

the urgency of tackling corruption in the lead up to critical parliamentary elections slated for next year, and presidential elections to select Kuchma's successor in 2004.

Meanwhile, those serious about rooting out corruption and corrupt officials should take a hard look at the handling—or more accurately, mishandling—of Ukrainian and foreign owned businesses. For example, United States-owned businesses have been victimized through expropriations, asset thefts, extortion and the like perpetrated or abetted by corrupt officials and courts in Ukraine. While new cases continue to occur, longstanding cases remain unresolved with investors unable to obtain the relief to which they are entitled under Ukrainian and international law.

Although the State Department has made repeated representations about these cases at senior levels of the Kuchma administration, Kyiv rebuffed repeated requests to resolve them in accordance with the law. At the same time it refuses to punish the perpetrators of the criminal acts or take corrective measures to prevent similar cases from arising.

If the victims are to ever achieve a measure of justice, it is essential that U.S. officials raise these cases at every appropriate opportunity.

In one especially egregious and illustrative case, well-connected individuals in Ukraine were able to orchestrate the seizure of all the assets of a successful pharmaceutical joint venture which was half owned by United States investors. When, 6 years after the theft the Ukrainian appeals courts finally dismissed the spurious claims to the assets on grounds that they were based entirely on forged and falsely fabricated documents, senior Ukrainian officials launched into action. Within weeks of these judicial decisions, the Ukrainian President reportedly convened a meeting of senior officials, including the cognizant senior judges and his own senior law enforcement and national security cabinet level officers, at which he made clear that he did not want the stolen assets restored to their rightful American owners.

The courts quickly complied, without explanation, and in disregard of the copious evidence before them, the judges reversed the decisions taken just two months earlier and held in favor of the claimants. Several months later longstanding criminal charges against the same individuals were dropped.

The circumstances surrounding this case and others involving United States investors are indicative of the far reaching scope of corruption and the rule of law deficit in Ukraine today. While the matter was repeatedly raised by the State Department several years ago, I am concerned that the Ukrainian side might assume that the matter is a closed case. I urge officials at the Departments of State and Commerce to disabuse Ukrainian Government officials of such an impression.

If the Kuchma administration is serious about rooting out corruption and advancing democracy and the rule of law, these cases provide a good starting point. Only time will tell if they are up to the challenge.

#### CONGRATULATING THE PEOPLE OF GUATEMALA ON THEIR RECENT ELECTIONS

Mr. COLEMAN. Mr. President, the people of Guatemala went to the polls on November 9 to elect a new President, Members of the Guatemalan Parliament, local officials, and representatives to the Central American Parliament.

These elections attracted attention, in large part, due to the candidacy of Efraim Rios Montt, a former coup leader who under the Guatemalan constitution should have been banned from running for the Presidency all together. Rios Montt presided over a troubled part of Guatemala's history, during which time too many innocent lives were lost.

Now these elections were not perfect. Long lines and confusion over where to vote made it difficult for many Guatemalans to express their political views. Some polling stations stayed open for as long as 5 hours after they were scheduled to close; other did not. The time period leading up to the elections was marked by violence and intimidation linked to some Rios Montt supporters.

But in the end, these were important and hopeful elections for a number of reasons. Rios Montt was defeated in the ballot box—and he accepted defeat. The willingness of losers to accept defeat is one sign of a maturing democracy. And the result of this defeat for Rios Montt should not be overlooked; he will lose his immunity from prosecution for crimes committed under his watch.

There is much more to the story than Rios Montt's candidacy, however. Approximately 60 percent of Guatemala's 5 million voters went to the polls on Sunday—the largest turnout since 1985. By turning out in such numbers, Guatemalans showed they understand the power of the ballot box. As one woman put it, "You have to vote if you want things to change."

Overall, these elections were fair and open. Ballots were not rigged, and vehicles carrying them were monitored by satellite.

Violence on election day was isolated. In spite of an insecure climate during the campaign season, threats of violence were not carried out on a large scale over the weekend. The violence many had feared—and some observers have come to expect from elections of this sort—did not take place. In the words of Guatemalan Nobel Prize winner Rigoberta Menchu: "This first round was about saying no to violence."

These elections also marked the first time a nation-wide network of over

3,000 independent election observers, Mirador Electoral, monitored Guatemalan elections—no easy feat in a country ravaged by 40 years of civil war. The group was so highly regarded, they were asked by the Guatemalan election commission to release their "quick count" projections of the winners. And the results of Mirador Electoral matched those reached by the election commission.

Guatemalans will go to the polls again on December 28, and will choose between top vote-getters Oscar Berger and Alvaro Colon to be the next President. I would call upon the Guatemalan Government to maintain their commitment to fairness, and to make adjustments to better prepare for a high turn-out of Guatemalans.

While Guatemala still has many problems, these elections give me hope for the future. I congratulate the Guatemalan people for their commitment to democracy.

#### ADDITIONAL STATEMENTS

##### CONGRATULATING EDITH MILLER

• Mr. JEFFORDS. Mr. President, today I recognize the outstanding contributions made by Edith Miller, outgoing Executive Director for the Vermont School Boards Association, VSBA.

Edie, as she is known to her colleagues, friends, and family, joined the Vermont School Boards Association in December 1997 after previously serving for many years as the director of the University of Vermont's Continuing Education Program.

Edie also served with great distinction on numerous boards dedicated to the arts and community welfare. Her participation in local government is noteworthy. She has worn many hats, from holding positions on the town zoning and planning commissions to her current role as Chair of the East Montpelier Select Board.

I also had the pleasure and benefit of having her husband, Martin Miller, on staff during my tenure as Vermont Attorney General from 1969 through 1972.

Over the years, various individuals have described Edie Miller as a strong and articulate voice in support of public education. She possesses a tireless work ethic and an ability to identify critical issues, analyze the information, and communicate that information not only to the VSBA members, but also to local State and Federal officials.

Edie was a driving force in the creation and implementation of the Vermont Education Leadership Alliance Project, VELA. She worked diligently with her colleagues in the Vermont Superintendents Association and the Vermont Principals' Association to address the critical shortage of principals, superintendents and school board members in Vermont. The program was designed to train and certify