RESOLUTION
OF THE CENTRAL ELECTION COMMISSION

on Explanations of Registration Procedures and Status of International Official Observers from Foreign Countries and International Organizations on Elections of People’s Deputies of Ukraine on March 31, 2002

With the purpose of identical application of Articles 59, 61 of the Law of Ukraine “On Elections of People’s Deputies of Ukraine” by subjects of election process and in compliance with paragraphs 1, 3 of Articles 11, 14 of the Law of Ukraine “On the Central Election Commission”, the Central Election Commission resolves the following:

1. To approve the Explanations of registration procedures and status of international official observers from foreign states and international organizations on Elections of People’s Deputies of Ukraine on March 31, 2002 (attached).

2. These Explanations documents to be sent to the Cabinet of Ministers of Ukraine, Ministry of Foreign Affairs of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, Kyiv and Sevastopol city councils, constituency election commissions for use in their work.

Chairman of the Central Election Commission M. Ryabets
EXPLANATIONS

on Registration Procedures and Status of Official Observers from Foreign States and International Organizations at Elections of People’s Deputies of Ukraine on March 31, 2002

Participation of official observers from foreign states and international organizations in monitoring the preparation and conduct of elections is one of the most important means of ensuring openness, freedom of speech, and democratization of the election process.

According to Articles 59 and 61 of the Law of Ukraine “On Elections of People’s Deputies of Ukraine” (Law) an official observer from a foreign state and international organization during elections of people’s deputies of Ukraine on March 31, 2002, may be a person representing a foreign state or international organization and authorized to observe preparation and conduct of the respective elections.

The authority of official observers shall commence from the day of their registration by the Central Election Commission in accordance with the procedure set forth in the Law and these Explanations, and shall terminate after the Central Election Commission establishes deputies elections results.

Official observers from foreign states and international organizations shall be registered by the Central Election Commission. Proposals for their registration are submitted either directly to the Central Election Commission or through the Ministry of Foreign Affairs of Ukraine not later than 20 days prior to the election day, i.e., not later than March 10, 2002. In the submission to the Central Election Commission signed by the head of the appropriate organization shall be indicated the list of individuals proposed to be registered as official observers. Questionnaire forms for each individual to be registered as official observer is to be presented together with this submission (attached).

The Central Election Commission shall pass its decisions on registration of official observers from foreign states and international organizations not later than 15 days prior the election day, i.e., not later than March 15, 2002.

The documents that authorize official observers from foreign states and international organizations to exercise their authority are credentials issued by the
Central Election Commission according to the established form (Appendix to the Central Election Commission resolution #49 from November 30, 2001). The credential is valid upon the presentation of document certifying the identity. The mentioned documents should be presented on the demand of the head, deputy head, secretary, and members of an election commission.

Official observers from foreign countries and international organizations exercise their authority on the territory of the multi-mandate election constituency. They conduct monitoring on their own and independently.

An official observer from a foreign state or international organization shall have the rights as follows:

1) to attend meetings of candidates for deputy and authorized persons of parties (blocs) with electors, as well as pre-election conventions, rallies, and meetings of constituency election commissions;

2) to get familiarized with materials of election campaigns;

3) to be present in polling districts during the voting, outside voting premises, counting of votes or when results of the election are established;

4) to photograph, to film, and to make audio- and video-recordings;

5) to express his/her own proposals as to organization of deputies elections and improvement of the now effective legislation of Ukraine in view of the international experience, and to hold press conferences in compliance with the requirements of the laws of Ukraine;

6) to establish, in cooperation with other observers from foreign states and international organizations and in coordination with the Central Election Commission, ad hoc groups of observers for the purpose of coordinating their activities within the limits of authority stipulated in the Law.

Visitation of the polling districts set up on the premises of military units, hospitals, and other places of voters’ temporary stay, official observers from foreign states and international organizations may conduct only according to the rules and regulations determined by the Law, other laws of Ukraine, and other normative-legal acts that regulate visititation of such places.

According to paragraph 7 of Article 61 of the Law, the Ministry of Foreign Affairs of Ukraine, other bodies of executive power, bodies of local self-government and election commissions shall cooperate with official observers from foreign states and international organizations in the exercise of their authority.
It is necessary to mention that according to Cabinet of Ministers of Ukraine decree #559-r from December 13, 2001 “On providing official observers’ from foreign states and international organizations stay in Ukraine during Elections 2002”, an inter-departmental working group to support the activity of official observers was created.

Financial and material support of observers from foreign states and international organizations activities (namely, lodging, ordering and booking tickets, providing the transportation, travelling within Ukraine, etc.) shall be funded and otherwise provided for at the expense of nations or organizations that dispatched them to Ukraine, or at such observers` own expense.

According to paragraph 9 of Article 61 of the Law, an official observer from a foreign state and international organization has no right to make use of his/her official status in any activities having no relation to observing the elections, or to interfere with the proceedings of election commissions.

The Central Election Commission can pre-term terminate authority of an official observer from a foreign state or international organization in the case he/she violates the laws of Ukraine on elections of deputies. A motivated decision shall be made in order to terminate authority of the official observer.

Secretary of the Central Election Commission Y. DAVYDOVYCH
ELECTIONS OF PEOPLE’S DEPUTIES OF UKRAINE  
MARCH 31, 2002

Questionnaire Form for Official Observer from a  
Foreign State and International Organization

Last name ____________________________________________________
First name ______________________ Middle name ________________
Date of birth __________________________________________________
Passport number ____________ issued by __________________________
Occupation _____________________________________________________
Place of work _________________________________________________
State/organization you represent __________________________________
Election observation experience (country, year) ______________________
______________________________ _______________________________
______________________________ _______________________________
Address ______________________________________________________
Telephone/fax/E-mail ___________________________________________
Date of arrival in Ukraine ________________________________________
Date of departure from Ukraine _________________________________

Please, provide the Central Election Commission with required information not later than March 10, 2002.

Telephone for inquiries (044) 296-82-95, 294-93-66; fax (044) 296-82-95
Elections of People’s Deputies of Ukraine

Credential # ___

(last name, first name)

official observer from

Chairman
of the Central Election Commission

S. P. ______________

Valid upon the presentation of document certifying the identity

“___” ____________________ 200_