



**UKRAINE ELECTION 2012
MISSION CANADA**

WEEKLY LTO REPORT

Due Mondays by 9am

Please submit electronically to Natalie.Wilson@canadem.ca

Report Number	3
Team Number	13
Observer Names	Angie Szuch, Sean Murdock
Reporting Period	September 17-22, 2012
Area of Responsibility	Lviv Oblast

REPORT SUMMARY

- We are pleased with the contacts that we continue to make and with the information we have gathered in this third week of observation in the Lviv oblast. Most importantly, the contacts made and intel gathered have afforded us a much stronger understanding of how the DEC's work in this pre-election period. As well, we've developed a much clearer understanding of the membership and make-up of the DEC's (regarding party affiliation and which DEC members receive full pay for the entire election period). More on this later, but it's an important new development to bear in mind, as it relates to who we can 'trust', more or less, for information.
- In Week 3, we met with three media representatives and five political candidates, all from various political affiliations. We met with NGOs (ENEMO, twice), and we had a long and informative meeting with the Lviv representative from the Committee of Voters. While Sean attended the LTO info-exchange and headquarters meeting in Kyiv, Angie set-up future appointments and performed media monitoring for further interviews.
- In Week 3, we visited 6 District Election Commissions. We conducted preliminary visits to 3 DEC's outside of Lviv city, and we re-visited 3 others within the city proper, where we had earlier observed particular problems. (In 2 cases, we followed-up by attending their full DEC meetings).
- We were both present in three DEC's on the day of their PEC lotteries (one on Thursday, Sept. 20, and two on Friday, Sept. 21). Please see photos in this report (some inconsistencies and concerns with these).
- Sean performed 3 media interviews...please see secure mission Dropbox (Team 13) for full digital files.

- Pay for DEC members: (Please see last page of this report). We continue to see this trend develop, and we are now fully convinced that DEC membership pay is used heavily as an incentive to coerce “impartial” election officials to sway their own party affiliation. (Conversely, this is used increasingly as a means to dissuade any election official who may actually be impartial, to outright quit). On this note, we have identified 3 (three) senior election officials, all identified as representing the “true” Opposition parties, (Svoboda and Batkynchenya), who have vowed to remain at their posts, throughout the election period, even in the absence of any pay.
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Personal / anecdotal observations:

Please see last pages of this report for a tear-away, personal observation from Sean Murdock, Team Leader, Lviv Oblast.

THEMATIC AREAS OF OBSERVATION

1. Registration of candidates

Team 13 has met with officials regarding voters’ lists, but have been blocked, repeatedly, in our investigations / observations. Namely, we have been dissuaded from getting answers (or clearer understandings), towards anything specific regarding the registration of candidates. We expect to do push a bit harder on this soon, and we should have something more substantive to report on this by next week. (Sean has scheduled meetings with two senior party officials with PofR and Bat

2. Election Administration

As reported last week, there is plenty of dysfunction in some of Lviv’s DEC’s. We continue to see the development of some previously identified trends regarding changes in membership and composition of the DEC commissions, especially changes to salaried staff and executive members.

We were present in three DEC’s on the day of the PEC lotteries (one on Thursday, Sept. 20, and two on Friday, Sept. 21). We know of no DEC’s within the Lviv oblast that were able to conduct the PEC lottery on the first possible day. Most of candidates’ nominations slates were delivered to the DEC’s on the last day, (some right up until midnight on Tuesday, Sept 18), and this simply could not be processed in time.

Contrary to stated rules regarding the dates of lotteries, we know of two DEC’s that held their PEC lottery on *Saturday*, Sept 22. (#115, and #117 – Frankivsky, in Lviv) You can see a *youtube* video on this subject. This is taken directly from local (Lviv) television, in Ukrainian. Both our interpreter, (and Angie herself), have described this as very telling. (Watch the video starting from 58 seconds in to about 3:50).

http://www.youtube.com/watch?v=6Nf8BK_THgg&feature=youtu.be



In all DEC's that we visited prior to and during the PEC lotteries, there was no uniformity in the actual mechanics of conducting the selection. (From left to right: In this instance, slips of paper containing the candidates' numbers were inserted, strangely, into what they themselves referred to as "Kinder Egg" containers!; or, the numbers were printed on numbered discs, hand-written onto ping-pong balls; and, in DEC #119, (where they cited internal budget problems), the numbers were simply written on slips paper and inserted into envelopes.

We did, however, observe an absolute standardization of confusion and delay in the process and procedure of these PEC lotteries. Specifically, we observed very long delays, as these always began mere moments after the initial opening of proceedings by the Secretary. In all three DEC's we visited on their PEC lottery day, there was massive confusion, yelling, hollering and general stomping around, regarding duplication of a party's slate of PEC candidates (*and that was just from the LTOs...you can imagine how the CEC officials acted!*) In one instance, (DEC #115), a duplication (resulting from more than one nominating party or authorized person delivering slates of candidates for the same party), was ruled (by a PoR-controlled vote among DEC members), to exclude a particular political party's slate of PEC candidates for the lottery.

One party in particular is being systematically shut-out, by all other parties (including other 'real opposition' parties). UDAR has been excluded from the PEC lottery procedure, in every single DEC. Each time, this has happened over a seemingly small technicality. A well-placed and seemingly politically-connected UDAR party observer has vehemently voiced his objections to this exclusion (we have seen this man present in each of the 3 times we have visited #115). This objection was followed by a very long adjournment of proceedings (several hours). We are presently unclear on the outcome, and will investigate this week.

Another, similar, long delay occurred in DEC #122 (Yaroriv). Yaroriv has an Anarchist DEC Head* (who is being paid as an election official), and a 'Green Planet' DEC member at large, also being paid.). These two members seemed to have worked together in orchestrating the delay, and led the DEC vote in calling for the delay. In fact, proceedings were delayed until 9pm that night. This being Friday, Sept. 21, (the last day to hold these PEC lotteries), we decided to move-on, to try to catch a lottery elsewhere. (

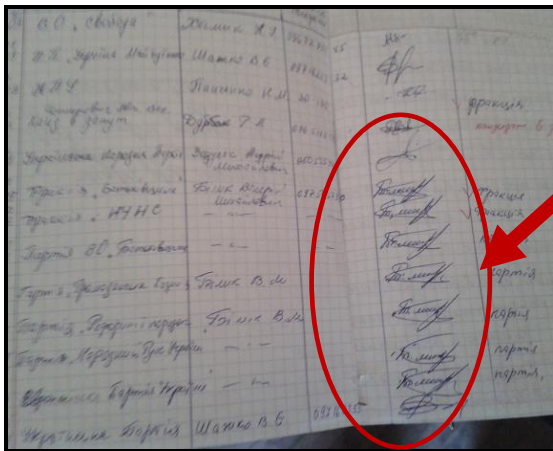
*As in. "That Anarchist guy is being a real DEC Head, isn't he?"

30 kilometers away, (and after the 2-hour drive to get there!), we arrived in Gorodok, (DEC #120), to witness a very similar roll-out. These PEC lottery proceedings were also delayed, also shortly after the initial announcements made by the Secretary. And, again as before, and after the Secretary cited "duplications in the PEC nomination procedures", a vote was quickly initiated (by the Green Planet and by Anarchist Party

reps. It happened almost on cue, seemingly as part of a script, The DEC's Deputy Head (Communist Party, and a paid member), and the Anarchist DEC member (a paid member at large, but not on the executive), retreated into the computer control room (the same room where the electronic tabulation will take place on E-Day). We (Team 13) waited about 10 minutes before going into the little room, to ask our questions, (namely "why the delay?", and "what are you waiting for?"). The answer to both was "We don't know. We're waiting for instructions from Kyiv". Although they told us that their instructions were coming from the Central Elections Commission itself, it was clear to us that these DEC members were waiting for their PoR contacts to inform them on how to proceed.

In several instances, DEC's in Lviv received PEC nominee lists from individuals acting as an 'authorized person' for numerous parties. In one case (Stryi, Dec # 126), one individual delivered 40 (forty) such packages. In our weekly skype conference with other Western Ukraine LTO teams, we learned that this occurred in all other oblasts. In most cases, it seems that this was a concerted effort by the PoR and its affiliated parties.

We have also seen that it is not only the Party of Regions and their technical/ghost parties doing this: in Gorodok (DEC # 120), we saw that 7 (seven) PEC candidate lists were delivered by the same authorized person, acting on behalf of the Yulia Tymoshenko bloc and others. Please see photo (taken by Sean), below.



This ledger at DEC #120, (at left) shows seven identical signatures, (from the same individual acting as official representative for seven different political parties) when submitting slates of PEC candidates. The parties listed all seem to be United/Real Opposition parties, with names like the "Green Planet" party and the "Anarchist" party. Predictably, their representatives could speak of nothing of their own Party's supposed lean towards environmental issues or, well, anarchy.

The biggest, and most confusing problem, is that this practice isn't just limited to the PoR and their technical parties now. The "Real" Opposition parties have caught wind of this happening, and so, not to be outdone, they are now doing this, themselves, as well).

Was this a concerted effort at "voter fraud", or did this have a more benign origin? Should one person be acting as a courier, political operative and representative for as many as 7 different political parties?

To answer this question, we met with a rep with the Committee of Voters (who was aware of this practice and she noted her concern), and we spoke with Mission Canada legal staff regarding this matter. We feel that whether or not this practice is 'legal', it definitely shows the parties' true colours, (no pun intended). On a positive note, this practice, whether in-line with Ukraine's new electoral laws or not, has revealed exactly to us, anyway, which parties may now be politically aligned.

There is a prevailing sentiment that now, and following the initial shenanigans of the PEC lotteries, the gloves are coming off.

Strangely, those who have been disaffected, or completely shut-out of the process, are not hollering about it. We suspect two separate instances of political pay-offs, and these will be further observed/investigated/reported on, in the coming days.

Media Monitoring

Belo is a synopsis of Team 13's (ok, Angie's), media monitoring on the subject of PEC lotteries. (Sean was travelling overnight to Kiev while Angie performed media monitoring. (Note that for now, as we see it, the only reliable media sources in Lviv are [Zik](#), [World Affairs](#) (local political commentary but based in Kiev) and the Lviv "Express", <http://www.expres.ua/>).

- On September 20th, Zik aired a short clip about the confusion reigning in DEC #115 where the DEC meeting took a break ostensibly for 10 minutes but did not meet for over 3 hours and then postponed the lottery to the next day.
- On September 21st, Zik TV news aired a short clip about the irregularities in DEC #121 (Drohobych): there are many technical parties and self-declared candidates in this area trying to take the vote away from the Opposition candidate, Roman Ilyk (Batkivshchyna). The news clip asked the question: why none of the self-declared candidates don't debate/criticize POR - all just criticize the Batkivshchyna candidate, instead.
- On September 23, Zik reported that there are two Deputies running as candidates in DEC #124 (one from Batkivshchyna, one independent) and both were criticized by CHESNO for being absent from parliament frequently, not attending meetings but spending huge amounts of money on "travelling expenses".
- On September 24, Zik reported that there were 12 irregularities in DEC #117 (Lviv City). Two-hundred and sixty PEC candidates were eliminated from the candidate's list but no names were mentioned. The DEC did not hold a lottery until Sept.22nd 4:00 but back-dated their signature on the lottery results to Sept.21. There is no Svoboda candidate in this DEC.

TRAINING:

In addition to the mass training seminars that DEC executives attended last week in Kyiv, we were told by members in 2 DECs that they had received additional training ("a second round of training"), in Lviv. When we visited DEC #120 (City of Stryy), for the second visit (to investigate a report, of one person dropping off multiple candidate lists for 40 different parties, (as described in previous pages), we couldn't speak with any of the DEC's executive, as they were all off on training in Lviv. We were initially suspicious of the timing of this training, at such a contentious and critical time in the election process.

HOT SPOTS:

We have observed some problems and membership trickery in all of the DECs we have visited. Some problems stand out more than others, though none are at a boiling point. It would seem that DEC membership 'is what it is'. The executive has been chosen. Those getting paid will continue to be paid, and those who have been shut-out will seemingly stay that way. Now, there generally seems to be less discord within the DECs, as membership has settled-in and has accepted its composition, for better or for worse. "Hot-spots" have gone from 'warming-up' to "tepid", very quickly.

Some narrative on one particular DEC, #119, Brody:

City of Brody (DEC # 119) RECAP: We previously filed an Incident Report, describing the court action against the Head of this DEC. (She's with the Christian Democrats – possibly a technical party for Svoboda), and the PofR has succeeded through the Courts in getting her support staff removed).

She has told us privately about “technical parties” who are aligned against her. She has been enduring a campaign orchestrated by the Party of Regions (and their “ghost parties”), to get rid of her, or at least to limit her influence and ability to do her job effectively. First, the DEC membership voted to not pay her the full salary during the election campaign. But, she stuck it out anyway, (all the while continuing to perform the heavy load of work and responsibilities inherent in her job as the Head of the DEC).

CAMERAS IN DEC #119: At a DEC #119c meeting which we attended in Week 3, we saw that a camera crew was filming the proceedings (this had not been a feature of their previous DEC meetings, as it was deemed by the PofR-controlled membership that *“cameras in these meetings are illegal”*). It was argued by the minority opposition that, no, in fact cameras *are* allowed in DEC meetings (we have seen that some DEC members record everything). We made a point of asking, in a very innocent and open-ended way, to all people present *“if cameras will now be in the voting stations, while people are expressing their democratic rights in a secret ballot, why would cameras not be allowed during DEC meetings?”*

The local candidate for Svoboda was present, and she had already called a media contact. A camera crew had been called, and started filming the DEC meeting, to some consternation. A vote was taken, (in the presence of the cameras), to ALLOW the cameras. The result: DEC meetings in Brody will now be recorded by cameras. Also, a vote passed to grant the Head, (Christian Democrat party), with full pay. Although things may be simmering under the lid for now, the membership at the DEC members are seemingly working well together, quietly, as they settle-in, using their recent training, preparing for their PEC administration (a topic sure to be the focus of our Week 4 report).

3. Media freedom

As mentioned, we (Angie) are performing “media monitoring” regarding Lviv news sources (scanning newspapers and watching TV. *Hey - that's what you get for \$150/day*). Though we haven't read anything regarding “media suppression” (or a loss of freedom as being **reported** in Lviv media), we recognize that this will certainly not be a true reflection of what may be happening in the real world. We are arranging for meetings with both Zik and with Lviv Express, and we will ask them delicately but directly. (We have been told of suppression against Zik, but we have not seen this ourselves. We'll report substantively on this ASAP.



A recent front-page article in the Lviv Express highlighted the problem of vote-buying, but the topic of suppression has not yet been identified.



After visiting DEC #122 (Yaroriv), Team 13 granted an interview request from Lviv TV, to discuss the procedures involved in the PEC lottery selection. Nothing contentious or unusual was asked or answered, (and the Mission Canada folder was held high-up, in camera's view!) Team 13 members privately expressed concerns regarding the length of the on-air interviewer's dress. (The boots, themselves, were not discussed). Full story found at: <http://www.youtube.com/watch?v=zv-iSFQMiiU&feature=plcp>



GENDER ISSUES:

We continue to develop a gender-specific chart for District Election Commission membership. Thus far, it's clear that a majority of DEC members are women, and political candidates are men.

4. The Campaign

An article in Zik, (Lviv news source), on September 20th, highlighted “*the poor quality of majority candidates' political platforms*” in the DEC #115 riding. Mr. Yuriy Vuj, who last year was head of the PoR's youth, now runs an independent candidate, but essentially keeps the same PoR platform. The article mentions other independent candidates with similar dubious political programs. Unfortunately, there is a perception that the whole thing is already pre-determined, and people just seem resigned to it. We hear this repeatedly.



Naturally, we have observed the usual campaign posters, leaflets and billboards, with a large number of these being defaced. Mostly, it seems that Timoshenko posters are those most vandalized.

We are now seeing groups of people praying in churches and in public squares, asking/hoping for fair elections. There is an obvious ‘religious’ element to this campaign in Lviv province.



As requested by Core Team, we have followed-up on a separate issue at DEC# 115. www.expres.ua online has posted an article (<http://www.expres.ua/main/201209/14/73424>) about Bohdan Dubnevych, the independent candidate in DEC #115 who ‘forgot to mention’ that he was charged and found guilty, (and sentenced to 8 years in prison) for stealing state property. Expres.ua asked CEC for his biography but CEC refused to provide it, even though the law guarantees access to biographies of all candidates. They got a copy of a hand-written bio from an archive where the original record of his criminal past is mentioned. We learned that Mr. Dubnevych served less than 3 years in jail (house arrest) before being released for “serious, life-endangering health reasons”. He has subsequently made a full recovery and is reportedly in perfect health. (*Bud’mo...za zdorovja*).



5. Human rights violations

We have not observed anything specific on this topic...nothing to report at this time.

6. Political repression – candidates, etc.

We have not observed anything specific on this topic...nothing to report at this time.

7. Misuse of Administrative Resources - nothing to report at this time.

8. Official complaints and appeals - nothing to report at this time.

9. Relationship with NGOs

We have met twice more with ENEMO reps here (and spoke with them at DEC #115's PEC lottery, and have met at length with Lviv's Committee of Voters representative. She tells us that 71 out of 87 political parties here fall under the control of PoR.

Rolling Contact List

Name	Title/Position	Organization	Phone #	City/Town/Village
Dutchak, Andriy	Lviv Oblast coordinator	OPORA	063 628 6844	Lviv
Schvets, Iryna	Assistant coordinator	OPORA	063 628 6840	Lviv
Neberykut, Oleksandr	Analyst	OPORA	063 628 6837	Lviv
Borisova, Lana	Journalist	Union of Journalists	050 661 1755	Lviv
Ishuk, Bohdan	Director, Lviv Oblast	Narodna Partia	097 219 7037	Lviv
Kapustova, Veronika	LTO	ENEMO	095 707 7921	Lviv
Milojevic, Ana	LTO	ENEMO	095 707 7908	Lviv
Rohzko, Solomia	Regional Coordinator	Municipal Economic Development Council	032 238 9294	Lviv
Ivkovic, Marko	Elections Program Manager	National Democratic Institute - NDI	066 693 0648	Kyiv
Parubiy, Volodymyr	Director	Institute of National Memory	097 315 0142	Lviv
Abaimov, Vasyl	Executive Director	Assoc. of Ukrainian Cities	032 238 9294	Lviv
Dmytrenko, Olena	Lawyer	Algen Legal Services	097 405 1239	Lviv
Gubarets, Iryna	Project Officer	CIDA	050 381 6034	Kyiv
Vasylenko, Oleh	Prosecutor	Lviv Oblast Judiciary	023 583 92	Lviv
Kubiv, Stepan	Lviv Head of United Opposition	United Opposition	067 962 0899 032 261 6539	Lviv
Nadia Kutz	Lawyer	Svoboda Party Legal Advisor	806 6324 0832	Brody
Senkiw, Alla	Secretary	DEC 124	095 682 9622	Sokal
Moroz, Olexander	Head of Dept	Sehiw Region Council	050 671 2775	Sehiw (Lviv)
Flachok, Lesia	Chair	DEC 116	066 789 4952	Lviv
Polischuck, Valentyn	Deputy Head	DEC116	099 928 8903	Lviv
Bevz, Ivan	Secretary	DEC 116	066 789 4952	Lviv
Skalsky, Yarosla	Chair	DEC 123	032 242 2077	Peremyshlyanay
Fenchak, Vasyl	Deputy Chair	DEC 123	“	“
Hreniuk, Serhi	Secretary	DEC 123	“	“
Drozdov, Ostap	TV producer	Channel ZIK	032 247 2461	Lviv
Solntseva, Tetiana	Editor	Zahid News Agency	032 242 2077	Lviv
Baliuk, Natalia	Editor	Vysoky Zamok newspaper	032 237 4702	“
Hulyk, Ihor	Editor	Lvivska Haseta	032 297 5206	Lviv
Koshovyy, Roman	Chair	Committee of Voters	067 392 2662	“
Svidun, Oksana	Chair	DEC 124	067 927 7737	Sokal
Dashchakiwska, Oksana	Coordinator	Committee of Voters	067 663 8691	Lviv
Hrybovych, Roman	Chair	Youth for Change, CHESNO	067 608 0250	Lviv
Kozakevich, Oleh	Analyst	CHESNO	097 9211 987	Lviv
Shostak, Olha	Journalist	Lviv Press Club	050 513 5993	Lviv
Kobyalkovsky, Myhaylo	Candidate	Party of Regions	032 295 5202	Brody

Reshetova Valentina	Deputy Head	DEC 120	032 2758 602	Horodok
David, Ludvega	Head	DEC 122	096 476 7314	Yavoriv
Petrov, Mykola	Commission Member	DEC 122	096 748 8376	Yavoriv
Sawka, Stepan	Oblast secretary	Nation. Solidarity Party	098 981 1414	Yavoriv
Kachurivska, Iryna	Civic Program Assistant	NDI	44 279 7543	Kyiv
Krekovetsky, Yuri	Head	DEC 120	032 2758 602	Horodok
Nazar Boyko,	Journalist	Nazarboyko@ukr.net	(097 798 0079) -	IVIV
Mykhailo Boyko,	Media Analyst		(067 908 8216)	
Taras Fito	Media Analyst		(067 479 6470)	

Personal / anecdotal observations:

Folks, I've resisted the temptation of ending this report on a negative point, (but here goes, anyway).

In general, mass confusion abounds with most everyone involved (including yours truly and other LTOs), regarding the DEC lotteries. So far, and by all measures observed thus far, the new DEC lottery system itself, and as implemented, is a complete and utter electoral sham, designed by the ruling party to fix this election. I recognize that this is a bold statement, made quite early-on in this electoral observation mission (but this is precisely what you've sent me here to find out).

In almost everything that I see (and officially 'Observe' by employing the tightest of our own protocols and procedures), I am constantly shown that these election are being conducted and operated under false pretenses. *(There, I said it!)*

I've already met at length, with international observers (OSCE, UN), as well as with national/Ukrainian groups, including the Lviv chapter of Opora). As well, I've consulted with our counterparts within the American embassy, based here in Lviv). Without exception, not a single Observer has been able to, A), properly explain or understand the new PEC lottery procedures, nor, B), declare that the process was done under free, fair and open conditions. The combination of the new, onerous and bulky voting laws, coupled with wholly unfamiliar procedures, has conspired to produce general confusion/chaos and distrust in the DEC's. And, in consideration of the sheer number of political parties, the foundation has been set for a long, complicated and skewed E-day.

The number of ghost/phantom Parties (as discussed in Team 13's weekly report #2) continues to increase steadily, if not predictably. Party of Representatives (PofR) are, effectively, running upwards of 15 (fifteen) separate ghost / phantom ([stalking horse](#)) candidates.

I expect to soon meet with (and compare notes), with groups and individuals outside of our usual 'official list', namely party representatives with Batkynchena, (more on this soon). Until then, please see my theory/suspicions below, regarding the buying of the vote through personnel at the district (DEC) and local (PEC) level .

We have been told that in every DEC, there are always 3 members who receive pay for the entire election period, while the rest of the DEC members receive only 3 days of pay during the election period. Who will be paid for the full election is determined internally, by DEC voting. Normally, this pay goes to the executive of the DEC (the Head, Deputy Head and Secretary), as they are ostensibly the members who do the most work in the DEC's to prepare for the election. But, in several instances, we see that executive members (often the Head) are not being paid. As well, in several instances, we have seen a regular member of DEC, who doesn't seem to be doing much of the actual work but seems to exert lots of control, *is* paid.

I believe that this pattern has already emerged. We're monitoring which of the DEC members are being paid a salary for the entire campaign period, to see if this pattern continues. I believe, and have observed, that payment to election officials has already been proven to be incentive for certain members to do certain things... Please see colour-coded table on the last page of this report.

PAID (and NOT PAID) DEC MEMBERS in LVIV OBLAST

(Green = PofR 'ghost' parties, all being paid salaries as DEC officials)

DEC # and city	Head	Deputy Head	Secretary	Other paid member?
115 – Sihivsky (Lviv)	Communist PAID	ANARCHIST PAID	Our Ukraine Party (Yushchenko) NOT PAID	Party of Regions PAID
116 – Zailznychnyy (Lviv)				
117 – Frankivsky (Lviv)				
118 – Lychalvsky (Lviv)				
119 - Brody	Christian Democratic Party NOW PAID?	Russian Bloc PAID	Rus Yedena PAID	ANARCHIST PAID
120 - Gorodok	Liberal Party NOT PAID	Communist Party PAID	United Centre PAID	ANARCHIST PAID
121 -				
122 - Yavoriv	ANARCHIST PAID	Rus Yedena	Yulia Tymoshenko Bloc PAID	Green Planet PAID
123 - Peremyshlyany	Ukraine - Forward! NOT PAID	Yulia Tymoshenko Bloc PAID	?...we will return and find out...	Party of Regions
124 - Sokal	All-Ukrainian United Family Political Union	LIBERAL PAID	Christian Democrat NOT PAID	ANARCHIST PAID
125 -				
126 - Stryy	Yulia Tymoshenko bloc NOT PAID	Christian Democrat NOT PAID	GREEN PLANET PAID	Bratstvo PAID

Please note that we are yet to visit 4 of the 12 DECS in Lviv province, though we believe that a substantial pattern, and problem, has already emerged.