



# Council of Europe

## Parliamentary Assembly

*The President*

Strasbourg, 12 April 2006

Dear Colleagues,

I acknowledge receipt of your letter dated 4 April 2006 regarding the remarks made by Ms Renate Wohlwend on behalf of the ad hoc Committee to observe the Parliamentary elections in Ukraine during the joint press conference of the International Election Observation Mission on 27 March 2006.

The Parliamentary Assembly of the Council of Europe has a long record of intensive co-operation with Ukraine and its Parliament. Our Assembly can pride itself in being instrumental in many political reforms that have helped the development and consolidation process of democracy in Ukraine.

As to the remark that gave rise to your concerns, the terminology "Free and Fair" could imply that no serious shortcomings in the conduct of the elections were observed and that no further electoral reform and improvement would be needed. Unfortunately such a level of perfection was not yet seen during the last Parliamentary Elections in Ukraine on 26 March 2006. Indeed, while lauding the democratic nature of these elections, in which Ukrainian voters could freely express their will and which were generally in line with Council of Europe standards, the International Election Observation Mission, as well as our ad hoc Committee still noted serious shortcomings, albeit mostly of a technical nature, in the conduct of these elections. These shortcomings include, *inter alia*, inconsistencies and incoherencies in the corpus of laws that governed these elections, continued inaccuracies in the voters' lists, problems with the formation of election commissions and serious overcrowding of the polling stations.

Taking into account these shortcomings Ms Wohlwend, with the support of the ad hoc Committee, felt it less than prudent to use the term "free and fair" for these elections in a press conference, especially in the context monitoring procedure of the Assembly.

I should like to emphasise that this position was supported by our Assembly when it adopted the report on the Ukrainian Elections during its plenary session on 10 April 2006.

Yours sincerely,

René van der Linden

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