

## EDPE Policy Alert – Electoral Reform in Ukraine #7

*The European Platform for Democratic Elections (EPDE) monitors the progress of electoral reform in Ukraine. Issue no. 7 of the “EPDE Policy Alert - Electoral Reform in Ukraine” concerns the renewal of the Central Election Commission.*

On 5 July 2018, the Ukrainian Parliament failed to renew the Central Election Commission (CEC). Only 189 out of 226 required MPs supported the motion to hold a vote (1) on the dismissal of 13 acting members of the CEC whose terms expired already in June 2014 and February 2017, and (2) on the appointment of 13 new members. Earlier, all factions and groups of the Verkhovna Rada stated that they demand the renewal of the CEC. However, factions and groups from the opposition (Batkivshchyna, Oleh Liashko’s Radical Party, Opposition Bloc, and Vidrozhennya) believe that the list of nominees for the CEC, which President Poroshenko registered in the Parliament on 5 February 2018, poses a grave threat to the political balance and independence of the CEC. The president’s slate does not include a candidate from the Opposition Bloc, currently the third biggest faction in the Parliament. Moreover, the ruling coalition could, in the end, hold up to 10 of 15 seats in the CEC.

These concerns correspond to international recommendations. The Parliamentary Assembly of the Council of Europe (PACE) emphasized already in January 2018 that the composition of Ukraine’s CEC should be [balanced by proportional representation of all parliamentary political factions](#). This view echoes the Venice Commission’s “Code of Good Practice in Electoral Matters”, which states that [“\[political\] parties must be equally represented on electoral commissions \[...\]. Equality may be constructed strictly or on a proportional basis.”](#)

Besides the opposition, the coalition partner of Bloc Petro Poroshenko, the People’s Front faction, also refused to hold a vote on the renewal of the CEC. This was because the president’s slate includes [14 nominees](#) and, therefore, one candidate more than there are expired seats in the CEC. Thus, the People’s Front faction feared that one of their three nominees on the president’s slate could fall victim to a run-off vote in the Parliament.

After the failed voting, many MPs of Poroshenko’s faction refused to proceed with the Parliament’s agenda and left the plenary hall of the Verkhovna Rada. However, the attempt of Poroshenko’s faction to hamstring the Parliament was unsuccessful. By gathering an absolute majority of 226 MPs on other issues on the Parliament’s agenda, the remaining MPs demonstrated that they, in a pinch, can act without the deputies of Bloc Petro Poroshenko.

During the next few days, the Bloc Petro Poroshenko showed itself willing to compromise and stated that the faction would be prepared to withdraw one of their candidates. At the same time, the leader of the faction, Artur Gerasimov, appealed to the coalition partner of the People’s Front to withdraw as well one of their candidates in order to admit one candidate of the Opposition Bloc and, therefore, [“to be in line with the resolution of the PACE”](#). However, a final decision on the list of nominees has not been made so far. In the last plenary session before the summer recess of the Verkhovna Rada, MPs did not return to the issue of the CEC renewal. Earlier, the Chairman of the Verkhovna Rada, Andriy Parubiy, stated that a consideration of the dismissal of 13 acting members and the appointment of 13 new CEC members could not take place due to procedural rules of the Verkhovna Rada. Parubiy noted that all candidates should be informed about the consideration of their appointment three days in advance. Furthermore, every candidate should be present in the plenary hall during the voting.

Unless the Chairman convenes an extraordinary session of the Parliament during the summer recess, it is unlikely that the Verkhovna Rada will return to the renewal of the CEC before autumn.



International actors should use this time to encourage the President and all political parties to elaborate a balanced slate of 13 qualified candidates to replace those CEC commissioners whose terms expired. A politically balanced composition of the CEC is vital in order to increase confidence in the institution of elections among voters and all political stakeholders.

AUTHOR:

Steffen Halling

*This issue is part of a series of EPDE Policy Alerts to inform relevant stakeholders and decision makers in Ukraine, the European Union, and globally about reforms in the field of electoral legislation, the composition and performance of the election administration, and the positioning of the main political forces in Ukraine. Please feel free to forward and share our analysis.*

*EPDE is financially supported by the European Union and the Federal Foreign Office of Germany. The opinions expressed here do not necessarily reflect the opinions of the donors.*

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