

№ 3170-2020-10-15

To: Oleksiy Danilov, Secretary of National Security and Defense Council of Ukraine

Subject: On ensuring epidemiological safety for participants of the election process during organization and conduct of local elections on October 25, 2020, in the context of spread on the territory of Ukraine of COVID-19

Dear Mr. Danilov,

The office of International Foundation for Electoral Systems (IFES) in Ukraine, which implements the technical assistance project with the objective to provide technical expertise and consultations, based on international standards, in the field of electoral matters and in the process of electoral legislation reform in Ukraine, supported by the United States Agency for International Development (USAID), Global Affairs Canada and UK aid, and Civil Network OPORA would like to express the gratitude to National Security and Defense Council of Ukraine for many years of fruitful cooperation.

On October 25, 2020, Ukraine will hold local elections – one of the most complex elections in the history of independent Ukraine due to the use of new electoral systems and procedures and a large-scale local self-government reform. On top of that, the COVID-19 pandemic adds new critical challenges for the election process and its participants' safety.

According to Article 3 of Ukraine's Constitution, "human life and health are recognized in Ukraine as the highest social value." Therefore, any challenges for the life and health of the electoral process participants shall be efficiently eliminated or minimized by everyone's combined efforts.

According to Article 4.1.7 of the Law of Ukraine "On National Security and Defense Council of Ukraine", National Security and Defense Council of Ukraine coordinates and controls the activities of executive bodies regarding the protection of life, health, constitutional rights and freedoms, lawful interests of citizens in the event of a crisis situation, posing a threat to the national security of Ukraine. The pandemic of the virus SARS-CoV-2 (2019-nCoV) undoubtedly is a crisis situation. This pandemic has claimed more than 5 thousand Ukrainian citizens' lives, and the outbreak of the virus is growing. In the context of the COVID-19 pandemic, elections are events that can potentially lead to further spread of the SARS-CoV-2 virus, especially in case of mass gatherings of people. Hence, it is extremely important to ensure the adequate safety of the participants of the election process.

In this regard, we welcome the adoption on September 14, 2020, by the Cabinet of Ministers of Ukraine of Order for implementing anti-epidemic measures during the organization and conduct of elections. Adopting this document is of utmost importance for safeguarding citizens' electoral rights and ensuring the safety of all participants of the election process during the organization and conduct of local elections on October 25, 2020, against the backdrop of the spread of COVID-19 in the territory of Ukraine.

This document determines the general measures for the procurement of protective equipment and materials and entrusts its organization to the local self-government bodies, which shall carry out procurements at the expense of local budget funds. However, no further explanation was given to local self-governments about which funding mechanism to use in this case and what exactly to procure.

Considering that only ten days remain before local elections, there is an urgent need to provide local government bodies with respective guidance and recommendations for action, as well as with support

and financing, necessary for guaranteeing the electoral rights of citizens and safety of all participants of the election process, in the context of rapid spread of COVID-19 in Ukraine.

Given the abovementioned, International Foundation for Electoral Systems (IFES) in Ukraine has reached out to the Ministry of Healthcare of Ukraine and Ministry of Finance of Ukraine in separate correspondence, calling on the ministries to give, as soon as possible, clear guidance regarding the types of procurement, and to ensure adequate finance measures for eliminating the effects of COVID-19, respectively. On October 7, IFES Ukraine, Civil Network OPORA, and representatives of 14 civil society organizations signed the joint statement to resolve pivotal issues around the organization and conduct of safe local elections on October 25, 2020, calling on ministries to act accordingly.

Apart from this, on October 10, 2020, the CEC adopted a resolution No364 titled "On urgent measure for enduring appropriate conditions of the safe organization and conducting of voting in local elections on October 25, 2020". This resolution is an address to the Cabinet of Ministers, Ministry of Healthcare, Ministry of Finance, Ministry of Education and Science, local executive bodies and local self-government bodies and their respective officials, calls on them to ensure appropriate conditions for the implementation of anti-epidemic measures against the spread of COVID-19 during 2020 local elections. In its resolution, the CEC points to several critical questions within the competence of these bodies that need to be urgently resolved to minimize the risk of negative effects of the pandemic on the election process and ensure that Ukrainian citizens can exercise their constitutional rights and take part in elections, as well as ensure their safety during the voting process.

Therefore, we are writing to you with a request to ensure that urgent action is initiated, by way of coordinating the executive bodies to ensure full funding of anti-epidemic measures, and to inform the President of Ukraine, as well as to control that respective ministries issue clear and indisputable guidance to the central and local authorities as regards implementation of measures which are within their mandate, with clearly defined deadlines.

IFES Ukraine and Civil Network OPORA will appreciate and be grateful for your help in this extremely important issue for the safety of all participants of the election process.

The contact person is Nataliia Olasiuk, Senior Project Officer at IFES Ukraine (nolasiuk@ifes.org , +38 067 355 75 27).

Let us once again offer to you our respect, as well as gratitude for the consideration.

Sincerely,

Olha Aivazovska
Coordinator of Political Programs
Chair of the Borad, Civil Network OPORA

Peter Erben
Senior Country Director, IFES Ukraine
Senior Global Advisor, IFES

Signed on behalf of the coalition of public organizations, which issued a public statement "Joint Statement on the urgency of resolving pivotal issues around organization and conduct of safe local elections on October 25, 2020" on October 7, 2020:

1. International Foundation for Electoral Systems
2. Serhiy Vasylenko, Ukrainian Center for Social Data
3. Olga Aivazovska, Civic Network "OPORA"
4. Danylo Vavriv, NGO "Youth Democratic Association" YODA"
5. Alyona Sheshenya, NGO "I have right"
6. Oleksandra Hlizhynska, All-Ukrainian initiative "Active Community"
7. Yulia Kyrychenko, Centre of policy and legal reform
8. Oleksiy Koshel, Committee of Voters of Ukraine
9. Svitlana Kononchuk, Ukrainian Center for Independent Political Research

10. Vita Dumanska, Civic movement "Chesno"
11. Anatoliy Boyko, Odessa Regional Organization Committee of Voters of Ukraine
12. Svitlana Tkachenko, NGO "Access Point"
13. Tetyana Durneva, Public holding "Group of Influence"
14. NGO Global Office
15. Victoria Feofilova, NGO "Young Cherkasy"
16. Yuliya Klepets, All-Ukrainian NGO "Coalition for Persons with Intellectual Disabilities".

Copy: G7 Ambassadors

Prime Minister of Ukraine
Denys Shmyhal

Minister of Healthcare of Ukraine
Maksym Stepanov

Minister of Finance of Ukraine
Serhiy Marchenko

Acting Minister of Education and Science of Ukraine
Serhiy Shkarlet

Chair of Political Party "Servant of the People"
Oleksandr Kornienko

Chair of Rada Faction of «Servant of the People» Party
Davyd Arakhamia

Co-chair of Political Party and Rada Faction "Opposition Platform – For Life"
Vadym Rabinovych

Co-chair of Political Party and Rada Faction "Opposition Platform – For Life"
Yuriy Boyko

Chair of Political Party and Rada Faction "Batkivshchyna"
Yulia Tymoshenko

Chair of Political Party "European Solidarity"
Petro Poroshenko

Co-chair of Rada Faction of «European Solidarity» Party
Artur Herasymov

Co-chair of Rada Faction of «European Solidarity» Party
Iryna Herashchenko

Head of Political Party "Holos"

Kira Rudyk

Head of Rada Faction of "Holos" Party

Serhiy Rakhmanin

Head of Political Party "For the Future"

Ihor Palytsia

Co-chair of Rada Group of "For the Future" Party

Viktor Bondar

Co-chair of Rada Group of "For the Future" Party

Taras Batenko

Chair of Deputy Group "Dovira"

Oleh Kulinich