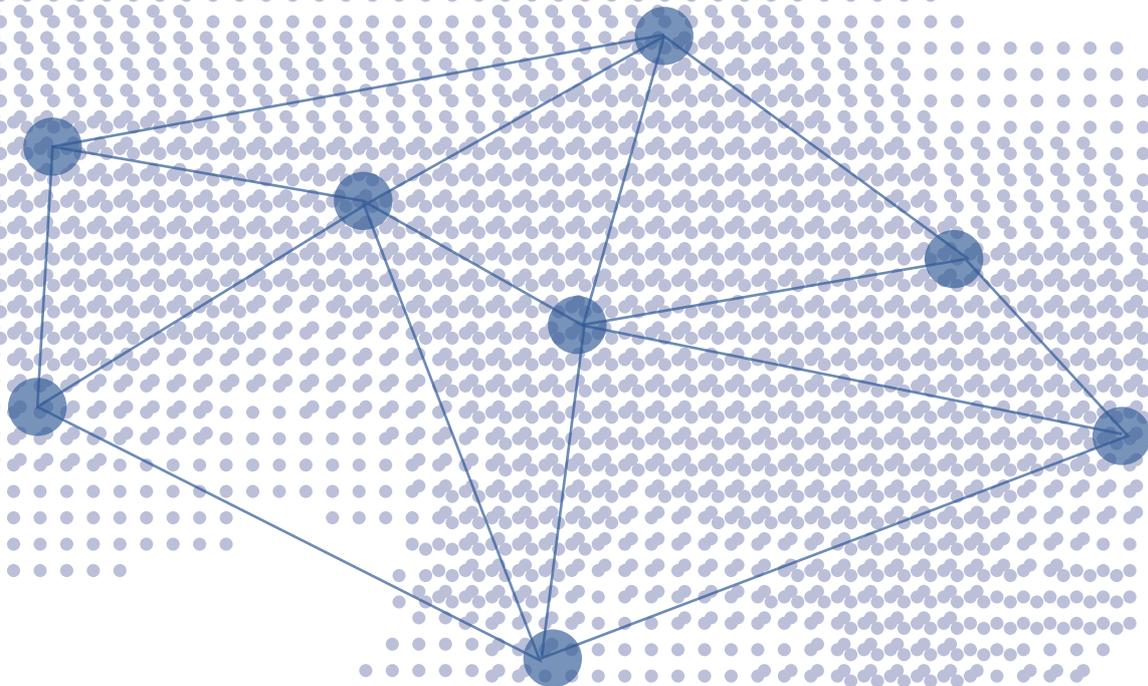


INTERNATIONAL
ELECTION OBSERVATION MISSION

PRESIDENTIAL ELECTIONS
UKRAINE 2019
FINAL REPORT



ENEMO INTERNATIONAL
ELECTION OBSERVATION MISSION

PRESIDENTIAL ELECTIONS - UKRAINE 2019

FINAL REPORT

**ENEMO European Network of Election Monitoring Organizations
Election Observation Mission
Ukraine**



**EUROPEAN NETWORK OF ELECTION MONITORING ORGANIZATIONS
ENEMO**

Bul. Josipa Broza 23A
81 000 Podgorica, Montenegro
e-mail: info@enemo.eu
www.enemo.eu

Published by:

ENEMO - European Network of Election Monitoring Organizations

Editor:

Zlatko Vujovic
Pierre Peytier

Authors:

Zlatko Vujovic
Teodora Pop Trajkov
Pierre Peytier
Ana Nenezic
Nino Rizhamadze
Dritan Taulla
Kristina Kostelac



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ELECTION OBSERVATION MISSION

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I EXECUTIVE SUMMARY

In January 2019, the European Network of Election Monitoring Organisations (ENEMO) deployed an International Election Observation Mission to Ukraine to observe the presidential election on 31 March. In addition to the ten core team members based in Kyiv, ENEMO accredited and deployed 48 long-term observers (LTOs) and 158 short-term observers in the first and second rounds, respectively, in teams of two to all regions (oblasts) of Ukraine.

For both rounds of the election, ENEMO observers monitored all stages of the voting process, including opening, polling, vote counting and results tabulation, as well as the transfer of materials to district election commissions (DECs). Based on the preliminary statements and findings, both rounds were conducted in a mostly transparent and efficient manner, generally in line with Ukrainian legislation and international standards. Minor irregularities and violations on Election Day did not appear to affect the outcome of the election.

On Election Day (31 March), ENEMO deployed 103 teams of multinational observers to follow the opening, voting, counting, transfer and intake of election materials by DECs. Observation teams, comprising the 48 long-term and 158 short-term observers, monitored the opening procedures at 103 polling stations, voting at 1,239 polling stations and closing and counting in 103 precinct election commissions (PECs). In addition, ENEMO observed the tabulation and intake of materials at 101 DECs.

For the second round of the elections on 21 April, ENEMO deployed 100 teams, including 48 long-term and 150 short-term observers, to follow the opening procedures at 99 polling stations, voting at 1,287 polling stations, closing, counting and results announcement at 100 polling stations, as well as the transfer and intake of election materials at 91 polling stations and overall performance at 100 DECs.

In spite of consensus regarding the need to reform electoral legislation, substantial changes have not been realized for the presidential elections. Notwithstanding the remaining shortcomings, the existing legal framework provides sufficient grounds for the election to be conducted in line with international standards.

In general, the Central Election Commission (CEC) operated in an open and collegial manner. Its official sessions were open to observers, the media and candidate representatives. However, the CEC also held

preparatory meetings that were closed to the media and domestic observers; the presence of observers at such sessions was at the discretion of the CEC and was at times denied, limiting the transparency of its work.

DECs were transparent and open to accredited observers and media. The composition of the PECs was professionally determined by the majority of DECs for the first round. However, in a few cases, the principle of proportionality was not respected at PECs while the leadership positions of candidates' nominees were being distributed. Nevertheless, the majority of DECs saw the frequent replacement of commission members, including those holding executive positions, thereby negatively affecting the overall performance of the commissions and resulting in confusion and/or disruption to the electoral process. In addition, newly appointed DEC members had not necessarily attended the CEC training sessions.

The key challenge of the election administration for the second round of elections was the legally mandated formation of new lower-level electoral commissions (DECs and PECs) based on candidate nominations. In general, the election administration was efficient in organizing and conducting voting given the considerable amount of work and constraining deadlines.

For the 2019 presidential election, out of the total of 44 candidates registered, 24 were nominated by political parties and 20 were self-nominated. In terms of gender, the number of registered men nearly doubled (20 men for the 2014 presidential elections; 40 in 2019), while the number of registered women increased by just one (three women in 2014; four in 2019). ENEMO notes that the overall participation of female candidates in the presidential election remained low, even though one of the most prominent candidates in the first round was a woman.

Candidates had the right to withdraw their candidacy by submitting an official statement to the CEC no later than the end of 7 March. The final list of candidates was published on 8 March. Five of the 44 registered candidates withdrew their candidacy, thus bringing the final number of contestants to 39.

The process of registering voters and updating voter lists functioned appropriately, without interference and in a timely manner. ENEMO emphasised as positive the opportunity afforded to voters to check their records online in the central State Registry of Voters (SRV) database, as well as to request amendments to their records with the SRV body at their current place of residence, although the possibility to request amendments was not offered as an online service.

Voters were not always properly informed as to where and how to check the voter lists (including online), or to request changes to their place of voting. In this election, a particularly large number of voters requested changes to their voting location, including those living away from their registration address, internally displaced persons (IDPs) and members of electoral commissions.

Concerns were raised by electoral contestants about the integrity of the voter lists, although no significant deficiencies were observed. Nevertheless, in the first round a small proportion of voters could not find themselves in the voter lists or noted mistakes in their information and were thus refused the opportunity to vote.

Despite the efforts of civil society organisations to provide voter education, the conduct of voter education by state and election administration bodies seemed to vary considerably by region. Observations showed that no comprehensive or systematic voter education programmes appeared to be in place for this election, to encourage voters to check their data online or to verify their information in the voter lists.

The official pre-election campaign period started on 31 December 2018 and concluded on 29 March 2019. According to the law, candidates were allowed to begin their pre-election campaign the day after they were registered by the CEC. However, despite potential candidates not officially being registered, many parties were holding public events, purchasing billboard space and posting billboards several months before the start of the official campaign period. The CEC called upon potential candidates to comply with the provisions of the law, but the campaign rules as currently defined in the legislation are not sufficiently specific to properly sanction early campaigning.

The pre-election period showed active campaigning throughout the territory of Ukraine, with considerable variations depending on the candidate and the region. Although some oblasts were the scene of numerous campaign activities, such as advertising through the use of billboards, posters and banners, outdoor rallies, tents for the distribution of campaign materials (leaflets, newspapers) and events with voters, other oblasts were subject to much less visible campaigning. Several presidential candidates almost exclusively campaigned via social networks.

The main themes of the campaign in the first round were corruption, the war in the Eastern territories of Ukraine, low salaries and pensions, social welfare and the growing prices of household utilities.

ENEMO noted that competition between the two candidates in the second round often took the form of “black PR” – provocative and negative campaigning, mostly through social networks and messaging applications – including violent images and the discrediting of candidates. Disagreements between candidates regarding the conditions for holding debates also constituted a prominent theme.

Overall, ENEMO has evaluated that the conditions for free campaigning were present in the election, although shortcomings in the electoral legislation enabled candidates to either abuse legal loopholes or commit violations to campaign rules (such as campaigning on the “day of silence” or before the prescribed periods) without being sanctioned. In addition, some candidates’ campaigns did not focus on election platforms and political programmes, but rather on individual personalities and discrediting political opponents.

ENEMO has noted that the enforcement of campaign finance rules fails to facilitate adequate reaction to the issue of voter bribery and misuse of administrative resources, and that the legal framework contains improper provisions regarding the financing of campaigning, namely a clear stance on distinguishing campaign expenses from state budget funds. This contains the risk that incumbents capitalise on certain events as a platform for campaigning.

ENEMO has recognised a lack of transparency with regard to the financing of candidates’ campaigns in both rounds, which were partly financed from sources other than the official accounts for campaigning, such as state resources and external financing (including issues such as third-party and anonymous financing of campaign materials, improperly branded materials, incomplete financial reports with regard to social networks advertisements and so forth).

Presidential elections were held under a media system characterised by the considerable influence of media owners over their editorial policies and open support for specific candidates throughout the election campaign, a lack of strong public broadcaster that could balance the political polarisation of media outlets, and the growing role of new media, including social networks.

Principles of fairness, balance and impartiality in the media coverage of the election campaigns were insufficiently respected, including a lack of equal and unbiased treatment of all candidates. Black PR campaigns, both in traditional and social media, as well as “jeansa” payments, improperly marked advertisements and new forms of concealed propaganda, were highly present and reported to respective institutions, but were not adequately addressed due to the lack of clear jurisdiction and sanctioning mechanisms of the institutions in charge of media oversight.

The large number of accredited observer organisations relative to previous national elections in Ukraine created the risk of fake/partisan observation, as the two organisations with the greatest number of accredited observers were affiliated with dominant first-round winner presidential candidates. Despite the considerable number of accredited observers, ENEMO did not witness any cases of interference in the election process by observers.

The analysis of complaints to all levels of the election administration and judiciary did not indicate any significant trend or systematic attempt to negatively affect the election process and results. However, ENEMO has noted that the complaints and appeals system is unnecessarily restrictive and complicated. Indeed, the complainant is required to fulfil complex criteria to submit a complaint to the election administration and courts. A complaint submitted to an election commission or court should be submitted in written form and include a comprehensive list of documents with copies of proofs and formal prerequisites. A considerable number of complaints submitted to the CEC were rejected without consideration by formal letter of the assigned member of the CEC.

ENEMO has acknowledged that the CEC does not provide a publicly available unified registry of complaints, and so the content and number of complaints and requests submitted to the CEC remain publicly unavailable until the CEC publishes its resolution on its webpage.

II INTRODUCTION

The European Network of Election Monitoring Organizations (ENEMO) is a network of 21 leading election monitoring organisations from 18 countries in Europe and Central Asia, including two European Union (EU) countries.

ENEMO and all of its member organisations have endorsed the 2005 Declaration of Principles for International Election Observation and the Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations. Each ENEMO observer signs the Code of Conduct for International Election Observers, ensuring that observation missions are performed under the principles of impartiality and objectiveness.

Following official accreditation by the Central Election Commission (CEC) of Ukraine, in addition to the ten core team members based in Kyiv, ENEMO accredited and deployed 48 long-term observers (LTOs)

and 158 STOs short-term observers in the first and second rounds, respectively, in teams of two to all regions (*oblasts*) of Ukraine.

This final report is based on ENEMO mission observations and findings during the period covering January–April 2019, including the first round conducted on 31 March and the second round conducted on 21 April. This report should be read in conjunction with the previous statements and interim reports available at <http://www.enemo.eu/en/missions/ukraine-presidential-2019/>.

ENEMO has observed all elections in Ukraine since 2004, gathering substantial knowledge and experience, contributing to the success of this mission.

The ENEMO Mission for the Presidential Election 2019 would like to thank the authorities of Ukraine for their assistance and cooperation in the course of the observations, as well as all interlocutors for offering their time to meet with us and share their views. ENEMO would also like to acknowledge all of our observers for their contributions to these findings.

ENEMO would additionally like to take this opportunity to express our highest appreciation to the **United States Agency for International Development through the National Democratic Institute, the Federal Foreign Office of the Federal Republic of Germany and the European Union** for their financial support for this election monitoring mission.

III BACKGROUND

The previous presidential election in Ukraine was held on 25 May 2014, seeing the victory of Petro Poroshenko. Under his five-year mandate from 2014 to 2019, the Ukrainian state encountered some serious challenges, including: the previous annexation of Crimea by Russia following a controversial referendum and Russian military intervention in 2014; ongoing armed conflict in the Eastern territories of Ukraine, leading to a considerable number of human casualties and internally displaced persons (IDPs); and difficulties in policy reform, such as in the judicial and economic sectors. These developments under Mr. Poroshenko's presidential mandate additionally posed challenges to the building and strengthening of a fully fledged democratic state.

The 2019 presidential elections were thus held in a challenging socio-political and security environment, marked by an ongoing threat to Ukraine's territorial integrity. Given that some of the Eastern territories

continue to be affected by the conflict, as they remain under Russian occupation and/or dissident armed forces (these include the Crimean peninsula and parts of Donetsk and Luhansk *oblasts*), elections were not held here.

The first round of the 2019 presidential election took place on 31 March and the results were officially announced by the CEC on 7 April, with no single candidate receiving an absolute majority of votes out of the 39 competing presidential candidates. The second round was announced for 21 April, with a run-off between challenger candidate Volodymyr Zelensky (who gathered 30.24% of the votes in the first round) and incumbent candidate Petro Poroshenko (who gathered 15.95% of the votes in the first round). Candidate Yulia Tymoshenko came in third place with 13.40%, after condemning the misuse of administrative resources by candidate Petro Poroshenko and the presence of “technical candidates” who were politically affiliated to the incumbent, although no legal complaints on her part were addressed to the courts.

Voter turnout in the first round was 63.53%, and slightly lower in the second round (62.09%). The results of the second round were officially announced by the CEC on 30 April, and confirmed the victory of Volodymyr Zelensky with 73.22% of the votes, while Petro Poroshenko claimed 24.45% of the total votes. Newly elected President Zelensky was inaugurated on 20 May, and he immediately announced his decision to dissolve Parliament, precipitating the announcement of early parliamentary elections to be held on 21 July 2019.

IV LEGAL FRAMEWORK AND ELECTORAL SYSTEM

A. Legal framework

Presidential elections are primarily regulated by the Constitution of Ukraine¹ and the Law on Elections of the President of Ukraine. The electoral process, including the work of the election administration, election campaign, campaign financial activity and election dispute resolution, are mainly regulated by this law. At the same time, certain segments of elections are regulated by the Law on the Central Election Commission², the Law on State Voters' Register³, the Law on Political Parties⁴, the Code of Administrative Proceedings⁵, the Code of Administrative Offenses⁶ and the Criminal Code of Ukraine⁷. Together with these laws, important legal sources for regulating presidential elections comprise resolutions adopted by the CEC.

¹No. 474-XIV, dated 5 March 1999.

²No. 1932-IV, dated 30 June 2004.

³No. 698-V, dated 22 February 2007.

⁴No. 2365-III; dated April 2001.

⁵No. 2747-IV, dated 6 July 2005.

⁶No. 8073-X, dated 7 December 1984.

⁷No. 2341-III, dated 5 April 2001.

In 2015, Parliament passed reforms on the legal framework and regulations for political party and campaign finance. These reforms included the introduction of restrictions to private donations, the direct public funding of political parties, increased reporting requirements and oversight by the National Agency for the Prevention of Corruption (NAPC).

These reforms were praised by various stakeholders, although concerns were raised regarding parties' and candidates' lack of compliance with existing rules for campaign funding related to inconsistencies or loopholes in the legal framework, as well as a lack of appropriate human, institutional and financial resources to fully enforce regulations. In light of the above, cases of suspicious donations and irregularities in financial reports submitted by candidates may indicate the existence of black funds for campaigning. In addition, the 27 February 2019 decision of the Constitutional Court to abolish criminal liability for illegal enrichment (on the basis that it violates the presumption of innocence) by declaring unconstitutional the provisions of the Criminal Code requiring state or local officials to justify the source of their assets potentially further weakens the legal framework for accountability of political finance.

The Constitution of Ukraine guarantees freedom of speech and expression in Ukraine, while the main principles for media conduct during elections are set out in the "Law on Elections of the President", which regulates the use of the media during the pre-election campaign and envisages equal and impartial treatment for all presidential candidates.

In general, three laws provide the normative frameworks of Ukraine's media landscape: The Law of Ukraine on Television and Radio Broadcasting regulates television and radio; the Law of Ukraine on Printed Media (Press) regulates the print media; and the Law of Ukraine on Information Agencies regulates news and wire services. No significant changes were made to presidential election law for this presidential election and, due to a lack of political will, important electoral reforms are still to be agreed upon and implemented.

The final substantial amendments to presidential election law were carried out in March 2014, before the early presidential elections. Discussions on electoral reform had continued since the 2015 local elections, including through the parliamentary working group established in 2016 by the speaker of the Verkhovna Rada. Following popular demands for reforms, a bill introducing changes to the electoral code was passed in the first reading in early November 2017. Even though on 11 March 2019 the Parliamentary Working Group finalised its review of proposed amendments regarding the draft Election Code, the Verkhovna Rada did not vote for the second reading. Substantial

recommendations issued by international and domestic Election Monitoring Missions (EOMs) remain unaddressed, including greater transparency as to campaign finance, the composition of the election administration, the provision of a clear system to handle election complaints and appeals, and the removal of excessive preconditions to be nominated as a candidate. Nevertheless, the existing legal framework for the 2019 presidential election provided sufficient grounds for the conduct of elections generally in line with international commitments and standards.

B. Electoral system

The President of Ukraine is elected by popular vote by the citizens of Ukraine on the basis of universal, equal and direct suffrage by means of a secret ballot⁸. Citizens of Ukraine who have reached 18 years of age on Election Day have the right to vote. Each voter has one vote. The voter may only cast his or her vote at one polling station where he or she is included in the list of voters⁹. Citizens of Ukraine who at the time of preparation and conduct of the elections reside or are staying outside the boundaries of Ukraine can be included in the list of voters within the respective foreign polling station¹⁰.

Each voter has the right to cast his or her vote. Voting on behalf of other persons, as well as delegating one's right to vote to any other person, is prohibited. Assistance to voters with certain disabilities who cannot fill in the voting paper or personally cast it into the ballot box is not regarded as voting in place of that person¹¹.

The presidential candidate must be over 35 years of age on Election Day, eligible to vote, have a command of the state language and have resided in Ukraine for the ten years prior to the day of elections. The process for electing the president is based on a two-round system. The winning candidate needs to receive an absolute majority of valid votes for victory in the first round. If no candidate receives more than 50% of the valid votes, the two candidates who received the largest number of votes in the first round are included in the voting ballot for the second round.

The second round is designated by the Central Election Commission on the third Sunday after Election Day.

⁸ Article 1, Paragraph 1 of the Law on the Elections of the President of Ukraine.

⁹ Article 2, Paragraphs 1–4 of the Law on the Elections of the President of Ukraine.

¹⁰ Article 2, Paragraph 6 of the Law on the Elections of the President of Ukraine.

¹¹ Article 3 of the Law on the Elections of the President of Ukraine.

V ELECTION ADMINISTRATION

The presidential election was administered by a three-tier election administration consisting of the Central Election Commission (CEC), district election commissions (DECs) and precinct election commissions (PECs).

The CEC as a permanent independent election management body bears authority for planning and regulating elections in the whole territory of Ukraine.¹² The DECs are responsible for conducting the elections in their districts and administering the work of all PECs within their territory. Presidential elections are held in one nationwide constituency that encompasses the entire territory of Ukraine and foreign PECs.¹³ Ukraine is divided into 225 election districts, the same as for parliamentary elections. Given that Crimea has been annexed by Russia and certain areas of the Donetsk and Luhansk oblasts are out of Ukraine's effective control, the CEC only formed 199 DECs in 24 regions. Twelve DECs in the Autonomous Republic of Crimea and Sevastopol, nine DECs in Donetsk and five DECs in Luhansk have not been formed.

The major challenge for the election administration was the formation of DECs and PECs for both rounds. In the first round, the DECs and PECs saw the frequent replacement of commission members, whereas in the second round the composition of the PECs proved challenging due to a lack of members of the commissions proposed by presidential candidate Petro Poroshenko.

The election for both rounds was generally administered in an efficient and professional manner within legal deadlines. Although the election administration generally enjoyed stakeholders' confidence, certain resolutions adopted by the CEC were challenged in the courts.

A. Central Electoral Commission (CEC)

The Central Election Commission is composed of 17 members. Each member is appointed for a term of seven years by the Verkhovna Rada (Parliament). Nominees are submitted by the President of Ukraine following consultations with the parliamentary factions and groups.

¹² Article 1, Paragraph 1 of the Law on the Central Election Commission.

¹³ Article 19, Paragraphs 1–5 of the Law on the Elections of the President of Ukraine.

On 18 September 2018, only six months ahead of the presidential election, the Verkhovna Rada increased the number of CEC members from 15 to 17 people. Owing to longstanding political disagreements, even though the mandates of 13 CEC members expired in 2014, the new members were only appointed on 20 September 2018. Two CEC members retained their seats until their terms of office expire in 2021. Since 20 September 2018, one seat has remained vacant due to a lack of agreement between President Poroshenko and members of parliament (MPs) as to the candidate's nomination¹⁴.

The CEC operated in line with its mandate as the primary institution in the election management system. Overall, the CEC conducted its work in a professional manner.

Its official sessions were generally open to official observers, the media and authorised representatives of the presidential candidates. However, the CEC also undertook preparatory sessions where actual deliberation and decision making took place and in which only authorised persons were admitted upon invitation or the CEC's permission. The times of the preparatory meetings were not publicly announced and observer presence was at the discretion of the CEC, on occasion being denied.

Ahead of the election, the CEC twice put to vote the issue of granting permission to domestic observers to attend the sessions, arguing that an observer was accredited by the CEC only for the election district abroad, and pointing out that accredited domestic observers lack the right to attend CEC sessions.¹⁵ Although on both occasions the Commission granted observers permission to attend, such practice leaves considerable discretion in the hands of the CEC.¹⁶

The CEC adopted 871 resolutions regarding the 2019 presidential elections. The majority of these resolutions were of a technical nature and pertained to the registration of candidates and their proxies, the replacement of DEC members, the registration of official observers, approval of DEC budgets and so forth. Some of the resolutions adopted by the CEC were further challenged in the courts. In total, 99 lawsuits were filed with the courts concerning the decisions of the CEC. Twenty-eight of the lawsuits were dismissed without consideration, 16 were returned to the plaintiffs, and two proceedings were terminated. In 45 cases, the courts delivered a judgment rejecting the claims, and in four cases the claims were upheld.

¹⁴ See information published by the Verkhovna Rada: <https://rada.gov.ua/news/Novyny/162274.html>.

¹⁵ While the CEC accredits international observers for the entire country and domestic observers for out-of-country vote, domestic observers in Ukraine are accredited by DEC's for their respective district. This raised a question regarding the right of domestic observer groups to observe CEC sessions.

¹⁶ In order to circumvent this problem, OPORA accredited a media representative who was also in charge of the live broadcasting of the CEC session.

One of the decisions was Resolution #274, according to which the CEC amended the list of regular overseas polling stations created in April 2012. It abolished five polling stations in the Russian Federation and undertook redistricting in Georgia, Kazakhstan and Finland¹⁷.

Four cases were brought to court claiming that the CEC decision about polling stations abroad violated constitutional rights. While three claims were denied by the courts, in one case the Supreme Court partially sustained the claim, ruling that Resolution #274 remains in force, although its motivational part should be changed¹⁸.

Another important decision adopted by the CEC dealt with the prohibition of payments to campaign staff¹⁹. The CEC resolution allowed campaigners to be reimbursed for costs incurred during their engagement, which would not be considered as indirect vote buying. This resolution was appealed by two different candidates and the court adopted two contrasting and contradictory decisions: one panel of judges ruled that the decision was lawful, while another panel of the same court ruled that it was unlawful and should be annulled. Both the candidate and the CEC appealed the decision to the Supreme Court, which found the CEC resolution to be lawful.

The CEC, with the cooperation and assistance of IFES, organised a series of training sessions for the DEC and PEC members for the first round. However, in some districts there was a serious lack of participation among DEC members due to the CEC's financial plan including only 15 members from each DEC, although the actual number of commission members was much higher.

For the second round the CEC did not organise training sessions for lower-level commission members despite the new composition, although according to the CEC the majority of DEC members had undergone training before the first round. Training sessions for PECs were left to the discretion of DEC members, and thus were organised in some districts. According to some PEC members, guidelines and manuals provided by the CEC and constant communication and instruction by CEC/DEC curators ensured the effective functioning of DEC/PEC members.

¹⁷Central Election Commission dissolved polling stations #900075, 900077, 900078, 900117 and 900118, located in the cities of Moscow, Rostov-on-Don, St. Petersburg, Yekaterinburg and Novosibirsk, respectively. CEC Resolution #274 <http://www.cvk.gov.ua/pls/acts/ShowCard?id=44232&what=0>.

¹⁸See decisions made by the Courts: <http://www.reyestr.court.gov.ua/Review/79088674>; <http://www.reyestr.court.gov.ua/Review/79124986>; <http://www.reyestr.court.gov.ua/Review/79088713>; <http://www.reyestr.court.gov.ua/Review/79124907>.

¹⁹Resolution #376 "Explanation on the Implementation of the Provisions of Section 6 of Article 64 of the law on the elections of the president of Ukraine"; Paragraph 6 of Article 64 stipulates: "It shall be prohibited to conduct a pre-election campaign that is accompanied by giving money to voters or providing them with goods, services, works, securities, credits, or lotteries on preferential terms or free of charge. Such a pre-election campaign or the act of giving out money or providing services, works, securities, credits, or lotteries on preferential terms or free of charge, which are accompanied by calls or suggestions to vote or not to vote for a certain candidate or mentioning his or her name, shall be regarded as bribery of voters".

B. District Electoral Commissions (DECs)

In general, the DECs were open to accredited observers, provided necessary information related to the electoral process and operated according to the election calendar. However, in a few isolated cases the DECs proved unwilling to cooperate with observers and were less transparent.

The majority of DECs fulfilled their duties openly and in line with the legislation. It is worth noting that despite the drastic shortage of nominees on the PEC level and extremely tight deadlines before the second round of the presidential elections, DECs demonstrated a high level of dedication and made commendable efforts to form PECs on time.

Several DEC representatives expressed concerns about budgetary constraints, complaining that the funds allocated were not sufficient to properly fulfil their obligations. Furthermore, DECs and PECs in some regions were located in premises that were not suitable to adequately perform their duties. In addition, some DECs were not provided with sufficient technical equipment, significantly impeding their work. The main concerns leading up to the elections were related to the level of professionalism, experience and training of DEC and PEC members. DEC training sessions were conducted professionally, but there was a serious lack of participation from DEC members due to a lack of resources. The majority of PEC members were not being trained and instructed properly, and a lack of awareness of PEC members about the rights and roles of observers was also identified.

In most cases the local administrations provided all necessary material and technical support to election commissions, but in isolated cases some DECs and PECs were located in premises that were not suitable to adequately perform their duties. In addition, some DECs were not provided with sufficient technical equipment during the first round of the presidential elections, impeding these commissions' work.

Formation of the DECs

The CEC formed 199 DECs for both rounds.

For the first round, DEC members were nominated by presidential candidates and included a commission chair, deputy chair, secretary and at least nine other members. Simultaneously with forming the DEC, the CEC appointed a chair, deputy chair and secretary. All presidential candidates were entitled to nominate one person in each DEC. Seventeen presidential candidates submitted list of nominees to all 199 DECs. Five candidates nominated DEC members in 198 DECs; 11 candidates submitted their nominees in more than 180 DECs; and four candidates nominated commission members in more than 100 DECs. Only one candidate did not nominate any DEC members.

The total number of DEC members for the first round was 6,729, of whom 3,806 (56.56%) were women and 2,923 (43.43 %) were men²⁰. The minimum number of DEC members was 26 and the maximum was 37.

For the second round, the CEC again formed 199 DECs upon nominations from two candidates included in the ballot paper for the second round. As prescribed by law, DECs consisted of fourteen persons – seven nominees from each candidate –and included a commission chair and secretary. The total number of DEC members in all 199 DECs was 3,038, of whom 59.87% were women and 40.12% were men.

For the DECs’ composition, candidate Poroshenko nominated 1,487 candidates in all 199 DECs, while candidate Zelensky nominated 1,537 members. Zelensky did not nominate any commission members in DECs #57 and #58, hence the CEC fulfilled the rest of the composition of these DECs.

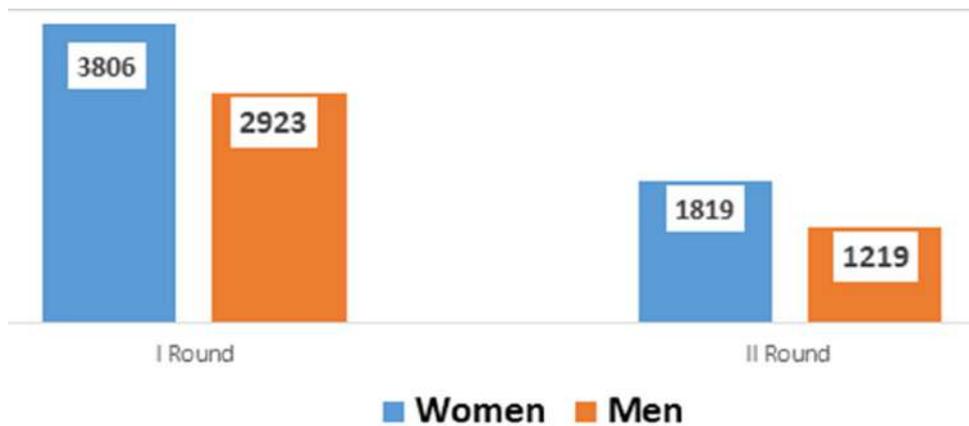


Figure 1. Gender composition of the DECs for the first and second rounds

Replacement of DEC members

The presidential election law allows candidates to replace appointed member to the DECs at any time prior to Election Day without justification. Replacements of DEC members were carried out in both rounds of the election, but the number of replacements of the DEC members for the first round was significantly higher. Constant replacements posed a significant challenge to the work of the election administration. Some newly appointed members were inexperienced and lacked relevant training²¹, which negatively affected the performance of the DECs and in many cases led to confusion or disrupted the electoral process. Given that the chairs of some DECs were appointed late, they were only able to use funds allocated for their work following the opening of new bank accounts in the name of the newly appointed chair.

²⁰See the CEC data: <https://www.cvk.gov.ua/pls/vp2019/wp065pt001f01=719.html>.

²¹Between 16 and 28 March, the CEC with the support of IFES carried out 387 training sessions for members of all ordinary PECs. In total, over 50,000 persons underwent this training, see http://www.cvk.gov.ua/news/news_29032019.htm.

Moreover, many DEC members highlighted that their commissions faced difficulties in performing their duties in a professional manner owing to the lack of motivation and interest of some members.

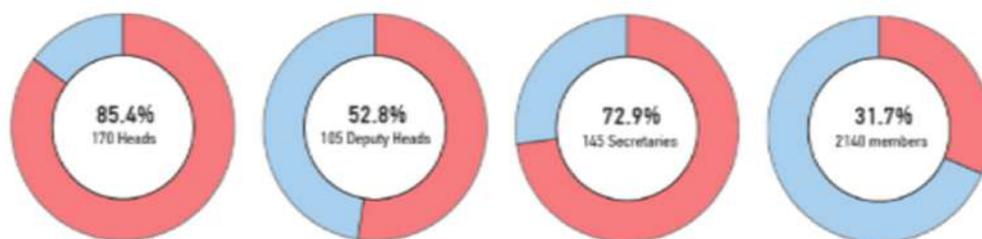


Figure 2. Distribution of DEC members' changes by position

For the first round, the replacement of DEC members and reassignment of leadership positions were conducted in most districts after five presidential candidates withdrew their candidacies and the mandates of their appointees were terminated. In some cases, the executives (chair, deputy chair and secretary) of DEC members were replaced more than once.

From the establishment of DEC members on 18 February 2019 until 31 March 2019, the CEC issued 34 decrees on DEC members' substitutions. In total, 2,560 DEC members were substituted (34.8%). It should also be noted that DEC managers (chairs, deputy chairs and secretaries) were replaced at a higher frequency than ordinary members.

As noted above, the CEC organised a series of training sessions for DEC members. The training sessions were delivered from 27 February 2019 until 5 March 2019. Considering the timeline of distribution of DEC members' substitutions, 1,030 DEC members were replaced after the final training sessions, and therefore missed the initial training.

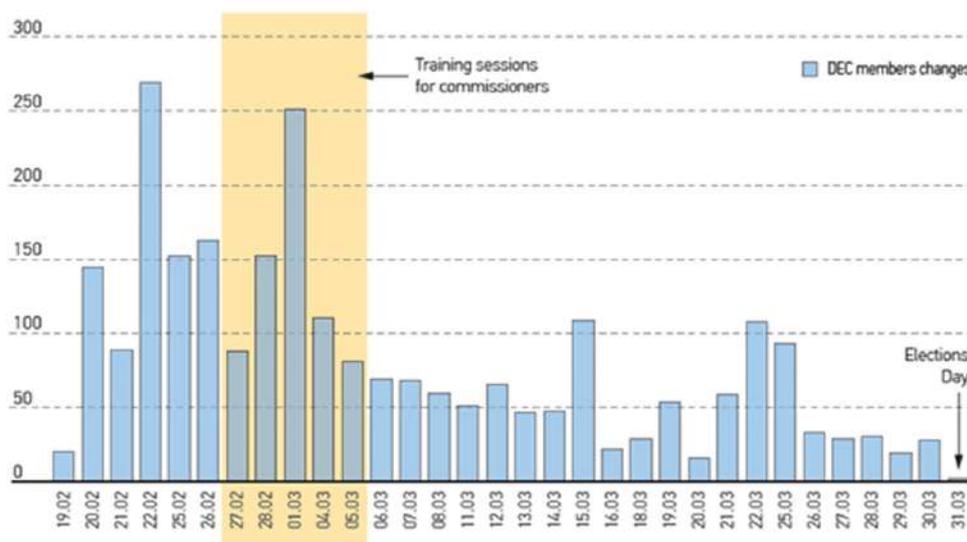


Figure 3. Timeline of DEC members' changes and training sessions

For the second round, from 12 April 2019 until 20 April 2019, the CEC issued seven decrees on DEC members' substitutions. In total, 214 DEC members were substituted (7.7%). The rate of DEC members' substitutions prior to 21 April (the voting day in the second round) was almost five times lower than the rate of substitutions before the voting on 31 March.

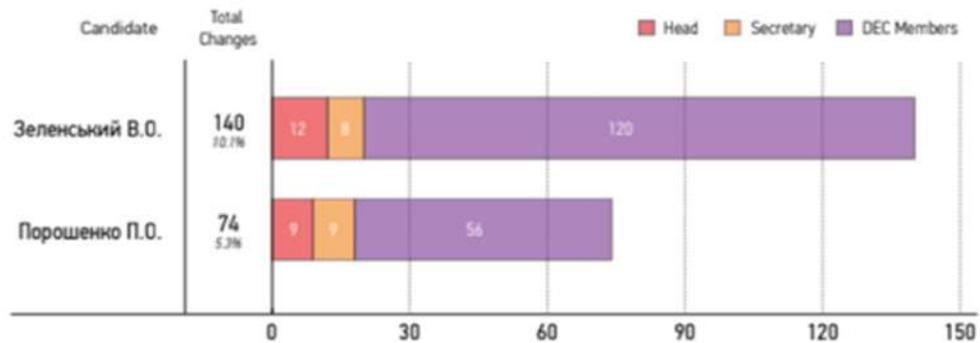


Figure 4. The number of DEC members' substitutions by positions and candidates

Despite the fact that the presidential election law envisages a proportional distribution of executive positions in election commissions among all presidential candidates willing to nominate candidates for the first round, two presidential candidates saw almost twice as many nominees appointed to DEC executive positions²². It is noteworthy that in case of replacement, a respective presidential candidate had 24 hours to nominate another person to a vacant seat. However, if the candidate failed to do so, the higher-level commission would make the replacement. There is no legal framework in place to determine the repeated replacement procedure and criteria when such replacement is made by a higher-level commission.

For the second round, the CEC ensured the equal distribution of leadership positions of chairpersons and secretaries among the nominees of the two candidates, according to the requirements of the law. Consequently, candidate Petro Poroshenko received 100 chairpersons and 99 secretaries, while candidate Zelensky received 99 chairpersons and 98 secretaries.

Composition of the PECs

The composition of the PECs proved to be one of the most complicated tasks for DEC members in both rounds. The DEC members encountered difficulties for various reasons.

According to the presidential election law, PECs are to be formed based on the nominations of presidential candidates included in the ballot paper. The minimum number of PEC members for the first round is nine, while for the second round it varies from nine to 14 depending on the size of the PEC. If candidates fail to delegate a sufficient number of PEC members, the DEC members are obligated to fulfil PEC membership.

²²Division of the executive position between the nominating subjects within the shares shall be determined by the district election commission. In addition, the approximate equality of the territorial division of positions between the representatives of each subject of nomination shall be ensured (Article 24, Paragraph 11 of the Law on the Elections of the President of Ukraine).

For the first round, the majority of DEC formed PECs by the deadline of 12 March, in compliance with the prescribed rules and procedures. However, in several cases the principle of proportionality during distributing quotas among leadership positions was not respected²³.

In isolated cases, DEC encountered technical problems that practically paralysed their work and entailed difficulties with creating PECs. They could not connect to the Vybory system²⁴ in order to submit PEC lists, although the problem was eventually solved. Moreover, in some cases the same persons were nominated by different candidates. Due to the lack of direct legislative regulation, DEC did not manifest a uniform approach to this problem. The names of some PEC member candidates were submitted without their consent. Allegations were made that their personal data were misused by candidates or parties without their knowledge. Furthermore, some DEC were unable to find the persons suggested for PEC membership.

For the second round, the composition of the PECs proved rather complicated owing to the limited timeframe and lack of human resources. Both candidates nominated fewer PEC members than required, and the remainder of the PEC members were appointed by the DEC.

The total number of PEC members was 408,864, of whom candidate Zelensky nominated 197,566 commissioners and candidate Poroshenko delegated 148,564 members. For the first time in Ukrainian history, around 60,000 PEC members were appointed by the District Election Commissions²⁵.

In many *oblasts*²⁶, candidate Poroshenko proposed only two or three candidates per PEC, instead of the legally required six, seven or eight members depending on the size of PEC. In five oblasts, candidate Zelensky also nominated fewer PEC members than required, although he generally designated a significantly higher number of election officials. In order to ensure that sufficient numbers of members were appointed to the PECs, the CEC made an announcement via its official webpage and Facebook page calling for citizens to participate and engage as commission candidates. The CEC also extended the PEC formation deadline at DEC #59, as the DEC was unable to form all PECs due to an insufficient number of nominations submitted by the candidates. DEC #59 is located in the Joint Forces Operation area.

²³ See section “Представництво кандидатів у складі ОБК”: <http://www.cvk.gov.ua/pls/vp2019/WP001>.

²⁴Unified Information-Analytical System a complex of interconnected legal and regulatory organisational measures and software, hardware and telecommunication means that ensure the collection, processing, storage, analysis and sharing of information on elections and referenda.

²⁵Official statement of the CEC: https://www.cvk.gov.ua/news/news_16042019_1.htm.

²⁶Cherkasy, Kirovograd, Zakarpatya; Kharkiv; Dnipro (5); Odessa; Kherson; Kyiv City, Kyiv Oblast; Chernihiv; Chernivetsk; Poltava; Zaporozhya.

²⁷Kyiv Oblast, Poltava, Sumy, Zhitomir, Donetsk, Ivano-Frankivsk.

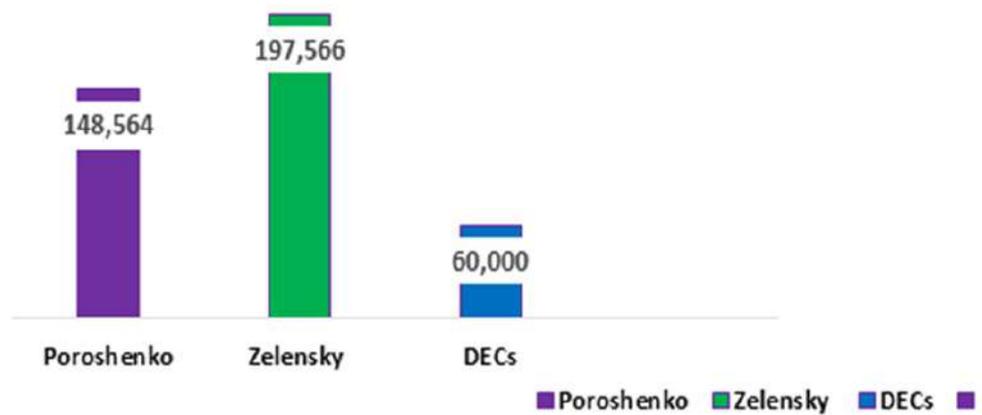


Figure 5. Number of PEC members nominated by candidates

The short time frame and lack of previous experience in the matter placed a significant burden on DEC's, resulting in varying practices of identifying and selecting PEC members. In some districts, the local administrations helped to find people for PECs; some DEC's contacted members who served in the first round or local citizens through enquiring with schools, factories, friends, family and colleagues (e.g. in Zaporozhya); other DEC's (e.g. Cherkasy and Kirovograd) used the database of PEC members from previous elections; others solicited assistance from candidate proxies from the first round, asked already appointed PEC executive staff to propose other members, or waited for further instructions from the CEC until the deadline of midday 15 April.

Various ENEMO interlocutors attributed the low number of nominated PEC members to several reasons: the large number of nominations required from the candidates; short time frames; low remuneration for highly stressful and demanding tasks; and delays in paying PEC members from the first round of elections²⁸. These issues exemplify the challenges posed by the principle of political nominations of electoral commission members.

Despite these difficulties, almost all PECs were formed by 15 April or the following day. Furthermore, in general the proportional distribution of managerial positions (chairperson and secretary) among candidate nominees was ensured²⁹.

Nevertheless, the replacement of PEC members as well as duplicates in PEC membership were observed in isolated cases. Moreover, the tight schedule led to the overlap of deadlines for PEC formation and for temporary changes to places of voting. As a result, commission members who were appointed on 15 April were deprived of the possibility of changing their place of voting through the regular procedure at the State Registry of Voters (SRV).

²⁸Concerns related to the payment of PEC members in several districts for their work in the first round of the elections were raised by members of DEC's at the sessions. The DEC members declared that most people refused to participate in the work of the commission as they did not receive remuneration for the first round of elections on time.

²⁹Article 85.11 defines that when distributing the executive positions in PECs, the DEC is to provide an equal number of positions of the chair and the secretary of a polling station commission for each candidate (with a possible deviation not exceeding one position of the commission chair or the commission secretary, respectively). The chair and the secretary of the PEC may not represent the same candidate.

C. Precinct Electoral Commissions (PECs)

The total number of PECs was 29,989 for the first round and 29,981 for the second round. Among these, the CEC formed 101 PECs abroad for 432,712 registered voters and 80 special PECs for some 47,000 voters in military bases. Only four of the 39 candidates nominated 67 PEC members for foreign PECs, and all of them obtained executive positions in respective PECs. Other members of PECs abroad were nominated by the Ministry of Foreign Affairs. By law, all PEC members at special PECs in military units were appointed by the Ministry of Defence.

PEC members were frequently replaced by nominee candidates, especially in the first round, reportedly due to their lack of experience. ENEMO observers witnessed instances where more than half of the members had never previously worked in electoral commissions. Moreover, in several districts some PEC members even in leading positions refused to perform their duties for various reasons, including inexperience, low salary and other personal issues. However, for the second round, the DEC prioritised the appointment of experienced members.

The majority of PECs observed received all necessary technical equipment and election materials from the DECs and were given proper premises by local authorities. However, some PECs were not equipped with all necessary materials on time (e.g. signboards, voter lists, ballot boxes, seals, information about candidates) or were missing a safety deposit box where sensitive materials should be stored. For instance, in the first round, the observed polling stations were equipped with all essential materials required for voting³⁰. However, 34% of the observed polling stations had received fewer ballot papers than voters on the voter list for that precinct. In a few cases, the difference was significant³¹. Furthermore, most of these polling stations had a high number of voters enrolled³².

The election results at the precinct level were tabulated into PEC protocols mostly in line with the law, as shown in the Election Day section of this report. Alongside with the numbers of votes cast for each candidate, election protocols contained the time of completion. This information was made public on the CEC website, facilitating analysis of the speed of ballot counting at the PEC level. The timelines below represent the distribution of precincts by the time of their protocols signature by size of polling station.

For the first round, as illustrated below, the last protocols were signed on 4 April 2019 at 12:30 pm, 12:45 pm and 12:30 pm at large, medium and small precincts, respectively, leading to substantial counting delays in DECs.

³⁰Ballot papers, voting booths, ballot boxes, PEC stamp, protocol, voter lists and seals.

³¹In five polling stations the difference was bigger than 50 ballot papers.

³²71.4% of these polling stations had over 1,500 voters enrolled.

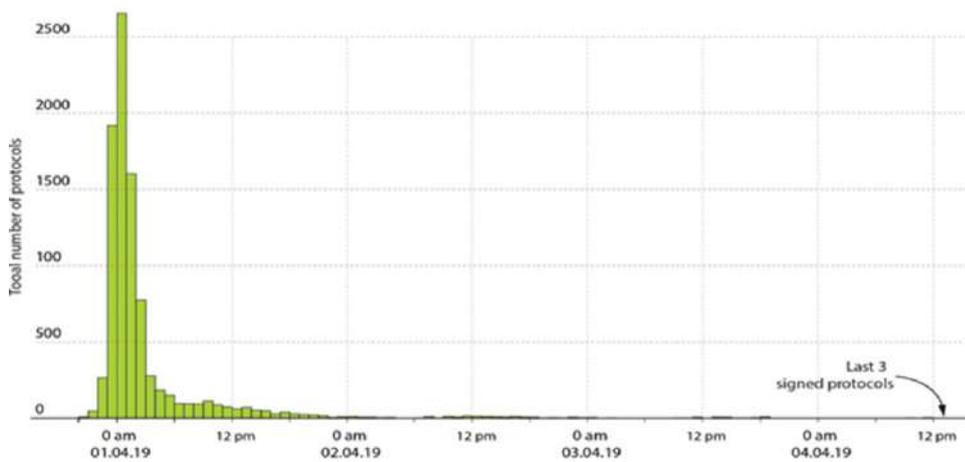


Figure 6. Distribution of large (over 1,500 voters on the list) precincts by the time of protocol signature in the first round

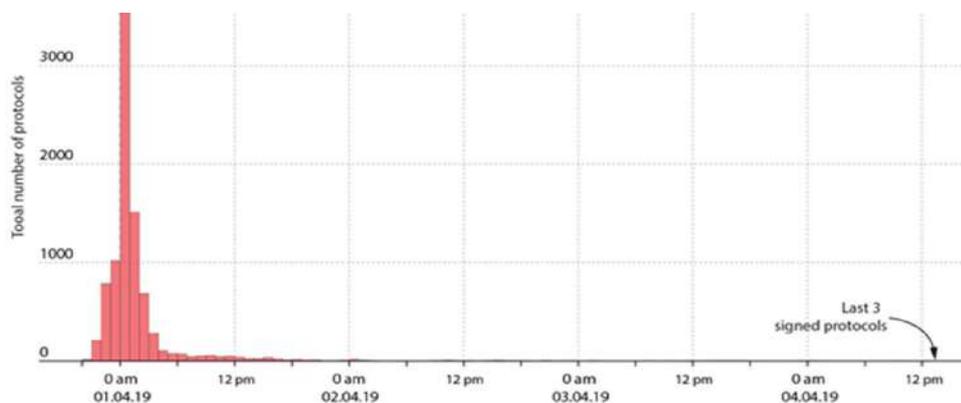


Figure 7. Distribution of medium (from 500 to 1,500 voters on the list) precincts by the time of protocol signature in the first round

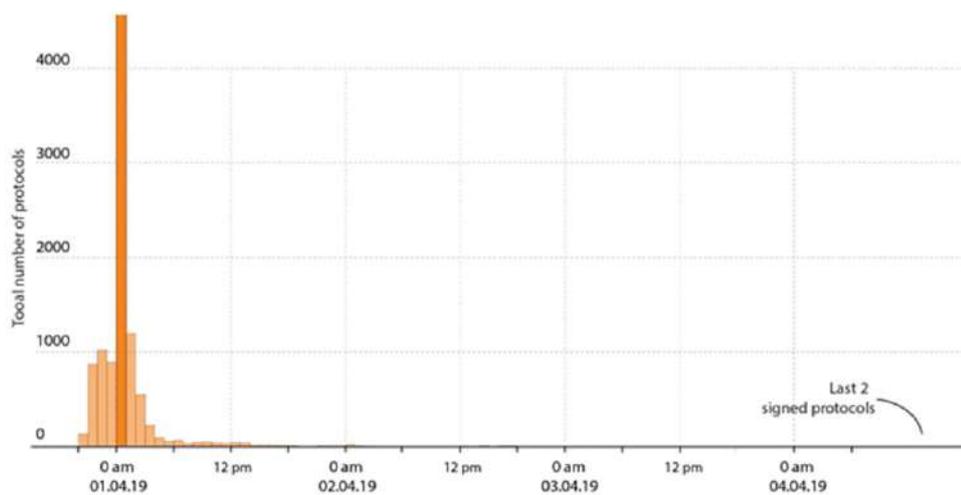


Figure 8. Distribution of small (fewer than 500 voters on the list) precincts by the time of protocol signature in the first round

Necessary corrections of the results protocols were mainly due to the following issues:

- Incorrect number of voters who voted and/or invalid ballots caused imbalances in the results protocols;
- Numbers given in hard copies of results protocols did not coincide with the numbers given in the electronic programme software with a difference of one or two votes;
- The PECs improperly filled in or were missing some data in the protocols;
- The graphs of candidates who received zero votes were empty.
- In the second round, once the closure of polling stations and counting procedures had led to the tabulation of results at the PEC level, the first protocols at large, medium and small PECs were signed on 21 April 2019 at 8:00 pm. The final protocols were signed on 23 April 2019 at 17:08, 12:07 and 13:00 at large, medium and small precincts. The timelines below represent the distribution of precincts by the time of their protocols signature. The distributions are made again for PECs of different sizes (large, medium and small).

**Speed of the counting process and protocol completion at large precincts.
Presidential elections in Ukraine, April 21, 2019**

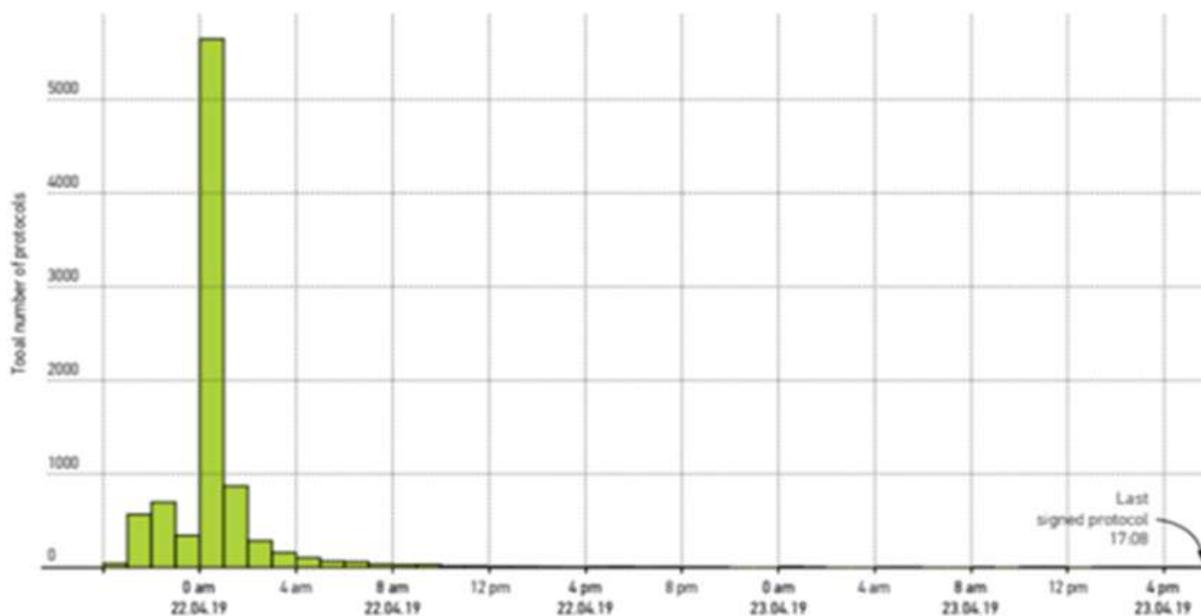


Figure 9. Distribution of large (over 1,500 voters on the list) precincts by the time of protocol signature in the second round

Speed of the counting process and protocol completion at small precincts.
Presidential elections in Ukraine, April 21, 2019

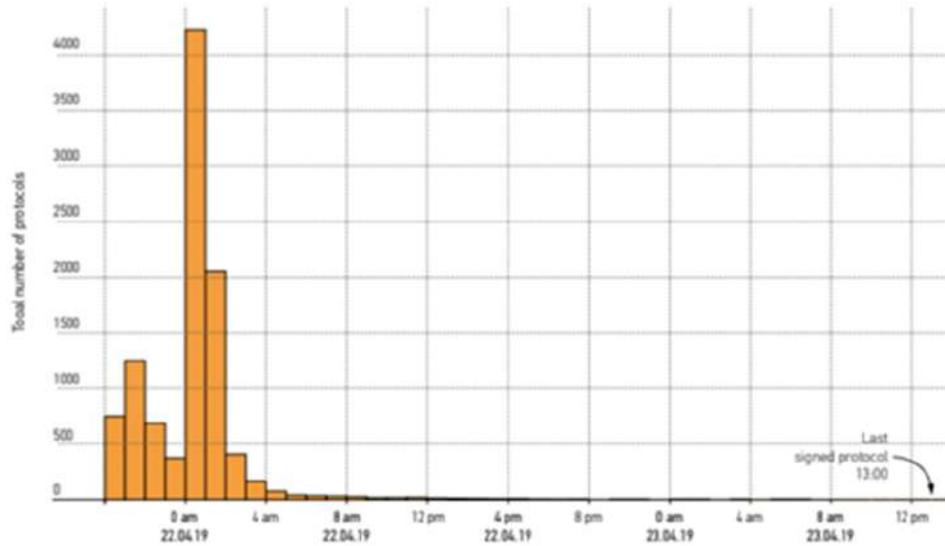


Figure 10. Distribution of medium (from 500 to 1,500 voters on the list) precincts by the time of protocol signature in the second round

Speed of the counting process and protocol completion at medium precincts.
Presidential elections in Ukraine, April 21, 2019

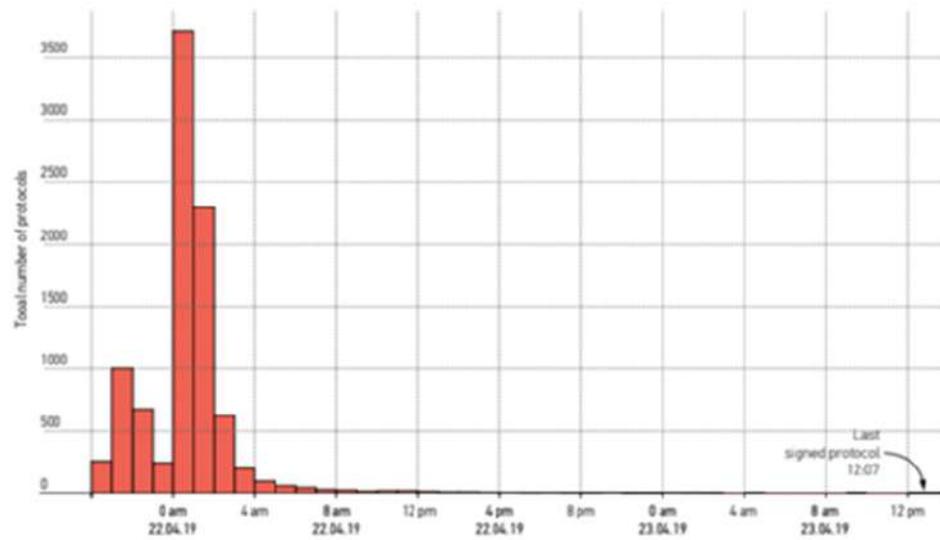


Figure 11. Distribution of small (fewer than 500 voters on the list) precincts by the time of protocol signature in the second round

In isolated cases in the first round, PEC members were illegally correcting the protocols at DEC premises, which was later fixed when police and observers reacted.

VI CANDIDATE REGISTRATION

According to the Law on Elections of the President of Ukraine, the conditions for registering as a presidential candidate are Ukrainian citizenship, being at least 35 years old, speaking the state language (Ukrainian) and having lived in Ukraine for the ten years prior to the day of the election.

A candidate to the presidency can either be nominated by a political party or self-declared. In both cases, candidates are obligated to submit a statement on income for the previous year, followed by checking by the National Agency for the Prevention of Corruption and the CEC, in addition to registration documents.

In addition to the mandatory documents, candidates in the election are required by law to pledge 2.5 million UAH (Ukrainian hryvnia). The deposit is only returned to candidates or the parties that nominated them if either the candidate wins the election or enters the second round. The remaining deposits are transferred to the state budget. Section I, Paragraph 1.3, Point 6 of the Venice Commission's *Code of Good Practice in Electoral Matters* clearly states that "if a deposit is required, it must be refundable should the candidate or party exceed a certain score; the sum and the score requested should not be excessive". In addition to the pledge representing a considerable amount, it is only returned to second round candidates, which seems to violate the above principle.

The final deadline for candidacy submissions was 3 February, while the registration of candidates continued until the end of 8 February. In total, 92 individuals applied to the CEC, and the CEC adopted a total of 52 resolutions dismissing applications for registration as candidates. Most of these rejections were due to failure to pay the deposit, improper, incomplete or irregular submission of the mandatory documents, or for programmes that contained provisions violating constitutional norms, calls to violence or major violations to human rights.

In comparison, the number of individuals who applied to be registered as candidates for the 2014 presidential elections was 53. For the 2019 presidential election, out of the total of 44 candidates registered, 24 were nominated by political parties and 20 were self-nominated. In terms of gender, the number of registered men nearly doubled (20 men for the 2014 presidential elections; 40 in 2019), while the number of registered women increased by just one (three women in 2014; four in 2019).

ENEMO has noted that the overall participation of female candidates in the presidential election remained low, even though one of the most prominent candidates in the first round was a woman.

A total of 15 complaints were filed to the first instance court contesting the rejection of candidate registrations, and to the Supreme Court in cases of appeals of the first instance court's decision, with all claims of plaintiffs denied in the court verdicts.

Candidates had the possibility to withdraw their candidacy by submitting an official statement to the CEC no later than the end of 7 March. The final list of candidates was published on 8 March. Five of the 44 registered candidates withdrew their candidacy, thus bringing the final number of contestants to 39.

Although candidates could no longer officially withdraw after 7 March, an additional two candidates announced that they no longer wished to participate in the election despite their names being present on the ballot.

ENEMO has suggested reconsideration of the 10-year residence requirement for candidates, as international election standards such as the ICCPR³³ and Venice Commission's *Code of Good Practice in Electoral Matters* (2002) provide that candidate requirements should not be excessive and should neither encroach on equal treatment nor violate the rights of citizens to be elected. The 10-year residency requirement is at odds with these international standards as it appears to be overly restrictive and should thus be reduced or otherwise reconsidered.

The grounds for rejection of candidates' applications are at times excessively at the discretion of the CEC, for example with regard to whether candidates' pre-election programmes contain provisions aimed at "the liquidation of the independence of Ukraine, violent change in the constitutional order, violation of the sovereignty and integrity of the state, disruption of security, unlawful seizure of state power, propaganda of war, violence, unleashing of ethnic, racial and religious hostility, encroachment on human rights and freedoms or the health of the population³⁴". It is not always clear how this is measured by the CEC, and risks being subject to arbitrary decisions.

³³International Covenant on Civil and Political Rights (1966): citizens should be provided with the right and opportunity without discrimination based on distinctions of "race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status" and without unreasonable restrictions to "vote and be elected at genuine periodic elections".

³⁴Article 52 of the Law on Presidential Elections

VII VOTER REGISTRATION AND VOTER LISTS

The law grants the right to vote to all Ukrainian citizens who have reached 18 years of age on the day of elections and have not been disenfranchised through a court decision. Documents confirming Ukrainian citizenship for voting may be one of the following: identity card, passport for travelling abroad, diplomatic passport, service passport, military ticket, temporary identity card, or certificate issued by the penitentiary system for individuals held in penitentiary institutions.

Voter registration is conducted based on permanent registers of residency. The SRV is supervised by the CEC and receives updates on residency registration on a monthly basis from over 20,000 public authorities.

Each voter has the right to temporarily change his or her place of voting without changing his or her electoral address. To this end, no later than five days before the elections one must provide the following documents to the SRV: passport, certificate of place of employment (or place of study), right of ownership, rental housing or place of stay at the time of the vote. In addition, voters must submit a statement requesting a temporary change to their place of voting. This request is valid only once, and voters must re-submit a request in order to vote in the second round.

The possibility to register at a temporary address is of considerable importance due to the situation of the estimated 1.6 million IDPs. The majority of IDPs have retained their official place of residence from the area they were displaced. Only a few weeks before the election, fewer than 4% of IDPs had actually changed their place of voting. The fact that voters wishing or requiring to register at a temporary place of voting had to do so between rounds (to participate in the second round) created an additional constraint for voters.

Approximately 527,000 voters were located abroad and had the possibility to vote in 101 polling stations outside of Ukraine.

In the first round, the process of registration of voters and updates to the voter lists functioned appropriately, without interference and in a timely manner. The ENEMO mission emphasised as positive the opportunity given to voters to check their records online in the central SRV database, as well as to request amendments to their records with the SRV body at their current place of residence,

although the possibility to request amendments was not offered as an online service. However, voters were not always properly informed as to where and how to check the voter lists (including online) or to request changes to their place of voting. A total of 315,725 voters took the opportunity to register at a temporary address in the first round³⁵. The greatest numbers of requests for changes were in Kyiv city, Kyiv oblast and Karkhiv oblast. In this election, a particularly high number of voters requested changes to their voting location, including voters living away from their registration address, IDPs and members of electoral commissions.

Despite the short time frame and general increase in the number of requests, most voters wishing to register at a temporary place of voting were able to do so on time. However, voters who waited until the last day to apply for temporary changes to their voting place in the first round (25 March) were not always granted the possibility to do so, often due to overcrowded registry centres. ENEMO observers assessed that some voter registration offices were understaffed.

Preliminary and final voter lists were generally transferred on time to territorial DEC and PECs, and final voter lists were transferred to PECs no later than two days before the elections in both rounds.

The final number of voters published by the CEC for the first round was 30,225,163³⁶.

Concerns were raised by electoral contestants about the integrity of the voter lists, although no significant deficiencies were observed. However, in the first round, according to observations a small proportion of voters could not find themselves in the voter lists or saw mistakes in their information therein, and were thus refused the possibility to vote. The main issues reported with regard to voter lists on Election Day involved: isolated cases of voters who could not find themselves in the final lists (but had not checked themselves in the preliminary lists in advance); young voters having recently turned 18 years of age and not finding themselves in the lists; cases of last names that were not updated, resulting in voters not allowed to vote; voters not found in the final lists even though they had found themselves in the preliminary lists beforehand and received invitations from PECs; and isolated cases of hundreds of voters registered at a single address. A holistic audit of the SRV would help estimate the number of voters who are not properly registered, and avoid future discrepancies in voter data.

³⁵In comparison, for the 2014 presidential election 171,078 voters changed their voting location in the first round.

³⁶As published on the CEC website: <https://www.cvk.gov.ua/pls/vp2019/wp030pt001f01=719.html>.

In the second round, in most oblasts SRV bodies performed their duties properly and efficiently, correcting mistakes and misspellings from the first round. Voter lists were updated in the second round to take into account changes to civil registration, recently deceased voters still on the lists, requests for corrections by voters, voters having turned 18, and so on. Many of these mistakes seemed to have occurred from confusions between data contained in older and newer passports of voters, conflicting databases amongst state agencies, and voters not systematically checking the accuracy of their voting information online.

Voter lists were transferred on time to PECs by 18 April, in accordance with the law. Requests for corrections to voters' personal data were possible until 15 April on the SRV website, and appeals to local courts until 18 April.

For the second round, the final number of registered voters on the lists was 30,359,753³⁷. In total, 325,604 voters registered for temporary changes of voting place without changing their electoral address, a large number of these requests again being made by IDPs and voters originating from occupied territories (an estimated over 75,000 IDPs temporarily registered)³⁸. The highest numbers of requests for changes were again in Kyiv city, Kyiv oblast and Karkhiv *oblast*. Concerns were again raised about overcrowded voter registration offices, considerable queues and understaffed voter registration offices.

ENEMO recommends that election management bodies ensure equal physical access to the voter registration service, including for persons with disabilities.

Despite the efforts of civil society organisations to provide voter education, the conduct of voter education by state and election administration bodies seemed to vary considerably by region. Observations showed that no comprehensive or systematic voter education programmes appeared to be in place for this election, to encourage voters to check their data online or to verify their information in the voter lists.

ENEMO also recommends that election management bodies conduct additional nationwide public outreach campaigns to inform eligible voters about the registration process, as recommended in international best practices³⁹. Although the CEC has mobilised resources to reach out to voters on its website, efforts should be pursued in line with the obligations of Article 17 (Point 12) of the law on the Central Election Commission⁴⁰.

³⁷According to data from the CEC: <https://www.cvk.gov.ua/pls/vp2019/wp095pt-001f01=720pt049f01=0.html>

³⁸According to data from the SVR website: https://www.drv.gov.ua/ords/portal/lcm_core.cm_index?option=ext_num_voters&pdt=6&pdv=706.

³⁹Such as described by the Office of the High Commissioner for Human Rights, General Comment No. 25: "The right to participate in public affairs, voting rights and the right of equal access to public service", Paragraph 11 (12 July 1996).

⁴⁰The law provides that the CEC should publish information on the preparation and conduct of elections, materials on its operations, and other materials related to the holding of elections.

VIII ELECTION CAMPAIGN

The rules for campaigning in the presidential election are contained in the Law on Elections of the President of Ukraine and the Law on Political Parties in Ukraine.

For the first round, the official pre-election campaign period started on 31 December 2018 and ended on 29 March 2019. According to the law, candidates were allowed to commence their pre-election campaign the day after they were registered by the CEC. However, despite potential candidates not officially being registered, many parties were holding public events, purchasing billboard space and posting billboards several months before the start of the official campaign period. The CEC called upon potential candidates to comply with the provisions of the law, but the campaign rules as currently defined in the legislation do not take into account the sanctioning of early campaigning, resulting in abuse by candidates.

As illustrated in the section on candidate registration, the large number of registered candidates, although a formal indication of political and democratic competition, also raised the issue of potential affiliation of alleged “technical candidates” to other candidates with higher political ratings. The fact that many of the presidential candidates had barely noticeable campaigns seemed to point towards implicit affiliations, and created considerable variations in the visibility of political campaigns depending on candidates.

Based on ENEMO mission observations, the pre-election period showed active campaigning throughout the territory of Ukraine, with considerable variations depending on the candidate and the region. In the first round, only five candidates had significantly visible pre-election campaigns. Although some *oblasts* were the scene of numerous campaign activities such as advertising through the use of billboards, posters and banners, outdoor rallies, tents for distribution of campaign materials (leaflets, newspapers), and events with voters, other *oblasts* were subject to much less visible campaigning. Secluded areas in general showed campaigns limited to posters and billboards, or meetings with voters on a smaller scale. Several presidential candidates almost exclusively campaigned via social networks. In rural areas, door-to-door campaigns were also used for meeting with voters.

The main themes of the campaign in the first round were corruption, the war in the Eastern territories of Ukraine, low salaries and pensions, social welfare and growing prices of household utilities.

However, the campaign often revealed polarisation in candidates' rhetoric in the form of direct personalised attacks. ENEMO observers witnessed multiple instances of negative campaigning, such as the smearing of political opponents with distorted, inaccurate information, "fake news" or "fake images", discrediting of other candidates and "black PR". Such cases were reported by LTOs in nearly all oblasts, along with the presence of a large number of illegal campaign materials aimed at discrediting candidates and cases of attacks on candidate headquarters.

The tension of the campaign was also increased by the presence of paramilitary or radical groups in several oblasts in the lead up to the first round. Counter-rallies by far-right parties and affiliated militia disrupting campaigning activities and provoking occasional violent outbursts increased over the last two weeks of campaigning. As a consequence, the number of security forces present at rallies (police, special forces, national guard or private security) expanded in certain areas.

Although state authorities and their security forces were able to maintain an overall climate of peace for the unfolding of the campaign, ENEMO noted the insufficient capacity and lack of training of the National Police to react to cases of campaigning violations in the first round, whether they consisted of illegal campaign materials, damaging of billboards, property damage, threats, pressure and intimidation of voters or "hidden" means of campaigning.

In addition, according to the law, all pre-election campaigning was required to end 24 hours before Election Day. On the eve of the first round in certain regions, allegations were reported that voters were receiving an SMS calling them to vote in favour of a particular candidate. Local bodies were responsible for taking down campaign materials 24 hours before the day of voting. However, posters were not always taken down appropriately, and advertising resembling campaigning was also observed on billboards, with images and names of candidates replaced by alternative slogans.

Additional complaints in the first round were voiced that candidates nominated and supported by political parties benefited from more support or preferential treatment from the authorities – for instance in terms of the placement of campaign advertising – thus creating an unfair environment. Misuse of administrative resources, allegations of pressure on staff remunerated from the state budget (teachers, doctors, etc.), cases of hidden campaigning and pressure on voters were also reported. These individuals were allegedly pressured into not becoming PEC members or candidate observers, or on occasions were encouraged to vote for a particular candidate and photograph their ballot, or otherwise risk being dismissed from their job or function. Additional provisions to sanction the misuse of administrative resources and sanctions regarding pressure on state staff and voters should be added to the legal framework.

Particularly prominent cases of misuse of administrative resources consisted of political announcements and the use of the state budget to conduct reforms, specifically during the electoral campaign. This created ambiguity, because according to the law, the political campaigning of candidates should operate strictly from candidates' campaign funds. In this sense, the announcement of increased pensions for retired individuals and the military during the two months covered by the campaign period posed a challenge to the principle above, as did the presence of the incumbent president at regional development councils throughout the country, as this was used as an indirect platform for campaigning. The local and regional administration openly declared their electoral support during such visits. "Volunteers" were observed distributing signed letters to citizens on behalf of regional development councils and the incumbent President, including photographs and messages from this figure and local officials.

ENEMO observed that the rules and principles of fair campaigning were not always respected by candidates and their supporters, or enforced by the authorities.

For the second round, the presidential election campaign officially began on the day following the official CEC announcement of the first-round results (17 April) and had to end 24 hours before the day of voting, in accordance with the law. However, candidates Volodymyr Zelensky and Petro Poroshenko, who both passed the first round, failed to comply with these requirements, continuing their direct and indirect campaigns in the week after the first round before the official announcement of results. The law provides that campaigning should resume only upon announcement of the official first-round results by the CEC. Until that date, ongoing campaigning between the two rounds is considered early campaigning and again not sanctioned within the legal framework.

ENEMO noted that competition between the two candidates in the second round often took the form of "black PR" – provocative and negative campaigning, mostly through social networks and messaging applications – including violent images (for example, a candidate being run over by a bus) and the discrediting of candidates (such as suggestive imagery of the use of narcotics by a candidate).⁴¹ Disagreement between the two candidates on the conditions for holding debates also represented a prominent theme.

Campaigning between the two rounds focused on the national rather than the regional level, with few campaign events in the regions (the campaign was almost unnoticeable in some areas, such as in the Eastern territories), although the dissemination of campaign materials and door-to-door activities continued in some areas. In addition to television, social networks and messaging applications, large numbers of cases of

⁴¹Article 64, Paragraph 5 contains provisions restricting campaigning in the form of deliberate dissemination of false information on candidates, in addition to the provisions of Article 59, Paragraph 3, which makes explicit the informational requirements that should appear on printed materials

billboards, posters and publicly distributed leaflets containing “black PR” to discredit candidates were also reported by ENEMO observers. These contained defamation techniques including humiliating picture-collages, fake news and aggressive name-calling. Such cases were observed in most *oblasts*.

ENEMO raised concerns with regard to the use of illegal and controversial campaign materials, both printed and digital, which used false information aimed at undermining the credibility and dignity of candidates. Furthermore, the campaign platforms and political positions of candidates were not clearly voiced to voters, with candidates instead focusing on discrediting one another. Policy positions remained unclear, precluding voters’ abilities to make an informed choice.

New billboards in the second round did not always bear the proper identification information specified in the legislation⁴². The practice of replacing old billboards with newer ones bearing alternative slogans but similar visual themes 24 hours before Election Day continued in the second round. Although not a violation of the law, the practice raised the issue of campaigning on the “day of silence”.

Reports of misuse of administrative resources considerably decreased in comparison to the first round, although some concerns remained. For instance, the practice of distributing regional development council paraphernalia similar to the first round continued in some regions. Observers reported envelopes including brochures containing the development perspectives of the respective region, and questionnaires proposing to evaluate the regional development plans for the coming years, the work of the mayor and personal data.

ENEMO noted that in spite of the high demand among Ukrainian citizens for debates⁴³ and plans for more than one debate to be held between the two rounds, only one debate involving the two candidates was held at the Olympic Stadium on the Friday before Election Day.

Overall, ENEMO assessed that the conditions for free campaigning were present in the election, even though shortcomings in the electoral legislation allowed for candidates to either abuse legal loopholes or commit violations to campaign rules (such as campaigning on the “day of silence” or before the prescribed periods) without being sanctioned. Candidates’ campaigns also did not focus on election platforms and political programmes, but rather on individual personalities and discrediting political opponents.

ENEMO additionally recommended that early campaigning, equitable access to campaign space (billboards) and enforcement of campaign rules be clearly sanctioned within the legal framework.

⁴²Printing institution, circulation figures, information on printing houses responsible for the release and customer of the relevant materials.

⁴³According to polls conducted by the Kiev International Institute of Sociology from 9 April to 14 April, 68.7% of Ukrainians wanted debates to take place: https://www.kiis.com.ua/?lang=ukr&cat=reports&id=851&page=1&fbclid=IwAR04hoJ3aa9PFIn8Dc-0x7m93UFN00TKx8is0R-HL_9fMKG18ZOcmUuiw2g.

IX CAMPAIGN FINANCE

Major reforms were conducted in 2015 in Ukraine planning to regulate political finance by improving the regulatory framework. This included provisions on the public funding of political parties, increased financial reporting requirements, restrictions on private donations and oversight of political finance by the National Agency for Corruption (NAPC, created in 2016) and CEC. However, a lack of human and financial resources to support these new regulations, as well as a shortage of provisions on the misuse of administrative resources and vote buying, have revealed that considerable opportunities for non-compliance by candidates remain.

According to the law, the campaign fund of a presidential candidate must consist of an account to which campaign funds are transferred, as well as an expenditure account from which the financing of election campaign expenses is covered. Funds should be transferred to the expenditure accounts exclusively from the campaign funds account and all campaign spending should be done in cashless transactions.

Individual donations were limited to approximately 1,669,200 UAH, while corporate donations could not exceed approximately 3,338,400 UAH. No donations were permitted from, among others, foreign citizens, government authorities or affiliated entities, unregistered organisations or charities⁴⁴.

The CEC and the NAPC were obligated to publish their analysis of the financial statements provided for interim reports no later than five days before Election Day, as well as final reports no later than 13 days after the day of voting. In cases of violations, the CEC had to notify relevant law enforcement bodies for inspection and response.

In the first round, candidates were required to submit interim financial reports five days before the election.⁴⁵ As per interim financial reports, no less than 1 billion 200 million UAH were spent by candidates on the electoral campaign in the first round.⁴⁶ Most of the funds received by candidates were spent on campaigning, mainly on media advertising.

The transparency and accountability of political financial dealings are essential to enhancing the credibility and integrity of the electoral

⁴⁴Law on Elections of the President of Ukraine and Law on Political Parties in Ukraine.

⁴⁵Financial reports of candidates may be found on the CEC website: <https://www.cvk.gov.ua/pls/vp2019/wp082pt001f01=719.html>.

⁴⁶Data in accordance with the interim financial reports of candidates on the use of funds from the election fund, published on the website of the Central Election Commission on 25 March: http://cvu.org.ua/nodes/view/type:news/slug:kandydaty-v-prezydenty-ofitsiino-vytratly-12-mlrd-hrn?fbclid=IwAR-0L5UgEfGlnGN6knoGS8er2xmvHDxrT_jjuuNPk4_SyTBdFUZn301zjl00.

process. With regard to first-round campaigning, concerns were raised as to considerable allegations of broad vote-buying schemes and the use of administrative resources revealed in the media, potentially affecting citizens' trust in the electoral process.

ENEMO reports also indicated a considerable number of allegations of illegal remuneration of campaigners (promises of paying groups of campaigners if they campaigned in favour of a particular candidate, reimbursement of costs of campaigners were allowed),⁴⁷ use of administrative resources (such as regional state administration press services for campaigning, local authority representatives campaigning in favour of a candidate), and cases of vote buying (bribery of voters). Alleged corruption scandals and illegal donations to parties and candidates, as well as "shadow funding" (undeclared funds used for campaigning) of election campaigns marred the overall process. These reports and allegations, even if not proven, may have affected citizens' trust in the process and credibility of the elections.

Cases of alleged vote buying were reported by ENEMO observers across the country, such as in Zhytomyr, Chernivtsi, Poltava, Sumy, Odessa, Cherkasy and Khmelnytskyi oblasts. For instance, attempts at alleged vote-buying pyramid operations were reported in Chernivtsi, consisting of a scheme involving a reward in the amount of 1,000 UAH to persons who secured 10 votes for a candidate. In addition, observers were also presented with copies of drafted contracts that appeared to contain provisions on remuneration in exchange for voting for a particular candidate.

Civil society and election stakeholders in general raised the issue of the challenges caused by perceived bribing of voters, in particular the definition of indirect vote buying. Although both the selling and buying of votes are criminalized, many of the campaigns were accused of using creative methods to circumvent a direct violation of the law, while still providing or promising services or goods to voters.

ENEMO noted that the enforcement of campaign finance rules is lacking in allowing for adequate reaction to the issue of voter bribery, and the legal framework contains improper provisions on the financing of campaigning, namely a clear stance on distinguishing campaign expenses from state budget funds. This contains the risk that incumbents capitalise on certain events as a platform for campaigning.

ENEMO noted that all candidates from the first round submitted their final financial reports on their campaign expenses in compliance with the law before 15 April, although expenses were not always properly reported in accordance with the required format. Six candidates reported nearly no donations and no expenditures, while several

⁴⁷CEC Resolution #376: "Explanation on the Implementation of the Provisions of Section 6 of Article 64 of the law on the elections of the president of Ukraine".

candidates submitted incomplete reports. ENEMO observed that the NAPC and CEC posted these reports on the CEC website, but insufficient timeframes and a lack of complete reports revealed that sanctioning mechanisms to force candidates to comply with reporting standards were not in place.

In the second round, candidates submitted interim financial reports on 16 April in line with the law, followed by publication on the CEC website. The NAPC and CEC respected the legal deadline and published interim financial reports of the presidential candidates by 18 April, containing information on the incomes and expenses of the two candidates from 7 to 13 April. According to these reports, during the first five days of the second round campaign, candidate Petro Poroshenko invested an additional 99.9 million UAH into his election campaign, and candidate Volodymyr Zelensky an additional 44.59 million UAH.⁴⁸

Taking into account the expenses in the first round, candidate Poroshenko spent over 500 million UAH. Candidate Zelensky's campaign in the second round was entirely funded by the "Servant of the People" party. From 7 to 13 April, this party transferred 45.7 million UAH into candidate Zelensky's election fund, resulting in a total of approximately 143 million UAH across the two rounds.

It should be noted that the funding for negative campaigning materials covered in the previous section was not transparent. With regard to leaflets and new billboards containing provocative messages, the lack of transparency regarding the origin of the funding raises the issue of the potential violation of Article 58, Part 4 of the Law on the Election of the President of Ukraine, which states that all campaigning materials should be printed only at the expense of candidates' electoral funds.

ENEMO deemed that the time frame for verifying the accuracy of information provided in the interim financial reports of candidates published four days before Election Day did not provide sufficient time for proper institutional oversight (CEC, NAPC, courts, etc.). It also limits the possibilities for civil society organisations (CSOs) to monitor campaign financing and for official bodies to sanction cases of "shadow funding" should they be discovered (for example, expenditures on social media, such as Facebook advertisements and improperly marked campaign materials). It is also too short to communicate comprehensive information and analysis on the campaign expenditures of candidates to inform voters' decisions.

Final reports on the expenses of candidates for the first and second round were published no later than 15 days after Election Day, in line with the law (for all 43 initially registered candidates). However, the

⁴⁸<https://www.cvk.gov.ua/pls/vp2019/wp082pt001f01=720pkindrep=1.html>.

links to some of the reports for candidates in the first round were not properly functioning at the time of writing ENEMO's final report.

Cumulatively, the presidential candidates spent over 1.7 billion UAH in the first round, as indicated in their final financial reports, most of which was related to television advertising, followed by outdoor advertising and the printing of election materials.

In total, the candidate with the highest level of expenditure was Petro Poroshenko, with officially declared campaign costs amounting to approximately 585 million UAH. In addition, candidates with over 100 million UAH on their electoral funds included Volodymyr Zelensky, Yulia Tymoshenko, Oleg Lyashko, Anatoliy Hrytsenko, Oleksandr Vilkul and Sergei Taruta.

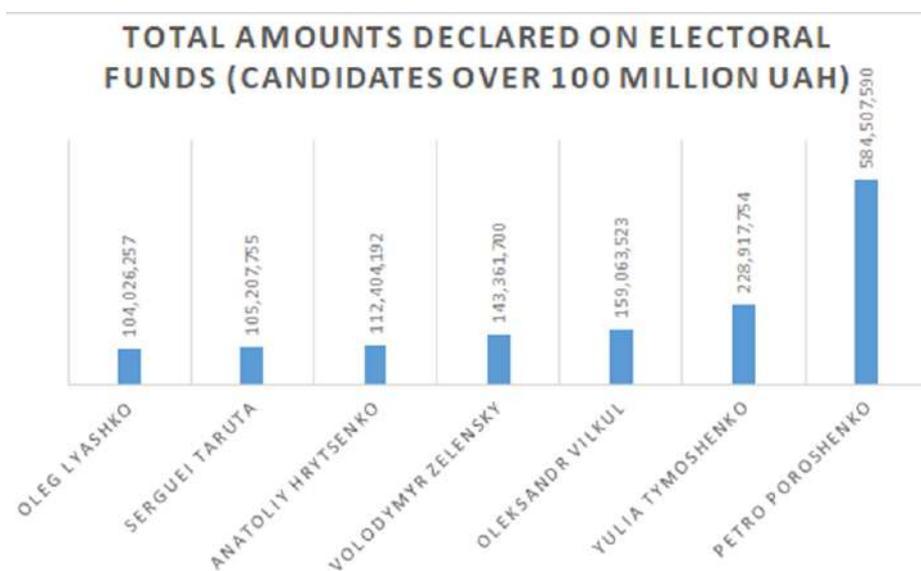


Figure 12. Amounts declared on electoral funds

Given that several campaigns were primarily conducted on the Internet and social networks, ENEMO noted that few of these reports reflected expenditures related to advertisements on social networks. In addition, six candidates submitted final reports with zero costs (besides their mandatory financial pledge for registration as candidates).⁴⁹

There is the risk that considerable amounts of campaign funds were not reported, with real campaign expenditures exceeding the declared amount. This also owed to candidates having ordered advertising prior to the official start of the election campaign, which is not legally considered as campaigning. Thus, candidates were not obligated to report on such expenditures. In addition, according to the Law on the Election of the President of Ukraine, candidates should finance their campaigns exclusively from their election fund accounts; other financing sources for campaigning are considered illegal.

ENEMO noted a lack of transparency with regard to the financing of candidates' campaigns in both rounds, which were partly financed

⁴⁹<https://www.cvk.gov.ua/pls/vp2019/wp082pt001f01=719pkindrep=2.html>.

from sources other than the official accounts for campaigning, such as state resources and external financing (such as third-party and anonymous financing of campaign materials, improperly branded materials, etc.). Paragraph 5.4 of the 1990 Copenhagen document unequivocally affirms that “a clear separation between the State and political parties; in particular, political parties will not be merged with the State” is a requirement.

In addition, the UN Human Rights Committee has stated that setting reasonable limits of campaign expenditure can be justified by the need to prevent disproportionate spending by parties and candidates.⁵⁰ In the current legal framework, no spending limits are set within the legislation, resulting in the lack of a level playing field among presidential candidates. Limitations on campaign expenses should be considered, as the CCPR General Comment No. 25, Article 25 also states that “reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party”.

X MEDIA

A. General media environment and legal framework

In general, the media landscape is pluralistic and comprises a large number of registered media outlets⁵¹ offering various content. However, the actual diversity of viewpoints was limited due to the substantial concentration of media ownership and lack of autonomy of media from political or corporate interests, thereby affecting general trust in the media and their editorial policies. Television is the main source of information for citizens⁵², but it also the most concentrated and polarised, followed by online media outlets and social networks.

The Constitution guarantees freedom of speech and expression and prohibits censorship. The media legal framework provides general pre-conditions for media freedoms. The main principles for media conduct during elections are set out in the presidential election law, which envisages equal and impartial treatment for all candidates. The law obligates state and private broadcasters to provide balanced coverage of all candidates, and state media to provide free airtime and space to contestants. Private broadcasters are entitled to organise TV debates among candidates and in such a format should be paid from the campaign funds of candidates, while UA:PBC⁵³ is obligated to organise a debate financed

⁵⁰ UN High Commissioner for Human Rights (12 July 2019), General Comment N°25 (Article 19).

⁵¹ There is no official database of all media outlets in Ukraine. The total number of all media in the country is high, but the exact number of all media varies depending on the source.

from the state budget for the second round of elections. The same law envisages that paid campaign advertising be clearly marked as such and permitted on public and private media.

The main regulatory authority for the broadcasting media is the National Council of Television and Radio Broadcasting (NTRBC), and all broadcasters must be registered and licensed by it. Print media are only required to register with the Ministry of Justice, while the registration of online media outlets is neither obligatory nor prescribed by the law, and there is no formal mechanism for the registration of online media outlets, except for those registered as news agencies. The election law does not clearly stipulate the body responsible for overseeing broadcast and print media during an election. Although the NTRBC nevertheless supervised broadcasting media's compliance with existing laws during the election campaign, its capacity to fully ensure media content's compliance with the law was limited by an unclear system of sanctions and political influence. The only legally effective mechanism the candidates possessed to address biased media reporting was through the courts in the case of defamatory media content against them.

B. Traditional media

Media played a very significant role in the presidential election, being marked by biased reporting and considerable polarisation owing to the corporate and political interests of their owners, some of whom allegedly possessed close ties to certain candidates. The candidates predominantly focused on national media, while regional and local media were not significantly involved in their campaigns. They spent more than two thirds of their total election funds on media advertising⁵⁴, including both traditional and social media. A lack of legal limits for paid political advertisement per candidate enabled some of the more prominent candidates to monopolise major media outlets, while limiting the media access of candidates with fewer resources and without the support of media owners.

Several candidates introduced various innovative forms of political campaigning, such as different types of entertainment content. One of the country's most popular TV channels 1+1 aired candidate Zelensky's TV shows and films during the election campaign, as well as during the silence period⁵⁵. According to the National Council and a

⁵³The Ukrainian Public Broadcasting Company (UA:PBC), established in 2017, remains severely underfunded, with its annual budget reduced for the second consecutive year. Interlocutors stated that the financial situation, together with internal management disputes, affected their ability to perform its public service role.

⁵⁴ Interim financial reports of presidential candidates published by NAPC.

⁵⁵The National Council reported that Mr. Zelensky was present for 203 hours and 35 minutes in different entertainment formats, representing 14% of the total content of the programme of 1+1 TV channel during the period 31 January to 31 March 2019. The same calculation was not announced for the other candidates.

Court decision, this was not a violation of any legal provision. The same stance was applied to Mr. Poroshenko's presidential activities during the campaigning period. Many ENEMO interlocutors raised concerns of the activities of both candidates being examples of hidden advertisement, and pointed out the necessity of recognising and regulating such activities.

In accordance with the law, UA:PBC offered all candidates equal access to free airtime. Despite a lack of funds and controversial regulations on candidate debates, it managed to organise political talk shows with presidential candidates in the first round, and a formal debate during the second round. However, the decisions of most of the prominent candidates not to attend, accompanied by low audience ratings, limited the actual impact of these shows. During the second round of elections, only one candidate, Mr. Poroshenko, used the opportunity to participate in the debate, while Mr. Zelensky did not attend. Following the legal provisions, his time was allocated to the participating candidate. A debate between the candidates during the second round was held at the NSC "Olympic" stadium, with more than 20,000 spectators attending. It was organised and paid for by the candidates and was broadcast live by most domestic and many international TV channels.

Due to the absence of a clear division of responsibilities between different authorities, as well as the ineffectiveness of sanctioning mechanisms, numerous occurrences fell between the legal and regulatory gaps and were not effectively and timely resolved, especially regarding (hidden) political advertisement. Media compliance with legal requirements was supervised by the NTRBC, which also conducted in-house media monitoring of a number of media. The NTRBC informed ENEMO that it had detected a number of irregularities⁵⁶, but the legal framework did not sufficiently enable it to adequately respond to and prevent media violations owing to deficient sanctioning mechanisms and a lack of clear definitions of violations. Indeed, its capacity was limited to issuing warnings, thereby notifying broadcasters and the CEC of detected violations. Attempts to bypass these obstacles by forming additional bodies, such as the Working Group on Media Oversight during the elections and the Independent Expert Council, were neither sufficient nor successful.

ENEMO interlocutors raised concerns as to this issue, highlighting the imprecise provisions of the presidential election law, which created room for interpretation and allowed contestants to use loopholes to their advantage. Therefore, many media irregularities recorded by the NTRBC and CSOs, such as biased reporting, black PR, "jeansa" payments and incorrectly marked and hidden advertisement were not effectively and timely resolved. The CEC's official explanation of the terms "political campaign" and "political advertisement" as well as the NTRBC's in-

⁵⁶The NTRBC reported biased reporting, hidden advertisements, improperly marked or non-marked political advertising and inadequately marked public opinion polls as the most common irregularities.

structions on media reporting during the pre-election campaign were welcomed, but should have been made before the start of the pre-election campaign period in order to allow for the proper implementation of legal provisions.

Cases of physical attacks or violence against journalists were not reported, but several cases of alleged intimidation and threats by law enforcement, local and central authorities and representatives of presidential candidates were reported by ENEMO observers and domestic NGOs. Many of the mission interlocutors highlighted the absence of a code of conduct or any other relevant document providing essential principles to guide the actions of the media and journalists during the election period, as well as a lack of effective self-regulating mechanisms.

C. Social media

Social media platforms played an important role in election campaigning, significantly transforming the traditional conduct of political campaigns in Ukraine. They were used extensively by most candidates, enabling them to diversify their campaigns for different target audiences and to reach a broader public. Contestants especially used Facebook, Telegram, YouTube and Twitter for negative campaigning, particularly during the second round. The available Facebook data demonstrate that they mainly used this platform to disseminate negative messages regarding their opponents, which were then picked up and further spread by traditional media.

A lack of regulations concerning political campaigning on social network platforms allowed the candidates to carry out direct or indirect campaigning beyond the timelines prescribed in Article 57 of the presidential election law.

On the other hand, the state's counter-disinformation activities were criticised for endangering freedom of expression and for lacking any monitoring mechanisms in their implementation. The unlimited discretion of the authorities, without adequate mechanisms to oversee the activities of authorised bodies, contradicted international standards and was questioned by a number of ENEMO interlocutors for potentially jeopardising fundamental rights and freedoms related to privacy and access to information.

XI ELECTION OBSERVERS

Ukrainian legislation guarantees observation of the election process for both domestic and international organisations. Observer organisations are accredited by the CEC, provided that they fulfil the accreditation requirements by officially being registered and having election-related activities and election observation in their statutory documents.

A. International observers

For the presidential elections, the CEC accredited 41 international organisations with 2,700 accredited observers⁵⁷.

On 7 February, the Verkhovna Rada adopted a law banning Russian citizens from participating as observers in presidential, parliamentary and local elections⁵⁸.

ENEMO expressed its concern about the decision of the Ukrainian government not to allow Russian citizen observers into the country, as it would negatively affect its work given that one of its member organisations, GOLOS, was not permitted to send its members for the ENEMO EOM in Ukraine. Members of GOLOS who were supposed to be involved in the ENEMO observation mission included human rights defenders and political dissidents from Russia, and therefore faced double discrimination because they could not be a part of the ENEMO mission by the decision of the Verkhovna Rada. This also contradicted the spirit of Article 8 of the 1990 Copenhagen document, which states that the presence of observers from participating CSCE (Conference on Security and Co-operation in Europe) states, both foreign and domestic, can enhance the electoral process and should be invited from any other CSCE participating state.

B. Domestic observers

The CEC accredited 139 domestic observer organisations for the presidential elections.⁵⁹ Accreditation of individual observers was conducted by DECs.⁶⁰ However, 53 accredited organisations out of 139 did not accredit any observers for the presidential elections. Moreover, 26 organisations accredited fewer than 10 observers.

⁵⁷See the list of the accredited international organisations: <https://www.cvk.gov.ua/pls/vp2019/wp041pt001f01=720.html>

⁵⁸The Law on Amendments to certain Laws of Ukraine on Observing the Election Processes in Ukraine: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=65409x.

⁵⁹See the list of accredited organisations: <https://www.cvk.gov.ua/pls/vp2019/wp141pt001f01=720.html>.

⁶⁰Article 78.1 of the Law on Elections of the President of Ukraine.

ENEMO noted that the number of accredited citizen organisations increased almost fourteen-fold in comparison with the previous presidential elections⁶¹. Among the accredited non-governmental organisations (NGOs), only two accredited domestic observers' organisations – OPO-RA and CVU – are members of the Global Network of Domestic Election Monitors, as well as signatories of the Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations.

ENEMO further noted that 67 out of 139 citizen observer organisations were granted state registration between 2016 and 2019. Given that no national election was held during these years, newly registered organisations did not have the opportunity to observe elections at a national level. Many of ENEMO's interlocutors raised a concern that some of the accredited domestic observer organisations were linked to the interests of some of the presidential candidates, which could lead to the risk of fake and/or partisan observation.

Two NGOs in the list had more than 10,000 accredited observers. Indeed, the "Ukrainian Centre for Democratic Society", which was registered in December 2018, had accredited 27,279 observers⁶². No information was available regarding the activities and observation methodology of this organisation. Several interlocutors informed ENEMO observers that the organisation was affiliated with candidate Poroshenko.

Second in the list was "Kamanda Ze"/"Ze Team", which was registered on 28 January 2019, with 11,447 accredited observers⁶³. The organisation confirmed to ENEMO that it openly supported presidential candidate Zelensky.

Many ENEMO interlocutors raised concerns regarding the possible interference of local observers on Election Day. The large number of newly founded and inexperienced organisations bearing violent ideological views registered during the first round⁶⁴, as well as the statements made by the representatives of such organisations regarding the possibility of using force under the pretext of preventing falsifications, gave grounds for concerns regarding security risks to the electoral process. Nonetheless, voting was conducted in a peaceful atmosphere in both rounds. Moreover, the number of observers present at polling stations for the second round was relatively low compared to the first round. ENEMO calls upon all domestic civil society election observation groups to adhere to international principles and standards for electoral monitoring, such as the 2012 UN Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations.

⁶¹Number of accredited domestic observer organisations during 2014 early presidential elections: 10; for 2014 early parliamentary elections: 37; for 2015 local elections: 83.

⁶²See section Official Observers: <https://www.cvk.gov.ua/pls/vp2019/wp141pt001f01=719.html>.

⁶³Ibid.

⁶⁴CEC Resolution #494: "On the appeal concerning the necessity of ensuring law and order during the electoral process of the President of Ukraine on March 31, 2019". <http://www.cvk.gov.ua/pls/acts/ShowCard?id=45100&what=0>.

XII ELECTION DAY

During both rounds of elections, ENEMO observers monitored all stages of the voting process, including opening, polling, vote counting and results tabulation, as well as the transfer of materials to DEC.

Both rounds were conducted in a largely transparent and efficient manner, generally in line with Ukrainian legislation and international standards.

All data, numbers and infographics provided below are based on observed polling stations by ENEMO STOs in the framework of their deployment.

First round, 31 March

On Election Day, ENEMO deployed 103 teams of multinational observers to follow the opening, voting, counting, transfer and intake of election materials by DEC. Observation teams, comprising 48 long-term and 158 short-term observers, monitored the opening procedures at 103 polling stations, voting at 1,239 polling stations and closing and counting at 103 PECs. In addition, ENEMO observed the intake of tabulation and materials at 101 DEC.

Election Day was, overall, calm and peaceful. The management of the polling process and conduct of PECs was assessed positively in the majority of cases, although a few procedural violations were observed, mostly during vote counting and the tabulation of results.

A. Opening

ENEMO observed the preparatory meeting and opening procedures at 103 polling stations. At all observed polling stations, observers were able to properly monitor the opening procedures. The environment around the observed polling stations was assessed as calm and peaceful in all cases. The opening procedures were assessed as overall orderly and in line with the stipulated procedures. No complaints related to the opening were observed in any of the polling stations, with the exception of one case, in which observers noted an unfounded complaint. Minor deviations did not appear to have significantly affected the process. ENEMO observers reported a large number of female PEC members, including in management positions.

The preparatory meeting started on time (7:15AM) in 92.2% of the observed polling stations, while in 3.9% it started with delays of up to 30 minutes.⁶⁵ Over 92% of the observed polling stations opened on time (08:00AM), while 7.77% opened with very slight delays (less than 15 minutes). The main reported reason for delay was slow opening procedures. All observed polling stations opened in the presence of at least the minimum number of members required by law (nine members).

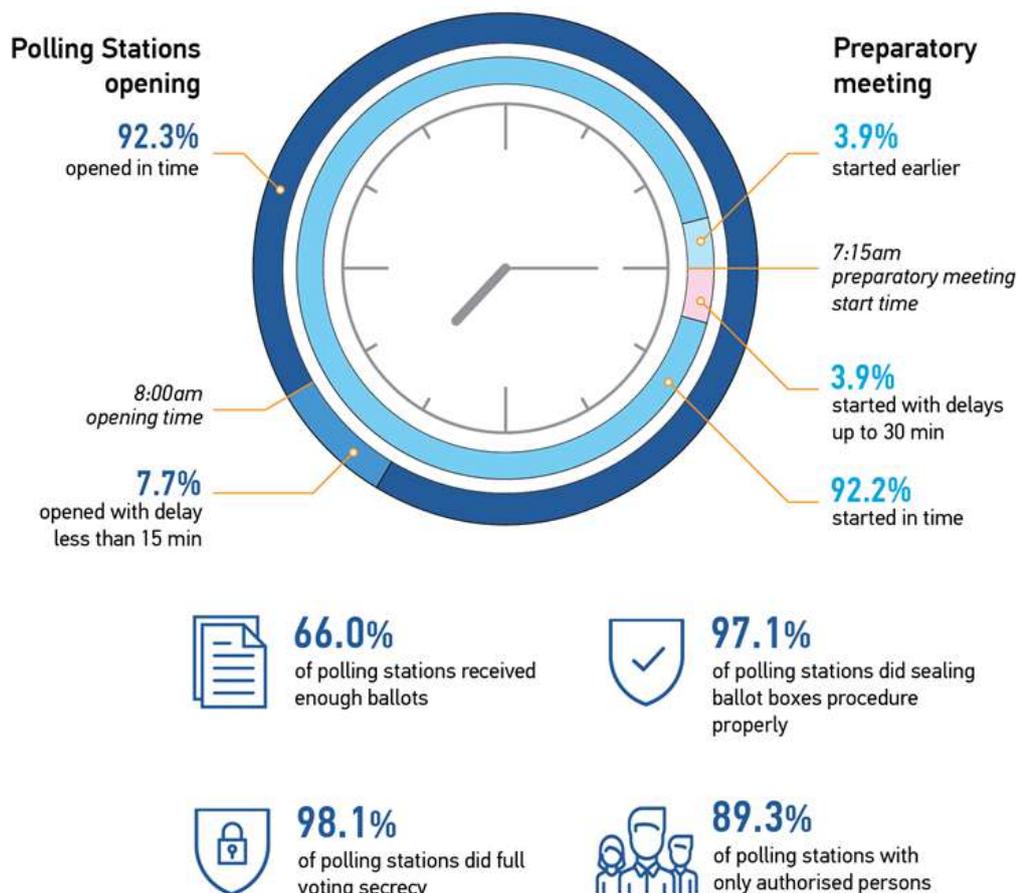


Figure 13. Opening procedures

All observed polling stations were equipped with all essential materials required for voting.⁶⁶ However, 34% of the observed polling stations had received fewer ballot papers than voters on the voter list for that precinct. In a few cases, the difference was significant⁶⁷. Furthermore, most of these polling stations had a large number of voters enrolled.⁶⁸ The procedure for sealing ballot boxes was followed properly at 97.1% of the observed polling stations, with slight procedural violations noted at only three polling stations.

⁶⁵In 3.9% of the observed polling stations the preparatory meeting started earlier.

⁶⁶Ballot papers, voting booths, ballot boxes, PEC stamps, protocols, voter lists and seals.

⁶⁷In five polling stations the difference was more than 50 ballot papers.

⁶⁸71.4% of these polling stations had over 1,500 voters enrolled.

The set-up of almost all PECs was assessed as adequate (98.1%) and only two of the observed polling stations failed to ensure full voting secrecy in setting up the polling booths.

The procedure for sealing mobile ballot boxes was followed properly at 97.1% of the polling stations, with slight procedural violations at two polling stations.⁶⁹

At 89.3% of polling stations observed, only authorised persons were present while opening procedures were being carried out. In 7.8% of these cases, observers noticed that police officers were present inside the polling stations, and in 2.9% other unauthorised persons.⁷⁰

B. Voting

ENEMO observers monitored the voting process and environment around polling stations at 1,239 polling stations throughout the country. In almost all of the polling stations observed, all authorised observers were allowed to properly monitor the voting process and ENEMO observers assessed the voting as positive.

The environment around polling stations was assessed as orderly in 98.5% of the observed polling stations. Excessive police and/or military presence around polling stations was noticed in only 1% of cases, half of them situated in Kyiv city. Observers reported one allegation of vote buying and one allegation of organised transportation of voters by a local official.⁷¹

Voting was orderly and without serious procedural violations at 98.7% of observed polling stations. The secrecy of the vote was respected at 97.7% of observed polling stations. However, instances in which the secrecy of the vote was violated were also reported, including more than one individual in voting booths, voters revealing their vote, voters not being able to vote in secrecy due to the improper set-up of the booths or transparent curtains, and voters taking photos of marked ballot papers.

In 95.2 % of observed polling stations, observers were informed that no complaints had been submitted. In 3.3% cases, PEC members indicated the filing of minor complaints. With regard to substantial complaints, most were related to voters not finding themselves in the voter list.

A total of 96.6 % of polling stations observed had an acceptable set-up for voting. Essential materials for the conduct of voting were present in 98.9 % of cases. In addition, 12.1% of the observed precincts⁷² had fewer stationary boxes, and nearly 30% had fewer voting booths⁷³ than required by law⁷⁴, occasionally leading to overcrowding.

⁶⁹In one polling station, the mobile ballot box was not sealed during opening and was still open when

⁷⁰the STO team departed the polling station

⁷¹School guardian, observers without accreditation, etc

⁷²A complaint was filed to the police by a domestic observer.

In 99% of observed polling stations, voter identification procedures were followed properly. Several instances of eligible voters not being allowed to vote and/or not finding themselves in the voter list were noticed at observed polling stations.

A total of 94.5% of observed polling stations were functioning and managed properly by PEC members. Observers reported that 4.7% of observed polling stations were somewhat crowded, although PEC members were able to manage the process. Sporadic cases of disorganised polling stations were observed.



Figure 14. Voting procedures

Few cases of observers intervening in the work of PEC members were reported. However, the presence of unauthorised and/or unidentified persons in polling stations was noticed in 8.1% of observed polling stations, including police (5.5%), unknown non-accredited persons or persons without a visible badge (1%), and local authorities (less than 1%).

Women were well-represented in the PECs, representing 66% of PEC members in the observed polling stations. Women were in the majority even in leading positions in the PECs, holding 70.7% and 76% of the positions of chairperson and deputy chairperson, respectively. In addition, nearly 88% of the secretaries of the PECs were female.

Polling stations' access to people with mobility disability was assessed as suitable in 54.5% of cases⁷⁵. A total of 45.5% of polling stations were deemed unsuitable or requiring additional assistance for people with mobility disabilities.

⁷³Of which 72% were large polling stations.

⁷⁴Article 74, Paragraph 3 of the Law of Ukraine on the Election of the President of Ukraine: "Voting premises must be equipped with a sufficient number of booths (rooms) for secret voting. For small election precincts, the number of such booths (rooms) shall be no less than two, for medium precincts – no less than four, and for large precincts – no less than six".

⁷⁵Were equipped with ramps and/or other facilities

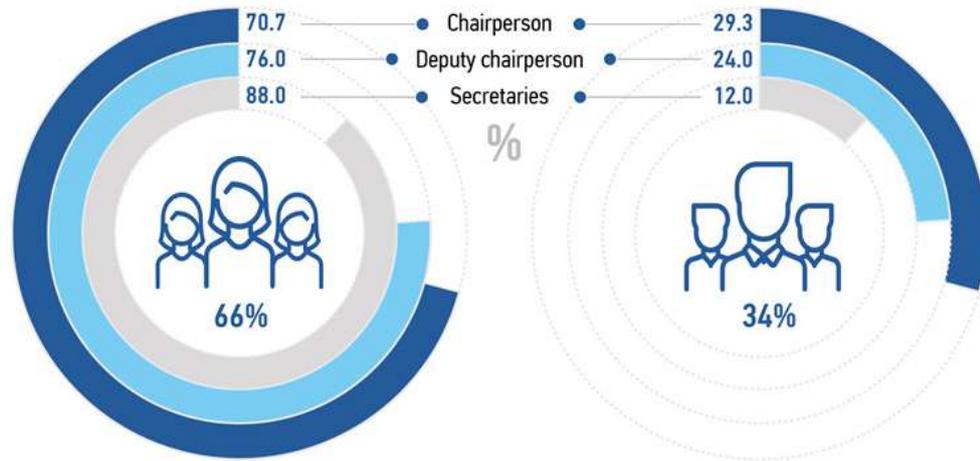


Figure 15. Composition of PECs

C. Counting

ENEMO followed the closing and vote counting procedures at 103 polling stations, with observers assessing that counting procedures were followed properly in 91.3% of cases. Moreover, in 6.8% of cases there were some deviations from counting procedures. However, observers assessed that the observed deviations did not seem to affect the legitimacy of results.

Polling stations closed on time in 96.1% of the observed polling stations, with 3.9% closing with slight delays due to voters in queue. In all cases, voters in queue were allowed to vote.

All ENEMO observers were allowed to observe the counting procedures.

The overall assessment of the counting procedures was positive (very good⁷⁶ or good⁷⁷) in 86.4% of the observed polling stations. In 13.6% of cases⁷⁸, the overall counting process was assessed negatively by the observers. However, all cases of negative evaluation were attributed to negligence and not direct attempts at fraud.

In 95.1% of polling stations observed, only authorised people were present during counting. However, in 3.9% police was present during the counting, in the same pattern as during opening and voting.

No complaints regarding the counting process were recorded in most of the observed polling stations. In 4.9% of cases there were some complaints, which ENEMO observers deemed as unfounded or unsubstantial.

⁷⁶47.6 %.

⁷⁷38.8 %.

⁷⁸9.7% as bad and 3.9% as very bad, respectively.

A total of 87.4% of polling stations completed the protocol in accordance with the law, whereas in 12.6% the procedures were not followed as prescribed. However, observers assessed that these deviations did not damage the legitimacy of the process or affect the results.



Figure 16. Counting procedures

In the majority of cases, protocols were promptly posted on the polling station premises and provided to all persons entitled to receive them, with very few exceptions. In all cases, ENEMO observers were allowed to take photos of protocols, although they were not provided with physical copies of them.

D. Transfer of materials to DEC

ENEMO observers monitored the transfer of election materials and respective intake to 101 DEC. The transfer of materials was achieved in an orderly manner and following procedures in 96.4% of cases. The observers assessed that 95.5% of observed DEC acted in a transparent and straightforward manner, whereas the work of 4.5% of the DEC observed was disorganised and confusing. Most of the DEC observed saw no complaints submitted. Only in two DEC were some insubstantial complaints recorded.

In 76.8% of cases there was no need for PEC protocols to be corrected. However, in 23.2% of cases, PEC protocols required corrections due to various procedural mistakes. In a few cases, corrections of PEC protocols were made at the DEC.

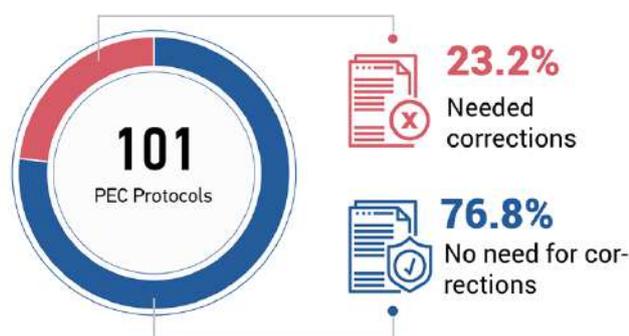


Figure 17. Work of the DEC: processing of PEC protocols

The evaluation of the work of the DEC by ENEMO observers was positive in 94.6% of the observed DECs. In 5.4% of cases it was evaluated negatively⁷⁹ as bad or very bad.

Second round, 21 April

For the second round of elections on 21 April, ENEMO deployed 100 teams, including 48 long-term and 150 short-term observers to follow the opening procedures at 99 polling stations; voting in 1,287 polling stations; closing, counting and results announcement at 100 polling stations; and the transfer and intake of election materials of 91 polling stations and overall performance at 100 DECs.

Election Day on 21 April was overall deemed calm and peaceful. In the same pattern as the first round, the management of the polling process and conduct of PECs in the second round was assessed positively in almost all polling stations observed by ENEMO, despite concerns about newly appointed PEC members and challenges in training them.

A. Opening

ENEMO observed the preparatory meeting and the opening procedures in 99 polling stations.⁸⁰ In all observed polling stations, observers were able to properly monitor the opening procedures. All observed polling stations opened on time (08:00AM) or with very slight delays. Despite concerns over insufficient members, all observed polling stations opened in the presence of at least the minimum number of members required by law. No complaints related to the opening were observed in any of the polling stations. The opening procedures were assessed as overall orderly and in line with the stipulated procedures.

The preparatory meeting started on time (7:15AM) in 94.9% of the observed polling stations, while in three polling stations the meeting started up to 15 minutes earlier and in two polling stations it started with delays of up to 30 minutes.

All observed polling stations were equipped with all essential materials required for voting.⁸¹ However, 25.2% of the observed polling stations had received fewer ballot papers than voters on the voter list for that precinct. In a few cases, the difference was significant.⁸² Even though these numbers were lower than in the first round, ENEMO noted that this was a continuation of the trend already observed in the first round.⁸³

⁷⁹Respectively, 4.5% as bad and 0.9% as very bad.

⁸⁰At one polling station in Zaporozhye, ENEMO observers were not allowed to observe the opening procedure because when the observers arrived, the preparatory meeting had already started and the chairperson did not allow them to enter.

⁸¹Ballot papers, voting booths, ballot boxes, PEC stamps, protocols, voter lists and seals.

⁸²In nine polling stations the difference was higher than 50 ballot papers.

⁸³In the first round, ENEMO observers reported this in 34% of observed polling stations.

The procedure for sealing stationary ballot boxes was followed properly in all observed polling stations, while the procedure for sealing mobile ballot boxes was followed properly in 96% of the polling stations, with slight procedural violations in four polling stations.⁸⁴

The set-up of almost all PECs was assessed as adequate (97%), while in three of the observed polling stations the observers evaluated the set-up as inadequate.

In 91% of polling stations observed, only authorised persons were present while opening procedures were being carried out. In 5% of cases, observers noticed that police officers were present inside the polling stations, and in 9% other unauthorised persons.⁸⁵

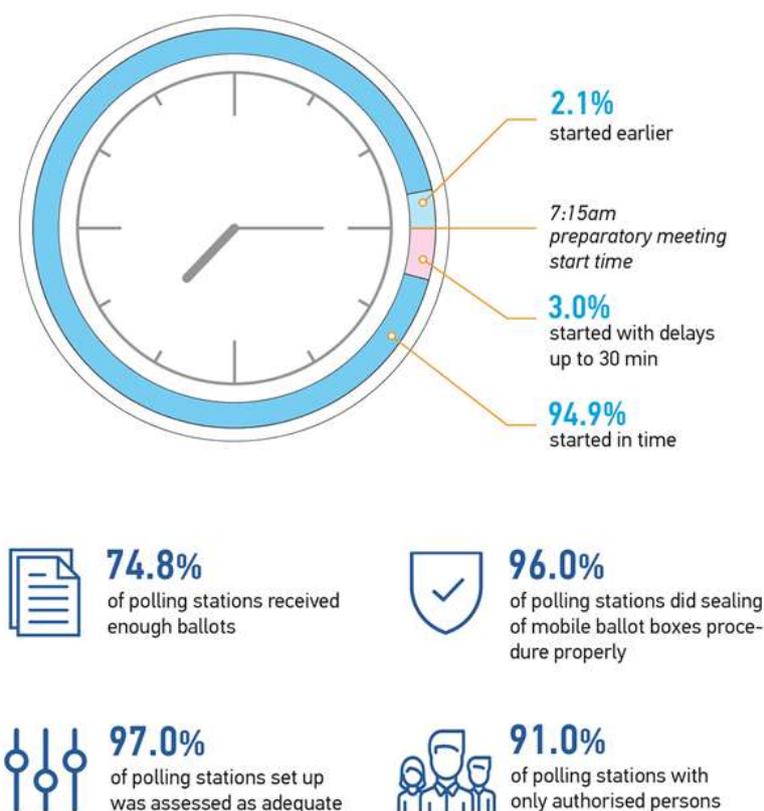


Figure 18. Opening procedures

⁸⁴In three polling stations observed, the mobile ballot box was not sealed because according to PEC members they were not intended for use, while in the remaining one polling station there was a shortage of seals.

⁸⁵Ministry of Emergency, people without proper accreditations (badges).

B. Voting

ENEMO observers monitored the voting process and environment at 1,287 polling stations throughout the country.

The environment around polling stations was assessed as orderly in 99.8% of observed polling stations. Observers reported one isolated case of alleged organised transportation of voters, although it was unclear who organised it.⁸⁶ Campaign materials were observed at seven polling stations.⁸⁷

No serious violations were observed with the exception of one case of proxy voting. Observers did not notice any breach of the secrecy of the vote in 96.2% of observed polling stations. However, several cases of more than one individual in voting booths⁸⁸, voters revealing their vote⁸⁹, voters not being able to vote in secrecy due to the improper set-up of the booths or transparent curtains,⁹⁰ and two cases of a voter taking a photo of a marked ballot paper were also reported.

In almost all of the observed polling stations (98.7%), observers were informed that no complaints had been submitted.

A total of 98% of polling stations observed provided an acceptable set-up for voting, while 2% were assessed as unacceptable, mostly due to inadequate premises.⁹¹

Polling stations' access to persons with mobility disability was assessed as suitable in 48.5% of cases.⁹² A total of 51.5% of polling stations were deemed unsuitable or requiring additional assistance for persons with mobility disabilities.

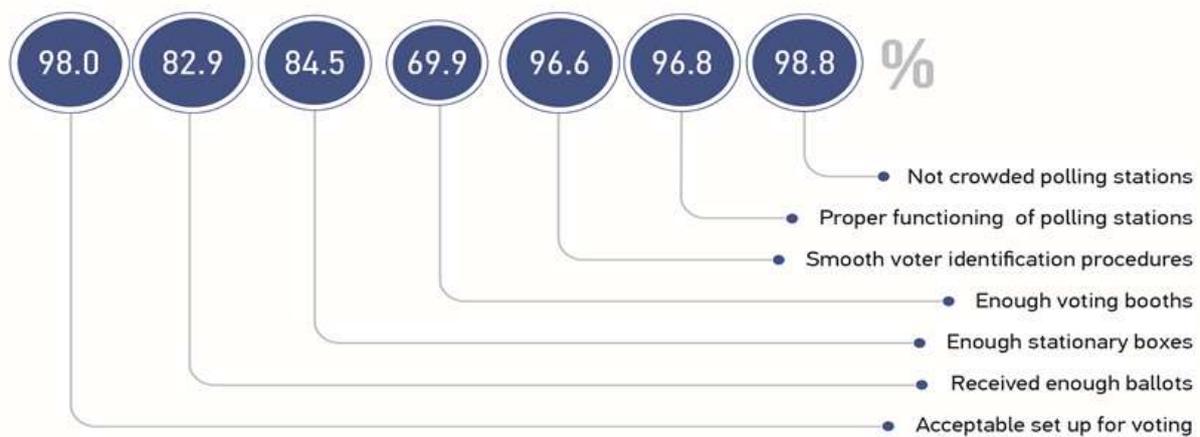


Figure 19. Voting procedures

⁸⁶Observers reported around ten people who arrived at the polling station with organised bus transportation.

⁸⁷Pictures of the incumbent president were reported in the hallway of three polling stations, and inside polling stations themselves in four cases.

⁸⁸Nine polling stations.

⁸⁹Six polling stations.

⁹⁰26 polling stations.

⁹¹Polling station too small and/or located across different rooms.

⁹²Equipped with ramps and/or other facilities.

Essential materials for the conduct of voting were present in all observed polling stations. However, 17.1% of observed polling stations received fewer ballots than voters in the voter list, 15.5% had fewer stationery ballot boxes and 30.1% had fewer voting booths⁹³ than required by law.⁹⁴

In 88.5% of observed polling stations, observers neither noticed nor reported cases of voters not being included in the voter list, while at 13.3% of polling stations there were cases of voters not finding their names in the voter list. Voters for whom the information in the voter list was inaccurate were observed at 2.4% of polling stations, and voters who did not find their name in the voter list at 9.6% of polling stations.

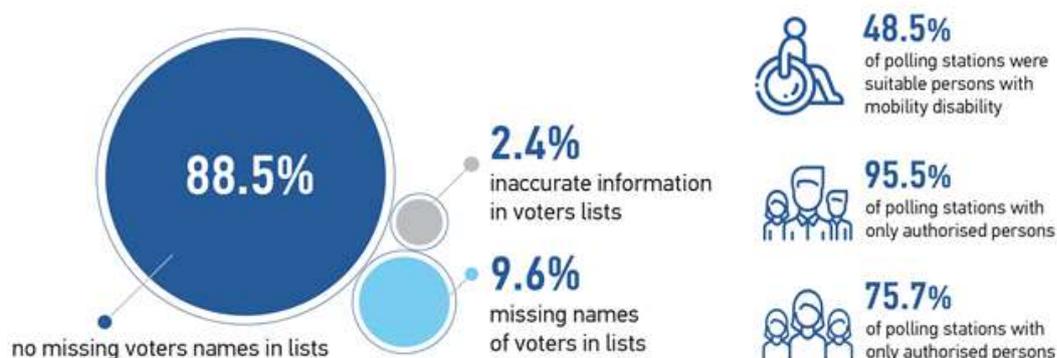


Figure 19.1. Voting procedures

In 99.6% of observed polling stations, voter identification procedures were followed properly. Very few cases of voters being allowed to vote without proper identification were noted.⁹⁵

Despite previously raised concerns regarding the professionalism and experience of PEC members, 96.8% of observed polling stations were functioning and managed properly by PEC members. Only 1.2% of observed polling stations were somewhat crowded, but in all cases PEC members were able to properly manage the process. In almost all polling stations monitored, observers indicated that no formal complaints had been filed.

Observers were able to work properly in 98.8% of the observed polling stations,⁹⁶ while in 1.1% their observations were compromised by improper set-up, small premises or crowded polling stations. With regard to the conduct of other observers, very few cases of the secrecy of the vote being potentially jeopardised were reported.⁹⁷

⁹³Of which 72.9% were large polling stations.

⁹⁴Article 74, Paragraph 3 of the Law of Ukraine on the Election of the President of Ukraine: "Voting premises must be equipped with a sufficient number of booths (rooms) for secret voting. For small election precincts, the number of such booths (rooms) shall be no less than two, for medium precincts – no less than four, and for large precincts – no less than six".

⁹⁵Case of voters voting with a copy of passport, pensioner card or document not issued by Ukrainian state.

⁹⁶It should be noted that several cases of police officers taking pictures of the accreditations of ENEMO observers were reported.

⁹⁷Observers were situated very close to the ballot boxes and booths.

The presence of unauthorised and/or unidentified persons in polling stations was noticed in 4.5% of observed polling stations, including the police (2.4%).

Women were well-represented in the PECs, 75.7% of PEC members in the observed polling stations being female.

C. Counting

ENEMO followed closing and vote counting procedures at 100 polling stations. Observers assessed that counting procedures were followed properly in 92% of polling stations, while in 8% there were some deviations. However, observers assessed that these deviations did not affect the legitimacy of results. Polling stations closed in time in 99 of the observed polling stations, with only one polling station closing a few minutes late due to voters being in queue.



Figure 20. Counting procedures.

No formal complaints regarding the counting process were recorded in the observed polling stations.

All ENEMO observers were allowed to observe the counting procedures.

The overall assessment of the counting procedures by ENEMO observers was positive (very good or good) in 96% of the observed polling stations.⁹⁸ In four polling stations the overall counting process was assessed negatively by the observers. However, all cases of negative evaluation were attributed to negligence.

In 93% of polling stations observed, only authorised people were present during counting. However, in 7% police officers were present.

⁹⁷Observers were situated very close to the ballot boxes and booths.

⁹⁸ENEMO observers noted that although the counting procedures and filling of protocols was done on time, many of the precinct commission members waited until midnight to deliver the materials to the DEC's.

A total of 97% of polling stations completed the protocol in accordance with the law, whereas in three polling stations the procedures were not followed as prescribed. Observers assessed that these deviations did not damage the legitimacy of the process or affect the results.

In 92% of the cases, protocols were promptly posted on the polling station premises and provided to all persons entitled to receive them, apart from in eight cases, where protocols were not provided to all entitled persons and/or not posted.

D. Transfer of materials to DEC

ENEMO observers monitored the transfer of election materials and respective intake for 91 polling stations, and overall procedures at 100 DEC. The transfer of materials was done in an orderly manner and followed procedures in all cases. The observers assessed that 97% of observed DECs acted in a transparent and straightforward manner, whereas the work of three DECs was assessed as disorganised and confusing. Most of the DECs observed saw no complaints submitted.

In 92% of the DECs, most protocols were processed in under 30 minutes. In only two DECs did observers note substantial formal complaints.

DEC premises were assessed as spacious and adequate for the delivery of the materials in 92% of observed DECs. A total of 43% of the observed DECs were not overcrowded, while 50% were somewhat overcrowded, and 7% were assessed as being too overcrowded. In all DECs, authorised observers were able to observe properly.

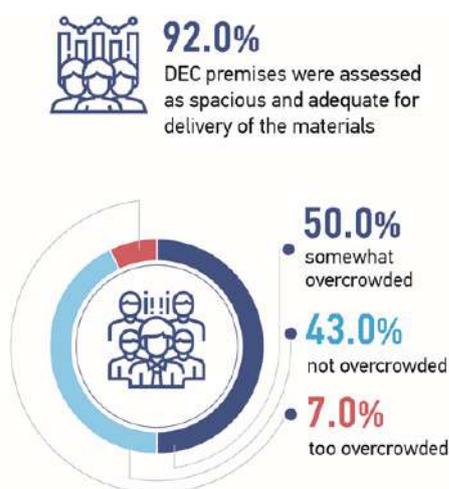


Figure 21. Work of the DECs: processing of PEC protocols

The work of 94% of the DECs monitored by ENEMO observers was evaluated as positive. In six DECs, the overall evaluation was negative (bad or very bad). Observers attributed all negative evaluations to negligence.

XIII COMPLAINTS AND APPEALS

The right to an effective remedy is guaranteed in the electoral legislation of Ukraine. Given that the Constitution guarantees the right to challenge in court the decisions, actions or inactions of state or local authorities and their officials, the majority of election-related complaints can be brought to the election administration or courts (or both). The presidential election law highlights that when a court initiates consideration of an administrative complaint concerning the same issue and on the same grounds as the complaint considered by the respective election commission, the election commission has to reject the complaint without consideration no later than the day after receiving the court notification. However, the risk of double jurisdiction on election-related disputes is still unaddressed.

The legal framework categorises election-related cases into three main forms: disputes, administrative offenses and criminal offences. Disputes are considered by the courts according to the Code of Administrative proceedings, as well as by election commissions prescribed by the presidential electoral law. The Sixth Appellate Court of Kyiv has the right to consider cases related to the decisions, actions or inactions of the CEC as first instance court. The Supreme Court is the first instance court for considering cases against CEC decisions, actions or inactions related to the establishment of the election results. The decisions made by lower instance courts can be challenged with the administrative courts of appeals.

Administrative and criminal offences are directed to the police for investigation and are approved by the court. Complaints can be submitted by presidential candidates and their representatives, official observers, election commission members and voters.

In total, for the period running from 1 January to 30 April, the CEC received 238 complaints. Among them, the CEC considered 16 complaints and issued formal resolutions. Complainants withdrew 14 complaints and the majority of complaints (in total 206) were returned to complainants without consideration by a formal letter issued by the CEC member to whom the complaint was adjudicated, as they were assessed as having failed to fulfil the prescribed prerequisites. All were returned to complainants without consideration, because according to the CEC the complainant did not fulfil formal requirements for complaints and the complainants were provided with respective clarifications.⁹⁹

⁹⁹Based on the information provided by the State Judiciary Department.

ENEMO further noted that the election administration does not provide a registry of complaints and DEC's do not publish respective resolutions concerning them. Indeed, the CEC only publishes resolutions concerning complaints that are the subject of the collective consideration of the commission, thus information about rejected complaints or complaints returned to the complainants are not publicly available, resulting in a lack of transparency of the process.

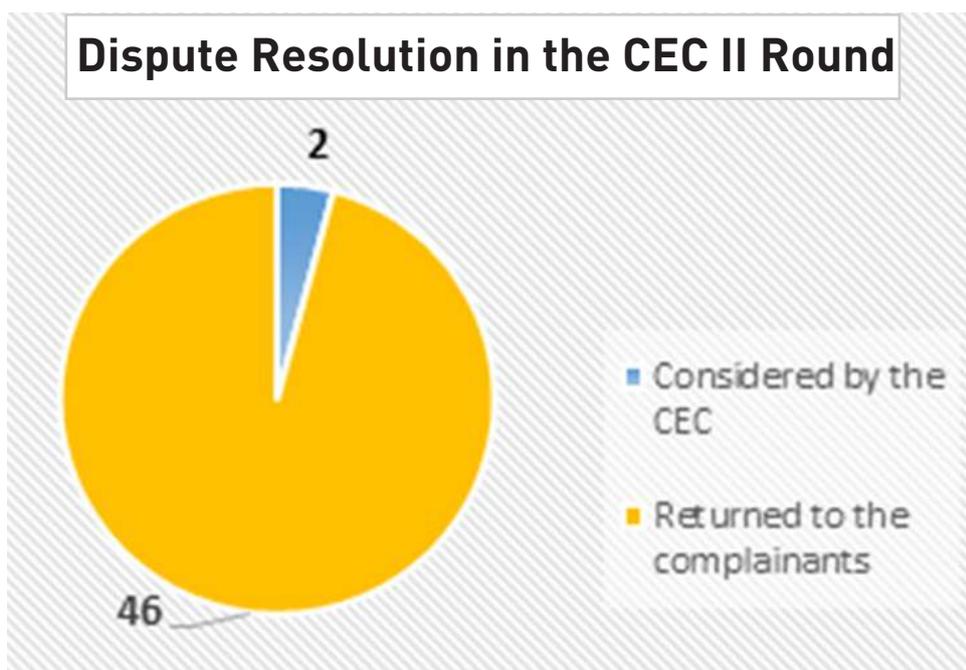
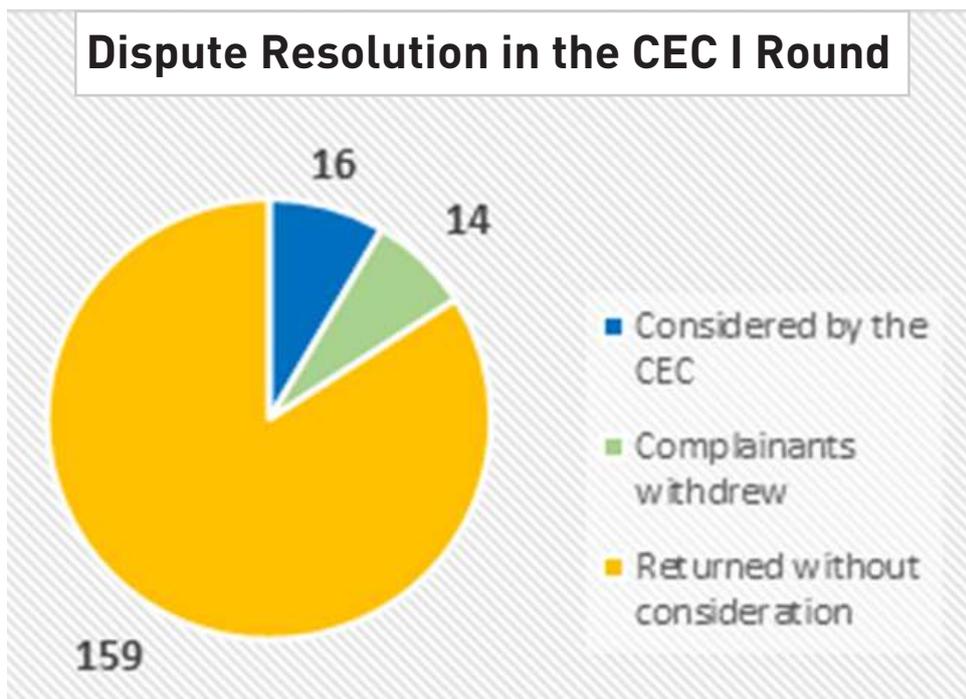


Figure 22. Dispute Resolution in the CEC: first and second rounds

The large number of rejected complaints without consideration indicates that although the right to an effective remedy is guaranteed in the Ukrainian electoral legislation, problems related to the adjudication of electoral disputes remain unsolved. The practice of the CEC to reject a complaint with a formal letter issued by one of the members of the CEC, instead of by a formal decision of the Commission as a whole, may threaten the legal remedy of the complainant.

During the presidential election, the majority of election-related violations were reported to the police, even when the issues raised by complainants were not within the competence of the police.

During both rounds of the election period, the police recorded 11,112 notifications pertaining to the electoral process. A majority of these cases remain unaddressed, as the police categorised them as either “unclassified” or “other”. In addition, according to the law, the police are not obligated to forward election-related complaints to the relevant state institutions for consideration. A considerable number of complaints submitted to the police, both verbal and written, were related to issues regarding the voter lists.¹⁰⁰

With regard to criminal offences, the police opened 352 criminal investigations. All reported criminal cases remain under investigation. Moreover, the police recorded 566 administrative offences and drew up protocols.

As of 22 April, the police submitted 350 administrative protocols to the courts for consideration concerning election-related administrative offences. Of these, 106 cases were returned to the police, 179 cases were considered by the courts and 61 remained unconsidered. A total of 179 persons were identified as being involved in administrative offences. Moreover, 16 administrative sanctions were applied to 76 persons: a total of 18,459 UAH were imposed as fines, whereas 10,918 UAH were paid voluntarily. As of 22 April, four criminal proceedings related to elections were submitted to the courts for consideration.

Within the period of 31 December 2018 to 22 April 2019, 5,666 election-related administrative claims were pending in courts country-wide and, as a result, 4,618 administrative proceedings were opened. Courts passed a decision in 4,340 proceedings. Of these, 3,668 claims were sustained. Among them, 4,230 administrative proceedings were opened concerning the clarification of voters' lists submitted by voters. Approximately 3,118 of the claims related to voter lists were sustained by courts and 1,112 were rejected mostly due to missed deadlines.¹⁰¹

Forty cases were brought to the courts pertaining to candidate nomination and registration. In total, 16 complaints were considered by the

¹⁰⁰lection-related complaints submitted to the police: <https://vybory2019.mvs.gov.ua/statistics>.

¹⁰¹Information about complaints and the outcome of the process was provided by the CEC.

first instance courts. The courts upheld all of the CEC decisions. Most of these rejections were due either to failure to pay the financial deposit, improper, incomplete or irregular submission of mandatory documents, or electoral programmes that contained provisions violating constitutional norms, calls to violence or major violations to human rights.

XIV RECOMMENDATIONS

Beyond the framework of this report, which focuses on the Ukrainian presidential elections, ENEMO has noted that the Verkhovna Rada adopted into law a draft electoral code on 11 July 2019 (which had previously been passed in its first reading in November 2017). However at the time of this report's publication, the law has not yet been signed by the President, and is not planned to enter into force until 2023.

Despite the above pending draft law, the recommendations below were formulated according to ENEMO's monitoring and observation of the electoral process for the presidential election, which was conducted essentially under the partially amended 2014 legal framework. ENEMO also acknowledges that other international and domestic observation groups have already issued a number of recommendations that still need to be addressed.

A. Priority recommendations

Recommendations for Parliament

- » The presidential election law requires comprehensive review in order to eliminate existing inconsistencies and uncertainties related to election campaign rules, media regulations, the composition of election administration, complaints and appeals processes, campaign financial activities and so forth. ENEMO emphasises the importance of the prospective unified law on elections in the form of an electoral code for presidential, parliamentary and local elections, which passed in the Verkhovna Rada's second reading, and which will require additional amendments before it enters into full force in 2023.

B. Other recommendations

Recommendations for Parliament

- » The law and regulatory framework should provide reasonable, effective and enforceable sanctions for violations by candidates and parties of the rules of campaigning and financing of election campaigns.
- » Early campaigning should be taken into account within the electoral legal framework and be adequately and proportionally sanctioned within the law, so that candidates avoid commencing their campaigns before the official start and creating unfair conditions among competitors. The CEC should be given the means to enforce these sanctions, which ought to constitute an integral part of its mandate, and the law should provide proportionate, dissuasive sanctions to avoid the numerous cases of early campaigning observed.
- » The 10-year residency requirement provision in the law for presidential candidates should be reconsidered, as international standards including the ICCPR (1966), CCPR General Comment No. 25, Article 25, and the Venice Commission’s Code of Good Practice in Electoral Matters (2002) provide that the requirements for being a candidate should not be excessive and should neither encroach on equal treatment nor violate the rights of citizens to be elected. Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements, such as education or residence. The 10-year residency requirement is at odds with these international standards, as it appears to be overly restrictive and should be reduced or otherwise reconsidered.
- » With regard to the financial deposits of presidential candidates as currently enshrined in the law, Section I, Paragraph 1.3, Point 6 of the Venice Commission’s Code of Good Practice in Electoral Matters clearly states that “if a deposit is required, it must be refundable should the candidate or party exceed a certain score; the sum and the score requested should not be excessive”. In addition to the pledge representing a considerable amount, it is returned only to second round candidates, which seems to violate the above principle.
- » The CEC should be provided with sufficient funds and capacity to guarantee election commission budgets at all levels and for the conduct of comprehensive, inclusive voter education to better inform citizens about the elections. In addition, the CEC should be granted additional funding between electoral cycles to conduct reviews, strategic planning and improvements between election years. With regard to the procurement procedures, the legislation should provide adequate time limits for the election administration so that the respective election commission properly hold tender procedures for the production and distribution of ballot papers, protocols, acts and other election-related materials.

- » IDPs should be fully enfranchised in order to register and vote without having to undergo strenuous registration in each round of the election. The CEC and SRV should conduct audits using sample voter lists in areas with high rates of IDP migration to more effectively identify unregistered voters. Alternatively, if voters are required to register at a temporary address, they should be able to do so over a relatively long period of time, as recommended by the Venice Commission (2002 Code of Good Practice in Electoral Matters, Guidelines, Section I.1.2), with a view to enabling as many voters as possible be registered. The obligation to register at a temporary place of voting between rounds (leaving only two weeks to register) is in violation of this principle.
- » Limitations to campaign expenses should be considered within the law, as the CCPR General Comment No. 25, Article 25 states that “reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party”.

Recommendations regarding presidential candidates and political parties

- » Political parties and presidential candidates should avoid violating the rules of campaigning, in particular using legal loopholes in electoral law to create unfair competition conditions. Candidates and parties alike should steer clear of any vote-buying schemes and operations at all levels. All election stakeholders should also refrain from using hate speech, inflammatory language and defamation through any means, whether traditional or digital. Early campaigning should be avoided as it is incompatible with candidates’ commitments to fair behaviour.

Recommendations regarding the CEC, NAPC, judiciary institutions and law enforcement bodies:and political parties

- » The enforcement capacity of the CEC and the NAPC with regard to violations related to illegal donations, illegal or undeclared expenditures, abuse of state resources and violations pertaining to the content of political advertising should be increased. In addition, the mandates of these respective institutions should be clarified, and adequate levels of funding should be provided to ensure their capacity and independence.
- » Current rules and procedures related to the composition of lower-level commissions have demonstrated the vulnerabilities of the existing system, and thus need to be addressed. There must be a reasonable timeframe for the formation of PECs for the second round.

Moreover, in order to ensure the existence of stable and effective lower-level commissions (DECs and PECs), the replacement process of commission members should be bound within strict deadlines. In addition, repeated replacement procedures and criteria when such replacements are made by a higher-level commission must be regulated by the law.

- » Legal provisions on the election dispute resolution are at times unclear and need to be simplified and clarified. A lack of clarity regarding procedures has left broad discretion to the election administration regarding the consideration of complaints. The CEC should consider all complaints as a collegial body and adopt relevant decisions on each complaint. Moreover, ENEMO urges all levels of the election commissions and judiciary to ease and unify the system of presenting information to the public.
- » The procedures for counting votes and tabulating results at the PEC and DEC levels should be simplified in order to ease the process and reduce the potential for mistakes, whether unintentional or intentional.
- » Comprehensive training sessions of PEC and DEC members should be ensured during all cycles of elections, with specific highlights on the filling out of protocols and tabulation procedures.
- » The CEC should ensure a publicly available registry of complaints at all levels of commissions and publish all decisions including the legal basis regarding the rejection of complaints.
- » There should be close cooperation between the police and other election management institutions, including the CEC and the SRV. The police should forward election-related complaints to the relevant body in order to ensure legal remedy for those who mistakenly submit the complaint to the police even though they are under the competence of other institutions.

Recommendations regarding the media

- » The electoral law should clearly define which state body oversees mass media conduct during the pre-election period and ensure their compliance with electoral law.
- » Current legislation should be improved to clearly define and introduce effective mechanisms for sanctioning cases of hidden advertising and paid materials (“jeansa”).
- » The election law should define a clear system of sanctions related to violations of its media-related provisions and indicate the competent body to which to address them. Furthermore, consideration should be given to reinforce the NTRBC as an independent regulatory body and to increase its capacity to oversee and fully ensure broadcast me-

dia's compliance with the legislation, as well as address media-related complaints and impose sanctions for possible violations during the election campaign.

- » Authorities should consider imposing a limit on the amount of paid political advertising per candidate, which would contribute to more equal access to the media for all candidates.
- » The silence day regulation should be updated and broadened to social networks.
- » The legal and institutional framework should be amended to ensure that any mechanisms aimed at blocking or limiting online content should be in line with international standards of freedom of expression.

XV ABOUT ENEMO

The European Network of Election Monitoring Organizations (ENEMO) is an international non-governmental organisation that represents a network of national non-governmental civic organisations, founded on 29 September 2001 in Opatija, Croatia. It consists of 21 leading domestic monitoring organisations from 17 countries of Central and Eastern Europe and Central Asia, including two European Union countries.

ENEMO seeks to support the international community's interest in promoting democracy in the region by assessing electoral processes and the political environment and offering accurate and impartial observation reports. ENEMO's international observation missions use international benchmarks and standards for democratic elections to evaluate the electoral process and the host country's legal framework. ENEMO and all of its member organisations have endorsed the 2005 Declaration of Principles for International Election Observation and the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations. Each ENEMO observer has signed the Code of Conduct for International Election Observers. ENEMO member organisations have monitored more than 250 national elections and trained more than 240,000 observers.

To date, ENEMO has organised 27 international election observation missions to eight countries: Armenia (2018), Albania (2005 parliamentary elections), Georgia (2008 early presidential elections), Kazakhstan (2005 presidential elections), Moldova (2009 parliamentary elections, 2016 presidential elections and 2019 parliamentary elections), Kosovo (2009 municipal elections, 2010 parliamentary elections and 2013 municipal elections), Kyrgyzstan

(2005 presidential elections, 2005 parliamentary elections, 2007 early parliamentary elections, 2009 presidential elections and 2010 parliamentary elections), and Ukraine (2004 presidential elections, 2006 parliamentary elections, 2006 mayoral elections in Chernihiv, Kirovograd and Poltava, 2007 parliamentary elections, 2010 presidential elections, 2012 parliamentary elections, 2013 parliamentary repeat elections in five districts, 2014 early presidential elections and 2014 early parliamentary elections).

The ENEMO member organisations are:

Centers for Civic Initiatives CCI - Bosnia and Herzegovina
Center for Democratic Transition CDT – Montenegro
Center for Monitoring and Research CeMI – Montenegro
Center for Free Elections and Democracy CeSID – Serbia
In Defence of Voters’ Rights GOLOS– Russia
GONG – Croatia
International Society for Fair Elections And Democracy ISFED – Georgia
KRIIK Association – Albania
Citizens Association MOST – Macedonia
Promo LEX – Moldova
Civil Network OPORA - Ukraine
Society for Democratic Culture SDC – Albania
Transparency International Anti-Corruption Center TIAC - Armenia
Election Monitoring and Democracy Studies Center EMDS – Azerbaijan
Belarusian Helsinki Committee BHC - Belarus
FSCI - Kazakhstan
Kosovo Democratic Institute KDI - Kosovo
Coalition for Democracy and Civil Society – Kyrgyzstan
Centre for Research, Transparency and Accountability CRTA - Serbia
Obcianske Oko OKO– Slovakia
Committee of Ukrainian Voters CVU - Ukraine

**The English version of this report is the only official document.
An unofficial translation is available in Ukrainian.**

For further information please contact:
Maja MILIKIC, Press and Logistics Officer
E-mail: maja.milicic@enemo.eu Phone: +380 68 939 068

ANNEX I: FINAL RESULTS OF PRESIDENTIAL ELECTIONS

1st round results:

Candidate	Party	Number of votes	% of votes
Volodymyr Zelensky	Servant of the People	5,714,034	30.24
Petro Poroshenko	Independent	3,014,609	15.95
Yulia Tymoshenko	Fatherland	2,532,452	13.40
Yuriy Boyko	Independent	2,206,216	11.67
Anatoliy Hrytsenko	Civil Position	1,306,450	6.91
Ihor Smeshko	Independent	1,141,332	6.04
Oleh Lyashko	Radical Party	1,036,003	5.48
Oleksandr Vilkul	Opposition Bloc	784,274	4.15
Ruslan Koshulynskiy	Svoboda	307,244	1.62
Yuri Tymoshenko	Independent	117,693	0.62
Olexandr Shevchenko	UKROP	109,078	0.57
Valentyn Nalyvaichenko	Public-Political Movement "Spravedlyvist"	43,239	0.22
Olha Bohomolets	Independent	33,966	0.17
Hennadiy Balashov	5.10	32,872	0.17
Roman Bezsmertnyi	Independent	27,182	0.14
Viktor Bondar	Revival	22,564	0.11
Yulia Lytvynenko	Independent	20,014	0.10
Yuriy Derevyanko	Volia	19,542	0.10
Serhiy Taruta	Osnova	18,918	0.10

Ihor Shevchenko	Independent	18,667	0.09
Inna Bohoslovska	Independent	18,482	0.09
Yurii Karmazin	Independent	15,965	0.08
Volodymyr Petrov	Independent	15,587	0.08
Vitaliy Skotsyuk	Independent	15,118	0.08
Serhiy Kaplin	Social Democratic	14,532	0.07
Oleksandr Moroz	Socialist Party	13,139	0.06
Viktor Kryvenko	People's Movement	9,243	0.04
Vasyl Zhuravlyov	Stability Party	8,453	0.04
Illia Kyva	Socialist Party of	5,869	0.03
Andriy Novak	Patriot Party	5,587	0.02
Oleksandr Vashchenko	Independent	5,503	0.02
Mykola Haber	Independent	5,433	0.02
Oleksandr Solovyev	Reasonable Force	5,331	0.02
Ruslan Rygovanov	Independent	5,230	0.02
Oleksandr Danylyuk	Independent	4,648	0.02
Vitalii Kuprii	Independent	4,508	0.02
Arkadiy Kornatskiy	Independent	4,494	0.02
Serhiy Nosenko	Independent	3,114	0.01
Roman Nasirov	Independent	2,579	0.01
INVALID BALLOTS + BLANK		222,947	1.18
TOTAL NUMBER OF VOTES		18,893,864	100
REGISTERED VOTERS/		30,056,127	62.86

2nd round results:

Candidate	Party	Number of votes in the second round	% of votes
Volodymyr Zelensky	Servant of the People	13,541,528	73.22
Petro Poroshenko	Independent	4,522,450	24.45
INVALID BALLOTS + BLANK VOTES		427,161	2.31
TOTAL NUMBER OF VOTES CAST		18,491,837	100
REGISTERED VOTERS/TURNOUT IN %		30,056,127	62.07

ANNEX II: STATISTICAL REPORT ON EVALUATION OF PECs DONE BY ENEMO STOs

Round 1

OPENING

Environment around Polling % Stations	Number of Answers	
Regular (no influence on voter's choice)	103	100
Vote Buying	0	0
Unrest/Intimidation	0	0
Organized Transportatio of Voters	0	0
Campaign Activities	0	0
Excessive police/military pres- ence around PSs	0	0
Campaign Materials inside or at entrance of PS		0
Other	0	0

Polling Stations Accessibility % for Persons with Disabilities	Number of Answers	
Easy	50	0.48
Requires minor assistance	30	0.29
Not suitable	23	0.22

Number of stationary ballot % boxes	Number of Answers	
One	2	1.94
Two	8	7.76
Three	15	14.56
Four	61	59.22
Five	9	8.73
Six	8	7.76

Number of mobile ballot % boxes	Number of Answers	
One	23	22.33
Two	51	49.51
Three	29	28.15

Number of voting booths	Number of Answers	%
Two	3	2.91
Three	8	7.76
Four	27	26.21
Five	13	12.62
Six	45	43.68
Seven	7	6.79

PEC Chairperson	Number of Answers	%
Man	34	33.0
Woman	69	67.0

PEC Deputy Chairperson	Number of Answers	%
Man	37	35.9
Woman	66	64.1

PEC Secretary	Number of Answers	%
Man	12	11.7
Woman	91	88.3

Polling Station set up	Number of Answers	%
Acceptable	101	98.1%
Unacceptable	2	1.9%

Preparation for opening	Number of Answers	%
The preparatory meetin started on time (7.15)	95	92.2%
The preparatory meeting started earlier	4	3.9%
The preparatory meeting started with delay between 15 and 30 minutes	4	3.9%
The preparatory meeting started with delay over 30 minutes	0	0
The preparatory meeting never started	0	0

Essential Materials	Number of Answers	%
All essential materials are present	103	100.0%
Ballot papers are missing	0	0.0%
The voter lists are missing	0	0.0%
Ballot boxes are missing	0	0.0%
Voting booths are missing	0	0.0%
Seal	0	0.0%
Protocol is missing	0	0.0%
PEC Stamp	0	0.0%

Stationary Ballot Boxes	Number of Answers	%
Stationary ballot boxes properly sealed according to procedures	100	97.1%
Some procedures of sealing stationary ballot boxes were violated	3	2.9%
Stationery ballot boxes were not sealed at all	0	0.0%

Mobile Ballot Box	Number of Answers	%
Mobile ballot box properly sealed	100	97.1%
Some procedures of sealing mobile ballot box were violated	2	1.9%
Mobile ballot boxes were not sealed at all	1	1.0%

Preparation	Number of Answers	%
Control sheet filled out properly and procedure was transparent	100	97.1%
Control sheet seemed to be already filled out	3	2.9%
Control sheet filled in secrecy, without public announcement	0	0.0%
Control sheet was not filled out or improperly filled	0	0.0%
Control sheet was not inserted in all stationary ballot boxes	0	0.0%

Ballots	Number of Answers	%
A) Ballots are in the prescribed format	103	100.0%
B) Ballots are not in the prescribed format	0	0.0%

Opening	Number of Answers	%
Polling Station was opened on time (8 am)	95	92.2%
Polling Station opened with delay of less than 15 minutes	8	7.8%
Polling Station opened with delay between 15 and 30 minutes	0	0
Polling Station opened with delay over 30 minutes	0	0
Polling Station never opened	0	0
Observation	Number of Answers	%
All authorized observers able to observe	101	98.1%
Observers denied access to SOME aspects of opening	2	1.9%
Observers denied access to CRU- CIAL aspects of opening	0	0
Observers were not allowed to observe opening at all	0	0
Complaints at the opening	Number of Answers	%
There were no complaints on work of PEC	102	99.0%
There were some minor, not sub-stantial complaints	1	1.0%
There were some unfounded complaints	0	0
PEC received substantial complaints	0	0
Presence of unauthorized % persons inside PS	Number of Answers	
None (only authorized persons present)	92	89.3%
Police	8	7.8%
Local Authorities	1	1.0%
Unknown Non-Accredited Persons	1	1.0%
Members of Parliament	0	0.0%
Other	1	1.0%

PEC Conduct	Number of Answers	%
PEC generally conducted opening in order and according to the procedures	101	98.1%
PEC was rushing through the opening process and did not care for transparency	2	1.9%
PEC substantially damaged transparency of the opening process	0	0.0%
PEC opened precinct without completing opening procedures	0	0.0%

Evaluation of PEC	Number of Answers	%
Very good	51	49.5%
Good	50	48.5%
Bad	2	1.9%
Very bad	0	0.0%

VOTING

Environment around polling %station	Number of Answers	
Regular (no influence on voter's choice)	1221	98.5%
Vote Buying	1	0.1%
Unrest/Intimidation	0	0.0%
Organized Transportation of Voters	1	0.1%
Campaign Activities	0	0.0%
Excessive police/military pres- ence around polling station	12	1.0%
Campaign Materials inside or at entrance of polling station	0	0.0%
Other	9	0.7%

Polling station Accessibility %for Persons with Disabilities	Number of Answers	
Easy	677	54.6%
Requires minor assistance	276	22.3%
Not suitable	286	23.1%

Number of stationary ballot %boxes	Number of Answers	
One	29	2.3
Two	145	11.7
Three	291	23.6
Four	639	51.7
Five	66	5.3
Six	63	5.1
Seven	2	0.2
Eight	0	0.0

Number of mobile ballot %boxes	Number of Answers	
One	297	24.1
Two	667	54.2
Three	262	21.3
Four	4	0.3
Five	0	0.0
Six	1	0.1

Number of voting booths		Number of Answers	%
One		12	1.0
Two		108	8.8
Three		103	8.4
Four		379	30.8
Five		136	11.1
Six		450	36.6
Seven		38	3.1
Eight		3	0.2
PEC Chairperson		Number of Answers	%
Man		363	29.3
Woman		876	70.7
PEC Deputy Chairperson		Number of Answers	%
Man		297	24.0
Woman		942	76.0
PEC Secretary		Number of Answers	%
Man		148	11.9
Woman		1091	88.1
Polling station set up		Number of Answers	%
Acceptable		1197	96.6%
Unacceptable		42	3.4%
Stationary Ballot Boxes		Number of Answers	%
Stationary ballot boxes properly sealed		1213	97.9%
Stationary ballot boxes not properly sealed		26	2.1%
Essential Materials		Number of Answers	%
All essential materials are present		1226	98.95%
Ballot papers are missing		0	0.0%
The voter lists are missing		0	0.0%
Ballot boxes are missing		2	0.2%
Voting booths are missing		2	0.2%
Protocol is missing		1	0.1%
Seals		6	0.5%
PEC Stamp		5	0.4%
Stationary Ballot Boxes		Number of Answers	%
Stationary ballot boxes properly sealed		1213	97.9%
Stationary ballot boxes not properly sealed		26	2.1%

Mobile Ballot Box	Number of Answers	%
Mobile ballot box properly sealed	1119	90.3%
Mobile ballot box not properly sealed	28	2.3%
Mobile ballot boxes were not present at the Polling station (mobile voting was ongoing)	86	6.9%
No requests for mobile voting	6	0.5%

Voters Identification/ % Issuing ballots	Number of Answers	
Identification procedures a ways followed properly	1227	99.0%
PEC issued ballots without proper identification of voters	1	0.1%
PEC did not issue ballots in accordance to the law	0	0.0%
PEC issued ballots without proper signing of the control coupon	0	0.0%
PEC issued ballots to people that are not in the voters list	0	0.0%
Eligible voters were not allowed to vote	2	0.2%
Other	9	0.7%

Secrecy of the Vote	Number of Answers	%
Secrecy of voting respected	1210	97.7%
More than one person in the booth (except assisted voting to disabled voter)	12	1.0%
Voters were revealing their vote	5	0.4%
Voters could not vote in secrecy due to set up of booths	7	0.6%
Voters were taking photo of marked ballot paper	4	0.3%
Voters did not vote in secrecy due to overcrowded polling station	1	0.1%
Breaches of rules for assistance to disabled persons	0	0.0%
Other violations of the secrecy of the vote	10	0.8%

Voting / Violations	Number of Answers	%
Regular Voting without violations	1223	98.7%
Multiple Voting (more than one ballot issued-to one voter)	3	0.2%
Proxy Voting (voting on behalf of other person)	1	0.1%
Ballot box stuffing	0	0.0%
Voting with pre-marked ballots	0	0.0%
Voter Coercion/Undue Influence	1	0.1%
Other	13	1.0%

Organization of polling %station	Number of Answers	%
Polling station is managed properly and PEC functions orderly	1171	94.5%
Polling station is somewhat crowded, but PEC seems to manage it well	59	4.8%
Polling station disorganized and process is confusing	5	0.4%
Polling station is overcrowded, disorganized, makes it impossible to properly monitor the voting process	2	0.2%
Other	2	0.2%

Campaign	Number of Answers	%
There were no campaigning or campaign materials inside polling station	1237	99.8%
Somebody was actively campaigning inside polling station	0	0.0%
Campaign materials were inside the polling station	1	0.1%
Other forms of campaigning in - side polling station	1	0.1%

PEC Conduct	Number of Answers	%
PEC generally conducted voting in an orderly fashion and according to the procedures	1235	99.7%
PEC lost control over precinct	2	0.2%
PEC intentionally deviate from procedures	0	0.0%
Other	2	0.2%
Complaints	Number of Answers	%
There were no complaints	1180	95.2%
There were some minor, not substantial complaints	41	3.3%
There were some unfounded complaints	9	0.7%
PEC received substantial complaints	9	0.7%
Observation	Number of Answers	%
All authorized observers were able to observe	1236	99.8%
Observers were denied access to some aspects of voting	3	0.2%
Observers were denied access to crucial aspects of voting	0	0.0%
Other	0	0.0%
Work of other official % observers	Number of Answers	
Observers were observing in accordance with the law	1234	99.6%
Observers were interrupting the voting process	1	0.1%
Observers were intervening in the work of the PEC	2	0.2%
Observers were assisting voters	3	0.2%
Observers were pressuring voters to vote for a candidate	0	0.0%

Presence of unauthorized % persons inside polling station	Number of Answers	
None (only authorized persons present)	1148	92.7%
Police	68	5.5%
Local Authorities	5	0.4%
Unknown Non-Accredited Persons	13	1.0%
Members of Parliament	0	0.0%
Other	14	1.1%

Assisted voting	Number of Answers	%
No cases of assisted voting	1128	91.0%
All cases were justified	105	8.5%
Most cases were justified	3	0.2%
Majority of the cases were not justified	3	0.2%

Evaluation of PEC	Number of Answers	%
Very good	626	50.5%
Good	588	47.5%
Bad	22	1.8%
Very bad	3	0.2%

COUNTING

Number of stationary ballot % boxes	Number of Answers	
One	7	6.8
Two	19	18.4
Three	21	20.4
Four	47	45.6
Five	6	5.8
Six	3	2.9

Voters at closing time	Number of Answers	%
No queue of voters at closing	99	96.1
Voters in queue were allowed to vote	4	3.9
Voters in queue at time of closing (before 20:00) were NOT allowed to vote	0	0
Voters arrived after closing allowed to vote	0	0

Starting of Counting	Number of Answers	%
A) PEC started counting procedures immediately after closing PS	97	94.2
B) PEC had short break (10-15 min) before starting counting	5	4.9
C) PEC did not start counting more than 40 minutes	1	1.0
D) PEC did not start counting at all	0	0.0
Counting Procedures	Number of Answers	%
Counting procedures were followed properly and in the right sequence (process was legitimate)	94	91.3
PEC somewhat deviated from counting procedures, without damaging legitimacy of results	7	6.8
PEC seriously violated the counting procedures	1	1.0
Other	1	1.0
Observation	Number of Answers	%
All authorized observers able to observe	101	98.1
Observers denied access to SOME aspects of counting	1	1.0
Observers denied access to CRUCIAL aspects of counting	0	0.0
Observers were not allowed to observe counting at all	1	1.0
Presence of unauthorized % persons in polling station	Number of Answers	
None (only authorized persons present)	98	95.1
Police	4	3.9
Local Authorities	0	0.0
Unknown Non-Accredited Persons	1	1.0
Members of Parliament	0	0.0
Other	1	1.0

Complaints related to counting		Number of Answers	
There were no complaints on counting	98	95.1	
There were some minor, not substantial complaints	4	3.9	
There were some unfounded complaints	1	1.0	
PEC received substantial complaints	0	0.0	

Completion of protocol		Number of Answers		%	
Protocols were filled out in accordance with the law	90	87.4			
PEC somewhat deviated from procedures, without affecting the results	13	12.6			
PEC seriously violated the protocol filling out procedures	0	0.0			
PEC did not fill out the protocol	0	0.0			

Protocol distribution		Number of Answers		%	
Protocols given to all entitled individuals to receive them and posted in PS immediately	95	92.2			
Protocols NOT given to all entitled to receive them	5	4.9			
Protocols NOT posted at the precinct after vote count	3	2.9			
Protocols NOT given to all entitled persons and NOT posted	1	1.0			

Election material	Number of Answers	%
All election material was packed and sealed in accordance with the law	102	100
Election material was NOT packed in accordance with the law	0	0

Evaluation of PEC	Number of Answers	%
Very good	49	47.6
Good	40	38.8
Bad	10	9.7
Very bad	4	3.9

Round 2

OPENING

Polling Station Accessibility % for Persons with Disabilities	Number of Answers	
Easy	44	44.4
Requires minor assistance	24	24.2
Not suitable	31	31.3

Gender of PEC Members	Number of Answers	%
Man	343	23.6
Woman	1109	76.4

PEC Chairperson	Number of Answers	%
Man	26	26.3
Woman	73	73.7

PEC Secretary	Number of Answers	%
Man	9	9.1
Woman	90	90.9

Observers from candidates present in the polling station	Number of Answers	
Volodymyr Zelensky	25	23.6
Petro Poroshenko	10	9.4
None	71	67.0

Observers from domestic organizations	Number of Answers	
Komanda Ze	7	14
Mykolayiv is a Reliable Partner	4	8
National Troops	4	8
National Monitoring	4	8
Committee of Voters of Ukraine	3	6
OPORA Civic Network	3	6
People's and Democratic Youth League	2	4
The Party of Mykolayiv Citizens	2	4
Ukrainian Centre for Democratic Society	2	4
Anti-Corruption Movement of Ukraine	1	2
Ecological Safety Council	1	2
Organization of ATO Combatants in Donetsk Region	1	2
Solidary Youth CSO	1	2
Centre for Civil Initiative Support	1	2
All-Ukrainian Department for Detecting and Counteracting Corruption in State Bodies and Self Governance	1	2
Other	4	8
None	9	18

Observers from International organizations	Number of Answers	
CANADEM	5	12.2
OSCE/ODIHR	2	4.9
Ukrainian World Congress	1	2.4
International Human Rights Community	1	2.4
National Democratic Institute NDI	1	2.4
International expert Centre for Electoral Systems/ICES	1	2.4
Other	2	4.9
None	28	68.3

Polling Station set up	Number of Answers		%
Acceptable	96		97.0
Unacceptable	3		3.0

Preparatory meeting	Number of Answers		%
The preparatory meeting started on time (7.15)	94		95.0
The preparatory meeting started earlier	3		3.0
The preparatory meeting started with delay between 15 and 30 minutes	2		2.0
The preparatory meeting started with delay over 30 minutes	0		0
The preparatory meeting never started	0		0

Essential Materials	Number of Answers		%
All essential materials are present	99		100
Ballot papers are missing	0		0
The voter lists are missing	0		0
Ballot boxes are missing	0		0
Voting booths are missing	0		0
Seals are missing	0		0
Protocol is missing	0		0
PEC Stamp is missing	0		0

Stationary ballot box sealing	Number of Answers	%
Stationary ballot boxes properly sealed according to procedures	99	100
Some procedures of sealing stationary ballot boxes were violated	0	0
Stationery ballot boxes were not sealed at all	0	0

Mobile ballot box sealing	Number of Answers	%
Mobile ballot boxes properly sealed according to procedures	95	96.0
Some procedures of sealing mobile ballot box were violated	4	4.0
Mobile ballot boxes were not sealed at all	0	0

Control sheet	Number of Answers	%
Control sheet filled out properly and procedure was transparent	97	98.0
Control sheet seemed to be already filled out	2	2.0
Control sheet filled in secrecy, without public announcement	0	0
Control sheet was improperly filled	0	0
Control sheet was not filled out at all	0	0
Control sheet was not inserted in all ballot boxes	0	0

Ballots format	Number of Answers	%
Ballots are in the prescribed for- mat	99	100
Ballots are not in the pre- scribed format	0	0

Opening time	Number of Answers	%
Polling station was opened on time or with slight delays of up to 5 minutes	99	100
Polling station opened with delay between 5 and 15 min- utes	0	0
Polling station opened with delay between 15 and 30 minutes	0	0
Polling station opened with delay over 30 minutes	0	0
Polling station never opened	0	0

Observation	Number of Answers	%
All authorized observers able to observe properly	99	100
Observers could not observe properly due to overcrowded poll- ing station	0	0
Observers could not observe properly due to set up of the polling station (e.g. sitting too far, polling station in a hall- way, etc.)	0	0
Observers were denied access to some aspects of voting by the PEC	0	0
Observers were denied access to crucial aspects of voting by the PEC	0	0
Observers were not allowed to observe at all	0	0

Formal (official) complaints %submitted on the opening procedures	Number of Answers	
There were no formal complaints	99	100
There were some unfounded formal complaints	0	0
There were some minor, not substantial formal complaints	0	0
PEC received substantial formal complaints	0	0

Presence of unauthorized %persons inside PS	Number of Answers	
None (only authorized persons present)	90	89.1
Police	5	5.0
Local Authorities	0	0
Unknown non-accredited persons (e.g. persons that didn't have observation badge)	3	3.0
Members of Parliament	0	0
Other	3	3.0

PEC Conduct	Number of Answers		%
PEC generally conducted opening in order and according to the procedures	98		99.0
PEC was rushing through the opening process and did not care for transparency	1		1.0
PEC substantially damaged transparency of the opening process	0		0
PEC opened precinct without completing opening procedures	0		0

Evaluation of PEC	Number of Answers		%
Very good	63		63.6
Good	36		36.4
Bad	0		0
Very bad	0		0

VOTING

Environment around/out- age side polling station (events that can affect voters' free choice)	Frequency	Percent-
Regular (no influence on voter's choice)	1284	99.8
Vote Buying	0	0
Voter intimidation	0	0
Organized transportation of voters	1	0.1
Acts of violence	0	0
Excursion group voting from poll- ing station to polling sta- tion	0	0
Rotating ballot (carousel vot- ing)	0	0
Campaigning activities	0	0
Excessive police/military pres- ence around polling station	1	0.1
Campaign materials at en- trance of polling station	1	0.1

Polling station Accessibility age for Persons with Disabilities	Frequency	Percent-
Easy	624	48.5
Requires minor assistance	323	25.1
Not suitable	340	26.4

Gender of PEC members	Frequency	Percentage
Man	3758	20.8
Woman	14353	79.3

PEC Chairperson	Frequency	Percentage
Man	318	24.7
Woman	969	75.3

PEC Secretary	Frequency	Percentage
Man	151	11.73
Woman	1136	88.27

Observers from candi- dates present in the poll- ing sta- tion	Frequency	Percentage
Volodymyr Zelensky	372	28.9
Petro Poroshenko	214	16.63
None	815	63.33

Observers from domestic organizations	Frequency	Percentage
Komanda Ze	119	15.9
OPORA Civic Network	74	9.9
National Monitoring	45	6.0
Leading Legal Initiatives	40	5.3
Mykolayiv is a Reliable Partner	39	5.2
Ukrainian Centre for Democratic Society	38	5.1
Committee of Voters of Ukraine	29	3.9
People's and Democratic Youth League	24	3.2
Solidary Youth CSO	24	3.2
UDAR	23	3.1
National Troops	21	2.8
Centre for Civil Initiative Support	20	2.7
All-Ukrainian Department for Detecting and Counteracting Corruption in State Bodies and Self Governance	14	1.9
Successful Watch	12	1.6
The Party of Mykolayiv Citizens	8	1.1
Anti-Corruption Movement of Ukraine	8	1.1
Servants of the People	8	1.1
The Power of Ukrainian Spirit	4	0.5
Election Monitoring Mission in Ukraine 2019	3	0.4
Common Case	2	0.3
Volunteer League	2	0.3
Ecological Safety Council	1	0.1
Conscience Society of Ukraine	1	0.1
Statehood Initiative of Yarosh	1	0.1
Other	81	10.8
None	108	14.4
Polling Station set up	Frequency	Percentage
Acceptable	1261	98.0
Unacceptable	26	2.0

Observers from International organizations	Frequency	Percentage
OSCE/ODIHR	86	13.9
CANADEM	47	7.6
International expert Centre for Electoral Systems/ICES	14	2.3
Ukrainian World Congress	12	1.9
International Republican Institute IRI	8	1.3
National Democratic Institute NDI	8	1.3
Ukrainian Congress Committee of America	1	0.2
International Human Rights Commission	1	0.2
Other	35	5.6
None	408	65.8

Essential Materials	Frequency	Percentage
All essential materials are present	1287	100
Ballot papers are missing	0	0
The voter lists are missing	0	0
Ballot boxes are missing	0	0
Voting booths are missing	0	0
Seals are missing	0	0
Protocol is missing	0	0
PEC Stamp is missing	0	0

Stationary ballot boxes sealing	Frequency	Percentage
Stationary ballot boxes properly sealed	1271	98.8
Stationary ballot boxes not properly sealed	16	1.2

Mobile ballot box sealing	Frequency	Percentage
Mobile ballot boxes properly sealed	1182	91.8
Mobile ballot boxes not properly sealed	9	0.7
One or more of the mobile ballot boxes were not sealed at all	7	0.5
None of the mobile ballot boxes were sealed	2	0.2
Mobile ballot boxes were not present at the polling station (mobile voting is ongoing)	87	6.8

Voter list	Frequency	Percentage
All voters found their names on the list	1116	84.5
Some voters did not find their name on the list	124	9.4
Information about some of the voters was wrong or incomplete	31	2.3
Non eligible voters included in the voter list (e.g. deceased persons still included in the list)	7	0.5
Voters claim they were included in the electronic voter list but can't find their names at the voter list at the polling station	3	0.2
Other	17	1.3
No voters voted while the team was in the polling station	23	1.7

Voters' identification - Issuing ballots	Frequency	Percent-
Identification procedures always followed properly	1257	97.7
PEC issues ballots without proper identification of voters	3	0.2
PEC issued ballots without proper signing of the control coupon	0	0
PEC issues ballots to people that are not in the voters list	0	0
Voters in the list not allowed to vote	1	0.1
Other	3	0.2
No voters voted while the team was in the polling station	25	1.9

Secrecy of the Vote	Frequency	Percentage
Secrecy of voting respected	1212	94.2
More than one person in the booth (except assisted voting to disabled voter)	9	0.7
Voters were revealing their vote	6	0.5
Voters could not vote in secrecy due to set up of booths (e.g. transparent curtains, curtains not covering the hands of the voter, etc.)	26	2.0
Voters taking photo of marked ballot paper	1	0.1
Voters did not vote in secrecy due to overcrowded polling station	0	0
Breaches of rules for assistance to disabled persons	0	0
Other violations of the secrecy of the vote	15	1.2
No voters voted while the team was in the polling station	26	2.0

Serious violations (inside age polling station)	Frequency	Percent-
No serious violations observed	1256	97.6
Multiple voting (more than one ballot issued to one voter intentionally)	0	0
Proxy voting (voting on behalf of other person)	1	0.1
Ballot box stuffing	0	0
Voting with pre-marked ballots	0	0
Pressure on voters inside polling station	0	0
Intimidation or harassment of voters	0	0
Acts of violence inside polling station	0	0
Limiting access of voters into the polling station	0	0
Stealing or damaging of election materials	0	0
Other	1	0.1
No voters voted while the team was in the polling station	32	2.5
Organization of polling station	Frequency	Percent-
Polling station is managed properly and PEC functions orderly	1246	96.8
Polling station is somewhat crowded, but PEC seems to manage it well	16	1.2
Polling station disorganized and process is confusing	1	0.1
Polling station overcrowded, disorganized, makes it impossible to properly monitor the voting process	0	0
Other	1	0.1
No voters voted while the team was in the polling station	23	1.8

Campaign	Frequency	Percentage
There were no campaigning or campaign materials inside polling station	1281	99.5
Somebody was actively campaigning inside polling station	0	0
Campaign materials were inside the polling station	2	0.2
Other forms of campaigning inside polling station	4	0.3

PEC Conduct	Frequency	Percentage
PEC generally conducted voting in an orderly fashion and according to the procedures	1264	98.2
PEC lost control over precinct	0	0
PEC intentionally deviated from procedures	0	0
Other	3	0.2
No voters voted while the team was in the polling station	22	1.7

Complaints	Frequency	Percentage
There were no formal complaints	1271	98.8
There were some minor, not substantial formal complaints	6	0.5
There were some unfounded formal complaints	2	0.2
PEC received substantial formal complaints	8	0.6

Observation	Frequency	Percentage
All authorized observers able to observe properly	1272	98.8
Observers could not observe properly due to overcrowded polling station	0	0
Observers could not observe properly due to set up of the polling station (e.g. sitting too far, Polling station in the hallway, etc.)	14	1.1
Observers were denied access to SOME aspects of voting by the PEC	1	0.1
Observers were denied access to CRUCIAL aspects of voting by the PEC	0	0
Observers were not allowed to observe at all	0	0

Work of other official observers	Frequency	Percentage
Observers were observing in accordance with the law	921	70.9
Observers were interrupting the voting process	0	0
Observers were intervening in the work of the PEC	0	0
Observers were assisting voters	0	0
Observers were pressuring voters to vote for a candidate	0	0
Other	7	0.5
No other observers present at the polling station	371	28.6

Presence of unauthorized persons inside polling station	Frequency	Percentage
None (only authorized persons present)	1228	95.0
Police	31	2.4
Local Authorities	1	0.1
Unknown Non-Accredited Persons (e.g. persons that didn't have observation badge)	10	0.8
Members of Parliament	0	0
Other	23	1.8

Evaluation of PEC	Frequency	Percentage
Very good	610	47.4
Good	664	51.6
Bad	12	0.9
Very bad	1	0.1

COUNTING

Closing time	Frequency	Percentage
Polling station closed in time	99	99
Polling station did not close in time	1	1

Voters at closing time	Frequency	Percentage
No queue of voters at closing	99	99
Voters in queue were allowed to vote	1	1
Voters in queue at time of closing were not allowed to vote	0	0
Voters arrived after closing allowed to vote	0	0

Starting of Counting	Frequency	Percentage
PEC started counting procedures immediately after closing polling station	94	94
PEC had short break (10-15 min) before starting counting	5	5
PEC did not start counting more than 40 minutes	1	1
PEC did not start counting at all	0	0

Counting procedures	Frequency	Percentage
Counting procedures were followed properly and in the right sequence (process was legitimate)	92	92
PEC somewhat deviated from counting procedures, without damaging legitimacy of results	8	8
PEC seriously violated the counting procedures	0	0
Other	0	0

Observation	Frequency	Percentage
All authorized observers able to observe properly	100	100
Observers could not observe properly due to overcrowded polling station	0	0
Observers could not observe properly due to set up of the polling station (e.g. sitting too far, polling station in the hallway, etc.)	0	0
Observers were denied access to some aspects of counting by the PEC	0	0
Observers were denied access to crucial aspects of counting by the PEC	0	0
Observers were not allowed to observe at all	0	0

Formal (official) complaints submitted on the counting, voting or opening	Frequency	Percentage
There were no formal complaints	100	100
There were some minor, not substantial formal complaints	0	0
There were some unfounded formal complaints	0	0
PEC received substantial formal complaints	0	0

Completion of protocol	Frequency	Percentage
A) Protocols were filled out in accordance with the law	97	97
B) PEC somewhat deviated from procedures, without affecting the results	3	3
C) PEC seriously violated the protocol filling out procedures	0	0
D) PEC did not fill out the protocol at all	0	0

Presence of unauthorized persons inside polling station	Frequency	Percentage
None (only authorized persons present)	93	92.1
Police	7	6.9
Local Authorities	0	0.0
Unknown, non-accredited persons (e.g. persons that didn't have observation badge)	0	0.0
Members of Parliament	0	0.0
Other	1	1.0

Protocol distribution	Frequency	Percentage
Protocols given to all entitled individuals to receive them and posted in polling station immediately	92	92
Protocols NOT given to all entitled to receive them	5	5
Protocols NOT posted at the precinct after vote count	2	2
Protocols NOT given to all entitled persons and NOT posted	1	1

Election material	Frequency	Percentage
All election material was packed and sealed in full accordance with the law	100	100
Election material was mostly packed and sealed in accordance with the law (slight procedural deviations)	0	0
PEC deviated substantially from procedures in packing election materials	0	0

Evaluation of PEC	Frequency	Percentage
Very good	55	55
Good	41	41
Bad	4	4
Very bad	0	0

ANNEX III: ENEMO IEOM – UKRAINE 2019 COMPOSITION

Core Team

Position	Name	Country	ENEMO Member Organization
Head of the Mission	Zlatko Vujovic	Montenegro	CeMI
Deputy Head of Mission	Teodora Pop Trajkov	North Macedonia	MOST
Election and Campaign Expert	Pierre Peytier	France/Kyrgyzstan	Coalition for Democracy and Civil Society
Legal Expert	Nino Rizhamadze	Georgia	ISFED
Media Expert	Ana Nenezic	Montenegro	N/A
Press and Logistics Officer	Maja Milikic	Montenegro	CeMI
Finance Officer	Teodora Gilic	Montenegro	CeMI
LTO Coordinator	Kristina Kostelac	Croatia	GONG
LTO Coordinator/Security Officer	Mariam Chubabria	Georgia	ISFED
Data Analyst	Dritan Taulla	Albania	KRIIK

Long - Term Observers

LTO Deployment Plan Presidential Elections Ukraine 2019				
LTO team	Oblast	LTO base	LTOs	Country
LTO 01	Kyiv 1 (city)	Kyiv	Miloš Antić	Serbia
			Dritan Rama	Albania
LTO 02	Kyiv 2 (city)	Kyiv	Jelena Milošević	Serbia
			Vladan Radunović	Montenegro
LTO 03	Kyiv 3 (oblast)	Bila Tserkva	Alborent Rama	Albania
			Veronica Frasghini	Italy

LTO 04	Zhytomir	Zhytomir	Boško Milović	Montenegro
			Elidon Lamani	Albania
LTO 05	Rivne Volyn	Lutsk	Paulo Ferreira	Portugal
			Dragan Nikodijević	Serbia
LTO 06	Lviv	Lviv	Nemanja Đukanović	Montenegro
			Dušan Ivanović	Serbia
LTO 07	Zakarpattia	Uzhgorod	Maja Vlajić Suljić	Bosna and Herzegovina
			Paul Erik Lauritsen	Denmark
LTO 08	Ivano-Frankivsk	Ivano-Frankivsk	Marjana Krsmanović	Montenegro
			Elvin Korreshi	Albania
LTO 09	Chernivtsi Ternopil	Ternopil	Gazmend Agaj	Albania
			Filip Filipovski	Macedonia
LTO 10	Poltava	Poltava	Nikolina Stepanović	Montenegro
			Rigers Bena	Albania
LTO 11	Donetsk Luhansk	Kramatorsk/ Bakhmut	Filippo Rosin	Italy
			Mladen Kobašević	Croatia
LTO 12	Odessa 1	Odessa	Ljiljana Bjeličić	Kyrgyzstan
			Emil Shakir Uulu	Serbia
LTO 13	Odessa 2	Odessa	Lilia Poting	Moldova
			Artur Aghamalyan	Armenia
LTO 14	Chernihiv	Chernihiv	Dmitry Kabak	Kyrgyzstan
			Nino Sekhniashvili	Georgia
LTO 15	Sumy	Sumy	Teona Gogishvili	Georgia
			Eduard Balanchuk	Belarus
LTO 16	Kharkiv 1	Kharkiv	Tamar Bartaia	Georgia
			Ulazdimir Krauchanka	Belarus
LTO 17	Kharkiv 2	Kharkiv	Pavel Levinau	Belarus
			Maksim Claudiu	Romania
LTO 18	Dnipro 1 (Dnipro)	Dnipro	Palina Brodik	Belarus
			Almaz Esengeldiev	Kyrgyzstan
LTO 19	Dnipro 2 (Kryvyi Rih)	Dnipro	Maia Kobahidze	Georgia
			Raman Yurhel	Belarus
LTO 20	Zaporozhye	Zaporozhye	Tiberiu Virbanescu	Romania
			Victor Prutenau	Moldova
LTO 21	Mykolaiv Kherson	Mykolaiv	Talgat Otemis	Kazakhstan
			Valery Putsitski	Belarus
LTO 22	Cherkasy Kirovohrad	Cherkasy	Mariam Hoveyan	Armenia
			Miloš Stojadinović	Serbia
LTO 23	Vinnytsia	Vinnytsia	Nana Devidze	Georgia
			Kanstantin Mardzvincau	Belarus
LTO 24	Khmelnitskyi	Khmelnitskyi	Dzmitry Salanyan	Belarus
			Filip Korač	Serbia/Croatia

Short-Term Observers (first round)

Kyiv + Oblast				
No.	Name	Last name	Country	Organisation
1	Ana	Mihajlović	Serbia	CeSID
	Dražen	Hoffmann	Croatia	Gong
2	Goce	Borovski	Montenegro	CDT
	Oriana	Ivković-Novokmet	Croatia	Gong
3	Enea	Hila	Albania	SDC
	Elene	Nizharadze	Georgia	ISFED
4	Danijela	Beretin	Croatia	Gong
	Lazar	Pop Trajkov	Macedonia	MOST
5	Marko	Cvetković	Serbia	CeSID
	Marija	Latković	Montenegro	CeMI
6	Dubravka	Popović	Montenegro	CeMI
	Danche	Biljarska	Macedonia	MOST
7	Lazar	Keskinov	Macedonia	MOST
	Ivana	Marković	Montenegro	CeMI
8	Dragiša	Vujačić	Montenegro	CDT
	Tatia	Kinkladze	Georgia	ISFED
9	Danilo	Papović	Montenegro	CDT
	Denisa	Hila	Albania	SDC
10	Vehid	Šehić	BiH	CCI
	Snežana	Stijepović	Montenegro	CDT
11	Branislav	Cibik	Slovakia	Obcianske OKO
	Murisa	Marić	BiH	CCI
12	Jan Zlatan	Kulenović	BiH	CCI
	Lindita	Hyseni	Albania	KRIIK
13	Ervis	Zenelhocxa	Albania	KRIIK
	Simona	Lackova	Slovakia	Obcianske OKO
14	Olzhas	Atakhanov	Kazakhstan	FSCI
	Sara	Matohitaj	Albania	KRIIK
Zhytomir				
No.	Name	Last name	Country	Organisation
1	Živko	Mickovski	Macedonia	MOST
	Bojana	Trninic	BiH	CCI
2	Zlatko	Dimitrioski	Macedonia	MOST
	Ivona	Živković	Serbia	CeSID
3	Emir	Skrijelj	Serbia	CeSID
	Danijela	Srdić	BiH	CCI
Rivne/Volyn				
No.	Name	Last name	Country	Organisation
1	Mersad	Avdić	BiH	CCI
	Suela	Pashaj	Albania	SDC
2	Orion	Hazati	Albania	KRIIK
	Tea	Simonishvili	Georgia	ISFED
3	Silvana	Bylyku	Albania	SDC
	Dijana	Grđinić	Montenegro	CDT
4	Ardit	Salijaj	Albania	KRIIK
	Jasmina	Radončić	Montenegro	CDT

Lviv				
No.	Name	Last name	Country	Organisation
1	Marija	Sretenović	Serbia	CeSID
	Danijel	Kalezic	Montenegro	CeMI
2	Katerina	Canevska	Macedonia	MOST
	Miljana	Rakocević	Montenegro	CeMI
3	Cvetanka	Ivanova	Macedonia	MOST
	Dajana	Lakić	Montenegro	CeMI
4	Ilija	Trninić	BiH	CCI
	Ana	Mugoša	Montenegro	CeMI
Zakarpattia				
No.	Name	Last name	Country	Organisation
1	Nina	Zubović	BiH	CCI
	Viera	Slavikova	Slovakia	Obcianske OKO
2	Antuela	Male	Albania	KRIIK
	Peter	Novotny	Slovakia	Obcianske OKO
3	Asmir	Orman	BiH	CCI
	Florida	Ruci	Albania	KRIIK
Ivano-Frankivsk				
No.	Name	Last name	Country	Organisation
1	Nicolae	Panfil	Moldova	Promo-LEX
	Ivan	Rukavina Blajda	Croatia	Gong
2	Nicolae	Cazacu	Moldova	Promo-LEX
	Bora	Prifti	Albania	SDC
3	Goran	Velkovski	Macedonia	MOST
	Mariana	Novac	Moldova	Promo-LEX
4	Zlatko	Talevski	Macedonia	MOST
	Daniela	Angheluta	Moldova	Promo-LEX
Chernivtsi/Ternopil				
No.	Name	Last name	Country	Organisation
1	Andras	Nagy	Slovakia	Obcianske OKO
	Marija	Milošević	Serbia	CeSID
2	Ion	Ciobanu	Moldova	Promo-LEX
	Maja	Radenović	Montenegro	CDT
3	Diana	Norosian	Moldova	Promo-LEX
	Anđelija	Rondović	Montenegro	CDT
4	Alexandru	Ghetan	Moldova	Promo-LEX
	Jana	Paukova	Slovakia	Obcianske OKO
5	Mihaela	Duca	Moldova	Promo-LEX
	Bratislav	Raković	Serbia	CeSID
Poltava				
No.	Name	Last name	Country	Organisation
1	Boris	Vukićević	Montenegro	CeMI
	Valeria	Filipi	Albania	SDC
2	Sekule	Raičević	Montenegro	CeMI
	Laureta	Roshi	Albania	KRIIK
3	Eralda	Bendo	Albania	SDC
	Almer	Kardović	Montenegro	CDT

Donetsk/Luhansk				
No.	Name	Last name	Country	Organisation
1	Toni	Silić	Croatia	Gong
	Zoran	Rakočević	Montenegro	CDT
2	Mihael	Rukavina	Croatia	Gong
	Klodi	Kume	Albania	KRIIK
3	Asaf	Ahmadov	Azerbaijan	EMDS
	Etleva	Numani	Albania	SDC
Odessa				
No.	Name	Last name	Country	Organisation
1	Asja	Ćehović	Croatia	Gong
	Dragan	Bjeličić	Serbia	CeSID
2	Ivan	Mihajlović	Serbia	CeSID
	Dunja	Pejić	Croatia	Gong
3	Aleksandar	Velan	Croatia	Gong
	Christina	Chebes	Moldova	Promo-LEX
4	Anton	Finderle	Croatia	Gong
	Isida	Verrija	Albania	SDC
Chernihiv				
No.	Name	Last name	Country	Organisation
1	Eric	Iriskulbekov	Kyrgyzstan	Coalition KG
	Jozef	Majchrak	Slovakia	Obcianske OKO
2	Ruzanna	Gevorgyan	Armenia	TIAC
	Emil	Kočiš	Slovakia	Obcianske OKO
3	Tatevik	Chukhuryan	Armenia	TIAC
	Atyr	Abdrahmatova	Kyrgyzstan	Coalition KG
Sumy				
No.	Name	Last name	Country	Organisation
1	Uulkan	Iranova	Kyrgyzstan	Coalition KG
	Giorgi	Oganesiani	Georgia	ISFED
2	Murat	Atagoziev	Kyrgyzstan	Coalition KG
	Natia	Khutsurauli	Georgia	ISFED
3	Robert	Antl	Slovakia	Obcianske OKO
	Lika	Datuashvili	Georgia	ISFED
Kharkiv				
No.	Name	Last name	Country	Organisation
1	Mirian	Tediashvili	Georgia	ISFED
	Sadagat	Hasanova	Azerbaijan	EMDS
2	Levon	Chukaklyan	Armenia	TIAC
	Kanyshay	Toktorbaeva	Kyrgyzstan	Coalition KG
3	Tsovinar	Danielyan	Armenia	TIAC
	Akylbek	Sariev	Kyrgyzstan	Coalition KG
4	Revaz	Baramidze	Georgia	ISFED
	Vusal	Garibov	Azerbaijan	EMDS

Dnipro				
No.	Name	Last name	Country	Organisation
1	Elena	Lukianova	Kazakhstan	FSCI
	Ulviyya	Babayeva	Azerbaijan	EMDS
2	Rashan	Ziadaliev	Georgia	ISFED
	Yeranuhi	Tumanyants	Armenia	TIAC
3	Yusif	Latifov	Azerbaijan	EMDS
	Natia	Barbakadze	Georgia	ISFED
4	Nigmatzhan	Borambayev	Kazakhstan	FSCI
	Nino	Popiashvili	Georgia	ISFED
Zaporozhye				
No.	Name	Last name	Country	Organisation
1	Tural	Aghayev	Azerbaijan	EMDS
	Diana	Atoyan	Armenia	TIAC
2	Magdalina	Lukianova	Kazakhstan	FSCI
	Elshan	Suleymanov	Azerbaijan	EMDS
3	Kamila	Bekzhanova	Kazakhstan	FSCI
	Sargis	Ghonyan	Armenia	TIAC
Mykolaiv/Kherson				
No.	Name	Last name	Country	Organisation
1	Nurbek	Abdrazak uulu	Kyrgyzstan	Coalition KG
	Rodica	Orlov	Moldova	Promo-LEX
2	Gulsina	Ablasova	Kyrgyzstan	Coalition KG
	Radu	Dan	Moldova	Promo-LEX
3	Ion	Popa	Moldova	Promo-LEX
	Ainur	Otemis	Kazakhstan	FSCI
4	Aurel	Leahu	Moldova	Promo-LEX
	Askar	Japarov	Kazakhstan	FSCI
Cherkasy/Kirovohrad				
No.	Name	Last name	Country	Organisation
1	Borce	Aleksoski	Macedonia	MOST
	Tatevik	Barseghyan	Armenia	TIAC
2	Filip	Popovski	Macedonia	MOST
	Armine	Zakaryan	Armenia	TIAC
3	Aleksandar	Gligorovski	Macedonia	MOST
	Aygul	Jafarova	Azerbaijan	EMDS
4	Merita	Hoxha	Macedonia	MOST
	Nurul	Rakhimbekov	Kazakhstan	FSCI
Vinnytsia				
No.	Name	Last name	Country	Organisation
1	Dziana	Pranichnikava	Belarus	BHC
	Mihail	Gorincioi	Moldova	Promo-LEX
2	Vasil	Sankovic	Belarus	BHC
	Anna	Grigorencu	Moldova	Promo-LEX
3	Siarhei	Chaika	Belarus	BHC
	Aliona	Manciu	Moldova	Promo-LEX
4	Nicolae	Afnas	Moldova	Promo-LEX
	Iryna	Tratsyakova	Belarus	BHC

Khmelnitskyi				
No.	Name	Last name	Country	Organisation
1	Hanna	Martynouskaya	Belarus	BHC
2	Calin	Apostol	Moldova	Promo-LEX
3	Yuliya	Khlashchankova	Belarus	BHC
4	Constantin	Turuta	Moldova	Promo-LEX
5	Yauheni	Chapuryskin	Belarus	BHC
6	Galina	Cucos	Moldova	Promo-LEX

Short-Term Observers (second round)

Kyiv + Oblast				
No.	Name	Last name	Country	Organisation
1	Nemanja	Milicic	Montenegro	CeSID
	Slavica	Biljarska Mircevski	Macedonia	MOST
2	Mirjana	Mrgunović	Montenegro	MOST
	Luka	Brailo	Croatia	GONG
3	Marsel	Rexha	Albania	KRIIK
	Tamar	Chubabria	Georgia	CeSID
4	Martina	Horvat	Croatia	GONG
	Radojko	Savić	Serbia	CESID
5	Josipa	Dika	Croatia	GONG
	Mammad	Mammadzadah	Azerbaijan	EMDS
6	Maja	Bjelić	Montenegro	CeMI
	Marek	Kapusta	Slovakia	OKO
7	Danijela	Simonović	Montenegro	CDT
	Vasil	Sankovic	Belarus	BHC
8	Sanja	Gligorova	Macedonia	MOST
	Sandra	Pea	Montenegro	CeMI
9	Dragana	Koprivica	Montenegro	CDT
	Mersad	Avdić	BiH	CCI
10	Marija	Latković	Montenegro	CeMI
	Endri	Miliku	Albania	SDC
11	Maja	Milović	Montenegro	CeMI
	Jozef	Majchrák	Slovakia	OKO

Zhytomir				
No.	Name	Last name	Country	Organisation
1	Snežana	Stijepović	Montenegro	CDT
	Ivor	Fuka	Croatia	GONG
2	Danilo	Papović	Montenegro	CDT
	Denisa	Hila	Albania	SDC
3	Ladislav	Tomičić	Croatia	GONG
	Alketa	Lamani	Albania	KRIIK

Rivne/Volyn				
No.	Name	Last name	Country	Organisation
1	Dragana	Stojić	Croatia	GONG
	Ismar	Kalač	Montenegro	CeMI
2	Lucija	Vulić	Croatia	GONG
	Vanja	Josić	BiH	CCI
3	Veronika	Basta	Slovakia	OKO
	Šefik	Šehić	BiH	CCI
4	Silvana	Bylyku	Albania	SDC
	Darka	Milačić	Montenegro	CeMI

Lviv				
No.	Name	Last name	Country	Organisation
1	Ana	Mihajlović	Serbia	CeSID
	Stefan	Vojvodić	Montenegro	CeMI
2	Tamara	Milas	Montenegro	CeMI
	Danijel	Stjepanović	BiH	CCI
3	Milka	Tadić	Montenegro	CeMI
	Vukosav	Konjukošić	Serbia	CESID

Zakarpattia				
No.	Name	Last name	Country	Organisation
1	Peter	Cengel	Slovakia	OKO
	Lela	Khatridze	Georgia	ISFED
2	Ajlana	Softić	BiH	CCI
	Ardit	Saliaj	Albania	KRIIK
3	Violeta	Sretenović	Serbia	CESID
	Lidmir	Hyseni	Albania	KRIIK
4	Nino	Karchava	Georgia	ISFED
	Branko	Sjekloća	Montenegro	CDT

Ivano-Frankivsk				
No.	Name	Last name	Country	Organisation
1	Calin	Apostol	Moldova	Promo-LEX
	Bora	Prifti	Albania	SDC
2	Ion	Ciobanu	Moldova	Promo-LEX
	Milanka	Vuković	Montenegro	CDT
3	Mariana	Novac	Moldova	Promo-LEX
	Maja	Radenović	Montenegro	CDT
4	Eralda	Bendo	Albania	SDC
	Daniela	Angheluta	Moldova	Promo-LEX

Chernivtsi/Ternopil				
No.	Name	Last name	Country	Organisation
1	Leo	Agaj	Albania	SDC
	Cornelia	Calin	Moldova	Promo-LEX
2	Ermir	Cota	Albania	SDC
	Mariana	Focsa	Moldova	Promo-LEX
3	Peter	Novotny	Slovakia	OKO
	Tamta	Danelia	Georgia	ISFED
4	Constantin	Turuta	Moldova	Promo-LEX
	Anushik	Mkrtchyan	Armenia	TIAC
5	Alexandru	Ghetan	Moldova	Promo-LEX
	Anzhela	Amirjanyan	Armenia	TIAC

Poltava				
No.	Name	Last name	Country	Organisation
1	Matej	Sever	Croatia	GONG
	Katarina	Kovačević	Montenegro	CDT
2	Toni	Erdfeld	Croatia	GONG
	Maja	Nikolić	Montenegro	CDT
3	Valeria	Filipi	Albania	SDC
	Sergey	Grigoryan	Armenia	TIAC

Donetsk/Luhansk				
No.	Name	Last name	Country	Organisation
1	Enea	Hila	Albania	SDC
	Patrik	Dubovský	Slovakia	OKO
2	Daniel	Kerekes	Slovakia	OKO
	Spartak	Dikellari	Albania	KRIIK
3	Artur	Poghosyan	Armenia	TIAC
	Galim	Ageleuov	Kazakhstan	FSCI

Odessa				
No.	Name	Last name	Country	Organisation
1	Asmir	Orman	BiH	CCI
	Bojana	Kaplja	Serbia	CESID
2	Dragan	Adamović	BiH	CCI
	Christina	Chebes	Moldova	Promo-LEX
3	Nino	Bibileishvili	Georgia	ISFED
	Marius	Doko	Albania	SDC
4	Sanubar	Heydarova	Azerbaijan	EMDS
	Siarhei	Niarouny	Belarus	BHC

Chernihiv				
No.	Name	Last name	Country	Organisation
1	Maia	Bibileishvili	Georgia	ISFED
	Ihar	Stankevich	Belarus	BHC
2	Tamar	Edisherashvili	Georgia	ISFED
	Aliaskar	Kiizbaev	Kyrgyz Republic	Coalition KG
3	Daria	Romanovskaia	Kyrgyz Republic	Coalition KG
	Raman	Balanchuk	Belarus	BHC

Sumy				
No.	Name	Last name	Country	Organisation
1	Tina	Jvania	Georgia	ISFED
	Abulfaz	Gurbanli	Azerbaijan	EMDS
2	Valentina	Balanczuk	Belarus	BHC
	Rasul	Zhumaly	Kazakhstan	FSCI
3	Hanna	Martynouskaya	Belarus	BHC
	Tariel	Aaliev	Kyrgyz Republic	Coalition KG

Kharkiv				
No.	Name	Last name	Country	Organisation
1	Data	Akubardia	Georgia	ISFED
	Elena	Lukianova	Kazakistan	FSCI
2	Nurul	Rakhimbekov	Kazakistan	FSCI
	Bakhtiyar	Maharramov	Azerbaijan	EMDS
3	Viachaslau	Bolbat	Belarus	BHC
	Ramin	Huseynov	Azerbaijan	EMDS
4	Viktar	Adzinochanka	Belarus	BHC
	Zibar	Huseynova	Azerbaijan	EMDS

Dnipro				
No.	Name	Last name	Country	Organisation
1	Vasili	Berasneu	Belarus	BHC
	Khalida	Ahmadova	Azerbaijan	EMDS
2	Myrzagul	Kulmatova	Kyrgyz Republic	Coalition KG
	Dmitry	Chernyh	Belarus	BHC
3	Akylbek	Esengulov	Kyrgyz Republic	Coalition KG
	Amir	Orujov	Azerbaijan	EMDS
4	Leanid	Markhotka	Belarus	BHC
	Minakhanim	Aliyarli	Azerbaijan	EMDS

Zaporozhye				
No.	Name	Last name	Country	Organisation
1	Valentina	Gjoni	Albania	KRIIK
	Aleksey	Petrosyan	Armenia	TIAC
2	Romina	Laze	Albania	KRIIK
	Adilet	Eshenov	Coalition KG	Coalition KG
3	Endri	Arizi	Albania	KRIIK
	Asem	Murzalieva	Coalition KG	Coalition KG

Mykolaiv/Kherson				
No.	Name	Last name	Country	Organisation
1	Ainur	Otemis	Kazakistan	FSCI
	Radu	Dan	Moldova	Promo-LEX
2	Adlet	Mamyrov	Coalition KG	Coalition KG
	Aurel	Leahu	Moldova	Promo-LEX
3	Maria	Cazacu	Moldova	Promo-LEX
	Narek	Sukiasyan	Armenia	TIAC
4	Ion	Popa	Moldova	Promo-LEX
	Tatevik	Ghazaryan	Armenia	TIAC

Cherkasy/Kirovohrad				
No.	Name	Last name	Country	Organisation
1	Ivan	Mihajlović	Serbia	CESID
	Murisa	Marić	BiH	CCI
2	Nina	Kecojević	Montenegro	CeMI
	Antuela	Male	Albania	KRIIK
3	Kristina	Simonova Tapalagova	Slovakia	OKO
	Dame	Dimitrovski	Macedonia	MOST
4	Sara	Matohitaj	Albania	KRIIK
	Arman	Arshak-Shahbazyan	Armenia	TIAC

Vinnytsia				
No.	Name	Last name	Country	Organisation
1	Galina	Cucos	Moldova	Promo-LEX
	Batyrbek	Shukurov	Kyrgyz Republic	Coalition KG
2	Lilia	Costenco	Moldova	Promo-LEX
	Baktygul	Kanatov	Kazakhstan	FSCI
3	Roman	Duljanschi	Moldova	Promo-LEX
	Aidos	Sarym	Kazakhstan	FSCI
4	Mihail	Gorincioi	Moldova	Promo-LEX
	Anar	Abdullayev	Azerbaijan	EMDS

Khmelnitskyi				
No.	Name	Last name	Country	Organisation
1	Igor	Bucataru	Moldova	Promo-LEX
	Shahnaz	Hasanova	Azerbaijan	EMDS
2	Nicolae	Cazacu	Moldova	Promo-LEX
	Lilya	Gevorgyan	Armenia	TIAC
3	Rodica	Orlov	Moldova	Promo-LEX
	Ruslan	Tashanov	Kyrgyz Republic	Coalition KG

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