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**Yulia Tymoshenko
refuses to recognize
the results of the local
elections**

Leader of «Batkivschyna» Party Yulia Tymoshenko called the recent local elections the dirtiest and the most unfair elections in the whole history of independent Ukraine.

She noted that the results of the elections should have been made public no later than November 5th, however as of November 9th the results of the elections had not been yet announced. In her opinion this proves that the Government is still tempering with the results of the elections in order to get a favorable outcome. «We can not accept such results», - she said. She called **Viktor Yanukovych** the key organizer of the violations that took place during the elections. «The President has a personal political responsibility for the planned falsifications that occurred during the elections», - the leader of «Batkivschyna» Party said. Along with that she added that her Party will defend the rights of its members to vote and be elected in the European Court of Human Rights.

Earlier United States (US) Assistant Secretary of State for European and Eurasian Affairs **Philip Gordon** said that the elections in Ukraine had not met the international standards. Vice President of the European People's Party Faction in the European Parliament **Gunnar Hekmark** also expressed his concerns over the transparency of the elections in Ukraine.

President V.Yanukovych acknowledged all the remarks regarding the local elections. He also noted that despite the amendments made to the Law «On Local Elections», Ukrainian election laws failed to provide for the conduct of the elections that would meet high political standards. Along with that Deputy Head of the Presidential Administration **Anna Herman** thinks that one can trust the results of the local elections as the Party of Regions did not get the desirable results in all districts and lost to the opposition in a number of regions.

Speaker of Verkhovna Rada of Ukraine (VRU) **Vladimir Litvin** attributed the rigidity of the election campaign to the fact that these elections in their essence were a continuation of the presidential race.

Deputy Head of the Central Election Commission **Andrey Magera** thinks that the results of the recent local elections seem to be the worst since 2004. Head of the Committee of Voters of Ukraine **Alexander Chernenko** holds the same opinion. «That was our step back, if you compare these elections to the past parliamentary and even presidential elections», - he said.

According to the Leader of «Front Peremen» Party **Arseniy Yatsenyuk**, the election day was, somewhat quiet, but the process of vote count presented a number of problems. «There was a lot of pressure put on the members of election commissions which led to falsifications of the results in certain regions» - A.Yatseniuk noted. Head of the Party «Narodna Vlast» **Yosyp Vinskiy** thinks, that local elections were yet again conducted with a heavy usage of administrative resource. V.Litvin agrees with this statement. Along with that, the National Deputy, Member of «NU-NS» faction, Chairman of the VRU Committee on National Security and Defense **Anatoliy Hrytsenko** said that the falsification of the local elections had occurred prior to the election day. A.Hrytsenko called on Ukraine's European partners not only to give radical critical comments regarding the organization of the electoral process in Ukraine but also to resort to concrete, strict sanctions against the falsifiers.

Deputy Head of the Party of Regions faction in VRU **Michail Chechetov** thinks that the main proof of the legitimacy of newly elected local officials is the calmness with which the Ukrainian people met the results of these elections.

Director of the Democratic Initiatives Foundation **Irina Bekeshkina** said that the majority of the experts, polled by the Foundation, think that having carried out these local elections Ukraine did not pass the test for democracy. She added that according to the experts, Ukraine was looking at the implementation of a one party system in the short run and an authoritarian regime in the long run.

As a reminder, on November 16th, 2010, the PACE will give its evaluation of the local elections in Ukraine.

The Constitutional Court of Ukraine will determine the date of the Parliamentary elections in Ukraine

On November 9th, the Constitutional Court of Ukraine (CCU) began hearings in the case of postponing the Parliamentary elections till October 2012.

As a reminder, in October the CCU cancelled the political reform of 2004, having brought back the Constitution of 1996 which sets March 2011 as the date of the next Parliamentary elections.

Y.Tymoshenko opposes postponing of the elections till 2012. According to her CCU will make a decision in favor of the Presidential Administration. «Today the CCU is the department of the Presidential Administration. It is not the Constitution or the laws that will set the date for the elections, but rather situational decisions which will be made to serve the interests of the President and the Party of Regions», - she said.

V.Yanukovych, in his turn, has promised to accept any decision made by the CCU. «We have to get used to the fact that we are building a law abiding society therefore Ukraine has an obligation to implement courts' decisions, both Ukrainian and international», - the President said.

According to the Director of the Institute for Global Strategies **Vadim Karasev** the Party of Regions will not benefit from having the elections in March 2011. «Current Government had to face the electoral opposition in a number of regions in Ukraine. It is not ready yet to conduct a campaign in an efficient manner and get a full control over the VRU», - the expert says.

The process of changing the elections laws in Ukraine has got underway

On November 10th chaired by President V.Yanukovych the first session of the working group to modify Ukrainian election legislation took place In the course of the first session the President addressed the members of the working group with the suggestion to draft several separate bills and then combine them in one unified Election Code. V.Yanukovych noted that both Ukrainian and international scientists and experts (representatives from the Council of Europe and other international public institutions working in Ukraine) would participate in this work. Minister of Justice **Alexander Lavrinovich**, in his turn, has suggested to begin work on preparation of the new law «On elections of National's Deputies» which will assume choice possibility, as under lists, and personally, on majority system.

Along with that, the BYuT faction in VRU announced it was against making amendments to the Law «On Election of National Deputies». Deputy Head of the faction **Sergey Sobolev** said that the current Law «On Election of National Deputies» was recognized by the international community as one of the most democratic and

fair. According to **Y.Tymoshenko** the Party of Regions is trying to make amendments to the Law to ensure the ground for future falsifications during the parliamentary elections.

Investors are concerned with absence of reforms promised by President V.Yanukovych

The Head of the Information Department of the Austrian Central Bank Anzele Eickhoff thinks that foreign investors are willing to expand their businesses in Ukraine but do not see the implementation of the promised reforms. «Investors are worried. When the new Government came to power in Ukraine, investors were happy about stabilization of political situation and had high expectations. But the reforms that were promised should be implemented. Investors want to be legally protected. **V.Yanukovych** has to justify all the credit of confidence that he got in advance», - A.Eickhoff said.

According to the National Deputy, member of the BYuT faction, Head of the VRU Committee on Industrial and Regulatory Policies and Entrepreneurship **Nataliya Korolevskaya**, raiding is one of the main problems in Ukraine that scare away investors.

Head of the Ukrainian Office of Konrad Adenauer Foundation **Niko Lange** earlier said that Ukrainian Government pushes away serious investors by total corruption and freedom of speech restrictions.

The journalist Georgiy Gongadze murder case is being stalled intentionally

Miroslava Gongadze's representative in the court Valentina Telichenko says that the investigation into the murder of journalist Georgiy Gongadze is being dragged out on purpose in order to create the situation which will not allow to establish the identity of those who ordered the murder.

Along with that, the lawyer suggested that the stalling of the case is being executed under the close government control.

As a reminder journalist G.Gongadze disappeared in Kiev on September 16th, 2000. The main witness in this case is the former Head of the Department of external surveillance of the Ministry of Interior of Ukraine **Alexey Pukach** arrested in 2009.

According to the National Deputy, member of the Party of Regions **Vasiliy Gritsak** the murder case of G.Gongadze has been used by western special services to manipulate and put pressure on society to put President **Leonid Kuchma** out of the office.

Nikolay Azarov is looking for allies to stop the South Stream project

Prime-Minister of Ukraine Nikolay Azarov offered to the Federal Chancellor of Austria Werner Feimann to look into the possibility to invest into modernization of Ukrainian Gas Transit System (GTS). «No doubt we would ask Austria - I know about your negotiations with the Russians to realize the South Stream project - to look into the idea of modernizing the Ukrainian GTS as an alternative», - the Head of the Ukrainian Government said. Along with that, the Ukrainian Prime-Minister stressed out that modernization of the southern network of the Ukrainian pipelines to ensure reliable supplies of gas to Europe would cost 20 times less than the realization of the South Stream project. He added that Ukraine opposed the realization of the South Stream project because together with the Nord Stream Project it will cut in half the utilized capacity of Ukrainian GTS.

As a reminder, on November 22nd, in Brussels the first Ukrainian-Russian-European meeting to modernize Ukrainian GTS will take place. According to the expert on the EU

Roman Shpek, it is very important for Ukraine and the EU to make sure the Russian Federation participates in all these three party consultations. «It's too early to discuss today what should be the form of the cooperation, first we have to have a meeting where we can all demonstrate the willingness to work in a three party, not two party format», - R.Shpek said.

The Government of Ukraine is selling its national air carrier

State Property Fund of Ukraine (SPFU) is planning to sell by the end of this year all its shares in the largest airline of the country - Ukrainian International Airlines (UIA).

In particular, by the end of this year the state will sell 335 thousand of ordinary shares in the company (61,6%) nominally valued at 8 million dollars. In accordance with the Ukrainian laws the priority to buy the state stake will be given to the existing shareholders - Austrian Airlines through their affiliate UIA Beteiligungsgesellschaft, European Bank of Reconstruction and Development (EBRD) and the Ukrainian Company Capital Investment Projects. If these investors do not show any interest in buying the state shares, an open auction will be held. The director of the EBRD **Andre Kuusvek** says that the bank won't take part in privatization UIA, and intends to sell the share holding of the company.

EXPERT OPINION**The Role of the Ukrainian Parliament has been minimized - Experts**

Gorshenin Institute has asked the experts regarding the probable date for the upcoming Parliamentary elections in Ukraine and also the results do the past local elections.

National Deputy, Party of Regions Member Yelena Bondarenko noted that as a result of local elections other parties besides the Party of Regions strengthened their positions, namely «Svoboda» and «Front Peremen». «New players have emerged and these players have strengthened their positions on local levels. «Svoboda» has been the most successful political party. They managed to mobilize their supporters. Other political forces had by far less success and they have to draw conclusions as to what they done right and what they have done wrong. Any political party should be interested in longevity, that's why I think all participants in these elections will do the best to compete in the upcoming parliamentary race», - says Y.Bondarenko. According to her the decision setting the date for the parliamentary elections will of a political nature. «I think at the end majority of the political power houses will agree on one date. It would be logical to conduct the elections in 2012, since the 2007 elections were extraordinary. The problem is that the issue of the date for the next parliamentary elections raises the question about the term of the current 7th convocation of the VRU. How would we correspond the next parliamentary term with the terms of local authorities if the next local elections are in 2015. Taking into consideration the fact that the next presidential elections are also in 2015, it is rather difficult to say when the next convocation of the Parliament should start», - the Deputy said. According to her the elections will be carried out based on the mixed system. «We tried one model, it proved to be ineffective. We tried another one, it turned out to be even worse. Now we are trying to get back to the old system which was not very efficient active in the first place but still far better that the one we introduced during the last elections to the Parliament. Both systems in fact have advantages and flaws», - says Y.Bondarenko.

Director of the Institute of Foreign Policy of the Diplomatic Academy at the Ministry of Foreign Affairs of Ukraine Alexander Paliy thinks that the Party of Regions got negative results in the local elections. «About one third of the votes have been falsified. In reality the Party of Regions got about 25% of votes. Besides, we saw this kind of results considering the maximum usage of the administrative results and a very low turn out. Moreover if you add party's losses in the so-called «Soft East» - starting from Kharkov, Zaporozhye, Kherson and Odessa we can see that they have problems. Also the myth that Donbass is a political base for the Party of Regions was dispersed since the real turn out in that region was about 30%. Also I would like to point out the huge percentage of voters who voted «against everybody» in those areas that are considered to be the base for the Party of Regions. In Crimea, Lugansk, Kharkov, where «Batkivschyna» actually took 9 to 11%. In fact the «against everybody» vote is a vote against the Party of Regions, the demonstration of the current attitudes of the former supporters towards this party», - the expert says. According to him the current Government will place its bid on the mixed system during the Parliamentary elections as well. «Party of Regions seems to think that they would benefit from having the elections in 2011, because in the majoritarian districts they won a lot of support thanks to mobilizing local elites. Majoritarian system indeed gives the Party of Regions a chance to gain a majority in the Parliament, but on the other hand it will be rather difficult for the President to control this majority. We remember how President **Leonid Kuchma** got the pro-government Parliament and then had a very hard time managing it.

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Therefore the Party of Regions will weigh all those factors in making its decision as to the date of the elections, whether to postpone the elections till 2012 and wait that the circumstances get better or to carry them out now», - Alexander Paliy says.

National Deputy, Member of BYuT Sergey Vlasenko points out that the recent local elections were the worst elections in the last six years since the second round of presidential race 2004, where all political parties were talking about falsification, pressure and manipulations. «Even the Party of Regions was talking about the violations having found some random cases. All political forces were vocal about the state dictatorship, pressures imposed by the Government. Even the pro-Government forces such as «Silnaya Ukraina», headed by the Vice Prime-Minister of Ukraine made declarations about the massive violations. The Communist Party is also talking about the large-scaled violations and is demanding to conduct the local elections again, namely in Crimea. «We can say with certainty that the Party of Regions is doing its best to eliminate political competition in Ukraine. They are putting pressure on everybody who dares to participate in the electoral process, even on their apparent allies», - the National Deputy says. According to S.Vlasenko, today the Government has the tools to temper with the dates of Parliamentary elections. «If we are saying that we were not voting for mandates but for people for certain terms, which is kind of absurd to say, then the possibility of 2011 is out of question. The convocation of the VRU that I am a member of was elected for 5 years therefore all deputies have to serve 5 years. Thus, the Government can only justify setting the election date for March 2012. Also, the Government can have a legitimate argument setting the date for March 2011 as there's is certain logic there as well - Parliamentary term in Ukraine is 4 years. Besides the Government can claim the elections should be carried out on October 2012 according to the amendments to the Constitution that they have adopted prior to the local elections. Therefore the Government has three different dates to choose from. In my opinion the most favorable date is October 2012. Today the Government fully controls the Parliament that votes in favor of all bills initiated by the Government. I don't see any particular reason for the Government to reformat the Parliament now», - S.Vlasenko said.

National Deputy, Member of the Communist Party Alla Alexandrovskaya thinks that the Law «On Local Elections» allows for the usage of administrative resource. «In these elections the Law stated that the official can continue his or her public activities and that is not regarded as campaigning even if this individual is one of the candidates in the elections running for a certain seat. «You understand that this is a hidden opportunity for an official to use the administrative resource available to him or her in the current position in order to have as much contact with the electorate as possible», - she said. According to A.Alexandrovskaya the date can not be set for March 2011. «Technically it would be wrong, since the swiftness of this past local election campaign did not allow a lot of people to make up their minds. Therefore to ensure that these elections are democratic, that people could focus and hear their candidates, their parties, we need more time», - the National deputy says.

The President of the Analytical Center «Open Politics» Igor Zhdanov thinks, that the local elections were less democratic than the 2006 and 2007 elections, as well as 2010 presidential elections. «In certain areas - Kharkov, Kherson, Lugansk, Crimea - they didn't meet international standards at all. The law on local elections that has been adopted recently puts in unequal positions various political parties. However, the competition in a political field still remains. It's not a very fair

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competition because government forces have various advantages but I think we still will be able to keep the atmosphere of competition for the upcoming parliamentary elections», he says. Igor Zhdanov thinks that local elections were a proving ground where the mixed election system has been tested as well as the methods and technologies of bringing down the opposition candidates. The future parliamentary elections will be carried out according to the same scheme. «If the Party of Regions decides it will benefit from having them in 2011, that's when we will have the elections, should they decide 2012 works better for them - they will everything in their power to conduct the elections in 2012. As far as I know, most likely it will be decided to have the elections in September-October 2012. The Constitutional Court of Ukraine will only legitimize that decision. After **V.Yanukovych** got L.Kuchma's powers, became independent from the Parliament and his coalition and has the authority to fire the Prime-Minister and all government without anybody's consent, he will not be much concerned with the situation in the Parliament. Past experience, let's just remember the voting on the Prosecutor General, showed that he could always get a situational majority on various issues», - the expert says.

Gorshenin Institute expert Nataliya Klauning says that the role of the Ukrainian Parliament has been minimized. «This is the result of bringing the 1996 version of the Constitution back, which provides for the creation of the presidential-parliamentary system. The president holds the key role in this system of state governance. Therefore, the upcoming parliamentary elections will be conducted in accordance with the mixed system - because this system is beneficial to the Party of Regions. It is already clear today that the Party of Regions will have a difficult time trying to advance in the Parliamentary elections even if they are carried out based on the party lists. Previous experience showed that it is at the expense of deputies elected in the majoritarian districts one can always get extra votes lacking for adopting certain legislation. That has been changed during L.Kuchma's presidency. Because even those deputies, elected in the majoritarian districts that came to the Parliament representing opposition easily migrate to the pro-government majority», - she says. As to the date of the upcoming elections, the expert noted that today the final results of the local elections are still unknown and the date of the Parliamentary election will depend directly on how the Party of regions evaluates the outcome of these past local elections. «Despite the fact that only one third of Ukrainians voted for the Party of Regions, in a number of districts they got the majority of votes - two thirds and even more - in particular at the expense of those elected in accordance with the majoritarian system. These are mainly representatives of local elites with high ratings. Besides in many regions the Party of Regions is working with the winners to draw them into their camp offering even to join the Party. As a result the balance of political forces might not represent the will of the Ukrainian voters», - N.Klauning said.

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