



The Central Election Commission



# ELECTIONS TO THE PARLIAMENT OF UKRAINE

July 21, 2019

*Analytical report*

# EARLY PARLIAMENTARY ELECTIONS IN UKRAINE

## July 21, 2019

1. Territorial organization of the election	5
2. Registration of Ukrainian MP candidates	7
3. Creation of district and precinct election commissions	15
4. Voter lists	19
5. Official observers	22
6. Establishment of the election results	24
7. Generalized information on oversight of candidates' election funds	30
8. Structure of spending of state funds on the conduct of the election	32
9. Use of the Unified Information and Analytical System "Vybery"	35
10. Specifics of election dispute resolution	38
11. Openness and publicness of the activities of the Central Election Commission	42

The early parliamentary elections on July 21, 2019, has already become history. This was the ninth parliamentary elections in our state since independence and the fourth early elections. It can without exaggeration be described as an important stage in the continued democratic development of our state, a direction that is declared in Article 2 of the Constitution of Ukraine.

Thus, for the Central Election Commission the year 2019 was marked by the conduct of two nationwide election campaigns unprecedented in terms of the quantity of participants and the scale of events in the nationwide elections: the March 31, 2019 ordinary election of the President of Ukraine and the July 21, 2019 early elections to the Parliament of Ukraine, with an interval between the two election processes of less than one month.

It would be insincere to say that this year was an easy one for the Commission.

Probably only the members and employees of the Central Election Commission and their families know the real human "price" of each mandate received at these elections, since the Commission had to work practically without a single day off for, especially in the last election, due to the timeframes calculated in calendar days for performing election procedures as prescribed by the law.

At the same time, it is surely true to say that the Commission passed that uneasy test with flying colors.

And so, continuing the tradition begun in the March 31, 2019 ordinary presidential election, the Central Election Commission has prepared a report with the conclusions on the early July 21, 2019 parliamentary election process, which presents highlights from all the key stages in organizing the preparation and conduct of these elections and provide analytical materials and quantitative characteristics of the respective election process in both elections.



Lots of political parties being placed on the ballot. June 26, 2019, the CEC

The Constitution of Ukraine (Article 92.20.1) provides that the organization and procedure for conduct of elections and referendums are to be determined exclusively by the laws of Ukraine. The special law regulating the preparation and conduct of parliamentary elections is the Law of Ukraine “On the Election of the MPs of Ukraine” (below, the Law). Pursuant to the Law, an early parliamentary elections is to be called by the President on the grounds and in accordance with the procedure established by the Constitution and to take place on the last Sunday of the 60-day period from the day the Decree of the President on early termination of the powers of the Verkhovna Rada issued in accordance with the Constitution was published.

The Decree of the President No. 303/2019 dated May 21, 2019 “On Early Termination of the Powers of the Verkhovna Rada of Ukraine and Calling of Early Elections” announced the early termination of the mandate of the eighth convocation of the Verkhovna Rada and scheduled an early parliamentary elections for July 21, 2019.

The aforementioned presidential decree was published on May 23, 2019; therefore, as prescribed by Article 16.4 of the Law, the election process of the July 21, 2019 early parliamentary elections, and in particular such stages as nomination and registration of MP candidates, began on May 24, 2019.

In the meantime, 62 MPs filed a constitutional submission with the Constitutional Court requesting an opinion on the compliance of Decree of the President No. 303/2019 of May 21, 2019, with the Constitution of Ukraine.

Clarity in this question came clear for the Commission, as well as for other participants in the election process, only on June 20, 2019, that is, on the last day for MP candidates to submit their candidacy registration documents. The

Constitutional Court adopted Decision No. 6-p/2019 in the case based on the submission of the 62 MPs requesting an opinion on the compliance of Decree of the President No. 303/2019 of May 21, 2019, with the Constitution (its constitutionality), in which it found the Decree of the President “On Early Termination of the Powers of the Verkhovna Rada of Ukraine and Calling of Early Election” compliant with the Constitution (constitutional).

The July 21, 2019 early parliamentary election was conducted under a mixed majoritarian-proportional electoral system with a shortened election process (lasting no more than 60 days). These circumstances compelled the Central Election Commission to work under significant time pressure, since the Commission had, literally in a no-time-to-lose manner, to simultaneously organize and conduct several elections at once: one pertaining to the election of the MPs in the nationwide multi-member election district and a separate election in each of the 199 single-member election districts.

The July 21, 2019 early parliamentary elections was administered by the Central Election Commission (CEC) and district election commissions (DECs) and precinct election commissions (PECs). As a result of joint and primarily well-coordinated work of all the participants in the election process, one can say that, in general, Ukraine had a transparent and democratic parliamentary election that fully complied with the international standards for democratic elections.

Based on the results of voting at the July 21, 2019 early parliamentary elections, a total of 424 MPs were elected to the Verkhovna Rada of ninth convocation – 225 in the nationwide multi-member election district on the electoral lists of five political parties, and additional 199 MPs elected in single-member election districts.



CEC members re-count the votes of 14 election precincts of single-member district No. 50. August 4, 2019, the CEC

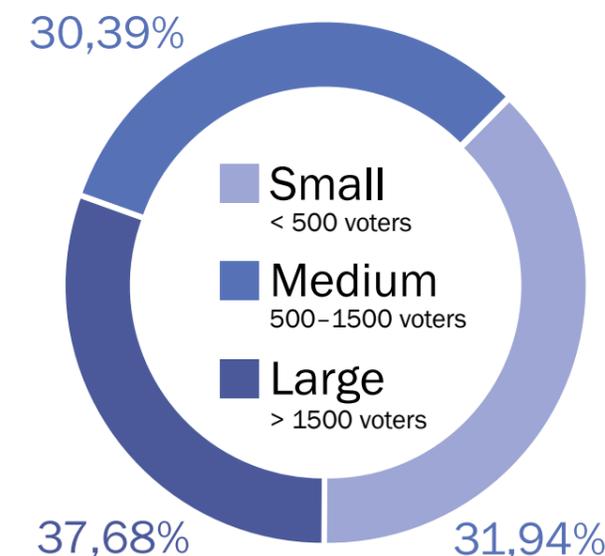
# 1 | TERRITORIAL ORGANIZATION OF THE ELECTIONS

The early parliamentary elections on July 21, 2019, involved the use of 199 of the 225 single-member election districts functioning in Ukraine on a permanent basis. The CEC in its Resolution No. 1430 “On Certain Issues of the Organization and Conduct of Voting of Citizens of Ukraine at the July 21, 2019 Early Parliamentary Elections in Certain Regions of Ukraine”, specified the lists of single-member election districts created in the territory of Donetsk and Luhansk oblasts in accordance with CEC Resolution No. 82 (with amendments) of April 28, 2012, and of parts of such districts (election precincts) on the territories of which the voting of citizens of Ukraine at the early parliamentary elections on July 21, 2019 of Ukraine would not be organized or conducted. Doing so, the CEC took into account Article 8.1 of the Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and the Legal Regime on the Temporarily Occupied Territory of Ukraine” and based its decision on the respective provisions of the Laws of Ukraine “On the Specifics of State Policy Aimed at Ensuring the State Sovereignty of Ukraine on the Temporarily Occupied Territories in Donetsk and Luhansk Oblasts,” the Law of Ukraine “On Civil-Military Administrations,” as well as Decree of the President No. 32/2019 of February 7, 2019 “On the Boundaries and List of Rayons, Cities/Towns, Settlements and Villages, Parts of Their Territories Temporarily Occupied in Donetsk and Luhansk Oblasts,” with consideration of letters from the Donetsk and Luhansk Oblast State Administrations – the Oblast Civil-Military Administrations – appended with opinions concerning the possibility to organize the preparation and conduct, in accordance with the Law, the early parliamentary elections on the territories that are part of single-member election districts in certain territories of Donetsk and Luhansk oblast,

Thus, voting at the early parliamentary elections on July 21, 2019 was not organized or conducted at election precincts created within territorial election districts Nos. 1–10 and No. 224, No. 225, which encompass the entire territory of, respectively, the Autonomous Republic of Crimea and the city of Sevastopol, as well as in single-member election districts Nos. 41–44, 53–56, 61, 104, 108–111 and a part of single-member election districts No. 45, 46, 51, 52, 59, 60, 105–107, 112, 114, which encompass the rayons, cities/towns, settlements and villages, parts of which territories are in Donetsk and Luhansk oblasts; and so, the following

organizational measures to prepare and conduct the said elections were not taken there:  
 DECs and PECs were not created;  
 neither authorized persons of political parties nor proxies of Ukrainian MP candidates were registered in such single-member election districts;  
 election campaigning was not conducted;  
 special election precincts existing on a temporary basis were not established;  
 ballot papers, information posters of political parties, information posters of Ukrainian MP candidates, posters clarifying the procedure for voting and liability for violating the legislation on the election of the MPs of Ukraine, voter lists, personal invitations and other election documents were not produced;  
 other election procedures related to organization of voting were not conducted either.

## Distribution of election precincts by number of voters



Regular, special, and out-of-country election precincts established on a permanent basis were used to organize the preparation and conduct of voting on July 21, 2019, and the counting of votes, in accordance to the Law.

To organize voting on July 21, 2019, and the counting of votes at these elections, 29,885 election precincts were used, including 28,637 regular, 1,146 special and 102 out-of-country election precincts; among them:

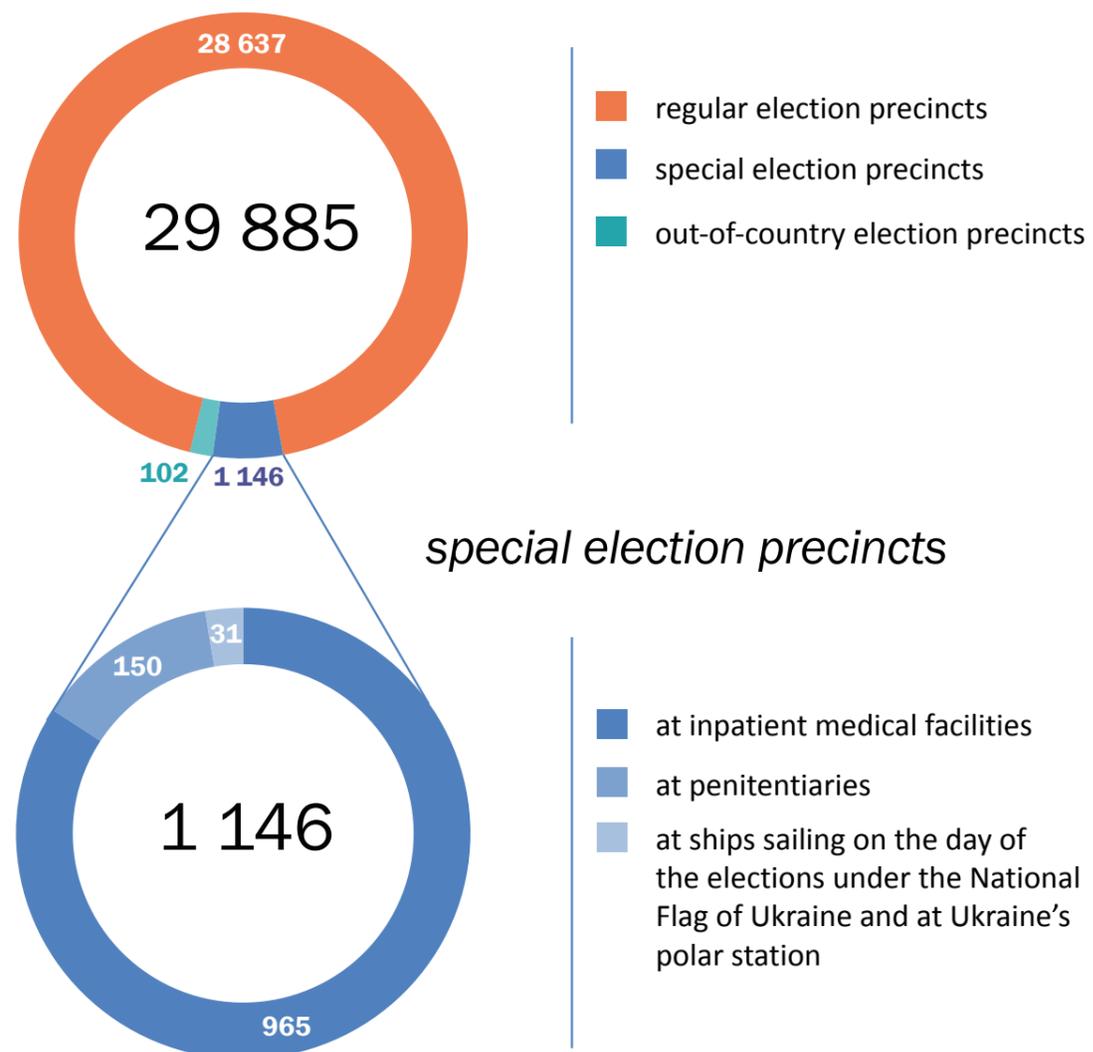
29,801 that were established by the Central Election Commission on a permanent basis in accordance with the Law, in particular: 28,637 regular election precincts, 1,062 special election precincts (959 at inpatient medical facilities, 102 at penitentiary institutions, 1 at Ukraine's polar station), and 102 out-of-country election precincts;

84 special election precincts existing on a temporary basis that were established by DECs (including 6 at inpatient medical facilities, 48 at penitentiary institutions, 30 on ships sailing under the National Flag of Ukraine).

Single-member election district No. 20 created within Volyn oblast had the highest number of election precincts at which voting in the July 21, 2019 early parliamentary elections was organized and conducted: 314.

At the same time, in connection with the temporary occupation of a part of the territory of Donetsk and Luhansk oblasts and the Jointed Forces Operation in these oblasts, voting in single-member election district No. 51 (Donetsk oblast) at the said election was organized and conducted only at 2 of the 95 election precincts created within that district; in single-member election district No. 105 (Luhansk oblast), accordingly, only at 6 of its 96 election precincts.

### Distribution of election precincts by location



## 2 REGISTRATION OF MP CANDIDATES

Pursuant to the Law, the parliamentary elections are conducted using a mixed (proportional-majoritarian) system:

1) 225 MPs of Ukraine are elected under a proportional system in the nationwide multi-member election district, based on electoral lists of MP candidates nominated by political parties;

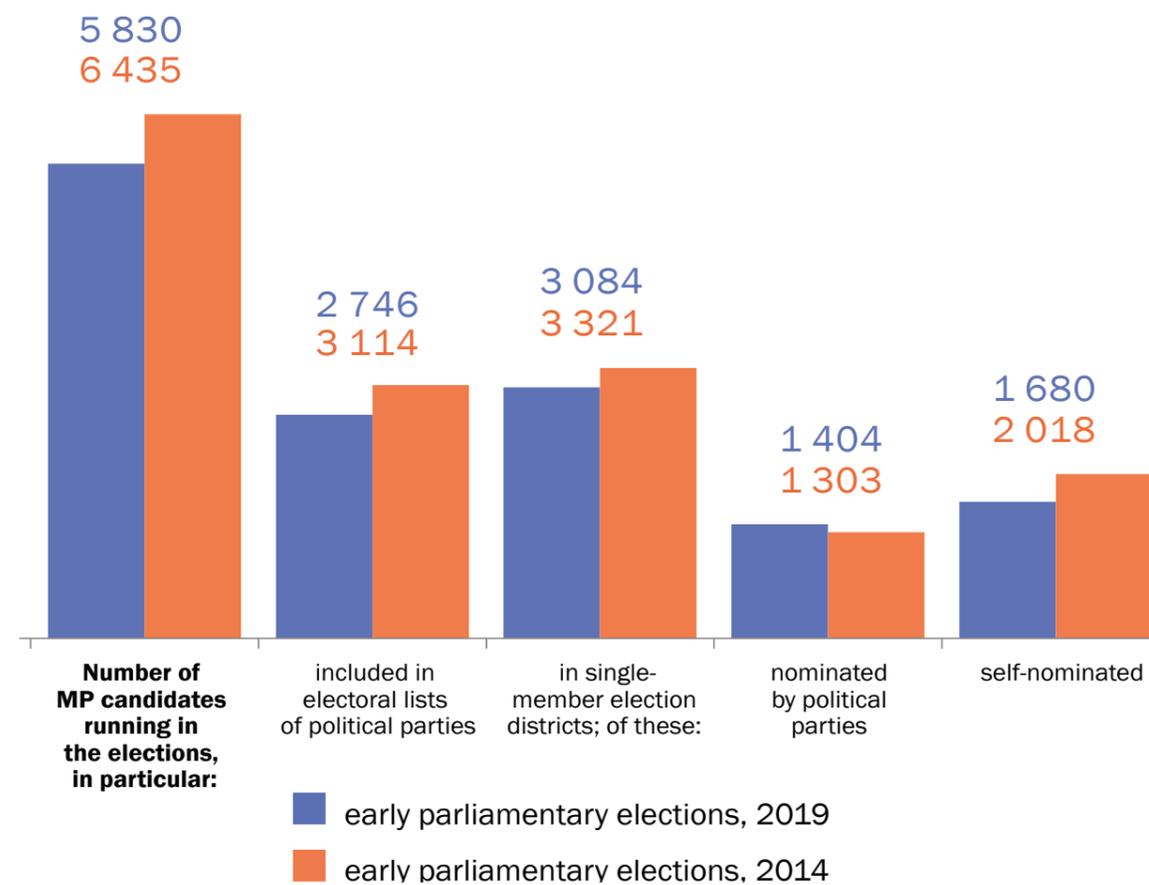
2) 225 MPs of Ukraine are elected under a first-past-the-post majoritarian system in single-member election districts.

Citizens of Ukraine with the right to vote at the

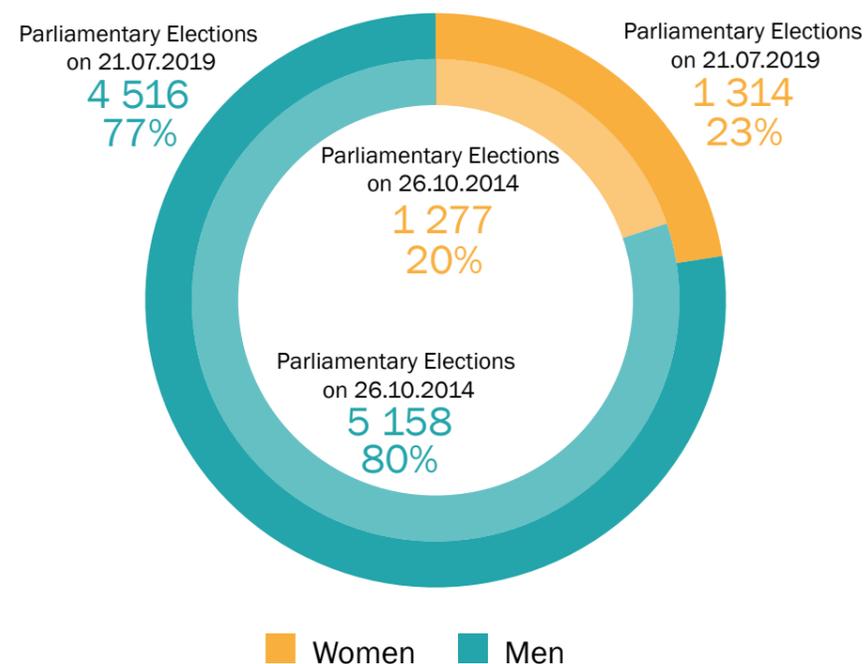
elections are entitled to nominate MP candidates. They exercise this right through political parties or through self-nomination. More specifically, voters exercise their right to nominate MP candidates in the nationwide multi-member election district through political parties; and in single-member election districts, through political parties or through self-nomination.

At the July 21, 2019 early parliamentary election, the right to nominate MP candidates in the nationwide multi-member and single-member election districts was used by 65 political parties.

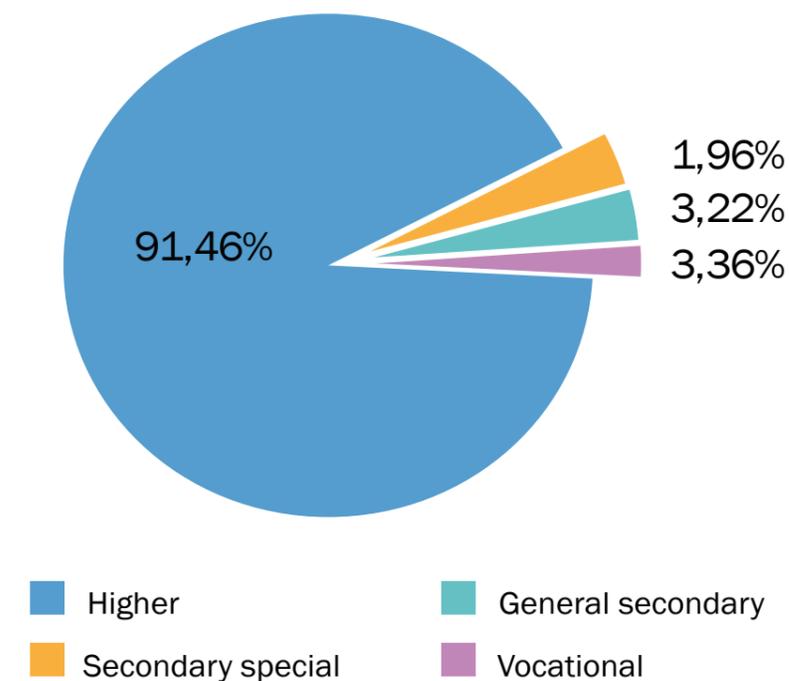
### Comparison of numbers of Ukrainian MP candidates



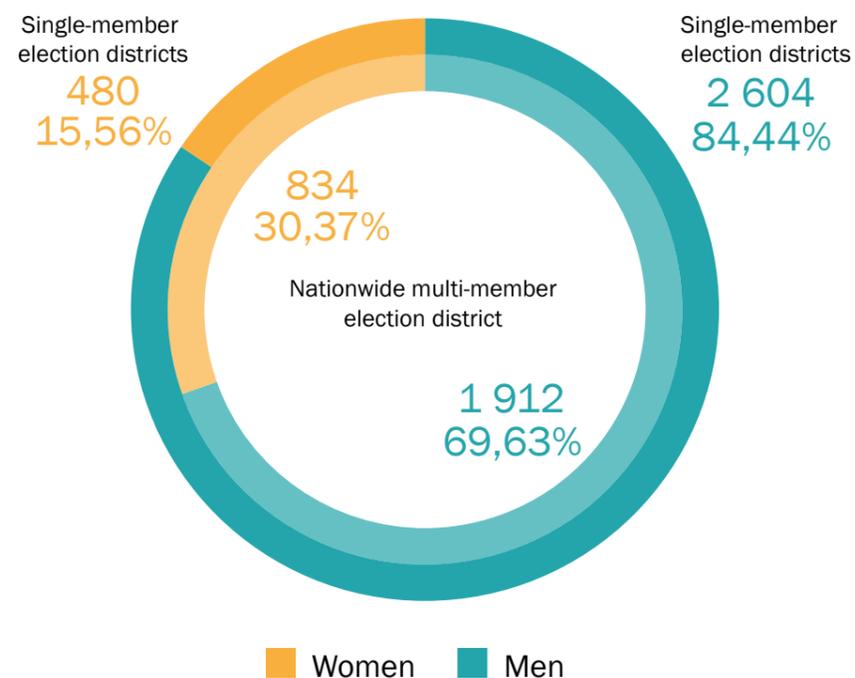
### Gender representation of candidates at the parliamentary elections in 2014 and 2019



### Distribution of MP candidates by education



### Gender representation of candidates in the nationwide multi-member and single-member election districts at the parliamentary elections in 2019



In line with Article 107.9 and 10 of the Law, the period for political parties to nominate MP candidates at the 2019 early parliamentary elections lasted from May 24 up to and including June 10, 2019.

It should be noted that the right to nominate MP candidates in the nationwide multi-member election district was used by 24 political parties, which submitted to the CEC for registration, within the timeframe specified by the Law, electoral lists of MP candidates. The total number of MP candidates nominated by political parties in the nationwide multi-member election district was 2,972. The greatest number of Ukrainian MP candidates in the nationwide multi-member election district (more than 200 candidates) was nominated by the following political parties: All-Ukrainian association "Svoboda", "Opposition Bloc" – 225 candidates each; "Oleh Liashko's Radical Party" – 217 candidates; all-Ukrainian Association "Batkivshchyna" – 206 candidates; "Servant of the People" – 201 candidates.

The smallest number of MP candidates in the nationwide multi-member election district (50 or fewer candidates) was nominated and included in the electoral lists of political parties "Union of Leftists" – 50; "Power of the People" – 46; "Party of the Greens of Ukraine" – 43; and "Shariy's party" – 31.

Pursuant to the Law, however, a person included by

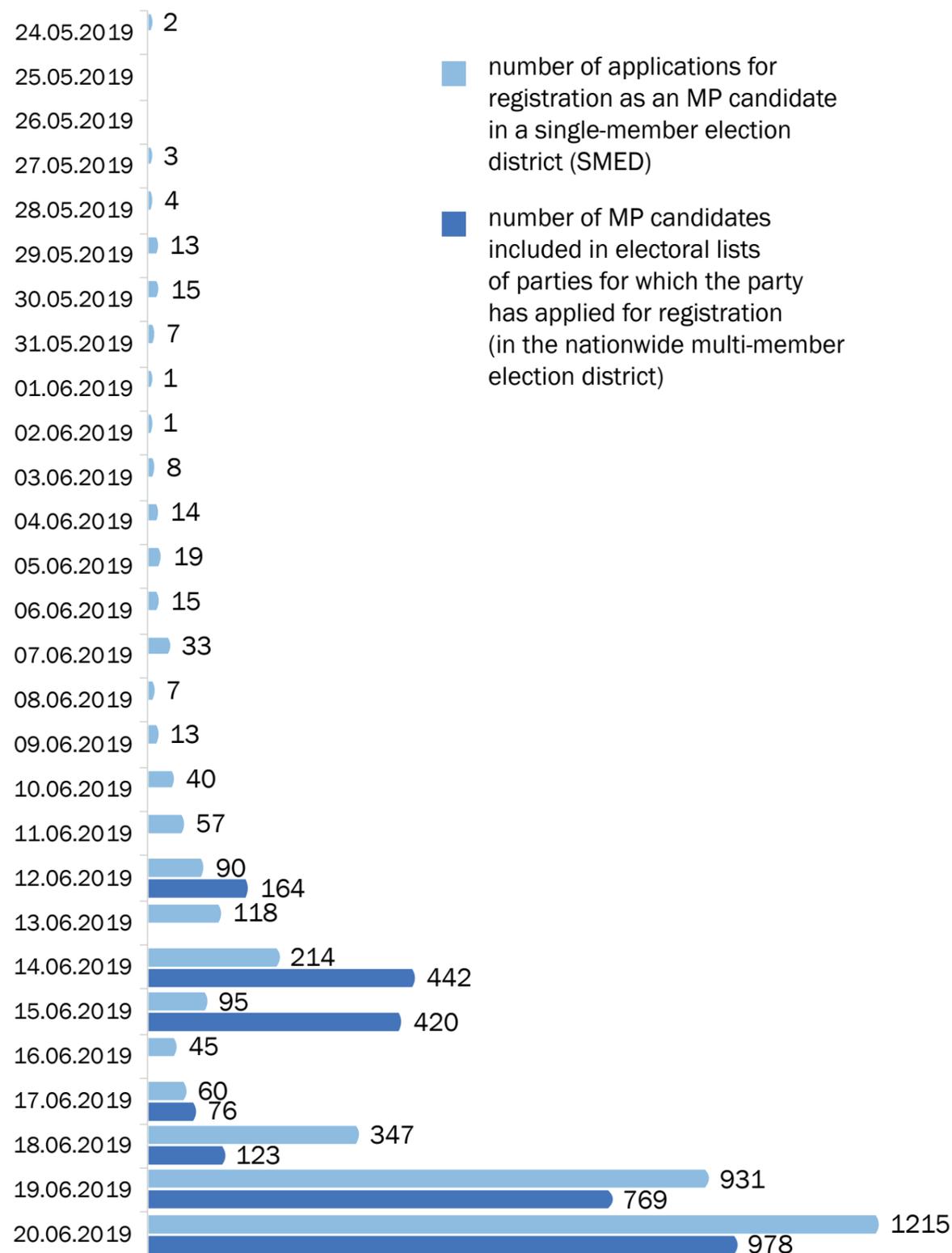
a political party in that party's electoral list has the right to withdraw his/her consent to run as a MP candidate. From the moment the CEC receives a statement about withdrawing a person's consent to run as an MP candidate, that person is deemed to have been excluded from the political party's electoral list (Article 58.4 of the Law). At the July 21, 2019 early elections, such statement was submitted to the Commission by one MP candidate, Anton Ihorovych Trebukhov, who had been included under No. 44 in the electoral list of the political party All-Ukrainian Association "Svoboda".

Based on the results of the CEC's consideration of documents submitted for registration of MP candidates included in the electoral lists of political parties, the number of persons who were denied registration as MP candidates at the July 21, 2019 early elections was 207.

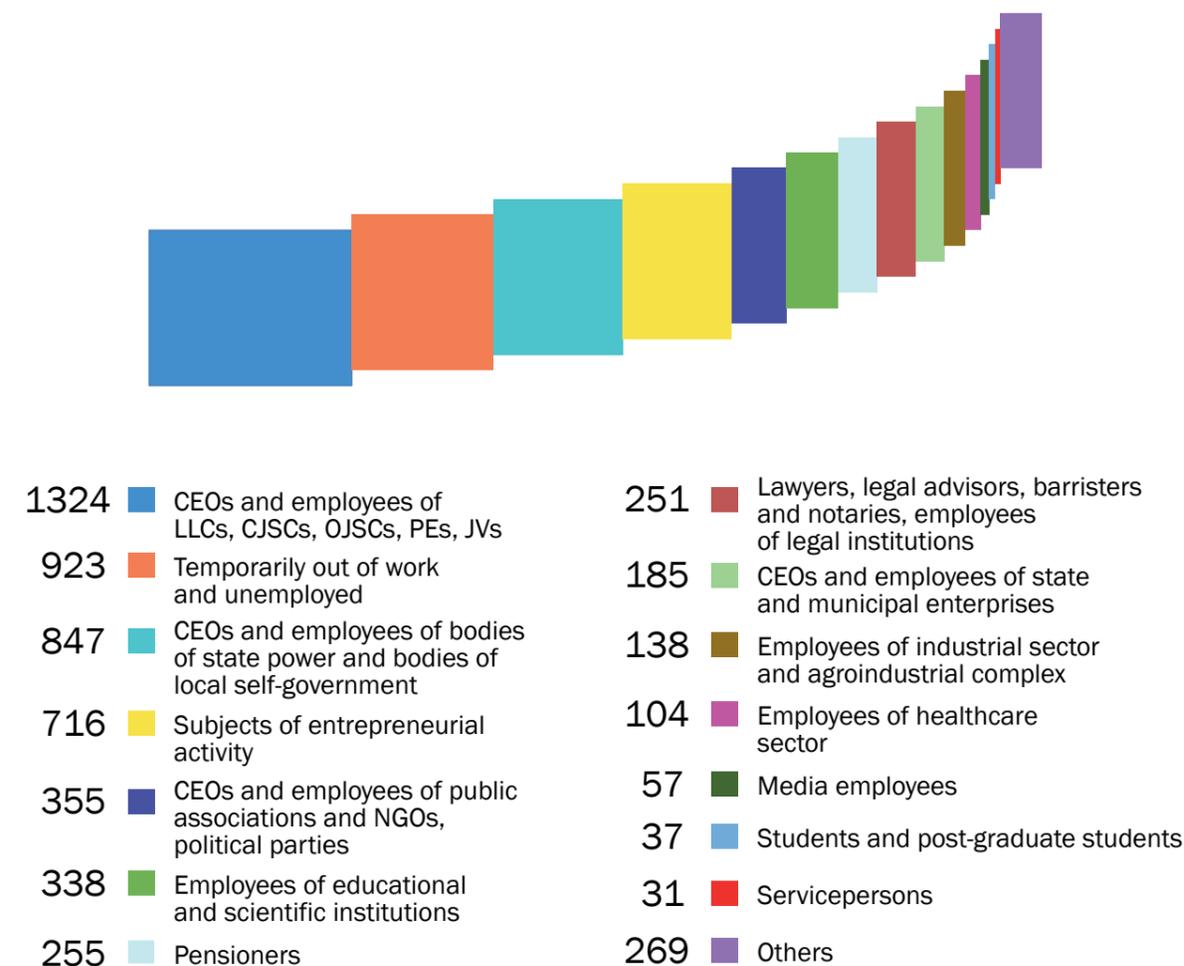
It should be noted that the CEC adopted decisions to deny registration in relation to 21 MP candidates nominated by other political parties.

Thus, based on the results of consideration of applications together with other documents received by the CEC from the political party "Union of Leftists", from the Communist Party of Ukraine, etc., requesting registration of MP candidates included in the electoral lists of these parties in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections, the

### Receipt by the CEC of documents for registration of MP candidates



### Distribution of MP candidates by workplace



CEC refused to register all 186 MP candidates included in the electoral lists of the said political parties (in particular 136 persons from the Communist Party of Ukraine and 50 persons from the political party "Union of Leftists").

At the same time, apart from the said political parties, the CEC also refused to register all 88 MP candidates in the nationwide multi-member election district included in the electoral list of the political party "Mikheil Saakashvili's Movement of New Forces".

Thus, as of June 25, 2019, the Commission had reviewed all 24 applications from political parties for registration of MP candidates included in the electoral lists of the respective political parties. Based on the results of consideration of these applications, the CEC registered Ukrainian MP candidates in the nationwide multi-member election district that were included in the electoral lists of 21 political parties.

#### Making corrections to the text of the ballot paper for voting in the nationwide multi-member election district

A case worthy of special mention is the situation with the registration of MP candidates in the nationwide multi-member election district that were included in the electoral list of the political party "Mikheil Saakashvili's Movement of New Forces."

In connection with that situation, it should be taken into account that, pursuant to Article 80.1 of the Law, voting at parliamentary elections is performed using ballot papers for parliamentary elections.

The form, color and text of the ballot papers for voting in the nationwide multi-member election district and single-member election districts are approved by the CEC no later than twenty-four days before the day of voting

(Article 80.2 and Article 107.23 of the Law).

In line with Article 80.4 of the Law, the names of political parties in the ballot paper for voting in the nationwide multi-member election district are placed in accordance with their numbers that were determined by means of drawing of lots conducted by the CEC with the participation of representatives of political parties to the CEC, MP candidates, authorized persons of political parties in the nationwide multi-member district after the end of registration of MP candidates from political parties and before the approval of the form and text of the ballot paper. In the ballot paper, the following information must be indicated: the number of each political party, as determined by the drawing of lots; the full name of the respective political party; the last names, first names (all first names) and patronymics (if any) of the first five registered MP candidates included in the electoral list of a political party.

In execution of these provisions of the Law, in accordance with the procedure and within the timeframe specified by the Law, the CEC conducted, at its meeting on June 26, 2019, the drawing of lots to determine the numbers of political parties for the placement of their names in the ballot paper for voting in the nationwide multi-member election district in relation to 21 political parties whose MP candidates had been registered by that time in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections.

With consideration to the drawing of lots conducted by the CEC on June 26, 2019, the Commission, in its Resolution No. 1345 of June 26, 2019, approved the form, color and text of the ballot paper for voting in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections.

However, the Supreme Court, in its ruling of June 29, 2019, upheld the judgment of the Sixth Administrative Court of Appeals of June 25, 2019, in case No. 855/168/19, which revoked the CEC's Resolution No. 1205 of June 23, 2019 "On Refusal to Register Ukrainian MP candidates from the Political Party 'Mikheil Saakashvili's Movement of New Forces' in the Nationwide Multi-Member Election District and Single-Member Election Districts, and Also the Representative of this Party to the Central Election Commission with Advisory Vote at the Early Parliamentary Elections on July 21, 2019" and obliged the CEC to consider again the documents submitted by the political party "Mikheil Saakashvili's Movement of New Forces".

In execution of the aforementioned court decision, the CEC, with its Resolution No. 1382 of June 29, 2019, registered in particular MP candidates included in the electoral list of the political party "Mikheil Saakashvili's Movement of New Forces" in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections.

And so, by the time the CEC resolved the issue of registration of MP candidates included in the electoral list of the political party "Mikheil Saakashvili's Movement of New Forces" in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections,

the drawing of lots to determine the numbers of political parties for the placement of their names in the ballot paper for voting in the nationwide multi-member election district at the July 21, 2019 early parliamentary elections had already been conducted and the form, color and text of the ballot paper for voting in the nationwide multi-member election district at the early parliamentary elections had been approved.

However, the situation resulting from the execution of the aforementioned court decision made the CEC adopt Resolution No. 1382 of June 29, 2019 making the necessary changes to the CEC's Resolution No. 1345 of June 26, 2019.

To resolve in a rational way the issue of making changes to the text of the ballot paper concerning the sequence of placement of political parties' names in the said ballot paper and to find out the stakeholders' opinion on this issue, the CEC, in accordance with Article 10.16 of the CEC's Rules of Procedure approved by the CEC Resolution No. 72 (with amendments) of April 26, 2005, held a conference with the participation of political parties' representatives to the CEC with an advisory vote, authorized persons, and MP candidates registered in the nationwide multi-member and single-member election districts; at that conference, most of them said there were no legal grounds for repeating the drawing of lots.

Moreover, participants in the conference emphasized that during election campaigning political parties widely use the numbers assigned to them as a result of the drawing of lots for the placement of their names in the ballot paper for voting in the nationwide multi-member election district as an element that allowed voters to identify in the ballot paper a political party whose MP candidates they would vote for. Under such circumstances, changing political parties' numbers used for the placement of their names in the ballot paper may mislead a voter forming his/her electoral choice and distort the expression of the voter's will.

In view of the fact that the Law establishes a deadline for conducting the drawing of lots to determine the numbers of political parties for the placement of their names in the ballot paper for the parliamentary elections for voting in the nationwide multi-member election district, namely, before the approval of the form and text of the ballot paper (at the July 21, 2019 early parliamentary elections, no later than, inclusively, June 26, 2019), while not providing for the possibility to renew that deadline, and having regard to the provisions of Article 6 of the Law, according to which the parliamentary elections is free and citizens of Ukraine are to be provided with conditions for free formation of their will and freedom to express it when voting, the CEC, with its Resolution No. 1383 of June 30, 2019, made changes to the CEC Resolution No. 1345 of June 26, 2019 "On the Form, Color and Text of the Ballot Paper for the Parliamentary Elections for Voting in the Nationwide Multi-Member Election District at the July 21, 2019 Early Parliamentary Elections", and added to the ballot paper for voting in the nationwide multi-member election district at the July 21, 2019 early parliamentary

elections a position for the political party "Mikheil Saakashvili's Movement of New Forces" – No. 22, without a drawing of lots.

However, the Sixth Administrative Court of Appeals considered case No. 855/244/19 brought by the Agrarian Party of Ukraine and, with its judgment of July 4, 2019, satisfied the claim, revoking the CEC Resolution No. 1383 of June 30, 2019 "On Making Changes to the Central Election Commission's Resolution No. 1345 of June 26, 2019", and obliged the CEC to conduct a new drawing of lots with the participation of all 22 political parties.

Later, however, the legitimacy of the actions taken by the CEC to resolve this issue was confirmed by the Supreme Court, which satisfied, with its judgment of July 8, 2019, in case No. 855/244/19 the CEC's appeal and revoked the decision of the Sixth Administrative Court of Appeals of July 4, 2019, as regards satisfaction of the aforementioned claim.

And so, 22 political parties whose MP candidates had been registered in the nationwide multi-member election district were included in the ballot paper for the parliamentary elections for voting in the nationwide multi-member election district.

Article 61 of the Law regulated the procedure and grounds for cancellation of the registration of MP candidate(s); the procedure and grounds for MP candidates running in the nationwide multi-member election district are the same as for those running in single-member election districts.

During the election campaign of the 2019 early parliamentary elections, the registration of 18 MP candidates nominated by political parties in the nationwide multi-member election district was cancelled.

Thus, as of the day of voting, July 21, 2019, the number of MP candidates included in the electoral lists of political parties was 2,746.

### Nomination of MP candidates in single-member election districts

MP candidates in single-member election districts were nominated by political parties or self-nominated.

Inasmuch as the voting of citizens of Ukraine at the early July 21, 2019 election of the MPs was not organized or conducted in the territory of the Autonomous Republic of Crimea (10 single-member election districts) and the city of Sevastopol (2 single-member election districts), in certain territories of Donetsk and Luhansk oblasts (9 and 5 single-member districts, respectively), there was no registration of MP candidates in those single-member election districts. Therefore, the registration of MP candidates in single-member election districts was performed in 199 of the 225 single-member election districts.

Within the timeframe specified by the Law, that is, up to and including June 20, 2019, documents concerning persons nominated by 58 political parties were submitted

to the CEC for registration of MP candidates in single-member election districts.

The greatest numbers of MP candidates in single-member election districts were nominated by the political party "Servant of the People" – 199, the political party "Opposition Platform – For Life" – 154, the political party All-Ukrainian Association "Batkivshchyna" – 146, the political party "Opposition Bloc" – 136, and the political party "European Solidarity" – 134. At the same time, each of 19 other political parties nominated only 1 MP candidate in single-member election districts.

All in all, political parties nominated 1,459 MP candidates in single-member election districts.

The number of persons nominated as MP candidates in single-member election districts by political parties who were denied registration based on the results of consideration of their documents by the CEC was 12. Thus, a total of 1,447 MP candidates nominated by political parties were registered in single-member election districts at the 2019 parliamentary election.

At the same time, the CEC cancelled the registration of 43 of MP candidates nominated by political parties in single-member election districts.

And so, as of the day of voting, the number of MP candidates nominated by political parties in single-member election districts was 1,404.

Moreover, during the 2019 early parliamentary elections the CEC received, within the timeframe specified by the Law, 1,908 statements of self-nomination as MP candidates, along with other documents, from persons using the right to self-nomination as MP candidates in single-member election districts.

Based on the results of consideration of the said documents by the CEC, 1,773 Ukrainian MP candidates were registered, while 135 applicants were denied registration as Ukrainian MP candidates by the Commission.

Moreover, the CEC canceled the registration of 93 self-nominated MP candidates in single-member election districts.

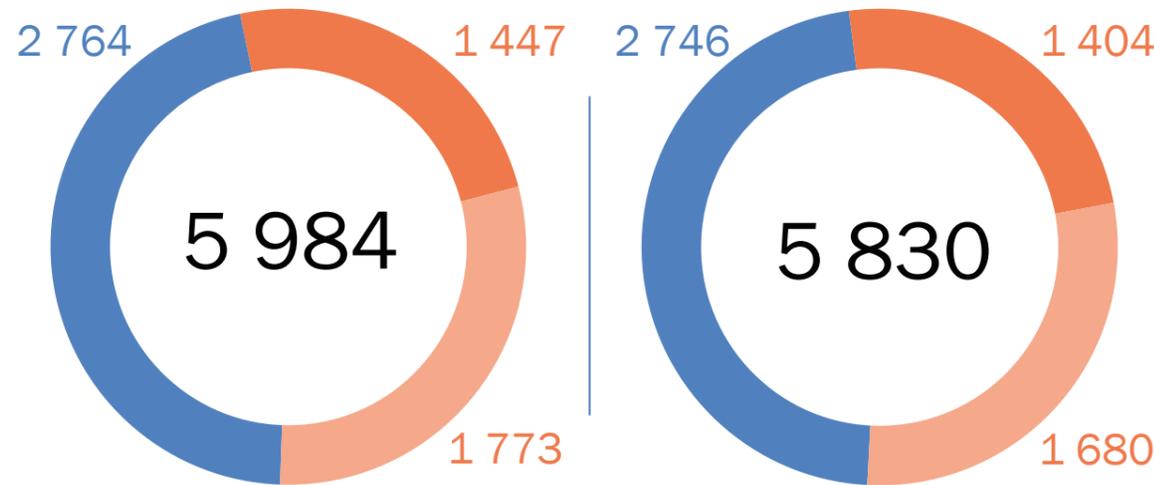
Thus, as of the day of the election, July 21, 2019, the number of self-nominated MP candidates in single-member election districts was 1,680.

Summing up the above information, it should be noted that at the July 21, 2019 early parliamentary elections the total number of applications from persons seeking registration as MP candidates received by the CEC was 6,339; in particular, 2,972 MP candidates were included in the electoral lists of political parties and 3,367 were nominated in single-member election districts.

The greatest number of MP candidates was recorded in single-member election districts No. 133 (district center: city of Odesa, Kyivskyi rayon) – 45 and No. 94 (district center: town of Obukhiv) – 41, while the number of candidates was smallest in single-member election district No. 188 (district center: city of Khmelnytskyi) – 5.

### Number of MP candidates registered by the CEC

Total number of registered persons    Persons running as candidates



- nominated by political parties in the nationwide multi-member election district
- nominated by political parties in single-member election districts
- self-nominated in single-member election districts

## 3 CREATION OF DISTRICT AND PRECINCT ELECTION COMMISSIONS

The preparation and conduct of the July 21, 2019 early parliamentary elections was organized, within the limits of their authority, by the Central Election Commission, district election commissions, precinct election of regular and special election precincts, and precinct election commissions for out-of-country election precincts of the out-of-country election district (below, DEC, PECs of regular and special election precincts, PECs for out-of-country election precincts).

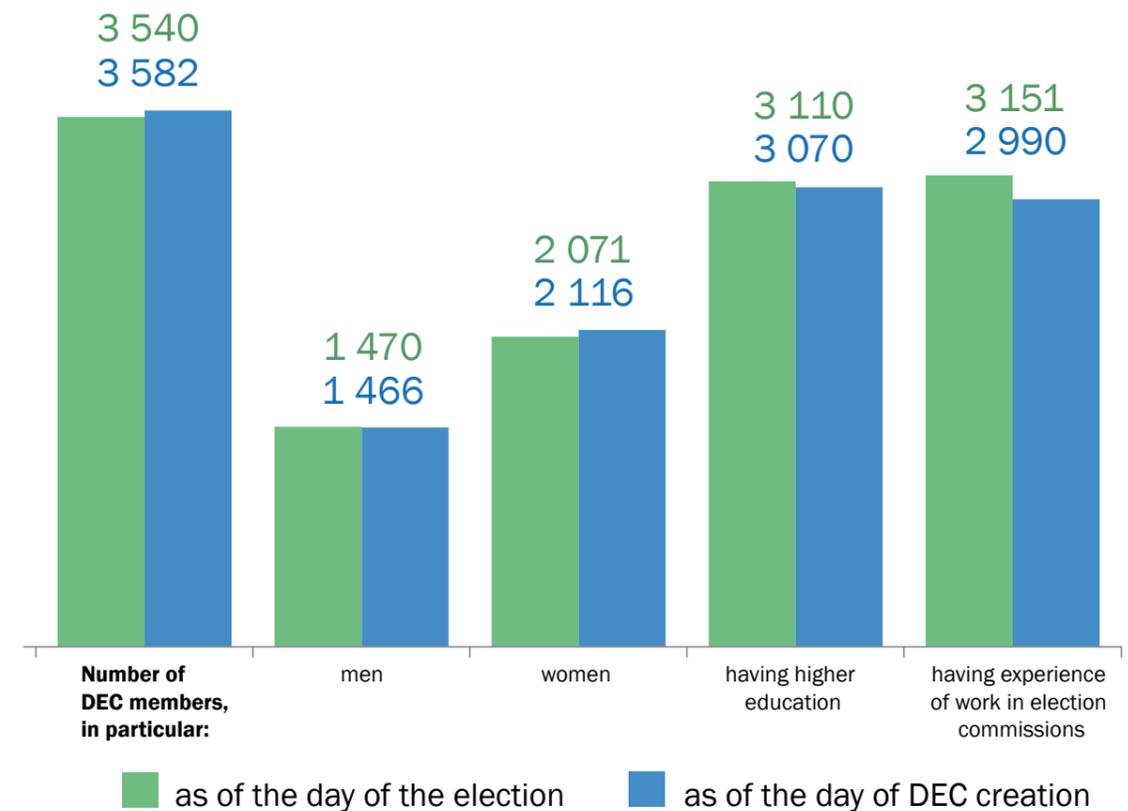
#### Creation of district election commissions

Pursuant to the Law, DEC are made up of the chairperson, deputy chairperson, secretary and other commission members and consist of no less than twelve and no more than eighteen persons.

A specific feature provided for by the Law for the establishment of DEC at the early parliamentary elections is that the entities entitled to nominate candidate members for the said commissions are political parties that were represented by MP candidates in the nationwide multi-member election district during the previous parliamentary election campaign.

Thus, pursuant to Article 27.2 and Article 107.2 of the Law, the entities entitled to nominate candidate members

### Composition of DEC



for DEC members are political parties whose deputy factions were registered with the Secretariat of the Verkhovna Rada of Ukraine of the current convocation (with mandatory inclusion of one representative from each such entity in a DEC upon submission of a relevant application from the entity), political parties that are subjects of the electoral process, provided that their MP candidates were registered in the nationwide multi-member election district at the previous parliamentary election (with inclusion of no more than one candidate for the DEC; in this case, such nominees can also become members of commissions as a result of the drawing of lots conducted in accordance with the procedure established by the CEC).

Thus, deputy factions of the following political parties were registered with the Verkhovna Rada of Ukraine of 8th convocation: political parties “European solidarity”, “The People’s Front”, “Opposition Bloc”, political party association “Samopomich”, “Oleh Liashko’s Radical Party”, and All-Ukrainian association “Batkivschyna”.

And so, in accordance with the Law, six political parties had the right to mandatory inclusion of their nominees in DEC at the July 21, 2019 early parliamentary election. Apart from the said nominating entities, 29 other political parties which are electoral subjects and which had registered MP candidates in the nationwide multi-member election district at the October 26, 2014 early parliamentary elections had the right to propose nominees for DEC members that could become commissioners as a result of the drawing of lots.

A total of 32 nominating entities submitted applications to the CEC within the timeframe established by the Law (no later than fifty-three days before the day of voting, namely, up to and including May 28, 2019) proposing nominees for DEC members: all political parties represented by deputy factions in the Parliament of Ukraine of the current convocation and 26 political parties that were electoral subjects.

A large majority of the nominating entities submitted the maximum number of nominees for nearly all of the 199 DEC members; this ensured the creation of such commissions consisting of the required number of members (no less than 12 persons) and necessitated the conduct of the procedure of drawing of lots.

As of the day of the creation of DEC members, that is, May 31, 2019, the total number of nominees for DEC members was 5,833; of these, 77 nominees were withdrawn or dismissed. Thus, 5,756 nominees for DEC members remained; in particular, 1,179 persons were proposed by political parties having the right to mandatory inclusion of their nominees in the commissions; the remaining 4,577 nominees were proposed by political parties that had the right to nominate candidate members who could become commissioners as a result of the drawing of lots.

Since the number of nominees proposed for certain DEC members was higher than the maximum possible number of DEC members (18), this necessitated the drawing of lots to determine which of the nominees would be included in those commissions. The number of vacancies in DEC members was 2,403.

After considering submissions for nominees who became DEC members as a result of the drawing of lots and who were proposed by political parties whose deputy factions were registered with the Secretariat of the Verkhovna Rada of Ukraine of the current convocation, as well as from political parties which were electoral subjects and had registered MP candidates in the nationwide multi-member election district at the October 26, 2014 early parliamentary elections, the CEC created DEC members for the election of the MPs at the July 21, 2019 early parliamentary elections (CEC Resolution No. 919 of May 31, 2019). The total number of DEC members was 3,582. Remarkably, all DEC members had the maximum number of members: 18.

It should be noted that in the course of the electoral process some DEC members were replaced as a result of requests from nominating entities or from certain members of these commissions.

The CEC terminated early the powers of a total of 156 chairpersons of commissions, 126 deputy chairpersons of commissions, 178 commission secretaries, and 1,730 commission members; the latter were excluded from the commissions.

As of July 21, 2019, the total number of DEC commissioners was reduced to 3,540, with just 1,913 original members remaining, which amounts to 54% of the total number of DEC members. Therefore, one can state that the rate of renewal of DEC members was 46%, i.e. nearly half of the total number of DEC commissioners.

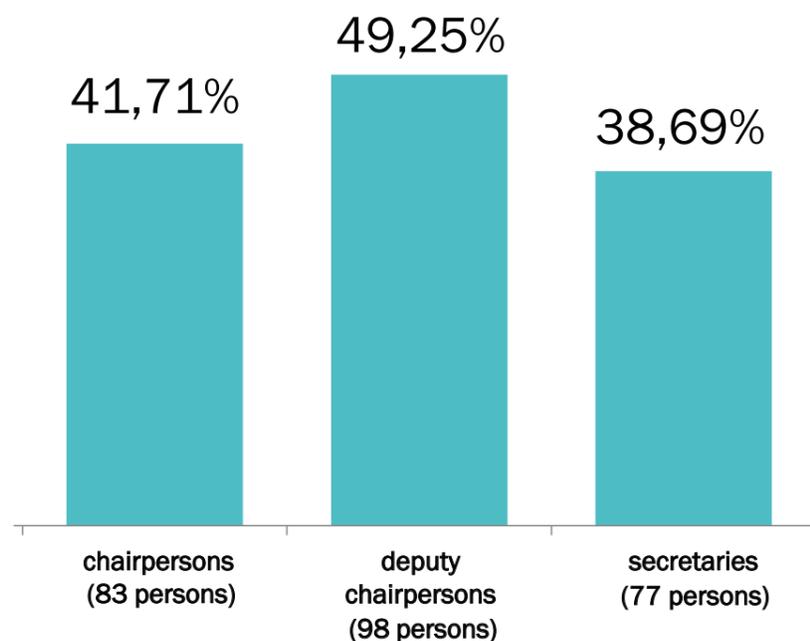
The grounds for early termination of the mandate of DEC members were as follows: submission of application for the replacement of an election commissioner from the entity that nominated that member – 2,132 cases; personal statement of retirement from a commission member – 4 cases; violation of the oath of election commissioner member, which manifested itself as systematic failure to perform his/her duties, certified by at least two decisions adopted in that connection by the election commission of which that person is a member – 4 cases; refusal to take the oath of commission member – 30 cases; other grounds provided for by the Law – 20 cases.

An analysis of the qualitative composition of the DEC members shows that most of the commissioners were women: 58.47 percent; accordingly, the share of men was 41.53%. As to age categories of DEC members the highest, and almost equal, shares were those of persons aged from 31 to 40 years and from 41 to 50 years – about 26 percent, while the smallest share – 1 percent – was that of persons under 20 years of age.

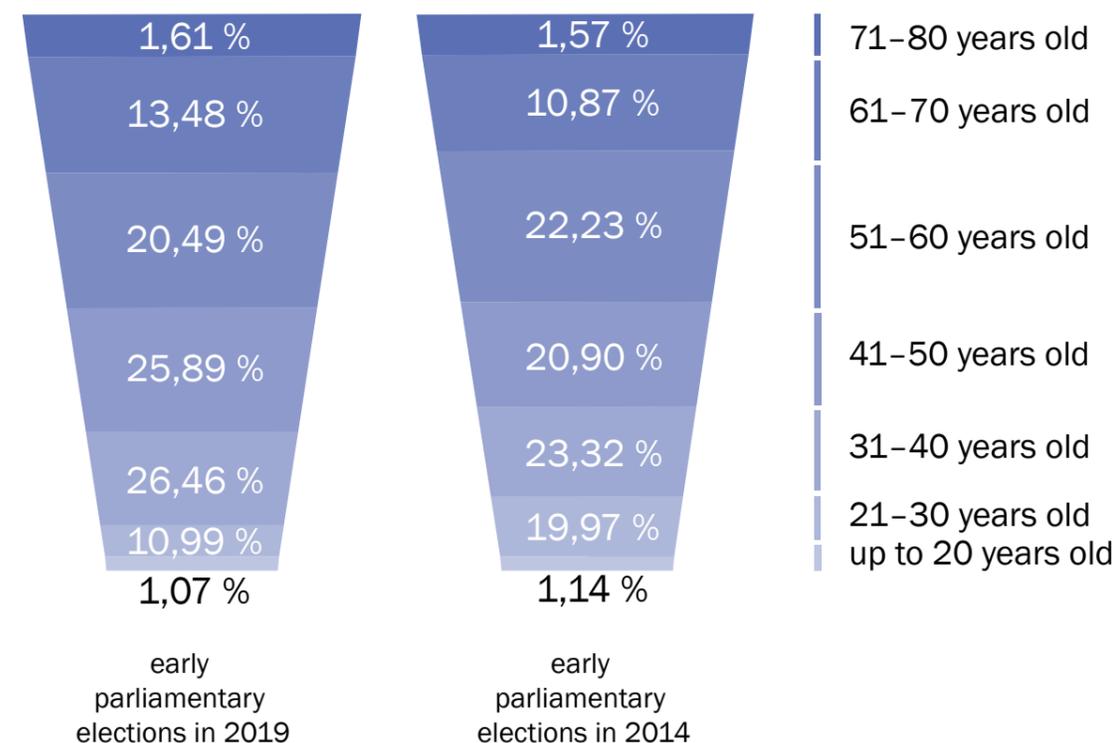
As to educational attainment 88 percent of the DEC members were persons with higher education; 6 percent, with general secondary education; and 4 percent, with vocational education. Past experience of work in election commissions during previous election campaigns was reported by 89 percent of the election commissioners.

Moreover, DEC members can be grouped based on their occupation, workplace/position, or other spheres

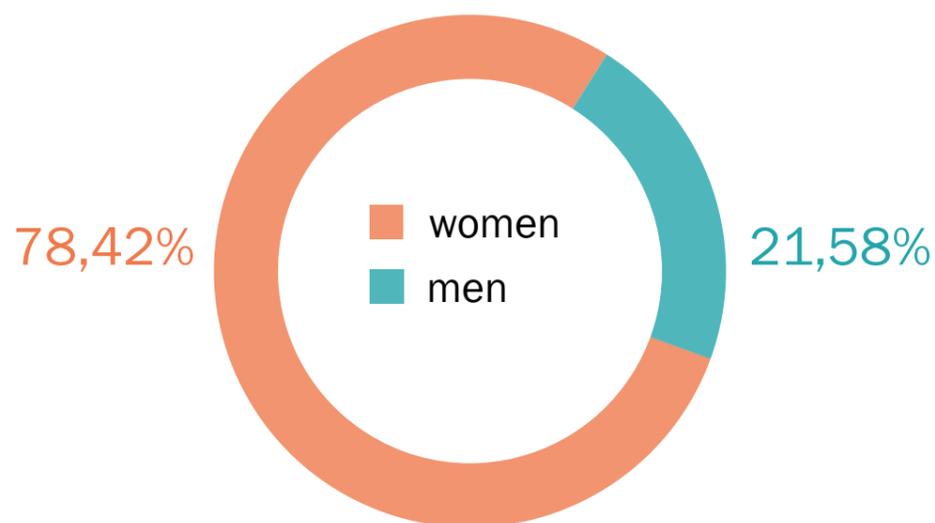
Number of chairpersons, deputy chairpersons, secretaries of DEC members, exercising powers from the point of creation of the commissions to the day of voting at the July 21, 2019 early parliamentary elections



Age groups of district election commission members



## Gender representation in PECs



of activity. And so, this ranking is topped by: temporarily unemployed persons – 29.77%; pensioners – 15.45%; private enterprise managers and employees – 11.69%; and employees of educational institutions – 11.55%.

### Creation of precinct election commissions

The procedure for creating PECs is similar to the way DECAs are established. The difference consists only in the entities entitled to propose nominees for the PECs.

So, the Law granted the right to nominate candidate members for PECs of regular and special election precincts at the July 21, 2019 early parliamentary elections to political parties whose deputy factions were registered with the Secretariat of the Verkhovna Rada of Ukraine of the current convocation (with mandatory inclusion in the PEC of one representative from each such entity upon submission of a relevant application from the entity), political parties that are subjects of the electoral process, provided that their MP candidates were registered in the nationwide multi-member election district, and also MP candidates in a single-member election district.

Nominees proposed by political parties which are electoral subjects and which have registered MP candidates in the nationwide multi-member election

district and by MP candidates in single-member election districts were included in the PECs (no more than one nominee in each case) by means of drawing of lots that was conducted by DECAs in accordance with the procedure specified by the CEC.

All in all, 29,885 PECs were created, with a total of more than 422,000 members.

The right to propose nominees for PECs of out-of-country election precincts was vested in political parties whose deputy factions were registered with the Secretariat of the Verkhovna Rada of Ukraine of the current convocation, political parties which were electoral subjects and had registered MP candidates in the nationwide multi-member election district, and also the Ministry of Foreign Affairs of Ukraine.

Based on submissions from eligible entities nominating candidate members who met the requirements of the Law and were entitled to be included in PECs of out-of-country election precincts, the CEC established 102 PECs of out-of-country election precincts, consisting of chairperson, deputy chairperson, secretary and other commission members. As of the day of voting, the total number of members of the respective commissions was 1,345.

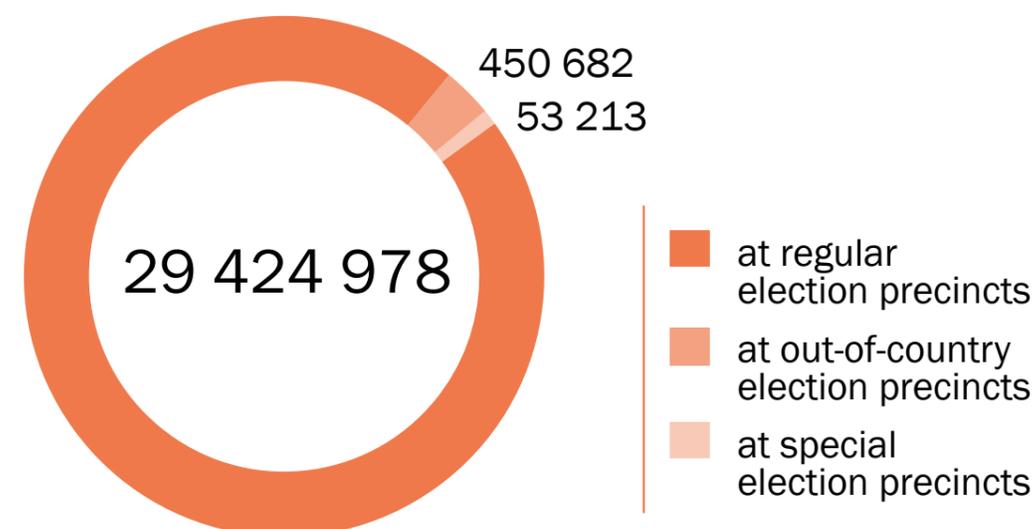
## 4 | VOTER LISTS

To ensure the expression of voters' will on the day of voting at the July 21, 2019 early parliamentary elections, State Voter Register maintenance departments compiled, on the basis of information from the Register's database, preliminary and corrected voter lists for 28,637 regular and 138 special election precincts at penitentiaries and pretrial detention centers as well as for 102 out-of-country election precincts of the out-of-country election district.

The smallest number of voters in a territorial district was 3,134; the largest, 202,351. The total number of voters included in the corrected voter lists at regular election precincts was 29,424,978; at special precincts, 53,213; and at out-of-country precincts, 450,682. In parallel with compiling preliminary voter lists, personal invitations to voters at regular and out-of-country election precincts were prepared.

At special election precincts other than election

## Number of voters included in voter lists at the July 21, 2019 early parliamentary elections



precincts created at penitentiaries, voter lists were compiled by the respective PECs. Information on voters included in them was delivered to State Voter Register maintenance departments for entering special marks in the database to denote voters who would not vote at their election address. In the course of the entire election process, such information was entered in relation to 80,626 voters.

At the same time, voters wishing to vote at a location other than their voting address had the opportunity to

use the procedure of temporary change of the place of voting without changing the voting address.

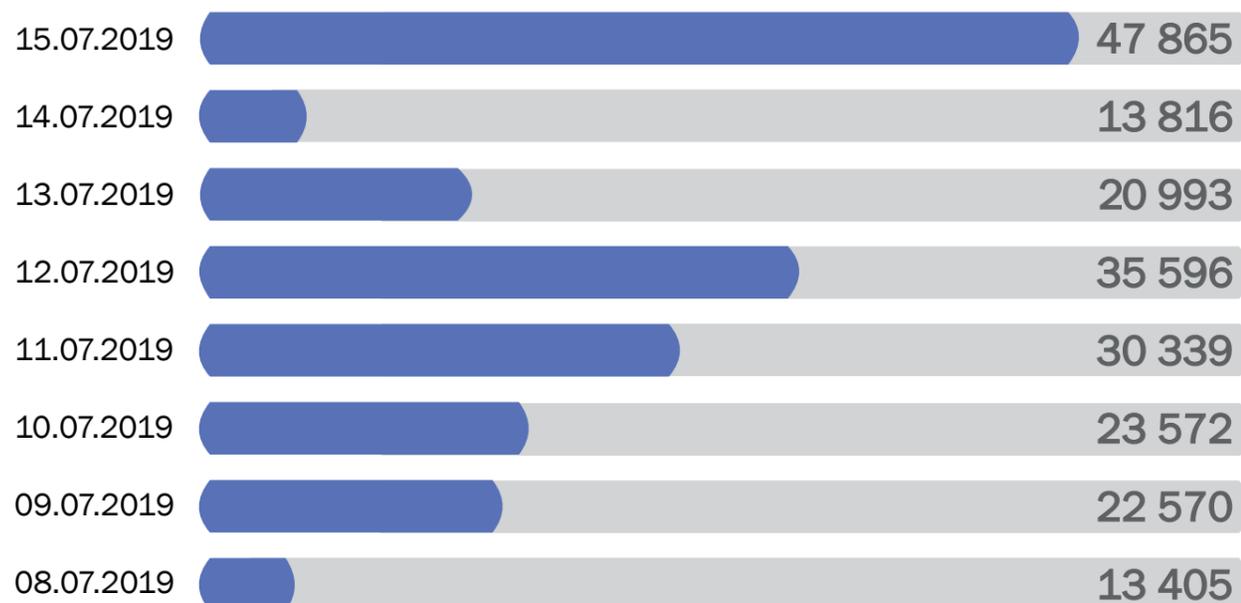
A total of 283,386 such applications were submitted to State Voter Register maintenance bodies in connection with participation in the voting at the July 21, 2019 early parliamentary elections, 280,922 applications were satisfied.

Remarkably, on July 15, 2019 (the last day for submitting such applications), almost 48,000 applications from voters seeking temporary change of the

### Number of voters whose place of voting was temporarily changed, in recent elections



### Number of voters whose place of voting was temporarily changed for voting at the July 21, 2019 early parliamentary elections



place of voting without changing the voting address were processed.

When processing a corrected voter list, the PEC prepares information on voters in relation to whom changes were made to the list (inaccuracies and technical errors were corrected) and submits it to State Voter Register maintenance departments.

The number of entries to which changes were made in corrected voter lists by PECs is 10,911.

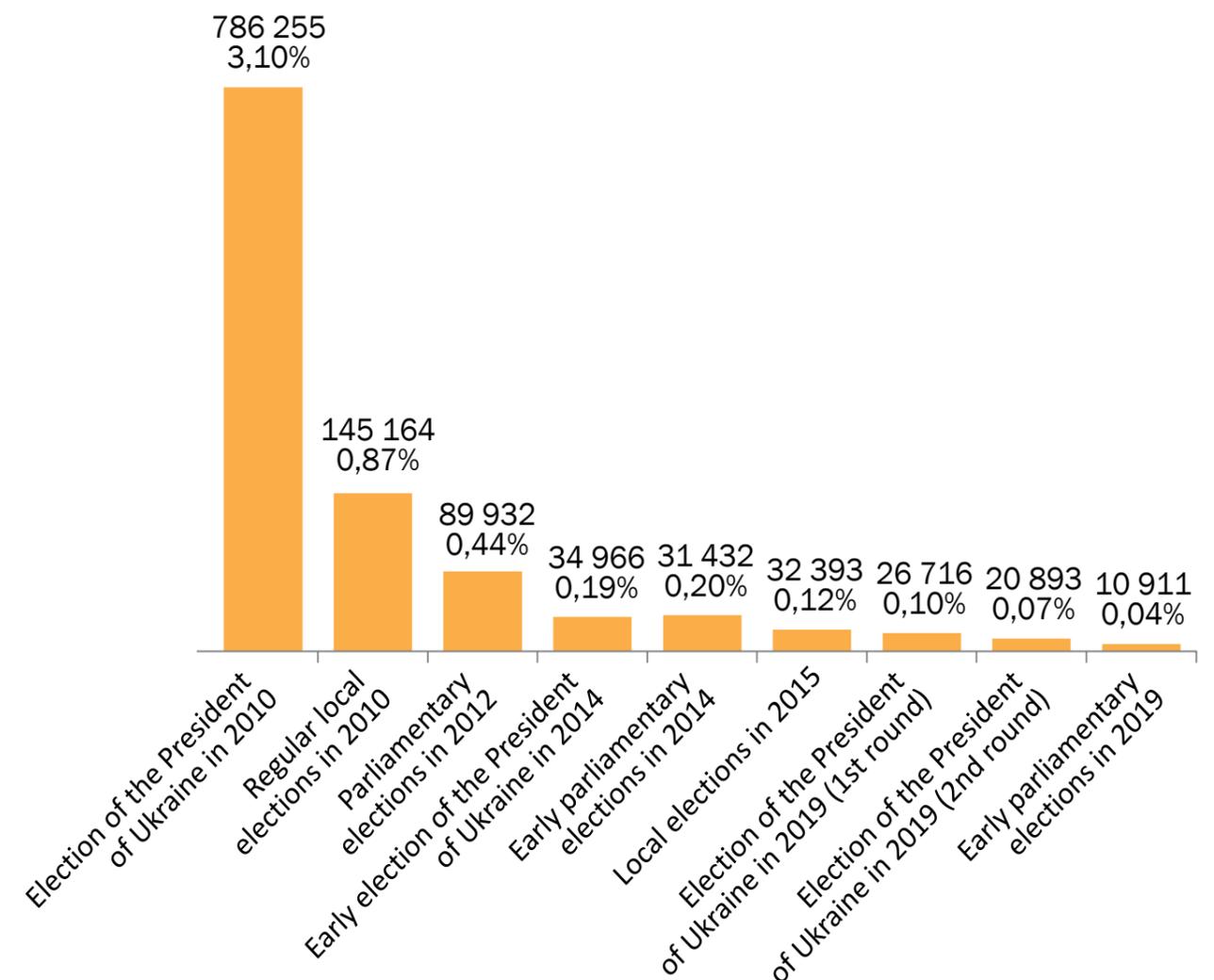
In particular, 146 entries concerning voters were added to corrected voter lists (1.3% of all the changes).

A total of 8,048 changes were made to voters' identification data (last name, first name, patronymic, date of birth), which accounts for 73.8% of all the changes.

The number of changes made to information on voters' voting addresses in the corrected lists was 2,369 (21.7% of all the changes).

An analysis of changes in the voter lists attests to a significant improvement in the quality of State Voter Register data, which has reached a rather high level.

### Comparative analysis of changes made to corrected voter lists, nationwide elections 2010–2019



# 5 OFFICIAL OBSERVERS

Pursuant to the Law, a political party whose MP candidates were registered in the nationwide multi-member election district has the right to delegate one representative with advisory vote to the CEC who is authorized to represent the interests of that political party in the CEC in the course of the electoral process; it can also have no more than five authorized persons in the nationwide multi-member election district and no more than two authorized persons in each single-member election district.

In the course of the electoral process of the 2019 early parliamentary elections, the CEC registered, in accordance with the Law, 22 representatives of political parties to the Commission with advisory vote.

On the day of the election, July 21, 2019, there were 67 authorized persons from 17 political parties performing their duties in the nationwide multi-member election district and 3,718 such persons representing 18 political parties as electoral subjects in single-member election districts.

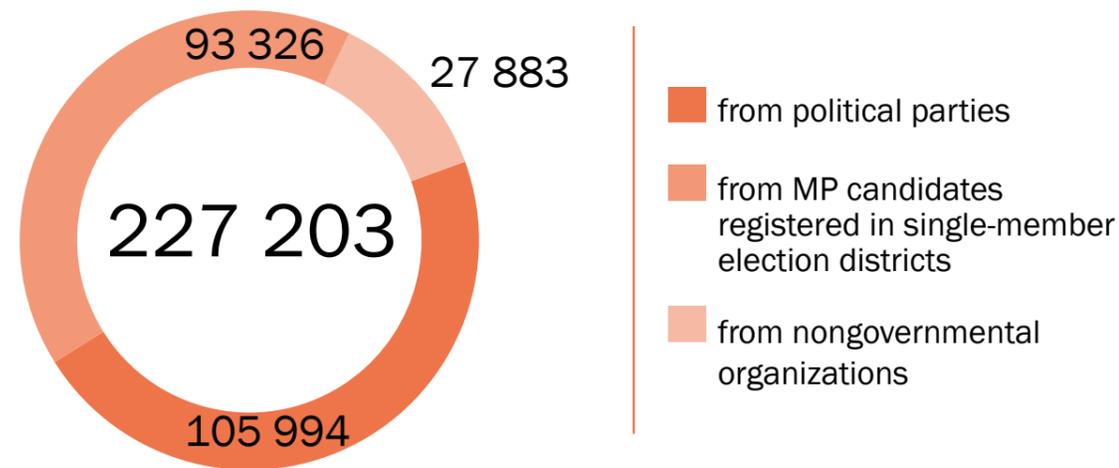
Also, the CEC granted permission to 163 NGOs to have official observers at the July 21, 2019 early parliamentary elections.

DECs were to register official observers in the respective single-member election district no later than on the next day after receiving the respective submissions; the commissions produced and issued to the observers certificates of the form and in accordance with the procedure established by the CEC.

The total number of official observers registered by DECs in single-member election districts at this election was more than 227,000, including more than 106,000 from political parties, 93,000 from MP candidates registered in single-member election districts, and about 28,000 from NGOs registered by the CEC in the out-of-country election district or by district election commissions in single-member election districts.

Pursuant to Article 79 of the Law, the CEC is to register official observers from foreign states and international organizations on the basis of proposals

## Official observers registered by DECs at the July 21, 2019 early parliamentary elections



submitted by the respective states and organizations directly or through the Ministry of Foreign Affairs of Ukraine no later than seven days before the day of voting. The procedure for registration of official observers from foreign states and international organizations at the parliamentary election is set out by the CEC Resolution No. 49 from March 15, 2012.

Official observers from foreign states or international organizations perform their duties freely and independently throughout the entire territory of Ukraine, as well as at out-of-country election precincts.

Thus, as of the day of voting, the CEC registered 1,719 official observers from foreign states and international organizations for participation in observations of the July 21, 2019 early parliamentary elections; of these, 1,602 observers represented 21 international organizations and 117, foreign states.

Customarily, the largest observation missions were formed by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) (728 representatives), the Canadian election observation mission CANADEM, which acted under instructions from the Government of Canada (178 persons), the European Network of Elections Monitoring Organizations (ENEMO) (156 persons), and the Ukrainian World Congress (UWC) (143 persons). Among foreign states, the leader in terms of the number of registered observers was the United States (42 persons). The smallest observation mission (2 persons) came from the Hashemite Kingdom of Jordan, but it was for the first time ever that representatives of that state observed an

Ukrainian election.

Also, relevant monitoring was conducted by deputies and employees of secretariats of the parliamentary assemblies of the Organization for Security and Cooperation in Europe and NATO. The European Parliament was represented by a separate delegation of observers.

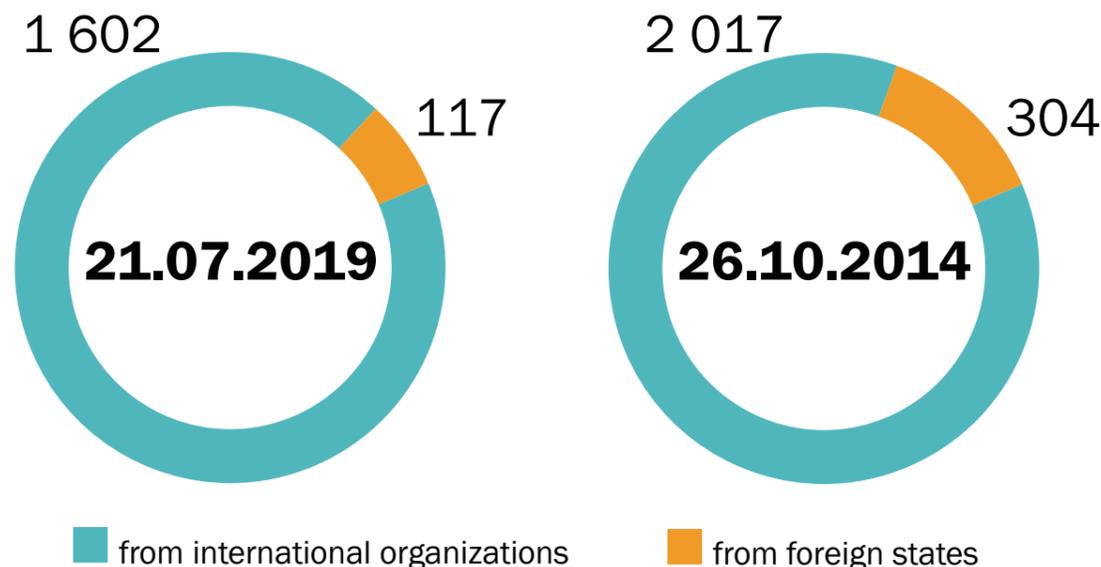
There were long-term and short-term observation missions. The long-term missions were tasked with directly organizing observations, studying the specifics of preparation of the elections in Ukraine, familiarizing themselves with the work of the CEC, and analyzing the pre-election political situation. At the same time, short-term missions usually arrived in Ukraine for no more than a week, their main aim being to conduct observations precisely on the day of the election and then to report on the course of the voting at the polling stations.

Additional expert assessment of the course of the election campaign was provided by delegations of central election management bodies of foreign states – members of the Association of European Election Officials (ACEEEO), who visited Ukraine at the invitation of the CEC under bilateral cooperation agreements.

Moreover, the CEC accredited at this election 866 representatives of 103 mass media outlets (64 domestic and 39 foreign media).

And so, we can state that the election campaign of the July 21, 2019 early parliamentary elections, while being short, was quite extensive in terms of the number of participants.

## International observers registered by the CEC at the July 21, 2019 early parliamentary elections



## 6 ESTABLISHMENT OF THE ELECTION RESULTS

One of the final stages of the process of the parliamentary elections is the establishment of the results of such elections and their official promulgation.

On account of the specifics of conducting the parliamentary election in accordance with a mixed (proportional-majoritarian) system, at the July 21, 2019 early parliamentary elections the CEC was to establish the election results in the nationwide multi-member election district as well as in the single-member election districts.

Thus, at the July 21, 2019 early parliamentary elections the CEC, at its meeting, separately considered and accepted the protocols of DEC on the results of voting in the nationwide multi-member election district within the single-member election district and the protocols of DEC on the results of voting in the single-member election district and announced the protocols of PEC on the counting of votes at out-of-country election precincts or reports on the content of the respective protocols on the counting of votes transmitted via technical means of communication.

The time of acceptance by the CEC of a protocol of a DEC and the information contained in the protocol were entered in the minutes of the meeting of the CEC.

Whenever corrections, errors, or inaccuracies were discovered in the protocol of a DEC on the results of voting in the nationwide multi-member election district within the single-member election district or in the protocol of a DEC on the results of voting in the single-member election district, the CEC adopted a decision obliging the DEC to make changes to the established voting results within the respective single-member election district in accordance with the procedure set out by Article 97.2 of the Law, indicating this in the minutes of its meeting. While the DEC was considering that issue, the copies of the protocols on the results of voting within the single-member election district submitted to the CEC and the documents appended to them were stored at the Commission.

### Establishment of the results of the parliamentary elections in the nationwide multi-member election district

In accordance the provisions of Article 98.1 of the Law, the CEC, based on the protocols of the DEC on the results of voting in the nationwide multi-member election district within the single-member election

district, including those marked “Corrected”, and the protocol of the CEC on the results of voting in the nationwide multi-member election district within the out-of-country election district (in particular one marked “Corrected”), establishes at its meeting, no later than on the fifteenth day from the day of voting (up to and including August 5, 2019), the election results in the nationwide multi-member election district and draws up a relevant protocol.

Between July 23 and July 30, 2019, the CEC received the protocols of DEC on the results of voting in the nationwide multi-member election district from all 199 single-member election districts in which voting was organized and conducted. It should be mentioned that 17 protocols of DEC on the results of voting in the nationwide multi-member election district within the single-member election district marked “Corrected” were drawn up by DEC for the parliamentary elections because those commissions were obliged by the CEC to consider making changes to the established voting results and to draw up a relevant protocol.

Moreover, two protocols on the results of voting in the nationwide multi-member election district within the single-member election district marked “Corrected” were drawn up by DEC on their own initiative (single-member election districts No. 25, Dnipropetrovsk oblast, and No. 85, Ivano-Frankivsk oblast).

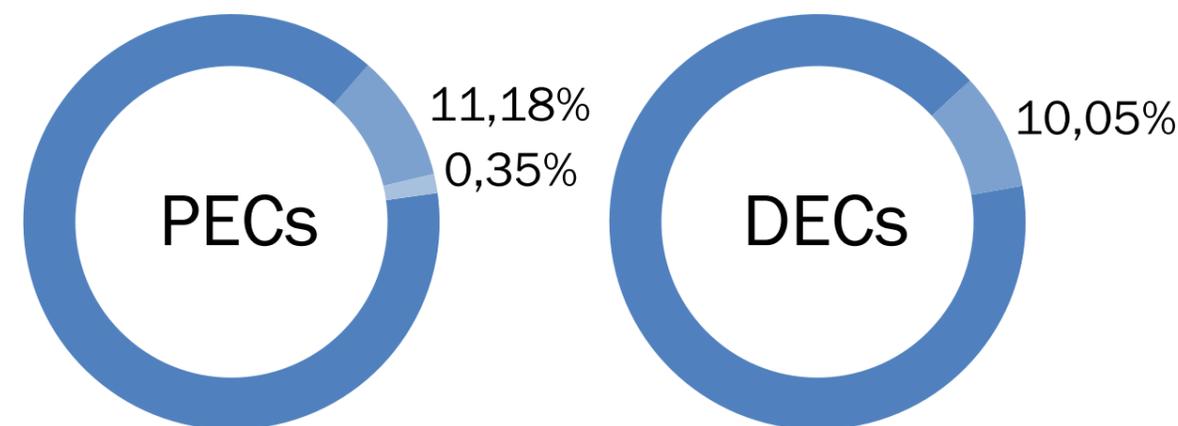
Besides, one protocol of a DEC on the results of voting in the nationwide multi-member election district within the single-member election district marked “Corrected” was compiled by the commission in execution of a court order (single-member election district No. 198, Cherkasy oblast).

The CEC, acting, pursuant to Article 24.3 of the Law, as the DEC of the out-of-country election district, established, on the basis of the protocols of the PEC on the counting of votes at out-of-country election precincts and reports on the content of the respective protocols on the counting of votes transmitted via technical means of communication, the results of voting at the parliamentary elections in the nationwide multi-member election district within the out-of-country election district and compiled a relevant protocol on July 30, 2019.

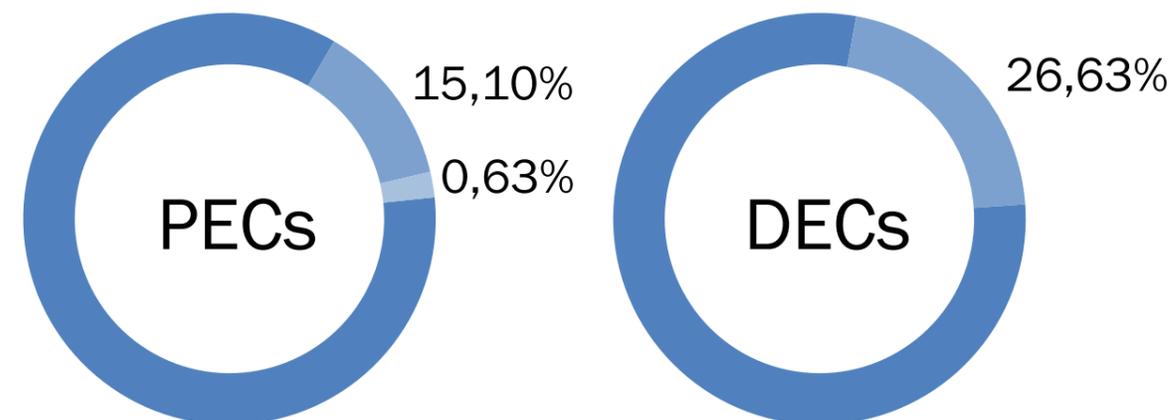
In execution of the provisions of Article 98.1 of the Law, the CEC, at its meeting on August 3, 2019, based

## Percentage of protocols of district and precinct election commissions marked “Corrected”

### Nationwide multi-member election district



### Single-member election districts



■ marked “Corrected”  
 ■ re-counting of votes

on the protocols of DEC on the results of voting in the nationwide multi-member election district within the single-member election district, including those marked “Corrected”, and the protocol of the CEC on the results of voting in the nationwide multi-member election district within the out-of-country election district, established the results of the July 21, 2019 early parliamentary elections in the nationwide multi-member election district and compiled a relevant protocol.

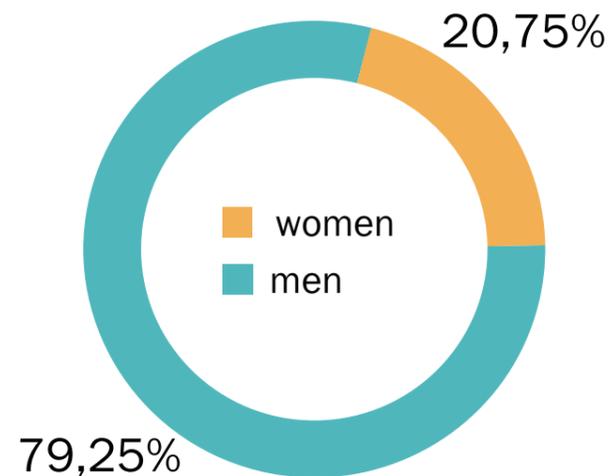
Pursuant to Article 98 of the Law, the right to participate in the distribution of MP mandates is acquired by MP candidates included in the electoral lists of the political parties that received five or more percent of the total number of votes for MP candidates included in the electoral lists of political parties.

Based on the results of the July 21, 2019 early parliamentary election in the nationwide multi-member election district, the right to participate in the distribution of MP mandates was acquired by MP candidates included in the electoral lists of the political parties that received five or more percent of the votes, in particular: political parties “Servant of the People” – 124 mandates; “Opposition Platform – For Life” – 37 mandates; All-Ukrainian Association “Batkivshchyna” – 24 mandates; “European Solidarity” – 23 mandates; and “Holos” – 17 mandates.

It should be noted that the political party “Servant of the People” ranked first on the number of votes received in 22 of the 25 regions of Ukraine.

In Donetsk and Luhansk oblasts, the leader was the

## Gender representation in the Verkhovna Rada of Ukraine



political party “Opposition Platform – For Life”; and in Lviv oblast, the political party “Holos”.

In the out-of-country election district, the largest number of votes was cast for the political party “European Solidarity”.

### Establishment of the results of the parliamentary elections in single-member election districts

Between July 23 and August 6, 2019, the CEC received the protocols on the results of voting in the single-member election district from the DEC of the 199 single-member election districts. It should be mentioned that 47 protocols of DEC on the results of voting in the single-member election district marked “Corrected” were drawn up by the DEC because those commissions were obliged by the CEC to consider making changes to the established voting results and to draw up a relevant protocol.

Moreover, five protocols on the results of voting in the single-member election district marked “Corrected” were drawn up by DEC on their own initiative (single-member election districts No. 25, Dnipropetrovsk oblast, No. 87, Ivano-Frankivsk oblast, No. 119, Lviv oblast, No. 153, Rivne oblast, and No. 157, Sumy oblast).

Besides, two protocols on the results of voting in the single-member election district marked “Corrected” were compiled by the DEC in execution of a court order (single-member election districts No. 112, Luhansk oblast, and No. 119, Lviv oblast).

It should be noted that during the election process of the 2019 early parliamentary elections the CEC applied for the first time Article 30.2.21 of the Law, which provides that, if the CEC does not receive a protocol of a DEC on the results of voting in the nationwide multi-member election district within the single-member election district or a protocol of a DEC on the results of voting in the single-

member election district within the timeframe specified by the Law, and also in the event of inactivity of a DEC, the CEC is to act as the respective DEC to establish the results of voting in the nationwide multi-member election district within the single-member election district or in the single-member election district.

Within the timeframe specified by Article 99.1 of the Law (no later than on the fifteenth day from the day of voting), the CEC, based on the protocols of DEC on the results of voting in the single-member district, including those marked “Corrected”, in the period from July 29, 2019, up to and including August 5, 2019, established the results of the July 21, 2019 early parliamentary elections in 197 of the 199 single-member election districts and compiled relevant protocols.

Based on the protocols of the CEC on the results of voting in the respective single-member election district, the Commission established the results of the July 21, 2019 early parliamentary elections in 2 single-member election districts – No. 50 and No. 210 – and compiled the relevant protocols on August 5 and August 16, 2019, respectively.

Thus, in single-member election district No. 210 the results of the July 21, 2019 early parliamentary elections were established after the deadline specified by the Law.

The distribution of parliamentary seats based on the results of voting in the single-member election districts at the July 21, 2019 early parliamentary elections is as follows.

Of the 199 candidates elected as MPs in single-member election districts at the July 21, 2019 early parliamentary elections, 130 were nominated by the political party “Servant of the People”; 6, by the political party “Opposition Platform – For Life”; 2, by the political party All-Ukrainian Association “Batkivshchyna”; 2, by the political party “European Solidarity”; 3, by the political party “Holos”; 6, by the political party “Opposition Bloc”; 1, by the political party “Bila Tserkva Together”; 1, by the political

### SED № 50

The inactivity of the DEC of single-member election district No. 50 regarding execution of the decisions of the Donetsk District Administrative Court of July 26 and 27, 2019, in cases No. 200/9252/19-a, 200/9326/19-a, 200/9329/19-a, which came into legal force, and of the ruling of the First Administrative Court of Appeals of August 2 in case No. 200/9466/19-a requiring that votes be re-counted at 14 election precincts and the results of voting in the respective single-member election district be established with consideration for the results of the re-counting and the Commission’s Resolution No. 1840 of August 1, 2019 “On the Issue of Establishment by the District Election Commission for the Election of the MPs of Ukraine of Single-Member Election District No. 50 of the Results of Voting in Single-Member Election District No. 50 at the July 21, 2019 Early Parliamentary Election” caused the CEC to apply the provisions of Article 30.2.21 of the Law.

Thus, in execution of the decisions of the Donetsk District Administrative Court, on August 4, 2019, the CEC conducted a re-counting of votes at 14 election precincts of single-member election district No. 50, established, with consideration for its results, the outcome of voting in single-member election district No. 50 and compiled a relevant protocol. It should be mentioned that, in connection with the discovery, during the re-counting, of signs of falsification of election documents, the Commission, with its Resolution No. 1853 of August 5, 2019 “On Facts of Violation of Electoral Rights in Single-Member District No. 50 at the July 21, 2019 Early Parliamentary Election” appealed to the National Police of Ukraine, asking for a due check and a legal assessment of the respective circumstances of violation of Ukrainian legislation.

### SED № 210

There was also inactivity on the part of the DEC of single-member election district No. 210 regarding execution of judgment of the Chernihiv District Administrative Court of August 10, 2019, in case No. 620/2335/19, which was upheld by the Sixth Administrative Court of Appeals in its ruling of August 14, 2019; the judgment declared voting at election precinct No. 740243 of the said single-member election district invalid, and the decision of the CEC announced at its meeting on August 15, 2019, which obliged the DEC of single-member election district No. 210 to consider making changes to the established voting results in that district in accordance with the procedure specified by the Law, with consideration for the aforementioned court judgment in case No. 620/2335/19, and draw up a protocol marked “Corrected” and transport it to the CEC before 12 noon on August 16, 2019.

For the purpose of executing the judgment of the Chernihiv District Administrative Court, the CEC, in its Resolution No. 1880 of August 16, 2019, “On Execution of Court Judgment”, in particular, declared voting at election precinct No. 740243 of single-member election district No. 210 at the July 21, 2019 early parliamentary elections invalid and, with consideration for the said judgment, established, on that same day, the results of voting in the said election district at the July 21, 2019 early parliamentary election and compiled a relevant protocol.

Besides, the Commission, with its Resolution No. 1882 of August 16, 2019 “On Facts of Violation of Election Legislation by the District Election Commission for the Parliamentary Election of Single-Member Election District No. 210 at the July 21, 2019 Early Parliamentary Election”, in particular, appealed to the National Police of Ukraine, presented to them copies of that resolution, along with copies of petitions and complaints from the chairperson of the DEC for the parliamentary election of single-member election district No. 210, other members of that commission, the MP candidate in single-member election district No. 210 Borys Viktorovych Prykhodko, other electoral subjects, as well as acts and videos appended to them, asking for a check of the circumstances described in the documents and for taking response measures in accordance with the legislation of Ukraine.

### SED № 198

On August 21, 2019, the CEC, in execution of judgments of the Supreme Court, composed of a panel of judges of the Administrative Court of Cassation, of August 12, 2019, and of the Grand Chamber of the Supreme Court of August 17, 2019, in case No. 9901/441/19, adopted Resolution No. 1888, which took into account the rulings of the Sixth Administrative Court of Appeals of August 7, 2019, in case No. 580/2433/19 and of August 10, 2019, in case No. 580/2437/19, while continuing actions to establish the results of the July 21, 2019 early parliamentary elections in single-member election district No. 198, and also determined that the results of the July 21, 2019 early parliamentary elections in single-member election district No. 198 would be established on the basis of the protocol of the DEC of single-member election district No. 198 on the results of voting in single-member election district No. 198 marked “Corrected”, of August 2, 2019; and on that same day, August 21, 2019, the Commission, based on the said protocol of the DEC, that is, on the same legal grounds that had existed as of August 5, 2019, re-established the results of the July 21, 2019 early parliamentary election in single-member election district No. 198.

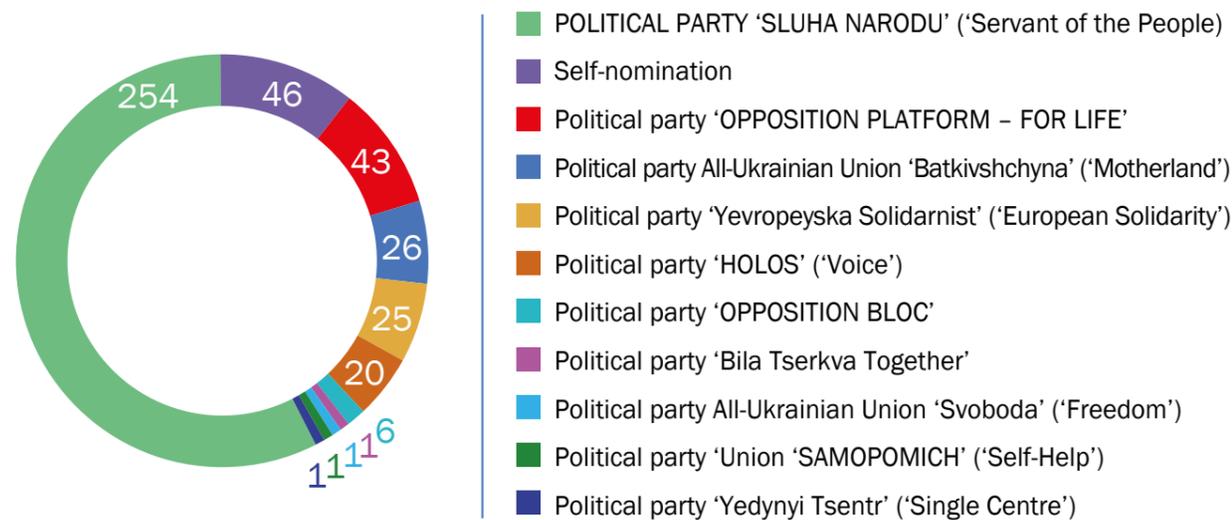
However, the Supreme Court, composed of a panel of judges of the Administrative Court of Cassation, in its judgment of August 24, 2019, in case No. 9901/467/19 declared invalid and revoked the August 21, 2019 protocol of the CEC on the results of the parliamentary election in single-member election district No. 198 and obliged the CEC to continue actions aimed at establishing the results of the parliamentary elections in single-member election district No. 198, based on the consequences of the execution of the rulings of the Sixth Administrative Court of Appeals of August 7, 2019, in case No. 580/2437/19, and the judgment of the Administrative Court of Cassation within the Supreme Court of August 12, 2019, in case No. 9901/441/19.

party All-Ukrainian Association "Svoboda"; 1, by the political party association "Samopomich"; 1, by the political party "Unified Center"; moreover, 46 MPs are self-nominees.

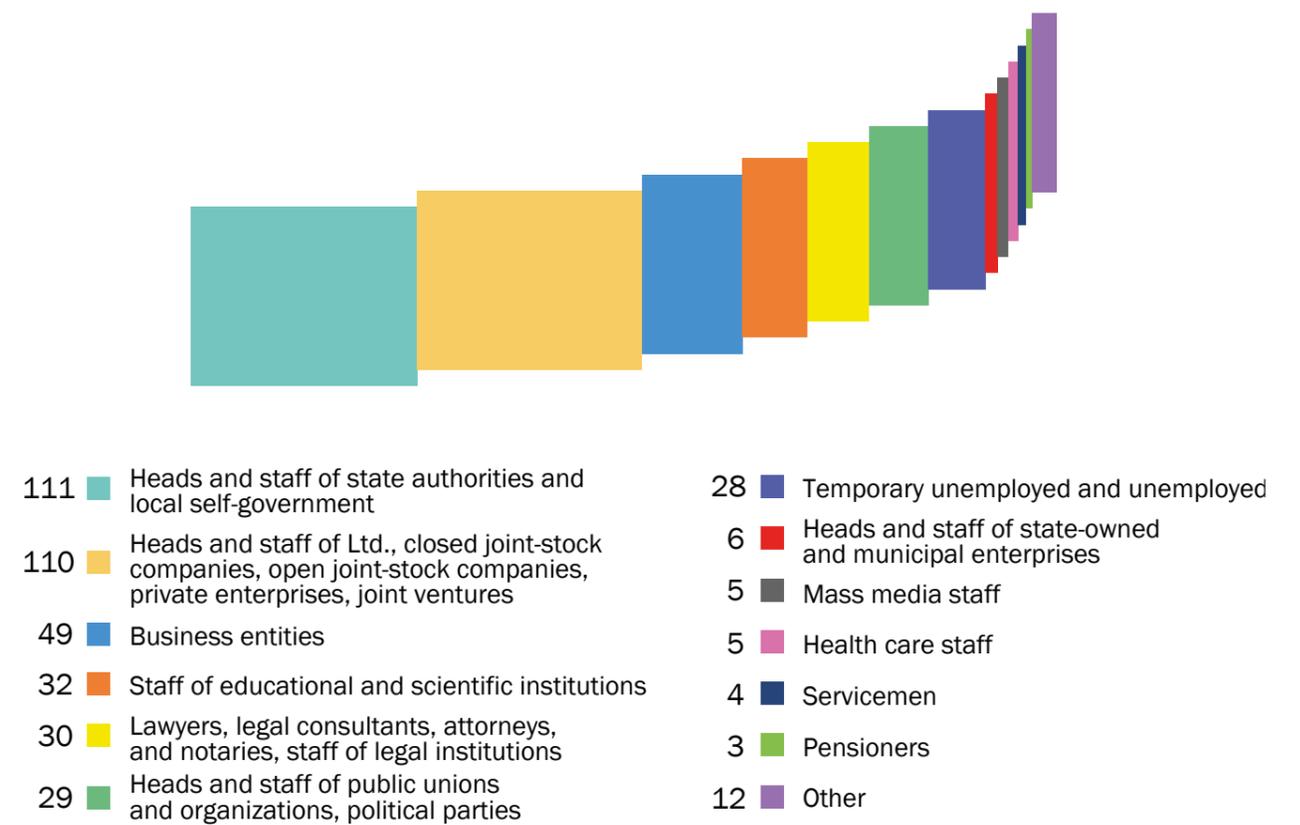
In execution of the provisions of Article 100.1 of the Law regarding official publication of the results of the parliamentary elections in the newspapers Holos Ukrainy and Uriadovyi Courier no later than on the fifth day after the day of establishment of the election results, on August 7, 2019, the CEC officially published the list of MPs

elected at the July 21, 2019 early parliamentary elections in the newspapers Holos Ukrainy (issue 148 (7154)) and Uriadovyi Courier (issue 149 (6512)). Besides, information on the MP elected in single-member election district No. 210 at the July 21, 2019 early parliamentary elections was published on August 21, 2019, in the newspapers Holos Ukrainy (issue 158 (7164)) and Uriadovyi Courier (No. 159 (6522)).

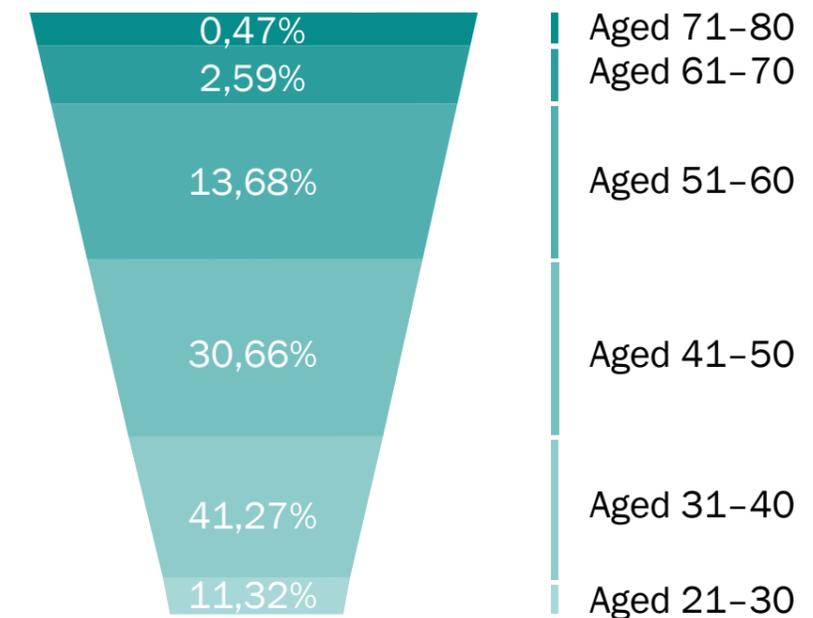
### Number of mandates received by political parties and self-nominees



### Distribution of elected MPs of Ukraine by previous workplace



### Age groups of the MPs of Ukraine



# 7 | GENERALIZED INFORMATION ON OVERSIGHT OF CANDIDATES' ELECTION FUNDS

Pursuant to Article 45.2 of the Law of Ukraine "On the Election of the MPs of Ukraine" (below, the Law), a political party whose MP candidates were registered in the nationwide multi-member election district (below, the party) must create its own electoral fund, to be formed in accordance with the procedure established by the Law.

Pursuant to Article 48.1 of the Law, the party must open an account of its electoral fund no later than on the tenth day from the day of registration by the CEC.

It should be noted that during the preparation and conduct of the July 21, 2019 early parliamentary elections all parties (22) created their own electoral funds. At the same time, the political party "Power of the People" did not form its electoral fund; it spent no money on financing election campaign events or campaign materials.

In this connection, the CEC issued a warning to the political party "Power of the People" for violating the deadline for creating accounts of its electoral fund.

The administrators of the accumulation accounts of the electoral funds of 21 parties submitted interim financial reports on the receipt and use of the resources of their electoral funds. The political party "Power of the People" failed to submit such a report.

The final financial reports on the receipt and use of the resources of a party's electoral fund were submitted by the administrators of the accumulation accounts of the electoral funds of 22 parties.

These reports were submitted within the timeframe established by the Law.

The total amount of the parties' electoral funds was more than 908 million UAH, the parties' own funds accounting for the largest share (93.68%), while the smallest share was that of voluntary contributions from legal persons (1.7%).

It should be noted that the parties used 99.4% of the total amount of the electoral funds (more than 902.8 million UAH) on financing their campaign events. The highest percentage of the total spending was the share of money spent on the use of mass media (78.33%, or nearly 707.2 million UAH).

The CEC approved the analyses of the interim and final financial reports on the receipt and use of the resources of a party's electoral fund. It should be noted that, while performing the said analysis, the CEC was

using, in particular, information received from the National Agency for Corruption Prevention (NAPC) on compliance with the requirements of the Law on financing parties' election campaigns.

Based on the results of the performed analysis of the interim financial reports on the receipt and use of the resources of the parties' electoral funds, the CEC contacted the NAPC and presented to it the materials of the performed analyses of the interim financial reports on the receipt and use of the resources of the electoral funds of the political parties "Social Justice", "Civic Position", "Shariy's Party", and "Mikheil Saakashvili's Movement of New Forces" for responding as required by the laws of Ukraine to the violations of the Law established as a result of the said analysis. Moreover, the CEC informed the NAPC of the failure of the political party "Power of the People" to submit to the Commission its interim report on the receipt and use of the resources of the party's electoral fund.

The analysis of the final financial reports on the receipt and use of the resources of a party's electoral fund showed that certain inaccuracies and violations of the Law committed in the course of preparation of the interim financial reports by the respective administrators of the accumulation accounts of the electoral funds were corrected.

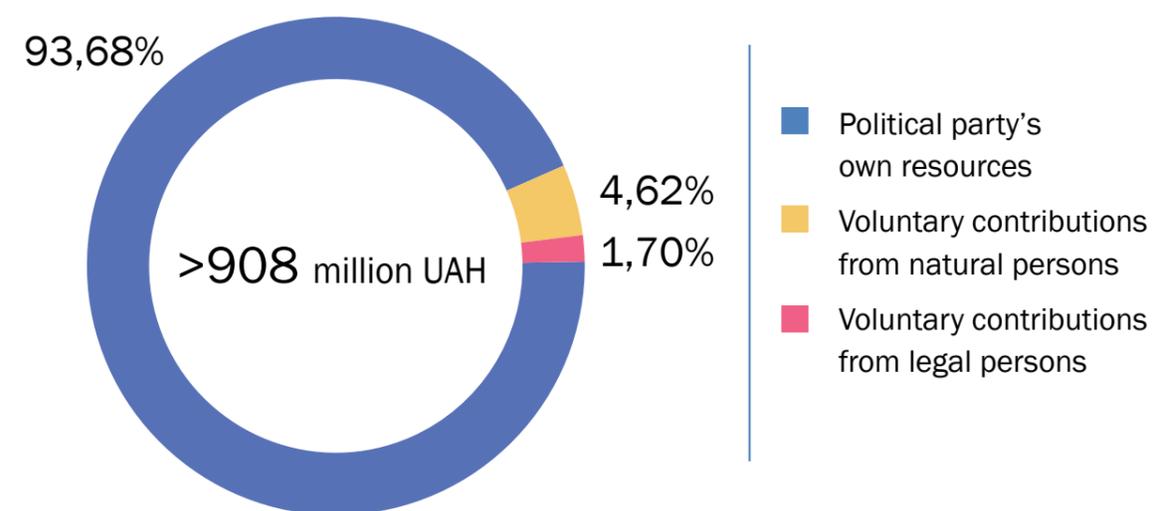
When supervising the parties' electoral funds and analyzing the respective reports, the CEC and the NAPC established the following violations of the Law:

1. Violation of Article 49.2 of the Law (appointment by a party of the administrator of the current account of its electoral fund).

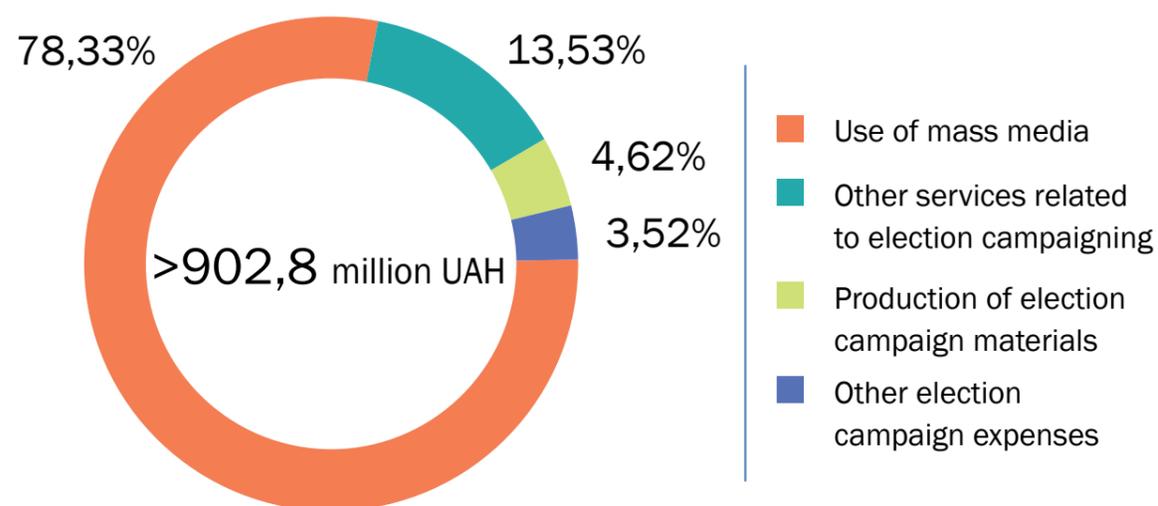
2. Violation of Article 49.8 of the Law and the Procedure for Compiling Financial Reports on the Receipt and Use of the Resources of the Electoral Funds of Political Parties Whose MP Candidates Were Registered in the Nationwide Multi-Member Election District and of MP candidates in Single-Member Election Districts, which was approved by CEC No. 1010 of June 14, 2019, No. 1010 and endorsed by Decision No. 1652 of June 14, 2019, of the NAPC (in view of financial report not fully meeting the requirements on how to fill it out).

3. Violation of Part three, Article 50 of the Law (making of voluntary contributions by persons having an outstanding tax debt).

Structure of campaign funds of parties, by sources of formation



Structure of expenditures of parties' campaign funds

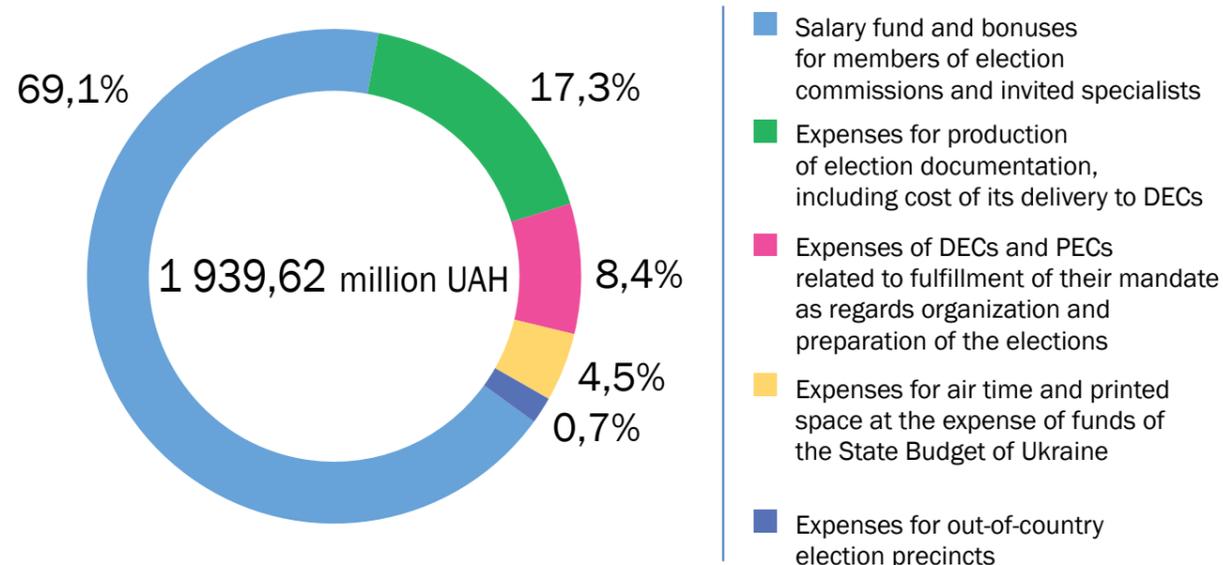


# 8 STRUCTURE OF SPENDING OF STATE FUNDS ON THE CONDUCT OF THE ELECTIONS

The Law of Ukraine “On the State Budget of Ukraine for 2019” allocated budget funds for the preparation and conduct of the parliamentary elections under Budget

Program 6731020 “Conduct of the Parliamentary Elections” in the amount of 1,949,620,000 UAH.

## Structure of expenditures by areas of use



**The itemized structure of expenditures is as follows:**

- ✓ the salary fund, with payments and bonuses to election commissioners and invited specialists – 1,346,720,000 UAH, or 69.1 percent of the total expenditures;
- ✓ payments for air time and printed space at the expense of funds of the State Budget of Ukraine allocated for ensuring election campaigning by the parties who have registered MP candidates in the nationwide election district, by MP candidates in single-member election districts, as well as other payments for mass media services – 87,151,800 UAH, or 4.5 percent of the total expenditures;
- ✓ expenses for the production of election

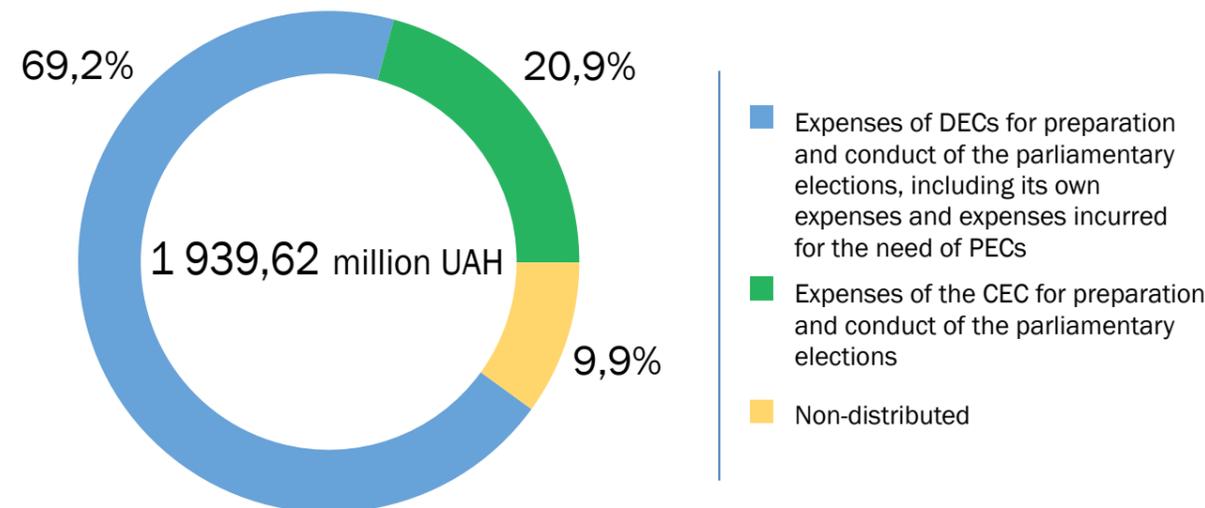
- documentation, including the cost of its delivery to the DEC – 336,995,400 UAH, or 17.3 percent of the total expenditures;
- ✓ expenses of the DEC and PEC related to the fulfillment of their mandate as regards organization and preparation of the elections (payment for transportation services, communication services, purchase of office supplies, installation of booths for secret voting, compensation for maintenance of premises, etc.) – 164,856,700 UAH, or 8.4 percent of the total expenditures;
- ✓ expenses for out-of-country election precincts – 13,896,100 UAH, or 0.7 percent of the total expenditures.

During the electoral process of the early parliamentary election, a total of 1,949,620,000 UAH was distributed, in particular:

- ✓ expenses of the CEC for the preparation and conduct of the early parliamentary elections: 406,802,043 UAH;

- ✓ expenses of the DEC for the preparation and conduct of the July 21, 2019 early parliamentary elections, inclusive of own expenses and expenses covering PEC needs: 1,348,959,152 UAH;
- ✓ non-distributed – 193,858,805 UAH.

## Structure of expenditures of the CEC and the DEC



Within seven days after the day of the official promulgation of the results of the parliamentary elections, the CEC withdrew the leftover resources of the general fund of the State Budget that were not used by the DEC, oblast state administrations, and the Ministry of Foreign Affairs. As of August 27, 2019, the withdrawn amount totaled 91,370,373 UAH. As of August 27, 2019, the estimated amount of

funds saved under Budget Program 6731020 “Conduct of the Parliamentary Elections” was 285,229,178 UAH. And so, as of August 27, 2019, the estimated amount of actual expenses under Budget Program 6731020 “Conduct of the Parliamentary Elections” was 1,569,629,400 UAH, or 80.5 percent of the amount allocated in the Budget for 2019.

## Information on procedures of procurement of goods and services for the preparation and conduct of the July 21, 2019 early parliamentary elections

Goods and services for the preparation and conduct of the July 21, 2019 early parliamentary elections were purchased at the expense of the State by the Commission’s Tender Committee on the basis of the Annual Procurement Plan for the Preparation and Conduct of the July 21, 2019 Early Parliamentary Elections, approved by the Commission’s Tender Committee decision of May 25, 2019 (as amended and supplemented).

The Commission’s Tender Committee conducted 19 procurement procedures for goods and services, in particular:

- 10 – according to the open bidding procedure (4 – with publication in English);
- 9 – according to the negotiable bidding procedure.

Based on the results of the conducted procurement procedures, contracts for a total amount of 320,639,425.10 UAH were concluded.

## Structure of tender procurement



- 74,11% ■ production of ballot papers
- 6,27% ■ provision of air time for election campaigning by political parties
- 4,87% ■ provision of air time for publication of materials
- 3,90% ■ modification and support of UIS “Parliamentary Elections” under UIAS “Vybory”
- 2,71% ■ blank forms of protocols and acts
- 2,23% ■ information posters of political parties
- 1,35% ■ publication of materials in the newspaper Holos Ukrainy
- 1,25% ■ publication of materials in the newspaper Uriadovyi Courier
- 1,18% ■ publication of election programs of political parties in the newspaper Holos Ukrainy
- 0,53% ■ publication of election programs of political parties in the newspaper Uriadovyi Courier
- 0,42% ■ organization of channels of communication with district election commissions
- 0,35% ■ production and delivery of packages with special protection system for transporting the protocols
- 0,24% ■ production and delivery of ballot boxes
- 0,19% ■ production and delivery of numbered one-time seals for sealing the ballot boxes
- 0,13% ■ production and delivery of archive boxes
- 0,11 ■ production and delivery of books of registration of documents, applications, complaints and books of registration of personal reception of citizens at the ECs
- 0,06% ■ production and delivery of an edition of the Law of Ukraine “On the Parliamentary Elections”
- 0,06% ■ production and delivery of collections
- 0,05% ■ production of breast badges of MPs of Ukraine

## 9 USE OF THE UNIFIED INFORMATION AND ANALYTICAL SYSTEM “VYBORY”

In the course of modification of the Unified Information-Analytical System (UIAS) «Vybory», work was performed to provide for the possibility to publish in open data format the results of the July 21, 2019 early parliamentary elections, the addresses of the DEC and PECs, the boundaries of election districts, the interim and final financial reports on the use of the resources of the electoral funds of the parties whose MP candidates were registered in the nationwide multi-member election district, etc.

Moreover, to increase the level of safety of the CEC’s information resources, the system software was updated; the Internet resources access server, the anti-virus protection management server, and the comprehensive information protection system UIAS “Vybory” were modernized; state-of-the-art telecommunication and information protection equipment was installed; and backup Internet access channels were created. Based on the experience of previous election campaigns, other improvements were also made. Pursuant to the Law of Ukraine “On the Protection of Information in Information and Telecommunication Systems”, state-owned information must be processed within the system using a comprehensive information protection system with confirmed conformity. Conformity must be confirmed based on the results of the state examination, in accordance with the procedure established by the legislation of Ukraine. Such examination was performed; a positive conclusion and a Certificate of Conformity were obtained.

On the day of voting at the July 21, 2019 early parliamentary elections, the UIAS “Vybory” units were used to obtain and publish on the Commission’s official website data on voter activity in the single-member election districts and the results of the counting of votes at the 29,885 election precincts. Such information was updated every 15 minutes; on the screens of the Commission’s press center, it was presented in real time. A comparison of voter activity at the early parliamentary elections in 2014 vs. 2019 is shown on the diagram.

During the first day after the end of voting at the July 21, 2019 early parliamentary elections, reports on the content of the protocols of the PECs on the results of the counting of votes in the nationwide multi-member election district within the single-member election districts were received from 25,390 (84.95%) election

precincts; reports on the content of the protocols of the PECs on the results of the counting of votes in the single-member election districts were received from 24,704 (82.94%) election precincts. The dynamics of the process is presented below, in the respective diagrams.

At the stage of establishment of the results of voting, 20 (10.05%) DEC protocols marked “Corrected” on the results of voting in the nationwide multi-member election district within the single-member election district; and 53 (26.63%) DEC protocols marked “Corrected” on the results of voting in the single-member election district.

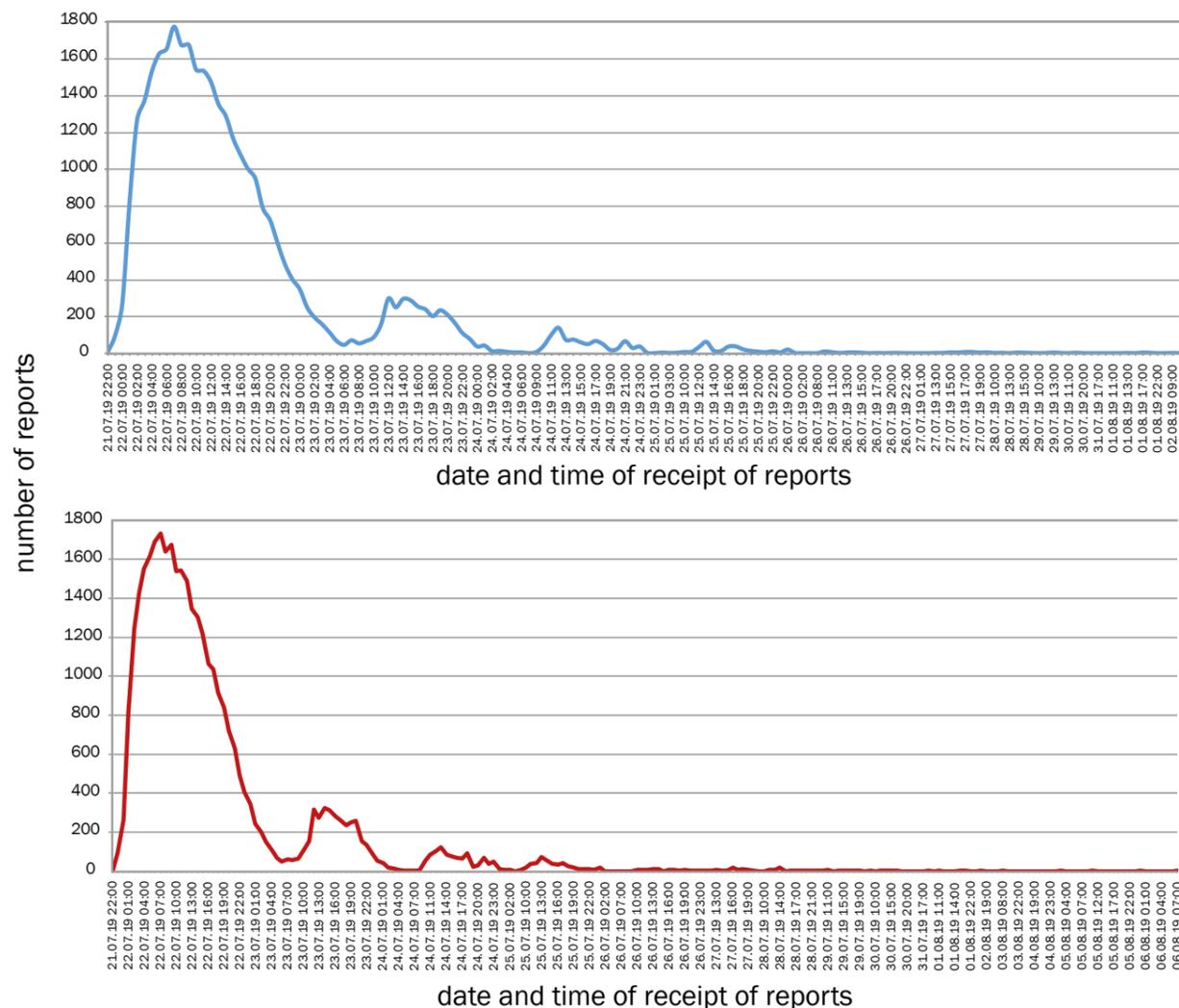
PECs drew up 3,342 (11.18%) PEC protocols marked “Corrected” on the counting of votes at the election precinct in the nationwide multi-member election district within the single-member election districts and 4,497 (15.09%) corrected protocols on the counting of votes in the single-member election districts. DEC protocols compiled 105 protocols on re-counting of votes at election precincts in the nationwide multi-member election district within the single-member election districts and 189 such protocols for single-member election districts, which is reflected in the diagram.

Pursuant to Article 98.1 of the Law of Ukraine “On the Parliamentary Elections”, the CEC, at its meeting on August 3, 2019 (that is, on the thirteenth day from the day of voting), established, on the basis of protocols of DEC on the results of voting in the nationwide multi-member election district within the single-member election district, including those marked “Corrected”, and of the protocol of the CEC on the results of voting in the nationwide multi-member election district within the out-of-country election district, the results of the July 21, 2019 early parliamentary elections in the nationwide multi-member election district and compiled a relevant protocol.

The specific feature of this election campaign was the performance by the CEC, pursuant to Article 30.2.21 of the Law, of the powers of the DEC regarding the re-counting of votes at 14 election precincts (Nos. 140760, 140762, 140766, 140767, 140769, 140771, 140773, 140774, 140775, 140756, 140782, 140784, 140787, 141065) of single-member election district No. 50 and the establishment of the results of voting in that single-member district in view of the inactivity of the respective DEC.

Pursuant to Part one, Article 99 of the Law, the

### Intensity of receipt of reports with data from PEC protocols on the counting of votes at the election precinct



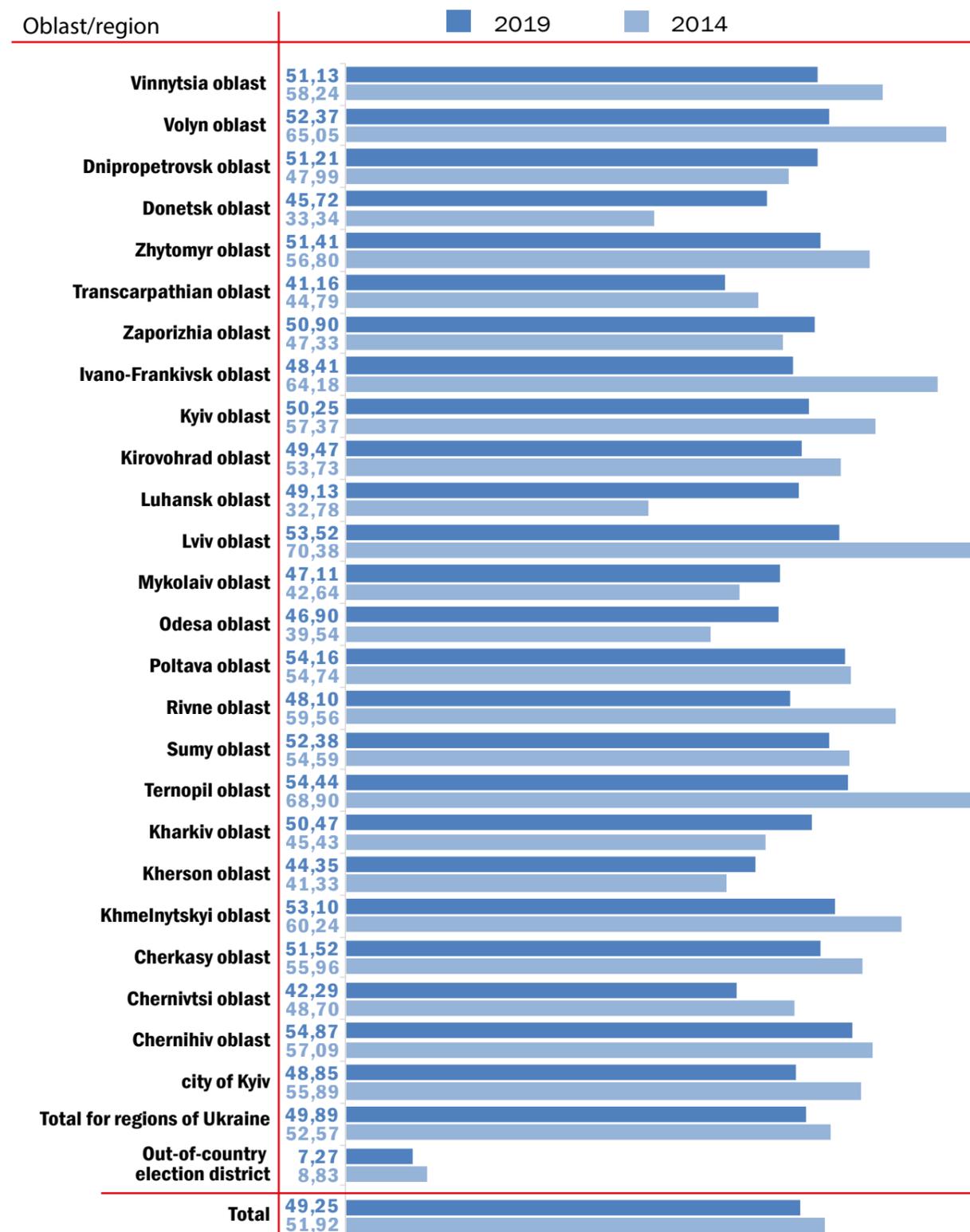
- in nationwide multi-member election district within single-member election district
- in single-member election district

CEC, at its meeting, based on the protocols of DECs on the results of voting in the single-member districts, including those marked “Corrected”, established, within the timeframe specified by the Law (no later than on the fifteenth day from the day of voting), the results of the election of MPs in 198 single-member districts and compiled relevant protocols.

The protocol of the CEC on the results of the

parliamentary elections in the nationwide multi-member election district, the protocol of the CEC on the results of voting in the nationwide multi-member election district within the out-of-country election district for the parliamentary elections, and the protocols of the CEC on the results of the parliamentary elections in the single-member election districts were published on the official web-site of the Commission.

### Comparison of voter activity at the early parliamentary elections in 2019 and 2014 (percentages)



# 10 | SPECIFICS OF ELECTION DISPUTE RESOLUTION

Pursuant to Decree of the President of Ukraine No. 303/2019 of May 21, 2019 “On Early Termination of the Powers of the Verkhovna Rada of Ukraine and Calling of Early Election”, the early parliamentary elections were held on July 21, 2019.

As has been emphasized many times before, effective implementation of citizens’ constitutional rights to participate in the management of state affairs as well as to elect and be elected to bodies of state power and bodies of local self-government is impossible without providing a real opportunity to challenge certain decisions, actions or inactivity of electoral subjects and other participants in the respective electoral process.

In the course of the electoral process, including the parliamentary elections, such challenge can be performed in accordance with the procedure established by the law on the respective election by submitting a complaint, as well as by filing a lawsuit with a court.

Thus, in the exercise of the right to appeal provided for by the Law of Ukraine “On the Parliamentary Elections”, 380 complaints were filed with the CEC during the electoral process of the July 21, 2019 early parliamentary elections – from May 23, 2019, up to and including August 22, 2019; of these, 9 were withdrawn by the complainants; 276 were returned, with relevant clarifications, to the complainants by CEC members in connection with violation of the requirements regarding the form and content of such complaints; and 85 were reviewed at a meeting of the CEC.

In most cases, the complainants were voters, proxies of MP candidates, official observers, political parties, or members of election commissions.

At the same time, a characteristic feature of the election campaign of the July 21, 2019 early parliamentary elections, similar to other parliamentary election campaigns, was the large number of lawsuits against decisions, actions or inactivity of the CEC submitted by electoral subjects.

Thus, during the stage of organization of the preparation and conduct of the July 21, 2019 early parliamentary elections, more than 200 cases in which the CEC was designated as the respondent were pending before courts of administrative jurisdiction. In more than half of those cases, the courts passed decisions rejecting the claims; in 52 cases, the courts decided for the plaintiffs. In the remaining cases, the courts decided

to leave the suit without consideration, return it to the plaintiff, or terminate proceedings in the case.

In particular, similar to previous parliamentary elections, a considerable number of judicial disputes pertained to CEC decisions to refuse to register MP candidates on the ground specified in Article 60.1.2 of the Law of Ukraine “On the Parliamentary Elections” – absence of documents that must be submitted, in accordance with that Law, for the registration of candidates.

When hearing election cases, the courts expressed legal opinions and positions on the use of the Ukrainian legislation on the parliamentary elections, providing their legal justification; undoubtedly, these points are important for ensuring a uniform approach to the application of the election legislation of Ukraine and correct understanding of some or other legal norms.

Thus, the Supreme Court, in its rulings of June 18, 2019, in case No. 855/150/19, and of June 26, 2019, in case No. 855/154/19, on finding illegal the Commission’s resolutions refusing to register the plaintiffs as MP candidates at the July 21, 2019 early parliamentary elections that were adopted by the Commission on grounds of absence of documents specified by Article 55 of the Law of Ukraine “On the Parliamentary Elections”, concluded that, “if there is a letter or a word missing in a document, a bad or inaccurate term, word combination, or non-identical sentence, which is no obstacle to understanding the content of the presented data, but the presented information is aimed at compliance with a legislative provision, then this is to be regarded as an error requiring correction or emendation. If, however, a document is not duly executed, that is, if it does not contain all the necessary and important data that the law requires to be provided, or if the signature, stamp or other necessary requisites are missing, then the document should be deemed unavailable.”

Also, the Supreme Court, in its rulings (for example in cases Nos. 855/171/19, 855/176/19, 855/183/19, 855/198/19), establishes that “the non-submission of documents, for the purposes of applying Article 60.2.2 of the Law of Ukraine “On the Parliamentary Elections”, which specifies the grounds for refusing to register a MP candidate, should be taken to mean exclusively physical absence of any of the documents provided for in Article 55.2 of that same Law.”

When resolving the controversial issue of whether

money paid by third parties instead of a MP candidate can be regarded as that candidate’s monetary deposit in the sense of Article 56 of the Law of Ukraine “On the Parliamentary Elections”, the Supreme Court, in its ruling of June 29, 2019, in case No. 855/167/19, noted that “it is the person submitting documents to the CEC for registration as a MP candidate that must be indicated in the document certifying the making of the monetary deposit, since Article 56.2 of the Law provides that the money deposit must be made specifically by the candidate.”

In the course of consideration of that case, when examining the essence of monetary deposit in the electoral process, the Supreme Court refers to Judgment No. 2-рп/2002 of January 30, 2002 (case regarding election deposit) by the Constitutional Court of Ukraine, which says that “the electoral qualification and the monetary (election) deposit differ in their legal nature. The monetary deposit is used in world practice not as a property qualification but as one of the conditions for the registration of candidates for participation in elections.

The electoral qualification is a qualifying condition for having the electoral right, while the election deposit is merely a condition for the registration of an MP candidate. The property electoral qualification is directly related to the property status of a person, that is, it is characterized by a citizen’s total movable and immovable property, certain level of annual income, which identify that person as an owner. The purpose of the monetary (election) deposit is to limit or eliminate abuse by a citizen of his/her electoral right, primarily at the expense of taxpayers. It follows from a systematic interpretation of the provisions of the law that the monetary deposit is used to ensure a responsible attitude on the part of citizens, as possible MP candidates, towards their participation in elections, stimulating an MP candidate nominated in a single-member district and MP candidates included in electoral lists in multi-member districts to take balanced decisions as to implementation of their passive electoral right, and also prevents possible unjustified expenditures from state funds. Moreover, pursuant to Article 43.5 of the Law, the monetary deposit is to be returned to the parties (blocs) that took part in the distribution of deputy mandates and to MPs elected in single-member districts.”

In Supreme Court rulings of June 25, 2019, in case No. 855/152/19, and of June 30, 2019, in case No. 855/170/19, the conclusion is formulated that “the passive electoral right in the parliamentary elections is not absolute; it is implemented under the condition of meeting the electoral qualification requirements, in particular the length of residency requirement.

The length of residency requirement is aimed at promoting the elections to the Verkhovna Rada of Ukraine of persons having sufficiently deep knowledge and understanding of the economic, political, social and other problems of the state and the social development of Ukraine and hence being capable of performing their duties in a more competent way.”

In the aforementioned cases, the Supreme Court

stated that “the onus to confirm an MP candidate’s compliance with the requirements established by Article 76 of the Constitution of Ukraine lies with the person submitting an application for registration as an MP candidate.

Since meeting the residency requirement is a condition for the implementation of the right to be elected, documents submitted by an MP candidate must contain proof of the length and the purpose of stay of such person outside Ukraine.”

At the same time, the judgment of the Sixth Administrative Court of Appeals of June 30, 2019, in case No. 855/215/19, which was upheld by the Supreme Court in its ruling of July 4, 2019, says that “the Law does not oblige the Commission to inform a person submitting documents for being registered as an MP candidate that the documents fail to meet the requirements of the current legislation, or to demand that the candidate submit additional documents confirming certain circumstances, in particular, grounds for that person’s stay outside Ukraine.”

After considering case No. 855/268/19, the Supreme Court, in its ruling of July 14, 2019, concluded that “the Commission must maintain in its decisions a balance between the rights of voters and the rights of a person wishing to use the passive electoral right.

At the same time, meeting the residency requirement by an MP candidate is the sort of information which, in the sense of Article 63 of the Law, is necessary for voters to ensure access to diverse, objective and unbiased information needed to make a conscious, informed, free choice.

Furthermore, the current legislation does not empower the CEC to check information received from law enforcement bodies or to establish the legality of actions of law enforcement bodies in terms of compliance with the legislation when collecting, producing, or spreading information. An analogous legal position is presented in the Supreme Court’s ruling of July 11, 2019, in case No. 855/252/19.”

Worthy of note is the Supreme Court’s conclusion, in its ruling of July 4, 2019, in case No. 855/224/19, that “the fact that the plaintiff, because of a conflict of political views, had to leave Ukraine and ask for international protection for economic reasons in another country cannot be recognized as a valid reason for his going abroad, nor is it a mitigating circumstance, since it attests to his conflict precisely with the state. The above circumstance, in itself, is enough to show the impossibility to register such a person as a candidate and is specified in the Law as a ground for canceling such registration.”

The Supreme Court, in its ruling of July 8, 2019, which partially revoked the judgment of the Sixth Administrative Court of Appeals of July 4, 2019, in case No. 855/244/19 on declaring illegal and revoking the Commission’s resolution No. 1383 of June 30, 2019 “On Making Changes to the Central Election Commission’s Resolution No. 1345 of June 26, 2019 No. 1345”, after

considering the issue of legality of not conducting the procedure of drawing of lots to determine the sequence of placement of the names of political parties in the ballot paper in connection with the adoption, in execution of court decisions, of a resolution on registration of MP candidates included in the electoral list of a political party outside the timeframe specified by the Law of Ukraine “On the Parliamentary Elections”, found that “the election process is irreversible and indiscrete; all election procedures are rigidly interrelated and performed in a strict sequence within a prescribed timeframe that is not renewable.

Essentially, the Constitutional Court of Ukraine, in its judgment No. 14-pr/2009 of June 10, 2009, indicated that the election timeframe is an important concept guaranteeing the implementation of citizens’ electoral rights.

That is, a temporal aspect is inherent in the electoral process, its essence consisting in that the purposeful activities of the electoral subjects inevitably evolve in time.

During an election, the temporal parameters (the timeframe) of performing some or other electoral actions influence the implementation of the electoral rights and legitimate interests of the electoral subjects.

The temporal measure of the electoral process, compared to other legal processes, is particularly important in connection with the exclusive role of elections as a form of implementation of the people’s will, since the interval of time within which the electoral process takes place is characterized by a specific state of society and polity.

The election process cannot last endlessly; therefore, it must end once a certain legally established point in time has been reached.

Thus, in view of the above, the Central Election Commission, when adopting the challenged resolution, assessed the expected risks and was guided by the principles of “a fair balance” between the interests of all political parties that are electoral subjects, equality and free election; and so its decision, which is challenged in this case, had a clear legitimate purpose – to ensure the implementation of the rights of the political party “Mikheil Saakashvili’s Movement of New Forces” without violating the rights of the other electoral subjects and the current legislation of Ukraine.

Thus, the aforementioned analysis by the Supreme Court found no willfulness in the actions of the CEC as it adopted the challenged decision. Instead, that decision was balanced and proportionate, taking into account the interests of all electoral subjects.”

The Grand Chamber of the Supreme Court, in its Ruling of August 13, 2019, in case No. 9901/423/19, which was adopted following a review of the judgment of the Administrative Court of Cassation within the Supreme Court of August 9, 2019, and which upheld the aforementioned decision of the court of first instance, found that “the failure of a subject of authority to perform a mandatory action within the timeframe prescribed by the Law of Ukraine “On the Parliamentary Elections”, in itself, cannot serve as the sole and unconditional ground for stating the fact that such subject has committed illegal inactivity. For due establishment of these circumstances, it is necessary to find out the specific reasons, conditions

and circumstances that led to the actual non-performance of actions that were required to be performed under the law, or to their performance with violation of the timeframe.”

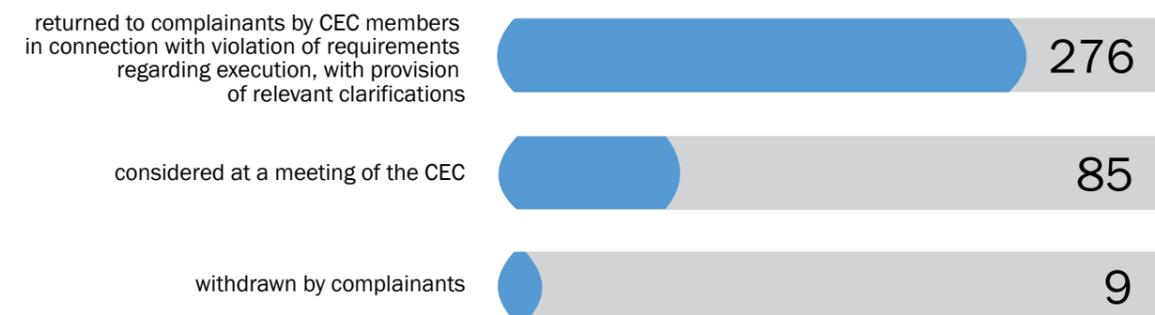
When considering cases Nos. 855/337/19 and 855/342/19, the Supreme Court, based on its analysis of election legislation provisions, concluded that “a commissioner’s open, deliberate action or inactivity bordering on or constituting elements of an administrative or criminal offense is a gross violation of the election legislation of Ukraine.”

When examining the question of a voter’s right to challenge decisions, actions or inactivity of election commissions, the Supreme Court, in its ruling of July 12, 2019, in case No. 855/265/19 on declaring illegal and revoking the Commission’s Resolution No. 1446 of

July 3, 2019 “On Canceling the Registration of Ukrainian MP Candidate A.A. Shariy, Who Was Included in the Electoral List of the Political Party ‘Shariy’s Party’ in the Nationwide Multi-Member Election District at the July 21, 2019 Early Parliamentary Elections”, emphasized that “only a violated right of a person is subject to judicial protection; therefore, when filing a challenging lawsuit with a court, the plaintiff must prove the fact that the Commission directly violated his or her electoral right or interest related to participation in the electoral process, as required by Article 273.2 of the CAJ of Ukraine. Moreover, such violation must be real, pertaining to (touching upon) the individually expressed rights or interests of the persons claiming their violation.”

In the period from May 24 up to and including August 13, 2019, the CEC received 359 complaints.

### Number and status of consideration of complaints received by the CEC

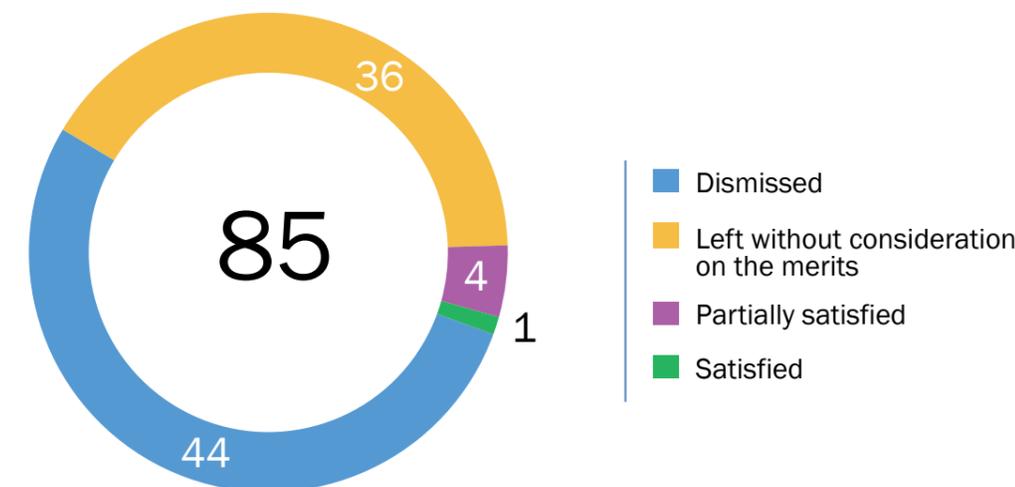
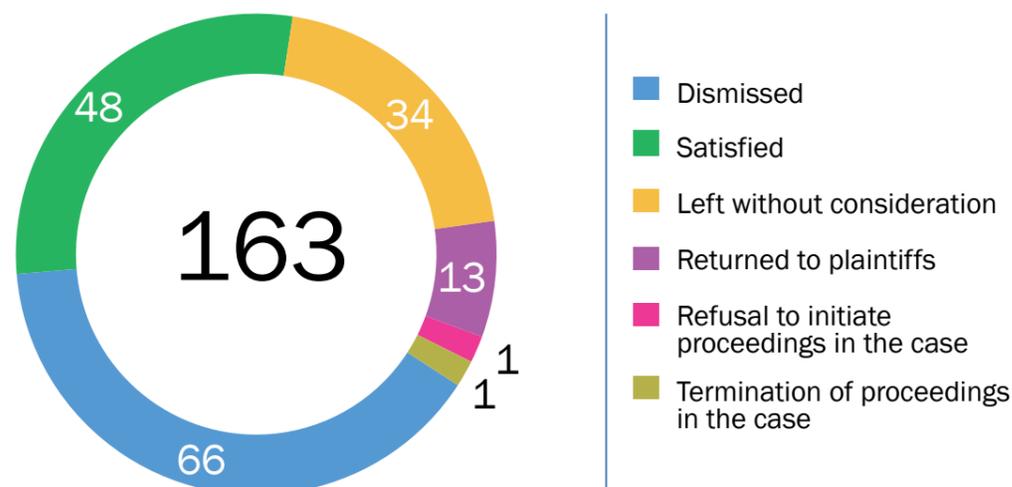


In connection with these complaints, 71 resolutions were adopted, covering 85 complains. Of these complaints:

- 1 was satisfied;
- 4 were partially satisfied;
- 36 were left without consideration on the merits;
- 44 were dismissed.

In particular, materials pertaining to 19 complaints were sent to the National Police of Ukraine. The complainants were primarily voters whose electoral rights had been violated, proxies of MP candidates, official observers, political parties, or members of election commissions.

### Number and status of consideration in courts of cases pertaining to preparation and conduct of the July 21, 2019 early parliamentary elections, with the CEC as the respondent



# 11 | OPENNESS AND PUBLICNESS OF THE ACTIVITIES OF THE CENTRAL ELECTION COMMISSION

During the preparation and conduct of the July 21, 2019 early parliamentary elections, the CEC strictly adhered in its activities to the principles of openness and publicness declared by Article 4 of the Law of Ukraine “On the Central Election Commission.”

In the first place, this was facilitated by the holding of a series of briefings and press conferences with the participation of the Chairperson, Deputy Chairperson, Secretary and members of the Commission. A total of 10 such events were conducted. In parallel, those officials took part in more than 30 television programs, providing commentaries and clarifications on electoral procedures and specifics of application of election legislation. Besides, a joint briefing of the Chairperson of the CEC and the Director of the State Enterprise “Ukraine Printing and Publishing on Production of Securities” was held; when it was over, the process of production of ballot papers for voting at the early parliamentary elections was demonstrated to the journalists.

The official CEC website has a section entitled “For Citizens of Ukraine” that provides voters with online information, in the form of Questions and Answers, which is primarily related to electoral procedures.

In the section “Essential Information”, important information and clarifications were posted for different

### For citizens of Ukraine

Voter’s personal account

Voting by internally displaced persons and voters whose electoral address lies within temporarily occupied territory of Ukraine

How to vote at a different place than at place of residence registration

Where voters can familiarize themselves with the list of election precincts

Who is eligible to vote at the election of the President of Ukraine

Map of access to CEC premises for people with disability

electoral subjects. In particular, MP candidates running in single-member election districts were provided with information on the opening of accounts of electoral funds; members of DEC and PECs were advised on conducting various electoral procedures; candidates declared elected, on submitting documents for official registration as MPs, etc.

Data provided in July 2019 by the marketing company Kantar TNS CMeter (Ukraine) attested to the enhanced

### Essential information

14.08.2019

For the attention of DEC! Here are the requisites for repayment of debit debts of DEC for the parliamentary elections resulting from conduct of settlement procedures with the Pension Fund of Ukraine

01.08.2019

For the attention of persons elected as MPs of Ukraine

22.07.2019

July 21, 2019 early parliamentary elections: main electoral procedures performed by DEC and PECs after the end of voting

28.05.2019

March 31, 2019 election of the President of Ukraine. Analytical report

The election of the President of Ukraine on march 31, 2019. Executive Summary

popularity of the CEC site; according to that data, the official portal cvk.gov.ua not only achieved a considerable increase in the number of its visitors but also moved from 263rd to 40th place in the ranking published by that international organization.

The Commission was also provided with feedback from society through responses to various requests for information. Overall, during the election process period, the Commission received more than 180 such requests. Moreover, the CEC received more than 60 inquiries from

mass media. None of them remained unanswered.

Throughout the entire electoral process, the official site of the Commission presented detailed information on temporary change of the place of voting without changing the electoral address. The data was updated on a daily basis. Civil society had an opportunity to follow the dynamics of changes in the number of voters that used the mechanism of changing the place of voting; this was performed practically in an online mode, across each region of Ukraine and across the whole country in general (for the details, see the section “Voter Lists”).

It is also noteworthy that during the electoral process the CEC offered, for the first time ever, electronic services that were available on the SVR website. With their help, voters had the opportunity to check their inclusion in the database of the State Voter Register and receive detailed information on the location of their election precinct for voting.

The total number of requests for checking a voter’s record was more than 150,000.

The electronic service “Feedback” was used by more than 700 citizens, who received over 800 exhaustive replies to questions that were of interest to them in the course of the electoral process. This brought the CEC closer to the voters and essentially reduced the time for getting answers to questions asked.

The service “Open data” contains a number of data sets that were undoubtedly used by the IT teams of candidates’ headquarters, official observers, and NGOs. Information presented in open data format became the basis for the creation of new startups and e-services.

Another no less important channel of ensuring openness and publicness of the CEC in the course of the electoral process consisted in meetings of the leadership and members of the Commission with representatives of international and nongovernmental organizations conducting observations of the early parliamentary elections.

Moreover, the Commission organized an extended conference with the participation of authorized representatives of political parties to the CEC with advisory vote to discuss the sequence of placement of political parties included in the ballot paper for the nationwide multi-member election district.

A separate relevant area of work in the sphere of publicness and openness of CEC activities was prompt reaction to fakes and attempted spreading of misinformation about the Commission’s decisions and organization of the electoral process in general, as well as to occasional open information pressure on CEC members.

For effective struggle against these negative phenomena, a technology for maximally wide, practically round-the-clock monitoring of the information space was improved; as a result, an algorithm was developed for careful checking of relevant resources and search for the source of origin of untrue information, followed by a fast response. Depending on the specific situation, those were textual refutations and clarifications on the official

CEC website and the Commission’s Facebook page. One example was the statement of the National Journalists’ Union of Ukraine alleging that the CEC had not provided in the budgets of DEC for expenses for the publication in regional printed media of election-related information.

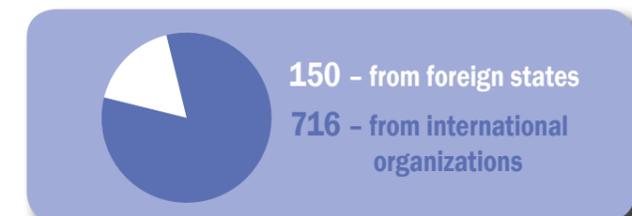
In the course of the electoral process the Chairperson, Deputy Chairpersons and Secretary of the Commission, as well as certain members of the Commission (according to their areas of responsibility) took part in interviews and made numerous comments for both national and foreign media.

Information reports on the results of each meeting of the Commission, on other topical and high-profile events related to the electoral process were promptly posted on the CEC’s official website, on the Commission’s Facebook page, and were distributed in mass media. Overall, during the 60-day-long campaign period of the early parliamentary elections, about 140 reports and press releases were prepared.

At the early parliamentary elections, 716 representatives of 67 national media outlets and 150 representatives of 39 media outlets from 16 foreign countries were accredited at the Commission on a permanent basis.

Thus, due to a pre-planned set of measures, the CEC managed to prove once again, during the rather short

### Total number of representatives of national and foreign media accredited at the CEC



campaign period of the early parliamentary elections, that it is absolutely open to each and every media outlet and ready to partner with the maximally possible number of nongovernmental organizations interested in elections, Ukrainian society in general, as well as numerous international institutions working in the field. Over time, the Commission plans to create and implement a new communication strategy promoting transparency and openness during the organization and conduct of nationwide election campaigns.



Meeting of CEC members with the Chair of the Electoral Commission of the United Kingdom Sir John Holmes and representatives of IFES. June 11, 2019



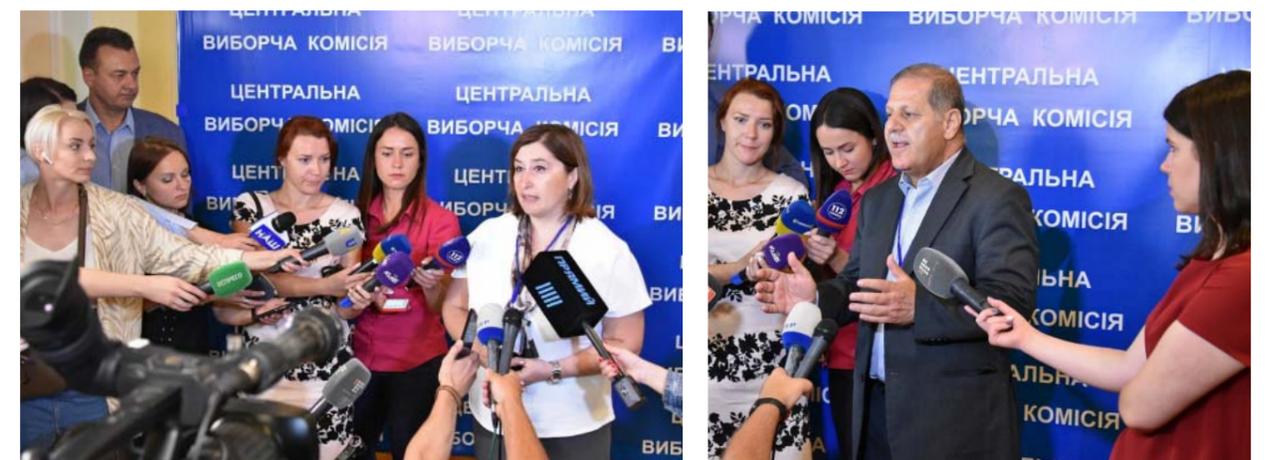
Announcement of the results of the July 21, 2019 early parliamentary elections in the nationwide multi-member election district. August 3, 2019, the CEC.



Briefing of the Chairperson, Deputy Chairperson and Secretary of the CEC. July 22, 2019



Press conference of OSCE/ODIHR and parliamentary partners on the parliamentary elections. July 22, 2019, Kyiv



The Chair of the Central Election Commission of Georgia Tamar Zhvania and the Vice President of the Independent Election Commission of the Hashemite Kingdom of Jordan Zuhair Abu Fares interviewed by Ukrainian journalists. July 22, 2019



Training workshop for chairpersons and deputy chairpersons of DECs. June 12, 2019, CEC



Members of the CEC re-count the votes of 14 election precincts of single-member district No. 50. August 4, 2019, CEC



Newly elected MPs of Ukraine receive certificates and breast badges. August 29, 2019, Verkhovna Rada of Ukraine