

Summary of Findings
Of the Delegations of
Former Members of the U.S. Congress
and
Former Members of European Parliaments
Observing Ukraine's Presidential Election Process
Conducted Between
23 July — 24 October 2004

Program Description

From 23 July 2004 through 24 October 2004, the United States Association of Former Members of Congress (USAFMC) in partnership with the U.S.-Ukraine Foundation (USUF) and with funding support from the United States Agency for International Development (USAID) sent four delegations of former Members of Congress and former Members of European Parliaments to Ukraine to observe and report on the process and campaign of Ukraine's 2004 presidential election. As officially registered election observers, delegates do not support any candidate, party or election block. Observers seek to support Ukraine's commitment to OSCE standards for free and fair elections that accurately reflect the will of the people.

The delegations visited cities, towns and villages — some as small as 6,000 people — and met with government officials, election officials, media representatives, political party representatives, NGOs, representatives of candidates and ordinary citizens who wished to express their views on the election campaign.

Members of the delegations did not receive any compensation for their work. They were provided economy class airfare, government rate hotel accommodations and meals and incidentals. Each team was accompanied by an interpreter, a local consultant, and a staff person.

Members of the delegations:

Richard Balfe (European Parliament/United Kingdom)
Robin Beard (R-TN)
James Bilbray (D-NV)
John Conlan (R-AZ)
Samuel Coppersmith (D-AZ)
Lawrence DeNardis (R-CT)
Arlen Erdahl (R-MN)
Louis Frey (R-FL)
Jack Hightower (D-TX)
Lawrence Hogan (R-MD)
Michael Kopetski (D-OR)
Gregory Laughlin (R-TX)
Gene Andrew Maguire (D-NJ)
Marjorie Margolies-Mezvinsky (D-PA)
Bob McEwen (R-OH)
Daniel Miller (R-FL)
Helga Otto (German Bundestag)
Ron Packard (R-CA)
Jose Posada (European Parliament/Spain)
Maartje van Putten (European Parliament/Netherlands)
John Jacob Rhodes, III (R-AZ)
Donald Ritter (R-PA)

Thomas Sawyer (D-OH)
James Slattery (D-KS)
Peter Torkildsen (R-MA)

The delegations worked out of a central location – Kharkiv, Cherkasy, Kherson, or Kyiv – and traveled in teams of two to the following 35 communities in 9 oblasts:

Pryluky, Chernihiv Oblast	Vovchansk, Kharkiv Oblast
Nizhyn, Chernihiv Oblast	Chutove, Poltava Oblast
Ichnia, Chernihiv Oblast	Lebedyn, Sumy Oblast
Oster, Chernihiv Oblast	Trostianets, Sumy Oblast
Tarashcha, Kyiv Oblast	Okhtyrka, Sumy Oblast
Brovary, Kyiv Oblast	Dykanka, Poltava Oblast
Kotsyubynske, Kyiv Oblast	Karlivka, Poltava Oblast
Bucha, Kyiv Oblast	Merefa, Kharkiv Oblast
Slavutych, Kyiv Oblast	Kherson, Kherson Oblast
Cherkasy, Cherkasy Oblast	Hola Prystan, Kherson Oblast
Kaniv, Cherkasy Oblast	Tsyurypynsk, Kherson Oblast
Kamianka, Cherkasy Oblast	Kakhovka, Kherson Oblast
Svitlovodsk, Kirovohrad Oblast	Skadovsk, Kherson Oblast
Zolotonosha, Cherkasy Oblast	Mykolaiv, Mykolaiv Oblast
Novomyrhorod, Kirovohrad Oblast	Voznesensk, Mykolaiv Oblast
Kaharlyk, Kyiv Oblast	Nova Kakhovka, Kherson Oblast
Ukrainka, Kyiv Oblast	Beryslav, Kherson Oblast
Kupiansk, Kharkiv Oblast	

Findings

The findings have been thoroughly discussed in the four previous individual reports. They can be grouped into the following categories:

1) Media Bias

The delegations heard many complaints throughout the regions we visited about the lack of a fair and balanced mass media at the national and local levels. The state-owned stations are used exclusively to support the interests of the ruling regime's candidate. Other stations are controlled by oligarchs who support the government candidate and provide very limited coverage of other candidates. The issuance of daily "temnyky" which instruct news programs on how to report the news is a clear indication of a controlled media.

2) Use of Administrative Resources for Political Purposes

- a) Tax Police - The delegation heard numerous stories about tax authorities harassing businesses that are considered friendly to opposition candidates.

- b) School Authorities - The delegations heard frequent complaints that school authorities were told to produce signatures on petitions and to produce a specified number of students at political rallies and meetings of Mr. Yanukovich.
 - c) Factory Directors - The delegation heard from several witnesses that factory directors have told employees that they must sign petitions for Mr. Yanukovich or they will lose their jobs.
 - d) Local Leaders - It was reported to the delegation that opposition parties are not equally accorded the use of public facilities for meetings, as mandated by Ukraine's law on presidential elections.
- 3) Tampering with the election process
- a) Electoral Commissions - Reports were received of Electoral Commissions being stacked by paper or "technical candidates" to favor Mr. Yanukovich. Citizens reported that these "technical" candidates are put forward to draw votes away from the opposition and to fill election commissions with pro-government supporters.
 - b) Voter Lists – People reported significant errors in the voter lists, including misspelled and missing names.
 - c) Paying people for photocopies of passports to be used by others to vote for them. The delegation heard first-hand reports from citizens who reported that family members had been paid 50 hryvnia for a photocopy of their passports so that multiple people could cast a vote under one name.
- 4) Strong presence of the Russian government in the campaign
- The delegations heard alarming reports and much evidence to support the reports of Russian government involvement in the campaign. President Putin has virtually endorsed Mr. Yanukovich and has made numerous visits to Ukraine in an effort to aid his campaign. The Russian Ambassador to Ukraine has publicly endorsed Mr. Yanukovich. Russian interests have been paid very well for their services to support recent Ukrainian government actions. This, of course, comes at the expense of the Ukrainian people.

These observations and others cast doubt on the prospects for a free and fair election in Ukraine. Indeed, we doubt that a free and fair election is possible in view of the aggressive and systematic use of all the resources at the hands of the authorities. The Ukrainian people deserve to have an opportunity to participate freely and fairly in a campaign in which ideas are discussed and debated so they may choose the direction that they wish to take.