

Plan of Cooperation

between the Central Election Commission and the OSCE Project Co-ordinator in Ukraine

for election related activities within the framework of the project

“Assistance in Further Strengthening of Democratic Governance Practices in Ukraine”

Kyiv 8 September 2005

Contents

I. Introduction

II. Structure of the Plan of Cooperation

III. Thematic areas

1. Assistance in reforming the election legislation of Ukraine.
2. Assistance in providing for raising of the level of the legal culture of voters.
3. Assistance in elaboration and publishing of manuals for subjects of the election process.
4. Assistance in providing for education of people involved in the organization and conduct of the elections 2006, as well as consideration of electoral disputes.
5. Assistance in establishing qualitative voter lists for the organization and conduct of elections 2006 and the subsequent transition to the voter register.
6. Assistance to the Ukrainian authorities in organizing voting abroad.
7. Assistance to allow disabled people to enjoy their right to vote.
8. Assistance in providing free, equal, and fair access of candidates to mass media and assistance in promoting for the coverage of the election campaign to be in accordance with legal and professional standards of journalism.

IV. Abbreviations

I. Introduction.

Following the agreement of, and together with, the Ukrainian authorities, as well as together with the international community the OSCE Project Coordinator in Ukraine within the framework of the project “Assistance in Further Strengthening of Democratic Governance Practices in Ukraine” submitted this Plan of Cooperation to the State authorities of Ukraine. The activities presented here give an opportunity for Ukraine to confirm its reputation as a democratic state with well adjusted structures both at the national and international levels.

The OSCE PCU will arrange coordinative activities among the international organizations. These activities will be aimed at the most comprehensive implementation of this Plan of Cooperation.

The Plan of Cooperation includes as many general types of activities as can be foreseen at this stage as well as defines the concrete implementers and activities in the election process. The Plan of Cooperation is a working paper and open for additions, which can be constantly introduced on the basis of ideas and requirements which appear during the process of experience accumulation.

This Plan does not provide any contractual rights or obligations.

II. Structure of the Plan of Cooperation.

The Plan of Cooperation is based on the project proposal distributed by the OSCE PC in Ukraine. The Plan of Cooperation defines eight main thematic areas.

Thematic areas:

1. Assistance in reforming the election legislation of Ukraine.
2. Assistance in providing for raising of the level of the legal culture of voters.
3. Assistance in elaboration and publishing of manuals for subjects of the election process.
4. Assistance in providing for education of people involved in the organization and conduct of the elections 2006, as well as consideration of electoral disputes.
5. Assistance in establishing qualitative voter lists for the organization and conduct of elections 2006 and the subsequent transition to the voter register.
6. Assistance to the Ukrainian authorities in organizing voting abroad.
7. Assistance to allow disabled people to enjoy their right to vote.
8. Assistance in providing free, equal and fair access of candidates to mass media and assistance in promoting for the coverage of the election campaign to be in accordance with legal and professional standards of journalism.

Each thematic area is divided into subdivisions. Each subdivision in each thematic area contains more detailed description of the activities, as well as partners and implementers for each thematic area. The subdivisions contain expected results and approximate duration of implementation.

The methodology of the OSCE PCU envisages that first the implementers which will work according to the thematic areas, will be identified. Further, these implementers will accumulate information about all kinds of elections related activities, which are planned and carried out in Ukraine. And finally, information is checked according to the activities envisaged by this Plan of Cooperation to define gaps and overlaps. After this, the OSCE PCU will pass this information to the corresponding implementers, or coordination will be carried out at the level of the corresponding implementers in order to guarantee the most comprehensive implementation of this Plan of Cooperation. The final goal is that all interested parties assist to Ukrainian authorities in implementing all steps necessary for further improvement of the election processes in Ukraine.

III. Thematic areas

1. Assistance in reforming the election legislation of Ukraine.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
1. Analyses of the legal positions of the CEC concerning the application of the Law of Ukraine “On Elections of the President of Ukraine”	Central Election Commission, Election Law Institute (ELI).	Supported by the OSCE PCU the Working Group (WG), formed by the ELI, consisting of People’s Deputies, the CEC members and experts on election legislation, will analyze the legal positions of the CEC concerning the application of the Law of Ukraine “On Elections of the President of Ukraine” and elaborate recommendations for improving the election legislation in view of the parliamentary elections 2006.	Results of the WG activities will be prepared in form of amendments to the election laws and voted for by the Parliament. Moreover, a book containing the analyses of the legal positions of the CEC will be printed.	Completion in May 2005.
2. Elaboration of the implementation strategy of the recommendations contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004 on the basis of the assessment of the previous cooperation with the CEC.	Central Election Commission	1. Assessment of the assistance rendered before given the consent of the CEC, Ombudsperson of the Verkhovna Rada, the Supreme Court and NGOs. 2. Elaboration in concert with the CEC, of an Action Plan on implementation of the recommendations contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004.	Improvement of the level of implementation of the recommendations contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004 for the elections 2006 in comparison to the years 2002 and 2004	The activity starts after receiving the OSCE/ODIHR Final report.
3. Support to the CEC regional representations.	Central Election Commission	1. Assessment of the level of technical equipment of the CEC		TBD

		regional representations. 2. Identification of the representations in need of assistance. 3. Providing of technical support based on results of the assessment.		
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2. Assistance in providing for raising of the level of the legal culture of voters.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
1. Elaboration of a nationwide educational program for first time voters in secondary schools, professional, and higher institutions.	Central Election Commission, Ministry of Family, Youth and Sport, Ministry of Education and Science, NGOs.	1. Elaboration of an educational plan of the program. 2. Elaboration and publishing of educational materials. 3. Introduction of the educational course in educational institutions. 4. Conduct of educational activities all over Ukraine for first time voters.	Elaboration and introduction of an educational course in schools and professional institutions for first time voters. Under the auspices of the OSCE PCU, interested NGOs together with mass media will conduct education campaigns for youth.	The project will start in September 2005.
2. Conduct of specialized educational campaigns including: - familiarization with voter lists; - procedure of verification of voter lists; - procedure of voting at the place of residence of voters; - procedure of how to correct fill in ballot paper.	Central Election Commission, NGOs, mass media.	1. Identification of the main problems with the support of the OSCE. 2. Elaboration of strategies for specialized educational campaigns. 3. Conduct of educational campaigns	It is expected that the problems which appear because of voters' lack of knowledge of the legislation will be fully or partly overcome by the elections in 2006.	TBD

3. Assistance in elaboration and publishing of manuals for subjects of the election process.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
Elaboration and publishing of training manuals for members of election commissions and other subjects of the election process.	Central Election Commission	1. Elaboration and publishing of educational election manuals which contain detailed provisions of the election legislation, election related subordinate acts, and where the election procedures will be expounded. 2. Dissemination of the manuals.	It is expected that all election commissions will receive detailed manuals, which will help to conduct elections at the appropriate legal-organizational level.	The activities will start immediately after the approval of amendments to the Law "On Elections of the People's Deputies".

4. Assistance in providing for education of people involved in the organization and conduct of the elections 2006, as well as consideration of electoral disputes.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
1. Assistance in training of judges on election related legislation.	Verkhovna Rada of Ukraine, Supreme Court of Ukraine, Supreme Administrative Court of Ukraine, Central Election Commission	1. Elaboration of an educational plan for judges. 2. Formation of group of trainers. 3. Elaboration and publishing of a manual for judges. 4. Conduct of educational activities all over Ukraine.	It is expected that judges responsible for electoral disputes, will study the peculiarities of the election legislation.	Implementation of the project will be finished in March 2006.
2. Assistance in training of members of election commissions	Central Election Commission, SEAUP, NGOs	1. Elaboration of educational training for members of commissions of different levels. 2. Formation of group of trainers. 3. Elaboration and publishing of educational materials.	It is expected that election commissions will get necessary knowledge and materials for conduct of elections.	Implementation of the project will be finished in March 2006

		4. Conduct of education activities all over Ukraine.		
3. Assistance in training of official observers.	Central Election Commission, SEAUP, NGOs	1. Elaboration of educational training for official observers. 2. Formation of group of trainers. 3. Elaboration and publishing of educational materials. 4. Conduct of education activities all over Ukraine.	It is expected that official observers will receive necessary knowledge and materials for conduct of the elections.	Implementation of the project will be finished in March 2006.

5. Assistance in establishing qualitative voter lists for the organization and conduct of elections 2006 and the subsequent transition to the voter register.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
1. Elaboration of the concept of transition to the voter register.	Central Election Commission, SEAUP, Verkhovna Rada of Ukraine, Committee on State Building and Local Self-Government, Ministry of Justice, Vice Prime-Minister for Administrative-Territorial Reform, Election Law Institute	1. Elaboration of a draft concept and submitting for consideration to the CEC.	The concept of transition to the electronic voter lists, and as a second step to the register, will be passed to the CEC, Verkhovna Rada of Ukraine, and other authorities of Ukraine.	This activity provides assistance in implementing recommendations (C, 17-21) contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004.
2. Assistance in preparation of the system of activities for compiling qualitative voter lists in electronic form for the elections 2006 and assistance in the subsequent transition to the voter	Central Election Commission, SEAUP, Verkhovna Rada of Ukraine, Committee on State Building and Local Self-Government, Ministry	1. Elaboration of an Action Plan and budget. 2. Organization of education of personnel which will compile the general voter lists in electronic form. 3. Elaboration of computer program for maintenance of the general voter	It is expected that on the elections in 2006 the general voter lists in electronic form will be used, which will enable its effective processing and compiling complete	This activity provides assistance in implementing recommendations (C, 17-21) contained in the OSCE/ODIHR Final Report on the

register.	of Justice, Vice Prime-Minister for Administrative-Territorial Reform	lists in electronic form. 4. Technical provision for creation of the voter register.	and accurate voter lists for voting at polling stations.	Presidential Elections 2004. Implementation of the project will be finished in February 2006.
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6. Assistance to the Ukrainian authorities in organizing voting abroad.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
Assistance to the authorities in organizing voting abroad.	Central Election Commission, Ministry of Foreign Affairs, NGOs	1. Formation of WG for determining of Ukrainian needs for organizing voting abroad. 2. Elaboration of an appropriate action plan. 3. Coordination of activities with corresponding authorities. 4. Preparation of educational materials for voters abroad 5. Elaboration and dissemination of manuals for members of election commissions of polling stations abroad.	It is expected that due to joint efforts more favourable conditions will be created for Ukrainian voters abroad to enable them to enjoy their right to vote, in particular, accurate and complete voter lists will be compiled, premises for voting will be provided in a proper way, as well as transparency of voting and counting of votes will be increased.	This activity provides assistance in implementing recommendation (F,42) contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004. TBD

7. Assistance to allow disabled people to enjoy their right to vote.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
Assistance to allow disabled people to enjoy their right to	Central Election Commission, NGOs	1. Formation of a WG for determining the needs of disabled	It is expected that due to joint efforts disabled	Duration of implementation will be

vote.		<p>people in order to allow them to enjoy their right to vote.</p> <p>2. Elaboration of Action Plan.</p> <p>3. Coordination of activities with corresponding authorities.</p> <p>4. Creation of educational materials.</p>	<p>people will be able to enjoy their right to vote at the premises of polling stations or outside of polling stations, without any help.</p>	determined later.
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8. Assistance in providing free, equal and fair access of candidates to mass media and assistance in promoting for the coverage of the election campaign to be in accordance with legal and professional standards of journalism.

Activities (events, projects)	Tentative partners/ implementers	Description of activities (events, projects)	Expected results	Notes
1. Assistance in providing free, equal and fair access of subjects of the election process to the nationwide broadcasting channels.	Central Election Commission, Verkhovna Rada of Ukraine, Committee on Freedom of Speech and Information, National Council on Television and Radio Broadcasting, State Committee on Television and Radio Broadcasting of Ukraine, NGO Academy of Ukrainian Press, Committee of Voters of Ukraine; Institute of Media Law, Freedom of Choice Coalition, NGOs	<p>1. Establishing of an independent council on mass media under the CEC in order to oversee provision of free, equal and fair access of all subjects of the election process to the nationwide broadcasting channels.</p> <p>2. The independent council approves the methodology which will help to provide fair access of all candidates to the nationwide television and other TV-channels. This methodology within the CEC aims to define if channels adhere to the law and if television representatives adhere to professional standards of journalism.</p> <p>3. An NGO, determined by an independent public council under the CEC, will examine access of</p>	Better provision of free, equal and fair access to nationwide television.	<p>This activity provides assistance in implementing recommendation (E, 28) contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004. The word “state” is changed to “nationwide” according to the Law “On Election of People’s Deputies”.</p> <p>TBD</p>

		candidates to the nationwide television and adherence by journalists to the professional standards according to the established methodology.		
2. Assistance in applying legislation while conducting election propaganda.	Central Election Commission, Verkhovna Rada of Ukraine, Committee on Freedom of Speech and Information, NGO Academy of Ukrainian Press, Freedom of Choice Coalition, Institute of Mass Information, Internews-Ukraine, IREX “U-Media”, NGOs.	1. The independent public council on mass media under the CEC approves the methodology of tracking adherence to the legislation that regulates election propaganda. 2. The selected NGO will track television coverage on the 10-12 biggest TV channels.	Improved adherence to the legislation by nationwide TV-channels while conducting election propaganda.	This activity provides assistance in implementing recommendation (E, 30) contained in the OSCE/ODIHR Final Report on the Presidential Elections 2004. TBD
3. Assistance in training of journalists, media lawyers and others on election related legislation.	Central Election Commission, State Committee on Television and Radio Broadcasting of Ukraine, IREX “U-Media”, Institute of Mass Information, Institute of Media Law.	1. Conduct of a number of trainings on election legislation for media lawyers and journalists. 2. Organization of coordinative centers for journalists for the period of elections for qualified and professional assistance.	Improved awareness of journalists, media lawyers and others concerning legal aspects of the elections.	TBD

IV. Abbreviations.

OSCE PCU – OSCE Project Co-ordinator in Ukraine;

ODIHR – Office for Democratic Institutions and Human Rights;

CEC – Central Election Commission;

NGO – Non-Governmental Organization;

ELI – Election Law Institute;

WG – Working Group;

SEAUP - Strengthening Electoral Administration in Ukraine Project.

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