

Canadian Observers Mission To Ukraine



Final Report of the Canadian
Observers Mission to Ukraine

Rapport définitif de la Mission canadienne
d'observation des élections en Ukraine

Кінцевий звіт Місії канадських
спостерігачів в Україні

Delivered by
The Rt. Hon. John N. Turner, P.C., C.C., Q.C.
Head of Mission, Canadian Observers Mission to Ukraine
Ottawa, Canada
May 2005

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The Rt. Hon. Paul Martin, P.C., M.P.
Prime Minister of Canada
House of Commons



Dear Prime Minister,

I am proud to present to you this report, which documents the observations of the Canadian contingent I led to Ukraine in respect of its historic national election on December 26, 2004.

This was a total team effort, and the Canadian delegation performed to the highest professional standards. Our mission was to observe the election to ensure that it respected the principles of democracy—nothing more. I made that point very clear to all the delegates in our group prior to our departure, and I was informed from all my leads on the ground in Ukraine that our mission was accomplished.

The people of Ukraine, its institutions and candidates ran an election free from incident and irregularity that caused the run-off to occur in the first place.

We observed democracy in action. I personally visited with campaign teams, election officials and several polling stations on election day, and found the process and activities to be in keeping with standards that we would observe in Canada.

I am proud to have led a delegation of such dedicated Canadians who share my vision for participatory democracy and who ably represented Canada in this historic observation mission. Our effort on the ground highlighted Canada's role as a leader in promoting democracy throughout the world.

When democracy triumphs, it is a victory for the people regardless of which political party or leader gets the most votes. I can say without reservation that the people won this election, because our report finds that it was conducted in a fair, open and democratic way.

I want to thank you, Prime Minister, for your confidence in my ability to lead this delegation and all others who were involved in the planning and execution of this mission.

Respectfully submitted,

A handwritten signature in black ink, which appears to read "John N. Turner". The signature is written in a cursive, flowing style.

The Rt. Hon. John N. Turner, P.C., C.C., Q.C.
Head of Mission
Canadian Observers Mission to Ukraine

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On December 27, 2004, the Governments of Canada and Ukraine were presented with the interim report of the Canadian Observers Mission (“the Mission”) for the repeat second round of the Ukrainian Presidential election.

This final report provides additional information drawn from debriefings with team leaders, observers, regional liaison officers (RLOs) and the Mission secretariat. These additional elements include further observations from the field, suggested improvements for future Canada Corps election missions, statistical information by oblast (province) and acknowledgement of participants and those in both Canada and Ukraine who contributed to the Mission.

Mandate

The role assigned to the Canadian Observers Mission was straightforward: to observe the election and provide an impartial assessment of the conditions in which voting took place and of compliance with Ukrainian electoral procedures. The Mission was not mandated to observe or comment on any election-related judicial proceedings nor on matters such as media coverage or balance.

Preparation: December 6–23

The Mission was announced on December 6, 2004, by the Honourable Aileen Carroll, Minister of International Cooperation, and the Honourable Pierre Pettigrew, Minister of Foreign Affairs. In that announcement, Canada committed to send approximately 500 observers for the repeat second round of the Ukrainian presidential election, which had been mandated by the Ukrainian Supreme Court on December 3, 2004.

Well over 4,000 Canadians applied to participate in the Mission, notwithstanding the holiday season and the short time frame for training and departure. The task of selecting and training the 463 observers was assigned to CANADEM, which performed the

task admirably, conducting the selection, accreditation and transportation of the observers in only 10 days.

Simultaneously, the Canadian Embassy in Kyiv had preparations underway in Ukraine, increasing their staff complement, establishing and staffing a secretariat and dealing with the Central Election Commission on documentation and accreditation, along with making arrangements for the travel and accommodation of observers. Observers were selected on the basis of a number of criteria, including international or domestic election experience, facility in Ukrainian and/or Russian, and professional, educational or other experience in Ukraine. Participants were required to attend two days of training in Ottawa on December 20 and 21.

The Ottawa sessions, organized by the Centre for Intercultural Learning, offered practical training on election procedures, the activities expected of (and precluded to) international observers, and above all, the requirement of absolute impartiality. This point was inculcated throughout the training and was well understood by all participants, who signed a code of conduct in this regard. In addition, the sessions provided the observers with an overview of the history, culture and prevailing political circumstances of Ukraine and with practical information on travel abroad, media relations, personal security and so forth.

Observers departed for Kyiv on December 21–22. Further training sessions were held on arrival in Kyiv on the specifics of Ukrainian electoral law and on the kinds of documentation that observers would encounter in the field. The assistance of the Committee of Voters of Ukraine and the Canadian Embassy in Ukraine was invaluable in this regard.

Twenty-one teams of approximately twenty observers each were finalized. Locations for the deployment of these teams were selected to ensure broad geographic coverage while taking into account irregularities reported during the first Presidential run-off vote held on November 21. Two teams each



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were assigned to the three oblasts (Luhansk, Donetsk and Cherkassy), which had experienced especially serious problems during the first run-off. The teams departed for their respective destinations on December 23 through 25, in most cases, travelling long distances to their destinations.

In addition, the Mission has cooperated with other bodies of international observers, most notably the Organization for Security and Co-operation in Europe (OSCE), to which Canada contributed 98 short-term and 12 long-term observers. Nine Canadian parliamentarians participated as observers as members of the delegation of the OSCE Parliamentary Association. The Mission has also worked alongside the National Democratic Institute, the International Republican Institute, and German, Israeli, Moldovan, and Polish delegations. In all, there were more than 12,000 international observers in Ukraine, and a coordinated effort led to broad coverage of polling locations with minimal duplication and overlap.

It should be noted that, while not part of the Canadian Observers Mission, a further 300 or so Canadians were deployed from Canada as observers by the Ukrainian Canadian Congress, as well as approximately 200 expatriate Canadians living in Ukraine.

Pre-election Days: December 24 and 25

Meetings were arranged in order to exchange information between the Head of Mission and significant actors in the election. Discussions were conducted on December 24 with Oleksandr Zinchenko, manager of the Victor Yushchenko campaign, on December 25 with Yaroslav Davydovych, Head of the Central Election Commission, and with Geert Ahrens, Director of the OSCE's Office for Democratic Institutions and Human Rights. A meeting was arranged for December 24 with Taras Chornovil, campaign manager of the Victor Yanukovych campaign, but this was unable to proceed when Mr. Chornovil was unavailable at the appointed place and time.

A strong sentiment was expressed by all on the importance of a free and fair vote. Mr. Davydovych stated that the Central Election Commission had done everything within its capacity to ensure fairness. This included the implementation of revised electoral legislation, which established parity between the two campaigns on electoral committees, strict control of the vote count and the development of a "triple protection system" for the delivery of the protocols (i.e. the ballot results).

Mr. Davydovych anticipated that unofficial preliminary results would be announced late on December 27 or early on December 28, but was unable to confirm a date certain for the announcement of final results. In fact, due to extensive legal proceedings, the final results were not announced until January 10, 2005, one hour before the 15-day deadline. There were several expressions of appreciation of the presence and scale of the Canadian contribution.

In the field, our observers reported being welcomed in most, but by no means all, polling stations and territorial commissions visited, and in some few instances, being refused admission outright. This varied not only between regions, but also between polls within regions. Observers had a preset series of questions to ask of election officials and scrutineers from the two camps. Despite reluctance in some cases, there was broad cooperation in answering these questions to the satisfaction of our observers.

As for the level of preparedness, some concerns were raised, including:

- polling stations without ballots and/or voting lists as of late on December 25
- late-arriving ballots being distributed haphazardly to poll officials by Territorial Election Commissions
- voting booths by windows failing to adequately protect voter privacy
- candidate posters and voting instructions not posted
- absence of ink pads for required ballot stamps
- inaccuracies in voter lists

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It should be noted that while these complaints arose in several oblasts, they did not appear to be particularly widespread, other than the concerns expressed about late-arriving ballots. More problematic was the timing of the Constitutional Court's December 25 decision to strike down a new provision limiting the number of electors permitted to vote in their homes. This decision restored eligibility to vote at home beyond the seriously disabled to those with a moderate disability. On the one hand, the timing left officials scrambling to adapt. On the other, an 8 p.m. deadline raised the likelihood that some disabled electors would have been unable to add their names to the list for home voting.

Notwithstanding the concerns listed above, the overall impression of our observers on the eve of the election was one of broad cooperation by officials, reasonable levels of preparation, and compliance with Ukrainian election rules, coloured by organizational deficiencies and infractions of a technical nature.

Election Day: Voting on December 26

For the most part, polling stations appear to have opened as scheduled at 8 a.m. Reports from the field indicated that voting proceeded properly and that this was true of all oblasts and all but a small number of polls. Several observers commented that parity between the camps at polling locations engendered cooperation and that adherents of both candidates worked together to make the voting run smoothly and fairly.

This was borne out in my own experience in polling stations in the City of Kyiv and in the town of Kozelets and village of Suray, both in Chernihiv oblast. The polls I toured were well organized, with

a logical layout for registration, privacy for voting, etc. The bipartisan representatives of the local commissions indicated that there had been no contentious issues, and voting proceeded in an orderly fashion and in an atmosphere of cooperation between the two camps. This was indeed what I observed personally, as did my advance team who arrived unannounced somewhat earlier in the day. These polling stations would have done credit to Elections Canada in any of the eight campaigns that I contested.

There were some notable exceptions and observed infractions:

- police and/or militia inside polling stations (Volyn)
- observers refused entry to a prison (Kharkiv)
- no-show of scrutineers and officials (Rivne)
- tension and lack of cooperation from officials (Luhansk, Odesa, Donetsk)
- confusion over mobile-ballot rules (Cherkassy)
- voting without identification (Mykolayiv, Khmelnytsky, Volyn, Cherkassy)
- substantial numbers of voters left off voter lists (Odessa)
- officials revising stated numbers of mobile ballots only when questioned (Cherkassy, Odesa)
- improperly sealed ballot boxes, both regular and mobile (widespread)
- fewer ballot boxes than required by law (Volyn, Mykolayiv)
- large excess of spare ballots above the 1% permitted by law (Chernihiv)
- ballots pre-counted prior to arrival of observers and scrutineers (Chernihiv)



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Key aspects of changes to the law were respected overall. In a few cases, individuals voted with identification which was called into question... Consensus of commission members was that these [restrictions on mobile voting] were too severe. Nevertheless, the law was obeyed.

— Bohdan Klid, Team Leader, Cherkassy Group

Ballot counting tended to be slow, but consistently resulted in legitimate and credible results. Hence, despite some procedural deficiencies, the objective of a fair and transparent election was achieved in this region [Chernivtsi], based on Mission observations.

— David Fleet, Team Leader, Chernivtsi

There were no perceived instances of electoral fraud that could in any reasonable fashion have been proved or substantiated. Voting appears to have proceeded entirely consistent with the true intentions of the enfranchised parties.

— Roman B. Karpishka, Team Leader, Sumy

In Volyn the election was fair, free and proper. There were a number of minor irregularities and technical glitches. There was nothing, however, to indicate that the vote was fraudulent or that irregularities and glitches affected the overall result. In Volyn the vote total as counted was an accurate reflection of the will of the voters.

— David Matas, Team Leader, Volyn

With the exception of two polling stations, there was parity of representation in [Polling Station Electoral Commissions] between Yanukovych and Yushchenko members of the [Polling Station Electoral Commissions], and their accredited observers for the most part worked well together in a relatively harmonious and collegial manner. Both sides were of the opinion that the voting process ran in a smooth and transparent manner and did not cite any major problems or violations. However, the Yushchenko commission members were quick to point out minor problems and errors, but stated that these did not have any impact on the election process.

— Ronald Sorobey, Team Leader, Luhansk #1

There were very few major instances in our polling stations in Khmelnytsky. Elderly voters were reportedly paid 20 hryvnia to vote for Yanukovych [in TEC-196, District 87]. A man previously identified as intimidating voters wandered in and out of the room without accreditation [in TEC-196, District 76]. The mayor of a village repeatedly interfered with the voting process and the control papers in this polling station were signed after the count [in TEC-192, District 170].

— Orest Zakydalsky, Team Leader, Khmelnytsky

There were also examples of direct interference with electors. In Chernihiv, an election official was observed instructing electors to vote for Mr. Yanukovych. In the most egregious example, in Poll No. 21 in Donetsk, electors were subject to various forms of harassment, including demands to reveal how they had voted prior to depositing their ballots. One elector was physically prevented from

casting his ballot having refused to disclose his choice and unaccredited individuals compromised the privacy of the voting booth by looking over the shoulders of electors. The local election official declined to intervene against this intimidation of electors. Fortunately, this kind of intimidation appears to have been truly exceptional.

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A more comprehensive list of observed infractions, sorted by oblast, is appended hereto as Appendix 1.

Election Day: Ballot Counting

Field observations on ballot counting and the reporting of election results were consistent with earlier reports on the conduct of the vote, namely that the count proceeded in a fair and orderly manner. Teams in all oblasts expressed confidence that the ballots were counted accurately at the polling stations, the protocols fairly reflected the counts, they were duly reported to the Territorial Election Commissions (TECs), and the TECs properly aggregated and reported the results to the Central Electoral Commission.

This is not to say that the counting of ballots passed without incident. First, the count was time-consuming, and in many instances, polling stations and TECs were completing their work well into December 27.

Intermittently, but too often, ballot counting and reporting procedures were confusing and unnecessarily lengthy. Reform would assist all electoral participants in future elections, and Canadian assistance in that regard would be consistent with the purpose of this Mission.

— David Fleet, Team Leader, Chernivtsi

The failure to comply strictly with the ballot box sealing law was worrisome because it allowed room for manipulation. A ballot box not properly sealed from the beginning could have been stuffed subsequently and then sealed. However, there was no evidence that this actually happened.

— David Matas, Team Leader, Volyn

There were also a number of irregularities or infractions observed by the Mission, including:

- power failures at polling stations accompanied by suspicious activity around the ballots (Odesa, Crimea)
- discrepancies between the number of ballots cast and the number of control slips (Zaporizhzhia)
- the TEC had not yet opened to receive ballots as of 4 a.m. (Rivne)
- apparent bias regarding spoiled ballots (Mykolayiv)

As with the conduct of voting, it should be reiterated that these observations were very much the exception, and observers expressed confidence in the veracity of the counting and reporting process.

Conclusions

The sentiment heard everywhere in Ukraine was a desire that the election be held freely and fairly and that it be a true reflection of the will of the Ukrainian people. On December 27, on the basis of reports from the field, we were able to draw a preliminary conclusion that this wish was on the verge of being fulfilled. Having now had the opportunity to hear directly from observers, I am all the more confident that the election was a fair one.

This opinion draws on the assessments made by the nearly 350 Canadian observers who, in their duties as members of the Mission, visited more than 1,500 polling stations throughout Ukraine. Though our conclusions derive solely from our own observations, we take note of the fact that our assessment was echoed by other national and international bodies, comprising 12,000 observers. Among them were 110 Canadians contributed by Canada Corps to the OSCE mission, along with 9 Canadian parliamentarians who reported through the OSCE parliamentary mission.

No election is run flawlessly, and that of December 26 saw some irregularities and infractions. While most



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were of a technical nature, some were more serious. The overall impression was, nevertheless, one of fairness.

We observed Ukrainian electors voting freely, without hindrance from officials or partisan election workers. It appeared that those who were entitled to vote were permitted to do so, and those who did were accurately instructed and their ballots held securely. It was evident also that counting of ballots at the local level and the aggregation of results at the Territorial Election Commissions and Central Election Commission had been done properly.

Post-election legal proceedings delayed the announcement of official results and it was not until January 10, 2005, that the Central Election Commission declared that Mr. Yushchenko had defeated his opponent by 2.3 million votes. Given the margin of victory and the low incidence of observed infractions, those that did occur could not have had a material effect on the outcome of the election.

Turnout was high, certainly by North American standards, with more than 29 million electors casting their ballots for a turnout in excess of 77 percent, this notwithstanding the fact that Ukraine has already been through two presidential votes in as many months. This presented undoubted challenges to officials as they strove to ensure that the democratic will of the Ukrainian people was expressed.

Our observations allow us to say with confidence that those challenges were met. A repeated theme in discussions with the observers was their admiration for the dedication of people working at the polling stations. They were similarly impressed with the value that Ukrainians place on their vote and with the sense of community exhibited by people in their efforts to deliver voters to the polls.

Lessons Learned

On December 28, 2004, two debriefing sessions were conducted with observers on their return to Kyiv. Their commentary was very positive about the performance of the mission, the warm reception offered by the people of Ukraine, and the strongly held sentiment that the election had been free and fair.

Over the course of the two sessions, a number of suggestions were offered as to how the mission might have been improved.

The first of these falls into the category of better preparing observers for their role. While participants appreciated the briefings that they had received on Ukrainian politics and culture, several stated that they would have benefited from more in-depth training on Ukrainian election law and practice, i.e. what is, and is not, allowable. It was also suggested that side-by-side translation of the election law be provided.

Team Leader assignments be communicated a minimum of two days before deployment to country.

Canadian embassy staff deployed as monitors be integrated with their assigned team, thereby providing the Team Leader and the team members with an opportunity to benefit from their local knowledge and prior election monitoring experience.

Teams be placed in their oblast no later than two days prior to the election.

Team Leader debriefing session be held before dispersal of teams and return to Canada.

— Zorianna Hyworon
Team Leader, Chernihiv

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Others felt that in-person training by observers from previous rounds might have better prepared first-time observers on what to expect regarding relations with election officials and infractions to look out for.

Video and still cameras were permitted in polling locations but were not available to mission observers other than to those few who had brought their own. I understand that video evidence provided by Canada's Ukraine Transparency & Election Monitoring Project (UTEMP) was given significant weight by the Ukrainian Supreme Court in its decision to invalidate the results of the November 21, 2004, vote. In future Canada Corps missions, video footage could prove highly useful in providing evidence on any infractions observed, though I would note that not all electoral regimes, Canada's included, allow the use of video cameras inside polling locations.

The second set of suggestions applies to the deployment of the Mission. Several participants remarked that the schedule was compressed very tightly, bundling some observers from long transatlantic flights into longer train rides with little time on the ground in preparation for election day. This was likely unavoidable given the time available. It should also be noted that this sentiment was expressed amidst widespread admiration for the way in which the Mission came together in such a short time frame.

Other suggestions included the assignment of teams and pairs prior to departure from Canada in order for people to build rapport and learn about each other's relative strengths. Last, there were some calls to improve the quality of maps provided and translators retained, and to give more information on matters such as the payment of drivers and translators.

Organizationally, the only concern voiced was in regard to the dual reporting structure. In the first column were the volunteers: the teams of observers and their 21 Team Leaders, who reported to the

Head of Mission through the Chief of Staff. In the second column were the 21 Regional Liaison Officers, drawn from the public service ranks of Foreign Affairs Canada (FAC), Canadian International Development Agency (CIDA), and Citizenship and Immigration, and reporting through the Chief of Field Operations. While this arrangement worked well in most instances, there was occasional confusion in the field as to where final decision-making authority rested.

The Mission's mandate was observation and reporting *to* the Government of Canada not *by* the Government of Canada, so the Mission was appropriately structured as a non-governmental organization with its own leadership. For their part, the Regional Liaison Officers brought operational expertise in Eastern Europe and greater experience in dealing with new cultural and political environments. There were no problems of any real consequence arising from this structure in Ukraine, but on future Canada Corps missions a clear delineation of roles and responsibilities will likely prove helpful.

As teething troubles for the very first Canada Corps mission, these are minor indeed. They are weighed against a universally held sense of accomplishment on the part of the observers. The feeling most widely expressed is that they have made a contribution of enduring value by being both contributors and witnesses to a turning point in history. This sense was bolstered by the many Ukrainian voters and officials who expressed their gratitude.

The Mission went from a concept to a completed project in just three weeks. It recruited, trained and transported 463 people over a distance of 7,500 km, dispersed them to over 1,500 locations in 17 oblasts and in the city of Kyiv, kept in touch throughout, reassembled everyone in Kyiv, returned them to Ottawa and got them all home again. The Mission was completed without any significant altercation, injury or illness—or even a missed plane or train. Seen in this light, the accomplishment is truly remarkable.



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There is one last observation that I will permit myself as Head of Mission. Prior to the departure of Canada Corps, questions were raised as to whether Canadians, and especially those of Ukrainian extraction, would exhibit the requisite impartiality. The question was posed at my first news conference and followed the Mission to Ukraine. As noted above, there were undertakings signed and training given, but in the end, compliance was up to the individual consciences of the hundreds of observers. In this event, there was not one untoward or partisan incident involving a Canada Corps participant. Our observers conducted themselves with the utmost professionalism. Canada can be justly proud of all who participated and all who got them there and back.

On behalf of the Canadian Observers Mission, I would once again like to thank our hosts, the Government of Ukraine, for inviting us to participate in this election and the thousands of volunteers and election officials who welcomed us.

I believe all of the observers share my delight in having been able to participate in such a critical, and ultimately successful, moment in Ukraine's history.

Sincerely,
The Rt. Hon. John N. Turner, P.C., C.C., Q.C.

Appendix I: Region/Oblast Observer Summary Statistics

TERRITORIAL ELECTORAL COMMISSIONS

TEC members

Team	# of TECs observed	A	A %	B	B %	NA	NA %
Cherkassy -1			100				
Cherkassy -2	4	3	75	0	0	1	25
Chernihiv	4	4	100	0	0	0	0
Chernivtsi			100		0		
Crimea (Sevastopol)	1	1	100	0	0	0	0
Dnipropetrovsk						1	
Donetsk -1							
Donetsk -2	4	3	75	0	0	1	25
Kharkiv			100		0		0
Kherson	7	7	100				
Khmelnysky							
Kyiv	0	0	0	0	0	0	0
Luhansk -1	3	2	67	0	0	1	33
Luhansk -2							
L'viv	1	1	100		0		0
Mykolayiv	4	4	100	0	0		0
Odesa	8	8	100	0	0		0
Rivne	9	6	67	0	0	3	33
Sumy		1					
Volyn							
Zaporizhzhia	4	3	75	1	25	0	0
Total	49	43	88	0	0	0	0

A) Representatives of two candidates represented, according to the law

B) Absence of parity

TERRITORIAL ELECTORAL COMMISSIONS (CONT.)

TEC conduct

Team	# of TECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			100		0		0		0
Cherkassy -2	4	3	75	0	0	0	0	1	25
Chernihiv	4	4	100	0	0	0	0	0	0
Chernivtsi			83		0		0		17
Crimea (Sevastopol)	1	1	100	0	0	0	0	0	0
Dnipropetrovsk	2	0	0	1	50	1	50		0
Donetsk -1		Almost all							
Donetsk -2	4	3	75	0	0	0	0	1	25
Kharkiv			100		0		0		0
Kherson	7	7	100						
Khmelnysky									
Kyiv	0	0	0	0	0	0	0	0	0
Luhansk -1	3	1	33	0	0	0	0	2	67
Luhansk -2									
L'viv	1	1	100		0		0		0
Mykolayiv	4	3	75	1	25	0	0		0
Odesa	8	6	75	1	13	0	0	1	13
Rivne	9	6	67	0	0	0	0	3	
Sumy			100		0		0		0
Volyn									
Zaporizhzhia	4	4	100	0	0	0	0	0	0
Total	51	39	77	3	6	1	2	8	16

- A) TEC generally conducted its functions according to procedures
 B) TEC lost control over the process
 C) TEC intentionally deviated from procedures

VOTING AND COUNTING

Precinct set-up

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			65		24		11		
Cherkassy -2	8	6	75	1	12.5	1	12.5		0
Chernihiv			55		45		0		0
Chernivtsi			77		1		1		11
Crimea (Sevastopol)	38	19	50	15	39.5	4	10.5	0	0
Dnipropetrovsk	56	49	87.5	5	8.9	2	3.6		0
Donetsk -1	66	62	93.9	2	3	2	3		0
Donetsk -2	55	24	43.6	7	12.7	4	7.3	15	2
Kharkiv			84		15		1		0
Kherson									
Khmelnysky	54	30	55.6	24	44.4		0		0
Kyiv	3	3	100	0	0	0	0	0	0
Luhansk -1	70	44	62.9	19	27.1	4	5.7	3	4.3
Luhansk -2	46	31	67.4	8	17.4	2	4.3	4	8.7
Lviv	80	64	80	11	13.8	5	6.3		0
Mykolayiv	10	2	20	8	80		0		0
Odesa	85	65	76.5	10	11.8	1	1.2	9	10.6
Rivne	9	8	88.9	1	11.1	0	0	0	0
Sumy	60	44	73.3	10	16.7	2	3.3		0
Volyn	56	42	75	10	17.9	4	7.1		0
Zaporizhzhia	78	31	39.7	37	47.4	7	9	3	3.8
Total	774	524	68	168	22	38	4.9	34	4

- A) Adequate
- B) Acceptable
- C) Unacceptable

VOTING AND COUNTING (CONT.)

Mobile voting

Team	Average # of requests	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1	15.32									
Cherkassy -2	19	66	29	43.9	28	42.4	4	6.1	28	42.4
Chernihiv	19	1	1	100	1	100	0	0		
Chernivtsi	15.3			72		72		4		
Crimea (Sevastopol)	33	1	1		1		1		0	
Dnipropetrovsk	22.5	6	3	50	3	50				
Donetsk -1	48	48	48	100	48	100	0	0	0	0
Donetsk -2	53.24	55	28	50.9	27				26	47.3
Kharkiv	17.82			100		100		28		
Kherson										
Khmelnysky	20									
Kyiv	0	0	0	0	0	0	0	0	0	0
Luhansk -1	45.57	70	44	62.9	44	62.9	3	4.3	23	32.9
Luhansk -2		46	36	78.3	36	78.3	6	13	7	15
L'viv	22			100		100				
Mykolayiv	965	78	46	59	48	61.5	13	16.7	19	24.4
Odesa	15.97	85	54	63.5	54	63.5	21	24.7	27	31.8
Rivne	< 5 %	58	42	72.4	42	72.4	6	10.3	9	15.5
Sumy	7.5	60	36	60	36	60		0	24	40
Volyn	26.15	57	51	89.5	0	0	6	10.5		0
Zaporizhzhia	11.78	38	38	100	38	100	38	100	0	0
Total		669	457	68	406	61	98	15	163	24

PEC members and persons who accompanied ballot box

- A) Yanukovych
- B) Yushchenko
- C) Others

VOTING AND COUNTING (CONT.)

Voter lists (Article 36)

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			76		22		0	1	
Cherkassy -2	66	43	65.2	13	20	5	7.6	5	7.6
Chernihiv			11		67		22		
Chernivtsi			78		10		0		12
Crimea (Sevastopol)	41	23	56.1	17	42	1	2.4	0	0
Dnipropetrovsk	55	52	94.5	3	5.5	0	0	0	0
Donetsk -1	66	57	86.4	9	14	0	0	0	0
Donetsk -2	55	45	81.8	3	5.5	0	0	1	1.8
Kharkiv			82		18		0		
Kherson									
Khmelnysky	56	50	89.3	6	11		0	0	0
Kyiv	6	6	100	0	0	0	0	0	0
Luhansk -1	70	54	77.1	8	11	0	0	5	7.1
Luhansk -2	46	30	65.2	8	17.4	0	0	8	17.4
L'viv	78	65	83.3	10	13	3	3.8	0	0
Mykolayiv	71	50	70.4	16	23	1	1.4	4	5.6
Odesa	85	54	63.5	21	25	6	7.1	4	4.7
Rivne	58	52	89.7	6	10	0	0	0	0
Sumy	60	57	95	3	5	0	0	0	0
Volyn	62	55	88.7	7	11	0	0	0	0
Zaporizhzhia	78	41	52.6	22	28	12	15	3	3.8
Total	953	734	77	152	16	28	3	31	3

- A) There were no obvious problems with voter lists, or small errors in names on the voter lists were corrected
 B) There were some voters who were not on the voter lists
 C) A significant number of people could not vote because of incorrect voter lists

VOTING AND COUNTING (CONT.)

Issuing (Article 76, part 1)

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			86		5		1.7		4
Cherkassy -2	66	62	93.9	0	0	0	0	4	6.1
Chernihiv			100		0		0		0
Chernivtsi			95		1		0		
Crimea (Sevastopol)	34	30	88.2	3	8.8	1	2.9	0	0
Dnipropetrovsk	49	49	100	0	0	0	0	0	0
Donetsk -1	66	64	97	0	0	0	0	2	3
Donetsk -2	55	52	94.5	0	0	0	0	3	5.5
Kharkiv			100		0		0		0
Kherson									
Khmelnysky	54	50	92.6	4	7.4		0		
Kyiv									
Luhansk -1	70	67	95.7	0	0	5	7.1	0	0
Luhansk -2	46	40	86.9	0	0	0	0	5	10.9
L'viv	77	76	98.7	1	1.3	0	0	0	0
Mykolayiv	70	62	88.6	4	5.7	3	4.3	1	1.4
Odesa	85	76	89.4	0	0	1	1.2	8	9.4
Rivne	58	50	86.2	0	0	0	0	8	13.8
Sumy	60	57	95	1	1.7	0	0	2	3.3
Volyn	61	61	100	0	0	0	0	0	0
Zaporizhzhia	78	73	93.6	1	1.3	0	0	4	5.1
Total	929	869	94	14	2	10	1	37	4

- A) PEC issued ballots properly
 B) PEC sometimes issued ballots without proper identification
 C) PEC issued ballots to people who were not on the list and/or had no valid court documents

VOTING AND COUNTING (CONT.)

Campaigning

Team	# of PECs observed	A	A %	B	B %	C	C %	D	D %	NA	NA %
Cherkassy -1			93		1.7		1.7		0		2
Cherkassy -2	66	54	81.8	1	1.5	0	0	3	4.5	8	12.1
Chernihiv			100		0		0		0		0
Chernivtsi			96		0		0		0		0
Crimea (Sevastopol)	42	36	85.7	1	2.4	3	7.1	2	4.8	0	0
Dnipropetrovsk	57	57	100	0	0	0	0	0	0		0
Donetsk -1	66	65	98.5	1	1.5	0	0	0	0		0
Donetsk -2	55	53	96.4	0	0	0	0	0	0	2	3.6
Kharkiv			100		0		0		0		0
Kherson											
Khmelnysky	60	58	96.7	1	1.7	1	1.7	0	0	0	0
Kyiv	6	6	100	0	0	0	0	0	0	0	0
Luhansk -1	70	65	92.9	3	4.3	1	1.4	0	0	3	4.3
Luhansk -2	46	39	85	2	4	0	0	1	2	5	11
L'viv	79	76	96.2	2	2.5	0	0	0	0	0	0
Mykolayiv	65	61	93.8	2	3.1	0	0	0	0	2	3.1
Odesa	85	82	96.5	1	1.2	0	0	0	0	2	2.4
Rivne	58	52	89.7	6	10.3	0	0	0	0	0	0
Sumy	60	59	98.3	0	0	0	0	0	0	1	1.7
Volyn	68	67	98.5	0	0	0	0	0	0	1	1.5
Zaporizhzhia	78	74	94.9	0	0	3	3.8	0	0	1	1.3
Total	961	904	94	20	2	8	1	6	1	25	3

- A) There were no campaigning materials at or around precinct
- B) There were some campaign posters near precinct
- C) Somebody was actively campaigning outside precinct
- D) Campaign materials were within precinct

VOTING AND COUNTING (CONT.)

Observation

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			88		0		0		7
Cherkassy -2	66	62	93.9	0	0		0	4	6.1
Chernihiv			100		0		0		0
Chernivtsi			95		1		0		0
Crimea (Sevastopol)	38	37	97.4	1	2.6	0	0	0	0
Dnipropetrovsk	49	49	100	0	0		0	0	0
Donetsk -1	56	52	93	3	5.4	2	4	1	1.8
Donetsk -2	55	49	89.1	2	3.6		0	4	7.3
Kharkiv			100						
Kherson									
Khmelnysky	64	64	100	0	0	0	0	0	0
Kyiv	6	6	100	0	0	0	0	0	0
Luhansk -1	70	65	92.9	3	0	0	0	4	5.7
Luhansk -2	46	42	91	2	4	0	0	2	4
L'viv	79	77	97.5	2	2.5	0	0	0	0
Mykolayiv	67	62	92.5	2	3	3	4.5	0	0
Odesa	85	84	98.8	0	0	0	0	1	1.2
Rivne	58	55	94.8	0	0	0	0	3	5.2
Sumy	60	59	98.3	0	0		0	1	1.7
Volyn	62	62	100	0	0	0	0		0
Zaporizhzhia	78	73	93.6	1	1.3	0	0	4	5.1
Total	939	898	96	16	2	5	1	24	3

- A) All authorized observers able to observe
 B) Observers denied access to SOME aspects of voting
 C) Observers denied access to CRUCIAL aspects of voting (issuing of ballots, voter's identification, etc.)

VOTING AND COUNTING (CONT.)

Observation of count (Article 78)

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			100						
Cherkassy -2	9	6	66.7	2	22.2	0	0	1	11.1
Chernihiv			67		22		0		11
Chernivtsi	10		91		0		0		0
Crimea (Sevastopol)	8	6	75	2	25	0	0	0	0
Dnipropetrovsk	5	4	80	1	20	0	0	0	0
Donetsk -1	6	6	100	0	0	0	0	0	0
Donetsk -2	5	5	100	0	0	0	0	0	0
Kharkiv			89		0		0		0
Kherson									
Khmelnysky	9	9	100	0	0	0	0	0	0
Kyiv	6	0	0	0	0	0	0	6	100
Luhansk -1	9	8	88.9	0	0	0	0	1	11.1
Luhansk -2	5	5	100	0	0	0	0	0	0
L'viv	8	6	75	2	25	0	0	0	0
Mykolayiv	9	6	66.7	2	22.2	0	0	1	11.1
Odesa	9	7	77.8	2	22.2	0	0	0	0
Rivne	9	9	100	0	0	0	0	0	0
Sumy	9	9	100	0	0	0	0	0	0
Volyn	6	6	100	0	0	0	0	0	0
Zaporizhzhia	8	7	87.5	1	12.5	0	0	0	0
Total	130	94	72	12	9	0	0	9	7

- A) Counting process was transparent and straightforward
 B) Counting process was disorganized and confusing
 C) Observers could not properly monitor counting process

VOTING AND COUNTING (CONT.)

Legitimacy

Team	# of PECs observed	A	A %	B	B %	C	C %	NA	NA %
Cherkassy -1			88		12.5				
Cherkassy -2	9	6	66.7	1	11.1	0		2	22.2
Chernihiv									
Chernivtsi	10	10	100	0	0	0	0	0	0
Crimea (Sevastopol)	7	5	71.4	1	14.3	1	14.3	0	0
Dnipropetrovsk	4	3	75		0	1	25	0	0
Donetsk -1	6	3	50	3	50	0	0	0	0
Donetsk -2	5	3	60	2	40	0	0	0	0
Kharkiv			89		11				
Kherson									
Khmelnysky	9	9	100	0	0	0	0	0	0
Kyiv	6	0	0	0	0	0	0	6	0
Luhansk -1	9	7	77.8	2	22.2	0	0	0	0
Luhansk -2									
Lviv	8	7	87.5	1	12.5		0	0	0
Mykolayiv	9	5	55.6	1	11.1	2	22.2	1	11.1
Odesa	9	4	44.4	5	55.6	0	0	0	0
Rivne	9	8	88.9	1	11.1	0	0	0	0
Sumy	9	9	100	0	0	0	0	0	0
Volyn	5	5	100	0	0	0	0	0	0
Zaporizhzhia	8	7	87.5	1	12.5	0	0	0	0
Total	122	81	66.5	18	14.8	4	3.3	9	7.4

- A) Counting was legitimate
 B) PEC somewhat deviated from counting procedures, without damaging legitimacy
 C) PEC corrupted counting procedures

VOTING AND COUNTING (CONT.)

Protocols (Article 79, part 7-8)

Team	# of PECs observed	Part 1						Part 2						Protocols obtained	of
		A	A %	B	B %	NA	NA %	A	A %	B	B %	NA	NA %		
Cherkassy -1			100						75						
Cherkassy -2	9	6	66.7		0	3	33.3	7	77.8			2		4	9
Chernihiv			67		33				55		45			10	10
Chernivtsi	10		60		20		20		50				50		
Crimea (Sevastopol)	9	9	100	0	0	0	0	9	100	0	0	0	0	9	9
Dnipropetrovsk	4	4	100		0	2	0		0					3	8
Donetsk -1	3	1	33.3	1	33	1	0	3	100	0	0	0	0	3	3
Donetsk -2	5	3	60	1	20	1	20	3	60	0	0	2	40	1	5
Kharkiv			100		0		0		100					6	11
Kherson															
Khmelnysky	9	9	100	0	0		0	9	100	0	0		0		
Kyiv	6	0	0	0	0	6	100	0	0	0	0	6	100		
Luhansk -1	9	3	33.3	2	22	4	44	5	56	0	0	4	44.4	1	5
Luhansk -2	5	1	20	1	20	3	60	3	60	0	0	2	40	2	5
L'viv	8	4	50	4	50		0	7					0	7	8
Mykolayiv	9	5	55.6	2	22.2	2	22.2	4	44.4	1	11.1	4	44.4	4	4
Odesa	9	5	55.6	1	11.1	3	33.3	5	55.6	0	0		0		
Rivne	9	6	66.7	0	0	3	33.3	6	66.7	0	0	3	33.3	0	0
Sumy	9	5	55.6	1	11.1	3	33.3	5	55.6		0	4	44.4	8	10
Volyn	4	4	100	0	0		0	2	50	2	50	0	0	2	
Zaporizhzhia	8	5	63	0	0	3	38	4		1	12.5	3	37.5	5	8
Total	125	70	56	13	10	34	27	72	58	4	3	30	24	65	95

Part 1

- A) Protocols posted at the precinct after vote count
- B) Protocols NOT posted at the precinct after vote count

Part 2

- A) Protocols given to all entitled to receive them
- B) Protocols NOT given to all entitled to receive them

Protocols obtained by COM observers in _____ of _____ precincts

PREPAREDNESS AND OPENING

Providing information

Team	# of PECs observed	A	A %	B	B %	C	C %
Cherkassy -1	29	27	93.1	1	3.4	2	6.9
Cherkassy -2	27	27	100	0	0	0	0
Chernihiv	85	73	86	9	10	3	4
Chernivtsi	24	19	79.2	5	20.8	0	0
Crimea (Sevastopol)	45	38	84.4	5	11.1	1	2.2
Dnipropetrovsk	31	31	100		0		0
Donetsk -1	6	5	83.3	1	16.7	0	0
Donetsk -2	5	5	100	0	0	0	0
Kharkiv			100		0		0
Kherson	24	19	79	4	0.2	1	0
Khmelnysky	21	21	100	0	0	0	0
Kyiv	2	2	100	0	0	0	0
Luhansk -1	11	8	72.7	0	0	0	0
Luhansk -2	9	8	88.9	1	11.1	0	0
L'viv	28	22	78.6	6	21.4	0	0
Mykolayiv	12	7	58.3	3	25	2	16.7
Odesa	40	35	87.5	1	2.5	2	5
Rivne	11	11	100	0	0	0	0
Sumy	24	24	100	0	0	0	0
Volyn	19	19	100	0	0	0	0
Zaporizhzhia	46	31	67.4	11	23.9	4	8.7
Total	499	432	87	47	9	15	3

- A) PEC provided all information requested by observer
 B) PEC provided some information requested [# of precincts]
 C) PEC did NOT provide information requested [# of precincts]

PREPAREDNESS AND OPENING (CONT.)

Posted information at the precinct (Article 74, part 5)

Team	# of PECs observed	A	A %	B	B %	C	C %	D	D %	E	E %
Cherkassy -1	29	16	55.2	6	20.7	0	0	0	0	4	13.8
Cherkassy -2	27	15	55.6	0	0	5	18.5	0	0	4	14.8
Chernihiv	85	26	30	11	13	8	9	3	4	34	40
Chernivtsi	19	12	63.2	3	15.8	2	10.5	0	0	2	10.5
Crimea (Sevastopol)	45	23	51.1	13	28.9	6	13.3	0	0	3	6.7
Dnipropetrovsk	31	26	83.9	2	6.5	1	3.2	0	0	0	0
Donetsk -1	66	29	43.9	9	13.6	1	1.5		0		0
Donetsk -2	9	3	33.3	6	66.7	0	0	0	0	0	0
Kharkiv			95		5		0		0		0
Kherson	24	8	33	9	37.5	2	8.3	0	0	5	20.1
Khmelnysky	31	20	64.5	6	19.4	5	16.1	0	0	0	0
Kyiv	2	2	100	0	0	0	0	0	0	0	0
Luhansk -1	11	10	90.9	0	0	0	0	0	0	0	0
Luhansk -2	9	9	100	0	0	0	0	0	0	0	0
L'viv	76	62	81.6	12	15.8	1	1.3	0	0	1	1.3
Mykolayiv	12	4	33.3	4	33.3	1	8.3	0	0	3	25
Odesa	40	31	77.5	3	7.5	2	5	0	0	2	5
Rivne	11	9	81.8	1	9.1		0		0	1	9.1
Sumy	24	20	83.3	3	12.5	0	0	0	0	0	0
Volyn	70	56	80	12	17.1	0	0	0	0	2	2.9
Zaporizhzhia	46	26	56.5	7	15.2	3	6.5	0	0	6	13
Total	668	407	60	107	16	37	6	3	1	67	10

- A) Complete information was posted
- B) Poster with information on voting procedure was missing
- C) Posters of candidates were missing
- D) Posters of candidates were not according to the ballot
- E) There was no information posted at the precinct

PREPAREDNESS AND OPENING (CONT.)

Was parity of representation of candidates respected in PEC composition?

Team	A	A %	B	B %
Cherkassy -1	14	82.4	3	17.6
Cherkassy -2	27	100	0	0
Chernihiv	85	100	0	0
Chernivtsi	13	68.4	6	31.6
Crimea (Sevastopol)	45	100	0	0
Dnipropetrovsk	90	100	0	0
Donetsk -1	31	50	31	50
Donetsk -2	2	66.7	1	33.3
Kharkiv		100		0
Kherson	6	66.6	3	33.3
Khmelnysky	21	100	0	0
Kyiv	2	100	0	0
Luhansk -1	2	33.3	4	66.7
Luhansk -2	2	66.6	1	33.3
L'viv	14	56	11	44
Mykolayiv	7	87.5	1	12.5
Odesa	20	90.9	2	9.1
Rivne	8	72.7	3	27.3
Sumy	23	95.8	1	4.2
Volyn	18	94.7	1	5.3
Zaporizhzhia	15	32.6	31	67.4
Total	445	82	99	18

- A) Yes
B) No

PREPAREDNESS AND OPENING (CONT.)

Number of absentee certificates issued by PECs

Team	Average %
Cherkassy -1	0.46
Cherkassy -2	1
Chernihiv	< 1
Chernivtsi	1
Crimea (Sevastopol)	1
Dnipropetrovsk	< 1
Donetsk -1	< 0.1
Donetsk -2	19.125
Kharkiv	0.33
Kherson	< 1
Khmelnysky	0.0035
Kyiv	0.08
Luhansk -1	
Luhansk -2	
L'viv	0.4
Mykolayiv	0.0069
Odesa	7.7
Rivne	0.5
Sumy	0.1
Volyn	0.007
Zaporizhzhia	12.2

Average percentage, noting significant deviations

PREPAREDNESS AND OPENING (CONT.)

Ballot boxes (Article 75, part 10)

Team	# of PECs observed	A	A %	B	B %	C	C %	D	D %
Cherkassy -1			100		0		0		0
Cherkassy -2	8	7	87.5	0	0	1	13	0	0
Chernihiv			100		0		0		0
Chernivtsi			100		0		0		0
Crimea (Sevastopol)	45	38	84.4	5	11	1	2.2	5	11
Dnipropetrovsk	7	7	100	0	0	0	0	0	0
Donetsk -1	66	62	93.9	5	7.6		0		0
Donetsk -2	6	6	100	0	0	0	0	0	0
Kharkiv			100		0		0		0
Kherson	9	9	100						
Khmelnysky	9	9	100	0	0	0	0	0	0
Kyiv	4	4	100	0	0	0	0	0	0
Luhansk -1	6	6	100	0	0	0	0	0	0
Luhansk -2	9		0		0		0		0
L'viv	9	9	100	0	0	0	0	0	0
Mykolayiv	10	10	100		0		0		0
Odesa	40	18	45	16	40	0	0		0
Rivne	11	7	63.6	2	18	2	18		0
Sumy	8	8	100	0	0	0	0	0	0
Volyn	8	8	100	0	0	0	0	0	0
Zaporizhzhia	9	9	100		0		0		0
Total	264	217	82	28	11	4	2	5	2

- A) Ballot boxes properly sealed and control sheets signed
- B) Ballot boxes NOT properly sealed
- C) Control sheets NOT properly signed
- D) Ballot boxes NOT properly sealed and control sheets NOT properly signed

PREPAREDNESS AND OPENING (CONT.)

Opening

Team	# of PECs observed	A	A %	B	B %	C	C %	D	D %	E	E %
Cherkassy -1			100	0	0		0		0		0
Cherkassy -2	8	7	87.5	0	0	1	13	0	0	0	0
Chernihiv			89		11		0		0		0
Chernivtsi			88		12		0		0		0
Crimea (Sevastopol)	45	38	84.4	5	11.1	1	2.2	5	11	1	2.2
Dnipropetrovsk	6	6	100	0	0	0	0	0	0	0	0
Donetsk -1	6	5	83.3	1	16.7		0		0		0
Donetsk -2	6	5	83.3	0	0	1	17	0	0	0	0
Kharkiv			100		0		0		0		0
Kherson	9	8	88.8	1	11.1						
Khmelnysky	9	9	100	0	0	0	0	0	0	0	0
Kyiv	1	1	100	0	0	0	0	0	0	0	0
Luhansk -1	16	5	31.3	9	56.3	2	13	0	0	0	0
Luhansk -2	9		0		0		0		0		0
L'viv	9	9	100	0	0	0	0	0	0	0	0
Mykolayiv	10	9	90	1	10	0	0	0	0	0	0
Odesa	8	6	75	1	12.5	1	13	0	0	0	0
Rivne	9	9	100	0	0	0	0	0	0	0	0
Sumy	8	8	100	0	0	0	0	0	0	0	0
Volyn	8	8	100	0	0	0	0	0	0	0	0
Zaporizhzhia	9	9	100		0		0		0		0
Total	176	142	81	18	10	6	3	5	3	1	1

- A) Precinct was opened on time (8 a.m.)
- B) Precinct opened little later, but insignificantly so
- C) Precinct opened late
- D) Precinct was closed most of the morning
- E) Precinct never opened

Appendix II: Acknowledgements

Canadian Observers Mission to Ukraine

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Cherkassy

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Claude Martel	Bohdan Tomiuk	

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Eugene Bogden Hyworon	Andrew Koshelanyk	Patricia Nadia Shields

Chernihiv

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Crimea (Sevastopol)

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Dnipropetrovsk

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Donetsk

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Odesa

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Rivne

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Sumy

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