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THE OSCE AND THE CIS: STRANGE ELECTION BEDFELLOWS?

By Taras Kuzio

Independent Ukraine's third parliamentary elections were observed by an unprecedented number of foreign observers. The Western contingent included a core OSCE expert staff in Kyiv together with 26 long-term observers (LTOs) who were dispatched throughout Ukraine on 1 March. Each LTO group consisted of two people to cover between 1-3 oblasts depending on population density.

On 29 March, 600 short-term observers from the OSCE joined the LTOs to monitor the vote on election day. In addition, the Western contingent included observers from the parliamentary assemblies of the Council of Europe and the OSCE along with counterparts from the European Parliament.

The Eastern contingent of observers were from the CIS Inter-Parliamentary Assembly (CIS IPA) who arrived a few days prior to election day. The majority of the CIS IPA observers were from Russia with smaller numbers from other CIS member states. Although these were the third parliamentary elections in independent Ukraine, this was the first occasion in which observers from the CIS IPA were present.

With close to 1,000 international observers there was clearly an opportunity for observers from both the West and the East to take stock of Ukraine's election process and its progress, if any, toward democratization. Ukrainian Foreign Ministry spokesman Igor Dolgov said in early February that, "We would like the election to confirm the democratic development of Ukraine."

The Ukrainian authorities understood that neither the OSCE, the Council of Europe, nor the European Parliament would whitewash election irregularities or ignore Ukraine's failings to abide by its international commitments to uphold human rights -- that was to be

the CIS IPA's role. The only puzzling question was why the OSCE felt it had to assist CIS observers with logistics in their task of pretending to observe the elections.

Not surprisingly, the OSCE and the CIS IPA reached completely opposite conclusions about the conduct of the ballot, just as they did during the Belarusian presidential elections in September 2001. The OSCE said that election had "fundamental flaws," and the U.S. State Department called it a "facade." Meanwhile, the CIS IPA concluded that the Belarusian election was "free and fair." When this discrepancy was brought to the attention of a member of the OSCE's Office for Democratic Institutions and Human Rights in Kyiv, his response was: "Oh well, that's pluralism."

CIS Executive Secretary Yurii Yarov concluded that his observers witnessed only "insignificant violations" of the election law during the Ukrainian parliamentary poll, adding that the elections "may without any doubt be described as democratic." He said CIS observers had not registered any incidents of "administrative pressure," and believed that television airtime "was provided in a democratic fashion for representatives of all parties."

These conclusions are completely at odds with those of most of the blocs and parties that took part in the elections, Ukrainian civic groups who monitored the election, and even with the findings of the traditionally diplomatic OSCE. Our Ukraine leader Viktor Yushchenko spoke of the use of "Stalinist tactics," while a member of Our Ukraine and leader of one of the two wings of Rukh, Yurii Kostenko, accused the authorities of using "totalitarian pressure" against voters.

In addition, the use of "administrative resources" by For a United Ukraine (ZYU) was brazen, open, and massive. In the words of U.S. State Department spokesman Philip Reeker, "The government of Ukraine did not move in a proactive manner to ensure a level playing field for all political parties... We are particularly disappointed that officials did not take steps to curb the widespread and open abuse of authority, including the use of government positions and facilities, to the unfair advantage of certain parties."

The Voters Committee of Ukraine reported that the election was the worse of the three parliamentary ballots in Ukraine since 1992. The OSCE interim report noted that "most media failed to provide an impartial and fair coverage of the campaign." State TV-1 provided disproportionate coverage to ZYU, and Our Ukraine obtained only negative coverage on all three main television channels. Meanwhile, the Social Democratic Party Ukraine-united (SDPU-o) massively overspent on television advertising promoting "The Year of Social Democracy in Ukraine" on the 1+1 and Inter television channels it controls.

The impartiality of Russian observers and the CIS IPA in general is also open to question in light of senior Russian officials' clear preference that Ukrainians should not vote for the "anti-Russian" Our Ukraine. As Russian Ambassador to Ukraine Viktor Chernomyrdin explained, "We support those who are in favor of deepening Ukraine's ties to Russia." Such statements should not be seen as interference in Ukraine's election campaign, argued Russian Deputy Prime Minister Valentina Matvienko, while at the same time

saying, "We cannot support those who are against Russian-Ukrainian integration."

After the election results were announced, the Russian presidential administration welcomed the success of the ZYU, the Communists, and the SDPU-o. State Duma members said Russia can rely on those parties because of "their friendly feelings toward Russia." It is impossible to imagine Western member states of the OSCE or the Council of Europe so openly interfering in an election process they are sent to impartially observe, especially as OSCE observers are instructed to refrain from any comment until after the election day.

In addition, it is not clear on what basis the CIS conclusion about Ukraine's elections was made. Some OSCE observers privately reported that some of their CIS colleagues filled in reports on polling stations without actually having visited them.

While British Helsinki Human Rights Group trustee John Laughland recently commented in "The Guardian" that Western election monitoring is "so corrupted by political bias that it would be better to abandon it," on the whole the monitoring efforts of organizations like the OSCE has a much more positive than negative impact on such elections. Election infringements would have been far more prevalent in Ukraine without an OSCE mission in place. This is not the case with CIS observers, whose only role is to provide glowing reports of "democratic progress" within states whose leaders are friendly to Russia. Taras Kuzio was an OSCE long-term observer of the Ukrainian parliamentary elections and is a research associate at the Centre for Russian and East European Studies, University of Toronto.