



EPDE Policy Alert - Electoral Reform in Ukraine #1

The European Platform for Democratic Elections (EPDE) monitors the progress of electoral reform in Ukraine. The first issue of the “EPDE Policy Alert - Electoral Reform in Ukraine” analyzes reasons for the prevailing reform fatigue among Ukraine’s government officials and lawmakers.

On September 5, Ukraine’s Parliament, the Verkhovna Rada, returned for its autumn session. Earlier, Ukraine’s Prime Minister Volodymyr Groysman stated that during this autumn session the Parliament should approve several packages of bills related to five priority reforms. These reforms involve pensions, education, healthcare, electronic services, and the country’s investment climate. Meanwhile, the reform of the Ukrainian election legislation (EPDE outlined the most important challenges and prospects of the electoral reform process in Ukraine [here](#)) was not mentioned by the head of government. Indeed, electoral reform is currently not on the agenda of the Parliament and it seems that once again no serious efforts will be made to address Ukraine’s inadequate electoral legislation in the Verkhovna Rada this fall. However, with the next parliamentary elections scheduled for 2019, the Parliament should start to discuss the already existing draft laws on parliamentary elections and the Elections Code right now. Even though reform of the electoral law and introduction of a proportional electoral system with open party lists are part of a 2014 agreement of the ruling coalition, Ukrainian politicians and lawmakers have been drawing attention away from the reforms.

There are several reasons for the prevailing reform fatigue among Ukraine’s government officials and lawmakers. First of all, the ruling elite still considers the electoral law and the electoral system primarily as tools for its own political survival. Since the elite have adapted their survival strategies to the current electoral system, it is unlikely that they would welcome fundamental changes to this very system. This applies, in particular, to half of the deputies of the Verkhovna Rada, who under the current electoral law were elected by majority voting in single-member constituencies. These deputies are most likely not interested in the introduction of a proportional electoral system and the consequent elimination of “their” single-member electoral districts. Furthermore, under conditions of inherent political instability and with a limited planning horizon, the governing coalition tries to prevent any dynamic that might lead to early elections. In particular, the pro-government forces fear that the adoption of the Law on Parliamentary Elections could upset the balance and trigger preparations for early elections not only in the ranks of the opposition, but also inside the coalition. At the same time, it seems favorable for the governing elite to negotiate the potential unification of the current coalition partners (*Bloc Petro Poroshenko* and *Popular Front*) under the conditions of the existing and familiar electoral framework.

Further pursuit of electoral reform could result in two negative outcomes. The first of these is that the registered draft laws are eventually debated in Parliament without achieving a majority. [Observers](#) in Ukraine have already drawn attention to the risk that several draft laws could be brought into the Parliament simultaneously. This would make it very unlikely that any of the existing bills passes the legislature. A rejection of the draft laws would mean that all activities to promote electoral reform would have to be relaunched from the very beginning. The second unfavorable scenario is that the Parliament continues to refrain from voting on any electoral law for the next several months. In this case, new electoral legislation may be adopted—if at all—only shortly before the elections. As was the case with the reform of the legislation on local elections in 2015, this could prevent all stakeholders from engaging in an open, fully-fledged debate on the amendment bills. Blocking reforms or making them largely useless by delaying decisions would be nothing new for Ukraine’s political elite.



With the start of the autumn session of the Verkhovna Rada, it remains to be seen whether civil society and reform-minded political forces will be able to exert sufficient pressure on the authorities to return election legislation reform to the Parliament's agenda. For this purpose, the civil movement "Chesno", together with the "Reanimation Package of Reforms, the "Anti-corruption Action Centre", and several individual Members of Parliament, have called for a nationwide protest on Tuesday, October 17. The central rally is planned to be held in front of the Ukrainian Parliament in Kyiv.

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This issue is the first in 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.

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