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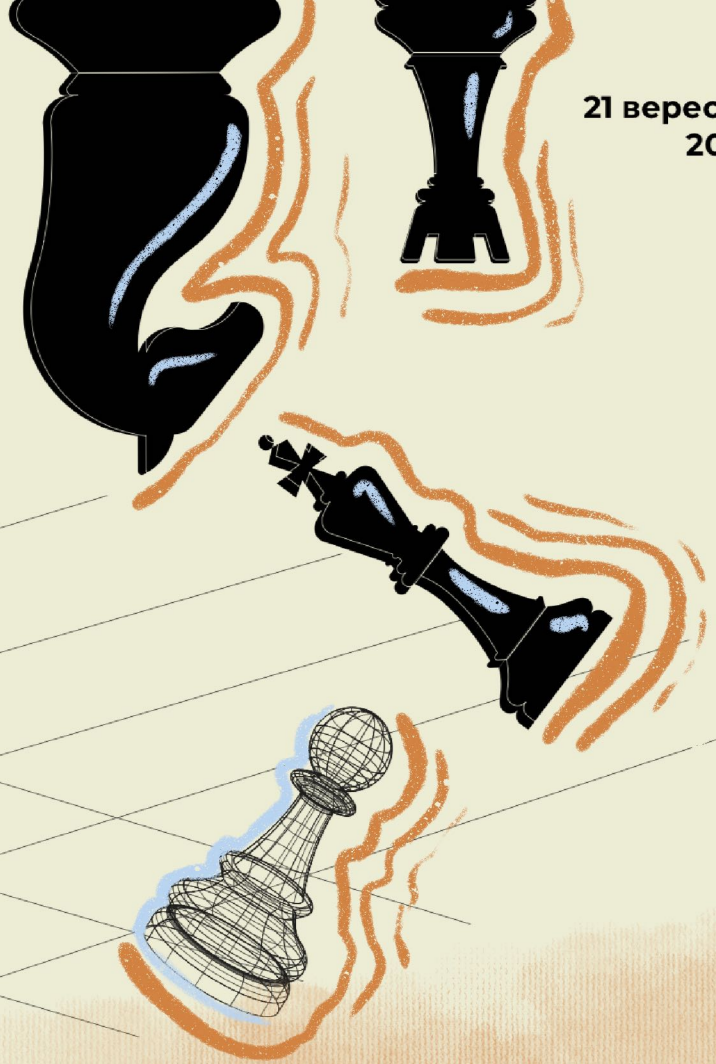
21 вересня 2022

PRESERVING AND DEVELOPING UKRAINE'S DEMOCRACY:

What are the Current and the Future Challenges of Democratic Transformation?



VISUAL notes

21st of September 2022

Graphic recording - Julia Knyupa

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Michael Meyer-Resende, Democracy Reporting International

İhor Koliushko, Centre of Policy and Legal Reform

Yuliia Kyrychenko, Co-Chairwoman of the RPR Coalition Board

Halyna Chyzhyk, expert at the Anti-Corruption Action Center

— I panel —

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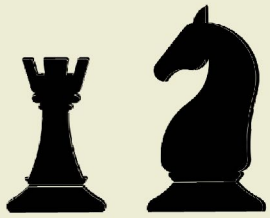
More than 90% of Ukrainians believe in the victory against russia

Victory is not just about liberating the occupied territories but also about sustaining democratic rights and freedoms

The issue of democracy is very important for the Ukrainian people. Especially when they see its condition in the aggressor state

It answers why they acted so unilaterally while protecting the country



Threats for democracies in the world

- Widening gap between rich and poor
- The emergence of new identities
- Digitalization as a potential instrument of citizens' control

Threats to democracy in Ukraine

- The slow pace of the judicial reform
- Consolidation of the government during the martial law as a temptation to redistribute the governmental powers and status of the media
  - Pressure from the government and from the media which were not included in the TV marathon
- Attempts to create structures that duplicate functions of the existing institutions
  - National Council of Recovery of Ukraine after the war should be within the mandate of the government but instead it belongs to it together with the other authorities

One of the elements of the war is an attempt to destroy the bodies of power, including the parliament, on the constitutional level

They failed to do it even with the presence of the pro-russian parties in the parliament

During the war, the parliament managed to perform its main tasks and continued to function normally

But the civil society is worried about the balance between the security and transparency of the parliament

Among the crucial constitutional reforms is the unfinished decentralization reform and the lack of a comprehensive reform to balance the branches of power

All regions of Ukraine demonstrate support for democracy on a level of 92-93%

It is a record for Ukraine

Ukrainians realized that russia started the war because Ukraine chose a democratic path. And democracy is a threat for the authoritarian Kremlin regime

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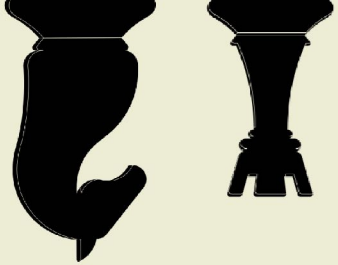


It is not possible to address some problems during the martial law but they should be addressed after the martial law

The judicial reform continues for eight years

There were some mistakes but they allow us to better conceptualize how the courts in Ukraine should function

Ukraine invites international experts to check the integrity of the candidates for judicial offices

We are heading in the direction of truly independent courts

The call of the civil society involves its representatives to the process of selection of judges to the CCU to make it truly independent

One of the European Commission's recommedations to retain the status of the candidate to the EU for Ukraine is the introduction of the competition for the CCU

Independent courts, including the CCU, is the main safeguard of sustaining democracy in Ukraine

Today, adoption the new version of the Constitution of Ukraine is on the table

The process should be inclusive and involve as many Ukrainians as possible

Suspicious criminal cases are opened against the volunteers: there are no grounds for persecution but those cases receive much attention

The Prosecutor General's office and the National Police are politically dependent institutions

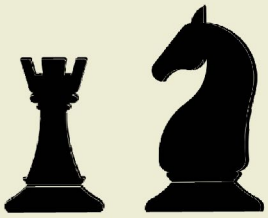
At the same time, they play an important role in investigating the crimes committed by russia

Today Moldova uses the Ukrainian model of transformation of the judicial system

The Ukrainian Army has proved that the russian army can and should be defeated

The West should provide Ukraine with all the necessary weapons, it is the best way to protect democracy

The greatest threat to democracy in the world is russia



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- II PANEL -

Andrii Kulakov,
Programme Director,
Internews-Ukraine

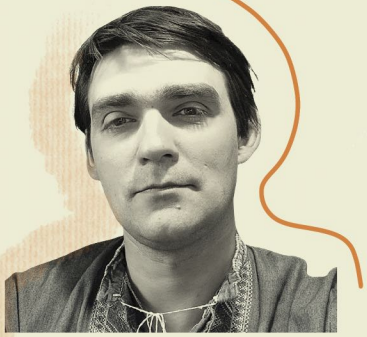
Yaroslav Yurchyshyn,
Member of Parliament, First Deputy Head of the Parliament Committee on Anti-Corruption Policy

Michael Meyer-Resende,
Democracy Reporting International

Victoria Podhorna,
Member of Parliament,
member of the Parliament Committee on Digital Transformation

Iryna Konstankevych,
Member of Parliament, Member of the Committee on Humanitarian and Information Policy

Oksana Romaniuk, Executive Director of the Institute of Mass Information



Ihor Rozkladai,
Deputy Director, Chief Expert on Media Law at the Centre for Democracy and Rule of Law

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~ II панель ~

The government after the war will be interested to relaunch central as well as local authorities

One of the main challenges for the next elections in Ukraine is the 4-5 million of Ukrainians who are currently abroad

The current electoral infrastructure is not capable of covering such a huge number of voters

Even in peaceful times, voting abroad was challenging

It is necessary to increase the number of polling stations abroad

Overall, Ukraine demonstrates good democratic indicators

In order to conduct elections on the whole territory of Ukraine, including its regions that have been occupied for a long time, it is possible to temporarily go back to the proportional system with closed lists

Going back to "the most corrupt element" - the majority system - is not possible since the people will not accept it in any form

The citizens should draw the red lines for the government to ensure that the elections will be conducted democratically

Online media are finally recognized as media

Law on Media

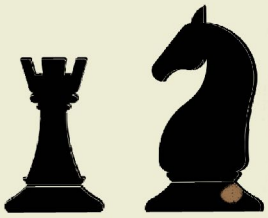
In the current media crisis, only media financed by oligarchs and the government can survive

There are threats to the expression of the people's will

The necessary component of the law on media is regulation of the political advertisement: during the last elections tens and even hundreds of thousands were spent on Facebook advertisement"

Lately, there has been a discussion about the introduction of electronic voting, which includes not only an online component but also using electronic voting devices

There are almost no good precedents for e-voting, except for Estonia. However, Cisco and Microsoft tested an e-voting system for the Ministry of the Digital Transformation, which demonstrated its safety



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Olexandr Kornienko,
first deputy chairman of
Verkhovna Rada of Ukraine

"Of course, I would like the laws, the consideration of which continues from the first sessions of the convocation, to be passed."

We did very well with the safety factor

all people's deputies of Ukraine are safely in place, everything is fine with everyone

The Parliament coped with a serious change in the format of work, the lack of a stable agenda and the presence of a permanent continuous meeting

Now we have an agenda for 4-5 meetings ahead

Currently, the biggest challenge is Ukraine's integration into the European Union

This is the Parliament's homework

Acts on national communities, media and the reform of the Constitutional Court are also important issues

The MPs listened to a very well-developed budget of a country in a state of war, presented by the Government. There is an understanding from colleagues from the opposition and the majority that there is no need to delay the adoption of the Budget now. We have mandatory expenses: defense and security.

At the same time, the challenge for any country during martial law is to maintain a balance in the budget policy

According to our colleagues from the European Parliament, the budget function is one of the main functions of the Parliament. We would like to start the process of creating the Budget Office already in this convocation