently to break through the geographic divide. In addition, the BYUT party fashioned issue-based messages which resonated with voters in the East.

In the blue dominated, densely populated oblasts of Kharkiv, Dnipropetrovsk, and Zaporizhzhya, BYUT was able to gain roughly 4 percentage points on its 2006 returns. This is significant as BYUT was also able to largely increase its numbers in the West.

What does this portend for political parties and their respective futures?

IRI has engaged in efforts to build strong, national parties, using national appeals to a broad spectrum of the electorate. The 2007 results demonstrated that BYUT is growing into a truly national party, capable of bridging the regional divide and turning out voters outside of its historical base. BYUT has fundamentally changed the voting trends of the electorate and broken through regional barriers some believed impenetrable. This is a significant achievement for party-building in Ukraine.

The Our Ukraine Bloc is also contemplating new ways to appeal to a broader segment of the voting population.

Conversely, the Party of Regions has been largely unable to expand its electorate and continues to rely solely on its base. In order to remain viable, the Party of Regions must take steps to reach out to Western voters. One of the ways that Regions might achieve this is by refraining from making language a key issue in its platform and more openly embracing Euro-Atlantic integration.

Presidential elections are scheduled for 2010. The ability of the elected parties to form a governing coalition in the parliament, the success of that ruling coalition, and the implementation of lessons learned from the 2007 campaign will all play a major factor in who is elected the next President of Ukraine.

III. Constitutional Reform

With the successful conduct of elections, and upon the formation of a new government, Ukraine must take steps to resolve the constitutional issues that were the very reason these elections were called.

It is clear to all that this constitutional conflict, between the president and the prime minister, which I would liken to an inter-Executive Branch separation of powers issue, has dominated Ukraine. It has distracted Ukraine, and prevented it from building institutions that would strengthen its democratic standing: an independent judiciary, based upon the rule of law, a functional legislative branch and continued economic reform.

In addition to the foregoing, the constitutional crisis distracted Ukraine from playing the critical role of serving as a model for democratic transitions, a role it played so well after the Orange Revolution of 2004. Like it or not, civil society organizations and political actors throughout the Eurasia region look to Ukraine as an example. It is imperative that Ukraine re-energize its efforts in this area, and reclaim its role as an exporter of democracy.

IV. Conclusion

In addition to successfully conducting two consecutive parliamentary elections, the Yushchenko government has made significant achievements since taking power in 2005. First, it has improved the state of civil liberties in Ukraine. Religious pluralism is flourishing in Ukraine, unlike in Russia. Second, press freedoms have significantly improved since the Orange Revolution. Following the change of power in Ukraine, print and electronic media are reporting events without censorship; journalists are able to practice their profession freely; and the media are independent. Third, commitment to democracy has been evident not only in the internal policies of the Yushchenko government but has also become a new focus of Ukrainian foreign policy. Similarly, after the Orange Revolution, Ukraine took on a leadership role in reviving the Georgia-Ukraine-Azerbaijan-Moldova organization (GUAM) with the goal of it becoming a full-value regional organization for democracy and economic development.

In this post-election phase, Ukraine must take further steps to solidify its democratic orientation. The new government is obligated to utilize this opportunity, post-election, to build and strengthen democratic institutions which have suffered in the midst of political instability. In addition, it must exercise its new-found political capital to undertake robust constitutional, political, and economic reforms and cultivate a democratic consensus within society to advance further down the path to Euro-Atlantic integration.