

**Ukrainian World Congress
International Observation Mission to Ukraine's 2019 Elections**

Early Parliamentary Election in Ukraine on 21 July 2019
Final Report

A. About the UWC Mission

The Ukrainian World Congress (UWC) is the international coordinating body for Ukrainian communities in the diaspora representing the interests of over 20 million Ukrainians. The UWC has a network of member organizations and ties with Ukrainians in over 60 countries.

Founded in 1967, the UWC was recognized in 2003 by the United Nations Economic and Social Council as a non-governmental organization with special consultative status and obtained in 2018 participatory status as an international non-governmental organization with the Council of Europe.

On 11 July 2019, the Prosecutor General of the Russian Federation declared the UWC to be an undesirable organization that constitutes a threat to the constitutional order and security of the Russian Federation.

Since 1999, the UWC has deployed election observation missions to monitor all Presidential and Parliamentary Elections in Ukraine.

The UWC International Observation Mission to Ukraine's 2019 Elections (UWC Mission) was the fourth largest international observation mission to the Parliamentary Election in Ukraine after the observation missions of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (ODIHR OSCE), the European Network of Election Monitoring Organizations (ENEMO) and CANADEM.

By its composition and scope, the UWC Mission was unique since it included:

- short-term observers who monitored the electoral process not only in Ukraine but also at Ukrainian diplomatic missions abroad; and
- long-term observers who carried out media-monitoring outside of Ukraine.

The UWC Mission focused on the following:

- Commenting on the legal framework of the electoral process, particularly on Ukraine's domestic legislation and legal norms, as well as Ukraine's commitments to the Organization for Security and Co-operation in Europe and the Council of Europe, and to other international standards for democratic elections;
- Intelligence gathering on Ukraine's preparedness to ensure democratic elections and to counter possible foreign interference, including cyberattacks, manipulations and violations of the electoral process;
- Media-monitoring around the world and in different languages in order to detect any attempts to undermine Ukraine during this election year, including the integrity of Ukraine's electoral processes and the legitimacy of its democracy; and

- Observing the electoral process in the days leading up to and on election day, as well as the counting and transfer of ballot boxes to the Central Election Commission from polling stations in Ukraine and Ukrainian diplomatic missions around the world where voting took place.

During Ukraine's Parliamentary Election, the UWC Mission Core Team was composed of the following individuals:

- Eugene Czolij – Head of Mission;
- Andrew Futey – Deputy Head;
- Zenon Potichny – Chief Observer;
- Volodymyr Kistianyk – Coordinator of Mission;
- Dmytro Panchuk – Data Monitoring Analyst;
- Oleksandr Riabtsev – Deployment Officer; and
- Irene Mycak – Media Officer.

The UWC Mission prepared Guidelines for Observers and issued four (4) reports on the Parliamentary Election:

- Interim Report on 18 July 2019;
- Preliminary Observations on 22 July 2019 (the day after the election);
- Preliminary Observations on Media-monitoring on 24 July 2019; and
- Final Report on 2 September 2019.

The conclusions of the UWC Mission were based upon direct observations by its short-term and long-term observers, as well as meetings held with high-level officials from state institutions, media, civil society and the international community.

The UWC Mission was completely independent and did not receive any government funding.

B. Domestic and International Observers

The Central Election Commission of Ukraine (CEC) accredited 163 domestic observer organizations with 17,187 observers. In addition, the CEC accredited 21 international organizations with 1,602 observers.

On 7 February 2019, the Verkhovna Rada of Ukraine adopted a law that bans Russian citizens from participating as observers in the Presidential and Parliamentary elections. This affected the UWC Mission in that it excluded citizens of the Russian Federation that are members of UWC member organizations from joining the UWC Mission.

C. UWC Short-Term Observers during the Parliamentary Election

For Ukraine's Parliamentary Election, the UWC Mission registered with the CEC 142 short-term observers from 30 countries, namely: Argentina, Australia, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Estonia, France, Georgia, Germany, Greece, Israel, Italy, Kazakhstan, Latvia, Lithuania, Moldova, the Netherlands, Poland, Portugal, Romania, Serbia, Slovenia, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The UWC Mission also closely cooperated with the observation mission of its member organization, Ukrainian Congress Committee of America (UCCA), which registered 32 short-term observers. Together, the UWC and the UCCA missions registered 174 short-term observers with the CEC.

UWC short-term observers completed online and in-person training on 20 July 2019 in Kyiv.

The online reporting system for UWC short-term observers was developed by the Sterling Business School.

The UWC Mission monitored the electoral process in 20 oblasts of Ukraine, namely: Cherkaska, Chernihivska, Chernivetska, Dnipropetrovska, Ivano-Frankivska, Kharkivska, Khmelnytska, Kyivska, Lvivska, Mykolaivska, Odeska, Poltavska, Rivnenska, Sumska, Ternopilska, Vinnytska, Volynska, Zakarpatska, Zaporizka and Zhytomyrska.

In addition, the UWC Mission monitored the voting in Ukraine's diplomatic missions in 23 countries, namely: Argentina, Belgium, Bulgaria, Canada, Croatia, Estonia, France, Germany, Greece, Israel, Italy, Kazakhstan, Lithuania, the Netherlands, Poland, Portugal, Serbia, South African Republic, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Uzbekistan.

D. UWC Long-Term Observers during the Parliamentary Election

The UWC Mission mobilized 125 long-term observers from 28 countries, namely: Australia, Argentina, Azerbaijan, Belgium, Brazil, Canada, Croatia, Czech Republic, France, Germany, Greece, Estonia, Italy, Kazakhstan, Latvia, Lebanon, Mozambique, Moldova, Poland, Portugal, Serbia, Slovakia, Spain, Switzerland, Ukraine, United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The UWC long-term observers conducted media-monitoring in 20 languages for any evidence of disinformation, namely: Arabic, Azeri, Bosnian, Czech, Dutch, English, Estonian, French, German, Greek, Italian, Kazakh, Latvian, Polish, Portuguese, Russian, Serbian, Slovak, Spanish, and Ukrainian.

The UWC long-term observers began their activities on 2 March 2019 with a training session conducted by experts from StopFake and Kyiv Mohyla Academy School of Journalism.

The long-term media monitoring with respect to the Parliamentary Election started on 14 June 2019.

The UWC long-term observers monitored the media in their countries of residence for potential disinformation.

The UWC long-term observers completed online training on the specifics of the media environment during the election period and on submitting online reports.

The online reporting system was developed in partnership with Sterling Business School and in consultation with representatives of StopFake and Kyiv Mohyla Academy School of Journalism.

The long-term media-monitoring of the UWC Mission regarding the Parliamentary Election was realized remotely and in two stages:

- 1) UWC long-term observers entered into their online reports articles that aimed to discredit or tarnish either the electoral process in Ukraine in general, or a specific political party or candidate in particular.
- 2) The monitoring team then systematized and analyzed this data and made conclusions accordingly.

E. Background

The 2019 Parliamentary Election in Ukraine took place on the heels of the 5th anniversary of Ukraine's Revolution of Dignity and the invasion by the Russian Federation of the sovereign territory of Ukraine including the illegal occupation of Crimea and, subsequently, parts of the Eastern Ukrainian territory of the Donbas.

In 2013-14, the people of Ukraine stood up against the authoritarian regime of Viktor Yanukovich in a Revolution of Dignity which ended in sniper fire and the deaths of over 100 peaceful Ukrainian protesters from 18-20 February 2014 in Kyiv.

Immediately following the Revolution of Dignity, the Russian Federation invaded and illegally occupied Ukraine's Crimean Peninsula and launched military aggression against Ukraine on its Eastern territories.

The Russian military aggression has affected the entire population of Crimea and 4.4 million people in Eastern Ukraine.

The consequences of the military actions of the Russian Federation in the Donbas include 13,000 deaths, 30,000 injuries and the internal displacement of more than 1.5 million people.

Since the beginning of the aggression, over 2,500 people have been the victims of exploding landmines, including at least 240 children, and 1.9 million people live on territories littered with landmines.

3.4 million people require humanitarian aid, 2.2 million – medical aid and 1.2 million – food aid.

More than 120 political prisoners were being illegally detained by the Russian Federation, and more than 100 hostages were being held in the Donbas.

On 25 November 2018, the conflict escalated further with the assault of the Russian Federation's naval forces on Ukrainian naval forces near the Kerch Strait. Three ships were seized and 24 crew members were unlawfully detained by the Russian Federation despite multiple appeals by the international community calling for their immediate and unconditional release.

The human rights situation in Crimea continues to deteriorate.

On the day of the Parliamentary Election, the OSCE Special Monitoring Mission recorded 79 ceasefire violations in Eastern Ukraine.

The hybrid aggression of the Russian Federation against Ukraine has been widely acknowledged and repeatedly condemned by the international community which has provided military, financial and humanitarian aid to Ukraine.

Since the last Parliamentary Election in Ukraine in 2014, the following major events have occurred:

- Coming into force of the EU-Ukraine Association Agreement, as well as the Deep and Comprehensive Free Trade Area;
- Adoption of a visa-free regime for Ukrainian citizens allowing them to enter all EU member states (apart from Ireland and the United Kingdom), as well as Iceland, Liechtenstein, Norway and Switzerland;
- Signing and coming into force of the Canada-Ukraine Free Trade Agreement;
- Signing of the Israel-Ukraine Free Trade Agreement;
- Granting of a Tomos of autocephaly to the Orthodox Church of Ukraine; and
- Adoption of constitutional amendments reflecting Ukraine's strategic goal of becoming a member of NATO and the European Union.

F. Legal Framework

Legislation of Ukraine

The legal framework governing elections in Ukraine is based upon the following laws: a) *Constitution of Ukraine*; b) *Law on Elections of the People's Deputies of Ukraine*; c) *Law on the State Register of Voters of Ukraine*; d) *Law of Ukraine on the Central Election Commission*; e) *Law of Ukraine "On political parties in Ukraine"* e) *Code of Administrative Proceedings*; and f) *Code of Administrative Offences*. Below are excerpts from salient provisions of these laws:

a) Constitution of Ukraine

Article 38. Citizens have the right to participate in the administration of state affairs, in All-Ukrainian and local referendums, to freely elect and to be elected to bodies of state power and bodies of local self-government.

Article 69. The expression of the will of the people is exercised through elections, referendum and other forms of direct democracy.

Article 70. Citizens of Ukraine who have attained the age of eighteen on the day of elections and referendums have the right to vote in the elections and referendums. Citizens deemed by a court to be incompetent do not have the right to vote.

Article 71. Elections to bodies of state power and bodies of local self-government are free and are held on the basis of universal, equal and direct suffrage, by secret ballot. Voters are guaranteed the free expression of their will.

Article 76. The constitutional composition of the Verkhovna Rada of Ukraine consists of 450 People's Deputies of Ukraine who are elected for a five-year term on the basis of universal, equal and direct suffrage, by secret ballot.

A citizen of Ukraine who has attained the age of twenty-one on the day of elections, has the right to vote, and has resided on the territory of Ukraine for the past five years, may be a People's Deputy of Ukraine.

A citizen who has a criminal record for committing an intentional crime shall not be elected to the Verkhovna Rada of Ukraine if the conviction is not spent and released by the procedure established by law.

The authority of People's Deputies of Ukraine is determined by the Constitution and the laws of Ukraine.

The term of authority of the Verkhovna Rada of Ukraine is five years.

Article 77. Regular elections to the Verkhovna Rada of Ukraine take place on the last Sunday of October of the fifth year of the term of authority of the Verkhovna Rada of Ukraine.

Special elections to the Verkhovna Rada of Ukraine are designated by the President of Ukraine and are held within sixty days from the day of the publication of the decision on the pre-term termination of authority of the Verkhovna Rada of Ukraine.

The procedure for conducting elections of People's Deputies of Ukraine is established by law.

b) Law on Elections of the People's Deputies of Ukraine

Article 1. Basic Principles of Elections of Members of Parliament of Ukraine

1. The People's Deputies of Ukraine (hereinafter referred to as "MPs") shall be elected by citizens of Ukraine on the basis of universal, equal and direct suffrage by secret voting.

2. The quantitative composition of the Verkhovna Rada of Ukraine is 450 MPs.

3. The election of MPs shall be conducted on the basis of a mixed (proportional majority) electoral system:

- 1) 225 MPs shall be elected on the basis of a proportional system in a nationwide multi-member election district (hereinafter, nationwide election district) under electoral lists of MP candidates (hereinafter, electoral lists) from political parties (hereinafter, parties);
- 2) 225 MPs shall be elected on the basis of a simple majority system in single-mandate election districts (hereinafter, single-mandate election districts).

Article 2. Universal Suffrage

1. Elections in Ukraine shall be based on universal suffrage. The right to vote in an election of MPs may be exercised by Ukrainian citizens who are eighteen years old on the day of voting. Ukrainian citizens who have the right to vote shall be the voters.

2. A voter may exercise his or her right to vote in the election, provided that he or she is included in the voter list for the respective election precinct.

[...]

7. Citizens of Ukraine who have the right to vote may participate in the work of election commissions as members, in election campaigning, in observing the conduct of the election of MPs, and in other activities in accordance with the procedures set forth by this Law and other Laws of Ukraine.

8. Any direct or indirect privileges or restrictions on the electoral rights of Ukrainian citizens based on race, color of skin, political, religious and other beliefs, sex, ethnic and social origin, material status, place of residence, language or other grounds shall be prohibited. Restrictions on the participation of Ukrainian citizens in the election process, except those provided for by the Constitution of Ukraine and this Law, shall not be allowed.

9. A citizen who has been declared incompetent by a court shall not have the right to vote.

Article 3. Equal Suffrage

1. Elections in Ukraine shall be based on equal suffrage: Ukrainian citizens shall participate in the election of the MPs on an equal basis.

2. Each voter shall have one vote in a single-mandate election district and one vote in the nationwide election district. A voter may exercise his or her right to vote only at one election precinct where he or she is included in the voter list. A voter shall exercise his or her right to vote in an election according to the procedures set forth by this Law.

3. All candidates for People's Deputy of Ukraine (hereinafter, MP candidates) shall have equal rights and opportunities to participate in the election process.

4. All parties that are electoral subjects shall have equal rights and opportunities to participate in the election process in accordance with the procedures and within the limits prescribed by this Law.

5. In terms of participation in the election process, the equality of rights and opportunities of both candidates and parties that are electoral subjects shall be ensured through:

- 1) prohibition of candidates' privileges or restrictions based on race, color of skin, political, religious and other beliefs, sex, ethnic and social origin, material status, place of residence, language or other grounds;
- 2) prohibition of interference of state executive bodies, state bodies of the Autonomous Republic of Crimea and self-government bodies with the election process, except for cases specified by this Law;

3) equal and unbiased treatment of the candidates and parties that are electoral subjects by the state bodies, bodies of the Autonomous Republic of Crimea and self-government bodies, as well as their officials;

4) prohibition on the use by candidates and parties that are electoral subjects of resources other than those of their electoral funds for election campaign funding;

5) equal and unbiased treatment of the candidates and parties that are electoral subjects by mass media.

Article 4. Direct Suffrage

1. Elections of MPs in Ukraine shall be direct. Ukrainian citizens shall elect MPs by voting for MP candidates included in the voter list of a party, as well as for candidates in single-mandate election districts.

Article 5. Voluntary Participation in Elections

1. Participation of Ukrainian citizens in the election of MPs shall be voluntary. No one may be compelled to participate or not to participate in the election.

Article 6. Free Elections

1. The election of the MPs shall be free. Ukrainian citizens shall be provided with conditions for free formation of their will and its free expression when voting.

2. Violence, threats, fraud, bribery or any other actions interfering with the free formation and expression of a voter's will shall be prohibited.

3. In order to ensure conditions for free expression of their will, on the day of voting members of the military shall be granted leave of absence for no less than four hours to participate in the voting.

Article 7. Secret Voting

1. Voting in the election of MPs shall be secret: control over a voter's expression of will shall be prohibited.

2. Members of election commissions and other persons shall be forbidden from taking any actions or making public any information enabling anyone to find out the result of a particular voter's expression of will.

Article 8. Personal Voting

1. Each voter shall vote in person. Voting on behalf of other persons or transfer of the right to vote by a voter to any other person shall be prohibited.

Article 9. The Right to Be Elected

1. A citizen of Ukraine who has reached the age of 21, shall have the right to vote, and has been residing in Ukraine for the previous five years may be elected an MP.

2. Residing in Ukraine under this Law shall mean:

1) residing in the territory within the state borders of Ukraine;

2) staying on a ship sailing under the National Flag of Ukraine;

3) staying of citizens of Ukraine, pursuant to the procedure established by the law, in foreign diplomatic institutions of Ukraine, international organizations and in their bodies, as a result of their out-of-country assignment;

4) staying at Ukraine's polar station;

5) staying within the command of the Armed Forces of Ukraine stationed abroad.

3. Persons residing with persons specified in clause 3 of Part two of this Article as their family members shall also be deemed to be residing in Ukraine.

4. A person who has been convicted of committing a deliberate crime can neither be nominated nor elected as an MP, unless this criminal record has been cleared or canceled pursuant to the procedure established by law.

Article 10. The Right to Nominate MP Candidates

1. Ukrainian citizens who have the right to vote may nominate MP candidates. This right shall be exercised through the parties or by means of self-nomination pursuant to this Law.

c) Law of Ukraine on Judiciary and Status of Judges

Article 37 (5) 3. In the Administrative Cassation Court separate court chambers must be established. These chambers shall adjudicate cases on election process and referendum and protection of political rights of citizens.

d) Code of Administrative Procedure of Ukraine

Article 9 (1) 6. The jurisdiction of administrative courts extends to cases in public-law disputes, in particular disputes concerning legal relations related to the electoral process or the referendum process.

Article 20 (1) 2. The local general courts as administrative courts shall have jurisdiction in administrative cases related to the election process or the referendum process concerning: appeals against decisions, actions or inactivity of polling station election commissions, polling station commissions from the referendum, members of these commissions; clarification of the list of voters; appeals against acts or inactivity of mass media, news agencies, enterprises, institutions, organizations, their officials and officers, creative media workers and news agencies that violate election and referendum legislation.

Article 22 (2). The appellate administrative court in the district of appeal, which includes the city of Kyiv, as a court of first instance, has jurisdiction concerning appeals against decisions, actions and inactivity of the Central Election Commission (other than those specified in part four of this article), actions of candidates for the President of Ukraine, their trustees.

Article 22 (4). The Supreme Court as a court of first instance has jurisdiction for the establishment of the election results or an all-Ukrainian referendum by the Central Election Commission, a case regarding the pre-term termination of the powers of a people's deputy of Ukraine, as well as cases concerning the appeal of acts or omissions of the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, the High Qualifications Commission of Judges of Ukraine, the Qualification-Disciplinary Commission of Prosecutors.

Article 273 (6) Appeal statements regarding decisions, actions or inactivity of the election commission, referendum commission, members of these commissions may be filed with the administrative court within five days from the date of the decision, action or admission of inactivity.

Article 273 (9). The court shall decide on administrative cases, specified by this article, within two days after receipt of the statement of claim. Administrative cases on claims filed before the day of voting shall be settled by the court within two days, but not later than two hours before the beginning of the voting. Administrative cases on claims filed on election day are decided by the court before the end of voting. Administrative cases on claims filed on the day of voting, but after the end of voting, are resolved by the court within two days after receipt of the statement of claim.

Article 278. Features of court decisions on the consequences of the consideration of cases related to the election process or referendum and their appeal.

Article 278 (2). Appeal complaints against court decisions following the consequences of considering cases as defined in Articles 273-277 of this Code may be filed within two days from the date of their proclamation, and for court decisions made prior to the day of voting, no later than four hours before the poll starts.

Article 278 (4). The Court of Appeal considers the case within a two-day period after the expiration of the time limit for appeals against the notification of the participants of the case. An appeal against a court decision that was adopted before the day of voting shall be considered not later than two hours before the beginning of the vote.

Case law

Case law of the Constitutional Court of Ukraine also plays an important role with respect to the electoral legislation of Ukraine.

On 20 June 2019, the Constitutional Court of Ukraine rendered a decision declaring that the Decree of the President of Ukraine "On early termination of powers of the Verkhovna Rada of Ukraine and the appointment of early elections" dated 21 May 2019 is in conformity with the Constitution of Ukraine.

International Law

Ukraine has also made commitments to the UN, OSCE and Council of Europe and is bound by other international standards of the democratic expression of will, specifically:

a) *Universal Declaration of Human Rights adopted by the UN General Assembly*

Article 21. The will of the people shall be the basis of the authority of government; this will be expressed in periodic and genuine elections which shall be conducted by universal and equal suffrage and shall be held by secret vote or by other equivalent free voting procedures that guarantee freedom of the vote.

b) *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe*

5. They [participating states] solemnly declare that among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings are the following:

5.1. free elections that will be held at reasonable intervals by secret ballot or by equivalent free voting procedure, under conditions which ensure in practice the free expression of the opinion of the electors in the choice of their representatives.

c) *Law of Ukraine on Implementing decisions and applying practices of the European Court of Human Rights*

Article 17. Courts [of Ukraine] in hearing cases apply the Convention [Convention for the Protection of Human Rights and Fundamental Freedoms] and the practice of the Court [European Court of Human Rights] as the sources of law.

d) *Law of Ukraine on The Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, First Protocol and protocols No. 2, 4, 7 and 11 of the Convention*

Article 1. Ukraine fully recognizes on its territory article 25 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 on the recognition of the competency of the European Commission for Human Rights to accept from any individual, non-governmental organization or group statements addressed to the Secretary General of the Council of Europe on violations by Ukraine of rights, as designated by the Convention, and article 46 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 on recognizing as mandatory

and without the need for a special agreement the jurisdiction of the European Court of Human Rights in all questions related to interpreting and applying the Convention.

Recent relevant updates

In 2015, Ukraine adopted the *Law of Ukraine on the Condemnation of the Communist and National Socialist (Nazi) Regimes, and Prohibition of Propaganda of Their Symbols* which prevents the nomination of a candidate for a member of Parliament of Ukraine by a party that disseminates the propaganda of Communist or national-socialist (Nazi) totalitarian regimes.

As a result of the illegal occupation of Crimea and the armed aggression of the Russian Federation in Eastern Ukraine, which have been repeatedly condemned by the international community, the following legal acts were adopted:

- *Resolution of the Central Election Commission of Ukraine No 274* dated 31.12.2018, that provides citizens of Ukraine living on the territory of the Russian Federation the right to vote in Georgia, Kazakhstan and Finland;
- *Resolution of the Central Election Commission No. 1430* dated 02.07.2019, confirming that citizens of Ukraine shall not be able to vote on the temporarily occupied territories of Crimea and Donbas;
- *Resolution of the Central Election Commission of Ukraine No. 910* dated 29.05.2019, that provides a simplified way of changing the voting place for all citizens of Ukraine;
- *Law of Ukraine “On amendments to some laws of Ukraine on monitoring the electoral process in Ukraine”* dated 07.02.2019, which includes an amendment to article 77 of the *Law of Ukraine “On Elections of the People’s Deputies of Ukraine”*, stating that an official observer may not be an individual who is a citizen of a state recognized by the Verkhovna Rada of Ukraine as an aggressor state or occupier state. The Russian Federation is recognized by the Verkhovna Rada of Ukraine as an aggressor state in the declaration of the Verkhovna Rada of Ukraine “*On combating armed aggression of the Russian Federation and overcoming its consequences*” dated 21 April 2015 and the *Law of Ukraine “On the specifics of state policy on guaranteeing the state sovereignty of Ukraine on the occupied territories of the Donetsk and Luhansk Oblasts”* dated 18 January 2018.

G. Ukraine’s Preparedness for Parliamentary Election

The 2019 Parliamentary Election in Ukraine was being conducted while the country continued to combat the hybrid aggression being waged by the Russian Federation on Ukrainian territory. This, coupled with the fact that the Russian Federation has been linked to disruptions to electoral processes in other independent countries, had placed Ukrainian authorities on high alert with respect to monitoring any potential threat of foreign interference in the electoral process.

Ukrainian authorities assured the UWC Mission of their readiness to act accordingly and respond to potential threats. In preparing to address any potential threats to the electoral process, Ukrainian authorities sought cooperation with international partners to learn from past experiences and best practices.

H. Findings Regarding Ukraine’s Parliamentary Election

The UWC Mission has assessed the Parliamentary Election considering Ukraine’s international commitments to democracy, the rule of law, freedom of speech, and to free and fair elections.

UWC short-term observers recorded minor irregularities in certain polling stations, including the challenge for elderly and physically disabled people to access polling stations located on second and third floors. These irregularities were not systemic and did not impact on the election results.

The governing authorities, particularly the CEC, and law enforcement agencies of Ukraine ensured the integrity and security of the electoral process despite the ongoing hybrid aggression of the Russian Federation against Ukraine.

In fact, Russian hybrid aggression against Ukraine had the worst impact on the 2019 Parliamentary Election in Ukraine since it did not allow the Ukrainian people to elect 12 MPs in Crimea and 14 MPs on the occupied territories of the Donbas.

Based on the monitoring results of the UWC Mission, the 2019 Parliamentary Election in Ukraine has met international standards for the conduct of democratic elections.

I. Findings Regarding Media-Monitoring

One of the main geopolitical goals of Russian disinformation around the world is blurring the lines between fact and fiction, creating confusion and doubt, and instilling in the audience a belief that the truth does not exist. Disinformation campaigns in traditional and social media are often tailored to sow discord in a society, accentuate divisions between certain groups or fabricate controversies where they have not existed previously. In many places around the world, Russian disinformation has attempted to portray international institutions and various countries as hopeless, ineffectual, dishonest or corrupt with the goal of weakening them to further the geopolitical and imperial aims of the Russian Federation.

On 3 November 2015, former U.S. Deputy Assistant Secretary of State Benjamin Ziff testified as follows before the Subcommittee on Europe and Regional Security Cooperation of the U.S. Senate Foreign Relations Committee:

“The Kremlin sponsors these efforts with a sophisticated \$1.4 billion-a-year propaganda apparatus at home and abroad, which claims to reach 600 million people across 130 countries in 30 languages. The Russian government also funds think tanks and outside organizations in its neighboring states to help achieve its goals of promoting the Kremlin’s false narratives; portraying the West as a threat; and undermining trust in independent media as well as Western institutions and values.”

In the case of Ukraine, disinformation has been and remains an integral part of Russian hybrid warfare which includes the military, economic, cyber, and information components.

The ultimate goal of Russian hybrid warfare, including disinformation, is to weaken Ukraine in order to return it to the Russian sphere of influence and domination.

Effectively drawing on its international and multilingual network of diaspora communities, the UWC Mission has detected numerous examples of Russian disinformation about Ukraine and its electoral processes in foreign media.

The UWC Mission has noted various disinformation narratives during Ukraine’s Parliamentary Election, which have been disseminated in various languages through traditional and social media outside of Ukraine. The target audience has been the international community with different degrees of involvement with Ukraine.

Some of the disinformation narratives uncovered by the long-term observers of the UWC Mission include the following:

- On 7 June 2019, the website Mediapart published in English and, on 8 June 2019, the AgoraVox site re-posted in French, an article entitled “*Do French taxpayers sponsor the Ukrainian conflict?*”, which states: “*All these events are causing more and more protest by ordinary French taxpayers who ask whether France is financing the Ukrainian war in the Donbass and outright anti-Russian propaganda.*” This article propagates the false information that it is Ukraine that is waging war against the Russian Federation in the Donbas

and spreading anti-Russian propaganda, and that the French taxpayers are financing such efforts.

- On 14 June 2019, the online newspaper L'Humanité published in French an article entitled “Ukraine: Zelenskiy, and after?”, which states the following: “The euphoria of the overwhelming victory of the novice Zelenskyy should not overshadow the emergence of a nationalist, anti-Russian, and xenophobic extreme right, which surfed the post-Maidan Ukrainian power. Thus, the most disturbing phenomenon is the rise of neo-Nazi radical ideologies in the heart of a former communist state. The lessons of history have not been retained.” This article repeats the false accusation that the governing authorities of Ukraine are radical and xenophobic.
- On 4 July 2019, the AgoraVox site published in French an article entitled “The collapse of power in Ukraine has begun,” which states the following: “The devaluation of the presidential power further accelerates the disintegration of the Ukrainian state. If the president is considered a puppet, there will be commotion and disintegration. And this agitation takes shape in the battles around the composition of the Verkhovna Rada. In Ukraine, the oligarchs who, through the President, already have contractual relations with each other and with foreign heads of state, are governing more and more openly. Ukraine, which previously had no sovereignty, is now openly transformed into a fuzzy territory, whose mandate is exercised by outside actors, and it is they who determine whether or not to start disintegration of the territory of Ukraine.” This article attempts not only to belittle the presidential power and the new composition of the Verkhovna Rada but also to undermine Ukraine’s sovereignty.
- 21 July 2019, Russia Today featured in French a video entitled “Parliamentary elections in Ukraine: landslide victory for the party of president Zelenskiy”, which propagated the following narratives: “We need to be clear, reforms that are prepared in Ukraine are not decided in Ukraine”; “Zelenskiy is only a puppet”; “Ten million citizens living in Russia cannot go vote this time”; “Results of the elections do not matter given the fact that decisions are anyway taken elsewhere”; and “The problem is to know who you talk to if you speak to a president whose country is under foreign occupation, and here I am not speaking about Russia.” This video perpetuates surreptitiously the disinformation that Ukraine is not a sovereign country and that citizens of Ukraine living on the territory of the Russian Federation could not vote even though they could exercise their right to vote in Georgia, Kazakhstan and Finland.
- On 21 July 2019, Russia-24 channel hosted a talk show in Russian called “Sunday Evening”, where the host mentioned that: “A phenomenal number of Ukrainians did not have the possibility to vote in parliamentary elections [...] It was a dirty electoral campaign, with colossal pressure,” and also that “Russia should not recognize the parliamentary elections in Ukraine, because there were no Russian observers, no PACE observers. There were clear violations in the electoral campaign. It would be unwise to call these elections representative, free or fair.” This disinformation is clearly contradicted by international missions that monitored this Parliamentary Election in Ukraine.
- On 22 July 2019, commenting on an interview with a political scientist on Russia-24 TV channel, the English-language website Fort Russ calls Ukraine “a playground for political experiments,” claiming that “Ukraine’s senior partners in Washington determine the brink of what is possible, huddling in Ukrainian political characters into a special “corridor of possibility”. This makes it difficult, if not impossible, to stay in line with the promised election slogans during their campaigns.” This article plainly disinforms that Ukraine is not a sovereign country but simply a political experiment of Washington.
- On 22 July 2019, the Information Agency Regnum published in Russian an article entitled “The Rada Elections have been called the most closed in history,” which quotes a Russian

official as saying that “*The elections to the Verkhovna Rada of Ukraine of 21 July were the most closed ones in the entire history of the republic [...] Judging by the number of violations, the 21 July procedures cannot be called an election.*” This article falsely accentuates that the violations on 21 July 2019 were so severe that one cannot even call Ukraine’s Parliamentary Election – an election, notwithstanding that international observation missions declared that the same election has met the international standards for the conduct of democratic elections.

- On 25 July 2019, an English-language article in The Saker blog entitled “*Zelenskii’s dilemma*” asserted that: “*The sad reality is that the Nazi occupation of the Ukraine has turned the country into a prototypical failed state and that there are no signs of any kind indicating that things might get better, even marginally, for the foreseeable future.*” This assertion is completely divorced from the political reality in Ukraine and the Law of Ukraine on the Condemnation of the Communist and National Socialist (Nazi) Regimes, and Prohibition of Propaganda of Their Symbols prevents the nomination of a candidate for a member of Parliament of Ukraine by a party that disseminates the propaganda of Communist or national-socialist (Nazi) totalitarian regimes.
- On 19 August 2019, the Cont site posted an article stating the following: “*It is not for the first time that it becomes clear that the future of the Ukrainian people today is determined not in Kyiv, not in the Verkhovna Rada, but in the USA and Europe – those countries served by the Servants of the People.*” This article attempts to underhandedly discredit Ukraine’s sovereignty.

In sharp contrast to many of the aforementioned narratives, the assessments by reputable international observation missions including the ODIHR OSCE, ENEMO, CANADEM, NDI, and the European Parliament have unequivocally signaled that Ukraine conducted a fully democratic election. For example:

ODIHR OSCE: “*Ukraine’s early parliamentary elections were efficiently run and respected fundamental freedoms.*”

ENEMO: “*Elections were held in a competitive and generally peaceful environment, despite tight deadlines and remaining shortcomings in the legislation. Election administration functioned in an overall transparent and efficient manner.*”

CANADEM: “*Ukrainians have affirmed their commitment to democratic development by electing a new parliament in an election that largely met international democratic standards.*”

NDI: “*For the third time in four months, Ukraine held democratic elections. Despite a war and a punishing timeline, government officials, election administrators, political parties, candidates, election observers, and citizens collectively delivered an election that complied with Ukraine’s laws, meets international standards, and reflects the will of voters. This is a remarkable achievement.*”

The European Parliament election observation delegation to Ukraine: “[...] *one can undoubtedly say that they [the elections] were competitive, well administered and managed in an efficient way.*”

On the basis of the long-term media-monitoring and analysis, the UWC Mission affirms the existence of global disinformation about the Parliamentary Election and Ukraine in general.

J. Recommendations of UWC Mission

The UWC Mission makes the following recommendations to improve Ukraine’s electoral process:

Recommendations based on the short-term monitoring of the UWC Mission:

- 1) Abolish the “*day of silence*” as an outdated procedure which does not take into account the significant role of social networks, which have remained off limits to such a regulation.

- 2) Provide equal conditions for political parties and candidates in the media space, which would include equal airtime and uniform representation.
- 3) Explore new initiatives that would simplify the participation of Ukrainian voters abroad, some of whom had to travel very long distances in order to cast a vote during the Parliamentary Election. Such mechanisms may include voting by mail, electronic voting, telephone voting and increasing the number of polling stations in foreign constituencies. This would increase the voter turnout outside of Ukraine in as much as it only reached 14 % during this Parliamentary Election.

The UWC Mission points out that electronic voting includes: (a) internet voting through the use of a computer at designated kiosks, any polling station, or the voter's precinct polling station; and (b) remote internet voting from an internet-connected computer anywhere in the world. Estonia became the first country to use remote internet voting in its Parliamentary Election which took place in 2007. Voters logged into the system using an ID-card and cast their ballot. During the 2015 Parliamentary Election, Estonian voters from 116 countries in the world were able to cast their ballot via the internet. In the 2019 Estonian Parliamentary Election, 43.75% of all votes were cast online. The biggest concerns with electronic voting remain computer viruses and hacker attacks, as well as the high expense for the installation of a reliable electronic voting system.

Recommendations based on the long-term monitoring of the UWC Mission.

The Ukrainian authorities, civil society and the UWC should:

- 1) continue raising awareness of the serious threats that disinformation poses for political stability, socioeconomic well-being and fundamental freedoms;
- 2) conceive a strategic program for combating disinformation;
- 3) set up a commission which will coordinate the various stakeholders involved in the process of preventing, detecting, analyzing and combating disinformation and its side effects;
- 4) create a monitoring group consisting of diaspora representatives, who will continue monitoring on a permanent basis traditional and social media in their countries of residence for manipulation and disinformation about Ukraine generally and its democratic processes in particular;
- 5) establish channels of cooperation with governments of Western countries and international organizations to share experiences and data so as to effectively counter Russian disinformation and to coordinate the struggle against this destructive phenomenon at the global level;
- 6) identify effective ways of engaging Google, YouTube, social media such as Facebook, Instagram and Twitter, and the communication platform WhatsApp, in developing the means to counteract the spread of Russian and other disinformation;
- 7) invest in increasing media awareness among Ukrainian citizens, including the issues of disinformation and manipulation, through specialized training and the inclusion of critical thinking and media literacy courses in school and academic curricula;
- 8) facilitate the development of independent and high-quality media which would effectively disseminate accurate information about Ukraine to different target audiences and in different languages.

K. Meetings of UWC Head of Mission

Head of the UWC Mission Eugene Czolij met with Hierarchs of Ukrainian Churches, representatives of the governing authorities, specifically with the CEC, the leadership of other international and national observation missions in Ukraine, as well as representatives of civil society in Ukraine.

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The meetings focused on the preparation of Ukraine's Parliamentary Election and the monitoring of this process by the UWC Mission. Meetings with experts in the field of media monitoring and communications touched upon the monitoring activities by UWC long-term observers and coverage of the electoral process in Ukraine by foreign media.

Between 15 and 24 July 2019, Head of the UWC Mission Eugene Czolij met with the following individuals:

Avakov Arsen, Minister of Interior of Ukraine

Axworthy Lloyd, Head of the CANADEM Mission

Babych Vasyl, Head of International Relations of the Secretariat of the Reanimation Package of Reforms

Bekeshkina Iryna, Director of the Ilko Kucheriv Democratic Initiatives Foundation

Bernadska Natalia, Secretary of the Central Election Commission of Ukraine

Bushuiev Heorhii, International Relations Manager of the Secretariat of the Reanimation Package of Reforms

Deineko Serhii, Head of the State Border Guard Service of Ukraine

Dubovyk Serhiy, Deputy Head of the Secretariat of the Central Election Commission of Ukraine

Erben Peter, Senior Global Electoral Adviser and Ukraine Country Director of the International Foundation for Electoral Systems

His Beatitude Epiphanius I, Primate of the Orthodox Church of Ukraine, Metropolitan of Kyiv and All Ukraine

Hopko Hanna, Head of the Committee on Foreign Affairs, Verkhovna Rada of Ukraine

Jepsen Harald, International Senior Adviser of the International Foundation for Electoral Systems

Jikia Natia, Deputy Director of National Democratic Institute

Kotsyuruba Olha, Senior Legal Adviser, OPORA Civil Network

Krechetov Maksym, Expert at the Directorate on Information Policy at the Office of the President of Ukraine

Kulchynsky Roman, Editor-in-Chief of the Internet portal "Texty.org.ua"

Ligachova Natalia, Chairperson of NGO "Detector Media"

Lutsenko Yurii, Prosecutor General of Ukraine

Lymar Olga, Development Manager of the Secretariat of the Reanimation Package of Reforms

Lynnyk Natalia, Deputy Director General and Programme Director at the Committee of Voters of Ukraine

Meleshevych Andriy, President of the National University "Kyiv-Mohyla Academy"

Mendel Iuliia, Press Secretary of the President of Ukraine

Odynska-Grod Olya, Deputy Head of CANADEM Mission

Pavlenko Rostyslav, Co-chairman of the Party "European Solidarity"

Pobedonostseva Iryna, Chairperson of the Directorate on Information Policy at the Office of the President of Ukraine

Prystaiko Vadym, Deputy Head of the Office of the President of Ukraine

Rybachuk Oleh, Director and Co-Founder of NGO “Center UA”

Shaptala Natalia, Head of the Constitutional Court of Ukraine

Slipachuk Tetiana, Chairperson of the Ukraine Central Election Commission

Smokovych Mykhaylo, Head of the Cassation Administrative Court of the Supreme Court of Ukraine

Tsybulska Liubov, Director of the Hybrid Warfare Analytical Group of the Ukraine Crisis Media Center

Waschuk Roman, Extraordinary and Plenipotentiary Ambassador of Canada to Ukraine

Woodward Ian, Deputy Director of National Democratic Institute

Yablonskyi Vasyl, Acting Director of the National Institute for Strategic Studies of Ukraine

Zolotukhin Dmytro, Deputy Head of the Ministry of Information Policy of Ukraine

On 20 July 2019, the Head of the UWC Mission attended a breakfast hosted by National Democratic Institute and International Republican Institute, where he met other Heads of international observation missions and G7 Ambassadors in Ukraine.

On 21 July 2019, on election day, the Head of the UWC Mission took part in a briefing by the Minister of Interior of Ukraine concerning the electoral process in Ukraine.

On 22 July 2019, the Head of the UWC Mission shared preliminary findings from the Parliamentary election at a press conference organized by Kyiv Press Club.

On 23 July 2019, the Head of the UWC Mission participated in the Roundtable discussion on the findings and conclusions of the Parliamentary Election in Ukraine hosted by the European Platform for Democratic Elections at the premises of the Association of Journalists of Ukraine.

On 24 July 2019, the Head of the UWC Mission addressed a Transatlantic Task Force Session entitled “*A readout of Ukraine’s parliamentary election: what comes next in Kyiv?*”

C. Acknowledgments

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The UWC Mission expresses its gratitude to: (a) the UCCA election observation mission for its cooperation; b) the World Congress of Ukrainian Youth Organizations (SKUMO) for mobilizing a large number of short-term observers; (c) UWC Mission group coordinators, particularly Dmytro Lecartev from Moldova, President of SKUMO, and Teona Kakhiani from Georgia, Vice-President of SKUMO, as well as Maria Tucka, Member of the Main Council of the Association of Ukrainians in Poland (AUP) and Roman Biłas, President of the AUP Koszalin Branch; and (d) all UWC short-term and long-term observers.

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The UWC Mission expresses its gratitude to the Ukrainian people for their hospitality during its work, particularly on 21 July 2019, the day of monitoring of the Parliamentary Election in Ukraine.

UKRAINIAN WORLD CONGRESS INTERNATIONAL
OBSERVATION MISSION TO UKRAINE'S 2019 ELECTIONS



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