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IS A FREE ELECTION POSSIBLE IN UKRAINE?

--Taras Kuzio

The answer to this question, based on recent and ongoing developments in Ukraine, is "no." Opinion polls taken in Ukraine have consistently shown that two-thirds to three-quarters of Ukrainians do not believe this year's elections will be free and fair. Even President Leonid Kuchma has predicted that the elections will be the dirtiest in Ukraine's history.

Despite the dirty tricks in play, Kuchma has repeatedly promised to guarantee free elections. Speaking at last week's EU-Ukraine summit, he promised that the authorities, "will do everything they can to ensure the election is conducted in the most transparent and civilized way possible, in line with current Ukrainian legislation and recognized democratic standards" (Interfax-Ukraine, July 8). Unfortunately for Kuchma, no Western government or international organization accepts his words at their face value. Not surprisingly, therefore, Kuchma remains concerned at how the West will regard the elections.

On the very same day that he made his pledge to uphold free elections, Kuchma undermined it. Nine members of the Commonwealth of Independent States, led by Kuchma as the head of the CIS Council of Heads of State, issued a statement criticizing the Organization for Security and Cooperation in Europe for interfering in their internal affairs and thus not respecting their national sovereignty (Reuters, July 8). Ukraine opted to back this statement drawn up by Russia rather than join pro-Western Georgia and Azerbaijan in abstaining.

Both Anatoly Hrytsenko, head of challenger Viktor Yushchenko's information-analytical department in his election headquarters, and the U.S. Ambassador to Ukraine, John Herbst, likened the statement to a return to Soviet rhetoric (*Ukrayinska Pravda*, July 9 and 12). Hrytsenko branded Kuchma's support for the CIS statement as an attempt to undermine the relevance of OSCE election observers.

Ukraine was not in a position to turn down the offer of OSCE observers. At the same time, Kuchma is concerned that the OSCE, other international organizations, and the United States may not recognize the election outcome. Speaking at last week's EU-Ukraine summit, Kuchma said, "There seems to be an opinion among some in the West, as there is among many politicians in Ukraine, that if a representative of the opposition does not win, then these will not have been fair elections" (*Ukrayinska Pravda*, July 8).

Kuchma and his CIS allies prefer the monitoring style of the CIS Inter-Parliamentary Assembly (CIS IPA), whose observers always declare CIS elections as having been held in a free and fair manner. During the 2002 Ukrainian elections, the OSCE made the unusual decision to work together with CIS IPA observers on election day.

Kuchma's attempts to downplay the role of the OSCE have produced a backlash. Meeting in Edinburgh last week, the Parliamentary Assembly of the OSCE issued a resolution calling upon Ukraine to hold free elections. The U.S. delegation also raised the issue of the OSCE fielding large numbers of Ukrainian observers in addition to the 50 OSCE long-term and 600 short-term observers.

It is certainly the case that Western governments and international organizations (as well as most Ukrainians) believe in two scenarios. First, if a level playing field is organized in the manner in which they understand this to be (and not in Kuchma's warped understanding of that term) then it is difficult to see how the pro-Kuchma candidate (Prime Minister Viktor Yanukovich) could win. Yanukovich consistently polls lower than Yushchenko, and the gap could be only overcome by "dirty technology or outright falsification during the counting" (*Ukrayina Moloda*, July 3). Therefore, when one U.S. State Department official was asked, "Could Yanukovich win in a free election?" he replied, "We'll never know."

Second, a breakthrough in Ukraine's foreign relations will be possible only if Yushchenko wins. This view is shared by the U.S. State Department, the European Parliament, and many non-governmental bodies, such as the Economist Intelligence Unit (*Ukrayinska Pravda*, June 8 and July 7). A Yanukovich victory would merely preserve the status quo and continue the high-level deception that has become the hallmark of Kuchma's presidency.

Currently, opposition candidates have no access to electronic media

outlets, which only plug Yanukovych and blacken the reputation of his opponents. Yushchenko has signed a Declaration on Honest Elections, but Prime Minister Yanukovych has thus far not signed it. Socialist candidate Oleksandr Moroz and the youth group PORA! (modeled on Serbia's OTPOR) have called for joint efforts by the opposition to prevent what will likely be the dirtiest election in Ukraine's history since 1992 (*Ukrayina Moloda*, July 9; *Ukrayinska Pravda*, July 12).

According to Oleksandr Turchynov, a leading member of the Yulia Tymoshenko bloc allied to Yushchenko, a special group inside the Presidential Administration, headed by Viktor Medvedchuk, is coordinating "black operations" against the opposition (Interfax-Ukraine, July 8). The secret group includes members of the Prosecutor's Office, Interior Ministry, and Security Service.

Secret black operations by Russian "political technologists" are also being coordinated by Medvedchuk, according to Our Ukraine deputy Mykola Tomenko (*Ukrayinska Pravda*, July 3). Kuchma is simply not in a position to guarantee free elections if the head of his own staff is directly involved in these shenanigans.

According to Turchynov, after the elections are over and the polling stations are closed, fake ballots for Yanukovych will replace those of Yushchenko. Plans call for Election Commission protocols to be prepared in advance with genuine signatures and stamps, but the signatures of opposition members of the Election Commission will be forged. The protocols will be submitted to the Central Election Commission who will then announce that Prime Minister Yanukovych has won the election.

Similar techniques were first tried in the 2002 elections. Secret instructions from the Presidential Administration that outlined plans for election fraud were leaked to the OSCE, which then chose to ignore them.

The Presidential Administration was then headed by the current parliamentary speaker, Volodymyr Lytvyn, who has, ironically, warned against using these same techniques in the upcoming presidential elections (*Ukrayinska Pravda*, July 6 and 8). The People's Agrarian Party, which Lytvyn leads, voted to back Prime Minister Yanukovych, whose campaign will gain from the black operations that Lytvyn allegedly condemns.

Medvedchuk tested these black operations again in the April 2004

mayoral elections in Trans-Carpathia's Mukachiv. Although these tactics were severely condemned by the Ukrainian parliament and by Western governments and organizations, nobody has been punished. The Western government, by the European Union, etc.

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