

INFORMATION SHEET on ELECTION REFORM IN UKRAINE (2017-2018)

Background:

Since 1991, electoral legislation in Ukraine has been changing regularly and substantially, in Ukraine functioned/functioning: the majority systems (1990, 1994), the proportional voting system in a single multi-mandate constituency (2006,2007), the mixed system (1998,2002 , 2012, 2012), this does not contribute to the stabilization of the political system. According to the results of the analysis of the Ukrainian election legislation and the practice of its use during election campaigns, the OSCE / ODIHR and the Venice Commission have repeatedly recommended unification of the legal regulation of the election through the adoption of the Electoral Code. The necessity of its adoption is also noted in the PACE Resolution 1755 (2010) "The Functioning of Democratic Institutions in Ukraine"

Chronology:

Nataliia Lynnyk, Vice-Director of the Committee of Voters of Ukraine (CVU), highlighted that the coalition agreement of 2014 envisaged the transition to a proportional electoral system with open lists in Ukraine, but its approval is still critically dependant on political consensus and the existence of political will of the parliamentary coalition and the president. On November 07, 2017, the parliament passed in the first reading the bill 3112-1 - an updated draft of the Electoral Code (the bill envisages the election of the Parliament on open regional lists), which was first registered in 2010. It were submitted 4370 amendments to the bill.

Contents of the Electoral Code:

The Law on the Election of the President, the Law on Elections to the Verkhovna Rada of Ukraine, the Law on Local Elections, the Law on the Central Election Commission, the Law on the State Register of Voters.

The course of activities:

The working group on preparation for consideration in the second reading of the Electoral Code of Ukraine consists of 24 deputies. As of 05/22/2018, there were held 4 meeting of the working group on 16.04.18, 03.05.18, 14.05.18, 18.05.18, in which 309 amendments were considered (from 252 to 561) and participated from 3 to 6 deputies from 24 members of the working groups.

Controversial issues:

- Formation of election funds (now candidates can not form their own election funds)
- Balanced level of representation from each region (now it is tied to voter turnout)
- Threshold and its percentage on the level of 4% or 3% or 5%
- Organization of work of election commissions, especially during the counting of votes
- Election commission training and education of voters (funding, organization, timing)

Prospects for adoption in 2nd reading:

- **Technical:** To consider 4000 amendments, it is necessary to hold another 40 meetings, if there are held 2 working sessions per week in than by an optimistic scenario in mid-November 2018 it will be ready for the second reading. there still should be two meetings of the committee, that is, approximately mid-December 2018. So in the agenda for parliamentary consideration, the version before the second reading will be in the parliamentary agenda at the end of January 2019, and then it will have another third reading (which, if there is a political will, can be in the week or several months depends on the number of amendments).

- **Political:** the adoption of the Electoral Code depends on a political compromise / consensus, the existence of political will of president and a situational majority in the parliament.

Conclusions: The electoral code can be adopted after the presidential election (March-April 2019) approximately starting from mid-May 2019.