

# WHO VIOLATES THE ELECTORAL LEGISLATION, AND WHY?

## Opinion poll



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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The opinion poll was carried out by GfK Ukraine for the Council of Europe within the framework of the Council of Europe project “Reform of the electoral practice in Ukraine”

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*The opinions expressed in this work are the responsibility of the authors and do not necessarily reflect the official policy of the Council of Europe*

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## Introduction and research aim

Upon the results of 2015 local elections in Ukraine, the national law enforcement authorities received 8220 notifications of alleged electoral violations. Upon the results of consideration of applications received, 422 criminal proceedings were opened<sup>1</sup>. The effectiveness of accountability mechanisms for electoral violations have been assessed after the end of the electoral process on the basis of analysis of respective court decisions rendered.

According to the results of the research and analysis conducted by Civil Network OPORA<sup>1</sup>, among 422 criminal proceedings opened – the most are related to vote-buying (159) and to preclusion of the right to vote or the work of an election committee or activities of official observers (97). Among 422 criminal proceedings opened, only 66 (15.6%) resulted in indictment transmitted to a court for further consideration of a case.

To understand the causes and motivation which lead the citizens to committing electoral violations and to figure out necessary types and directions of further support to enhance effectiveness of mechanisms of accountability for electoral violations, it is necessary to conduct a sociological survey on causes for electoral violations.

The survey was carried out by GfK Ukraine for the Council of Europe Office in Ukraine within the framework of the Council of Europe project “Reform of the electoral practice in Ukraine”.

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<sup>1</sup> Civil Network OPORA (2017). An investigation of crimes against electoral right violations in 2015 local elections (available only in Ukrainian) – <https://www.oporaua.org/vybory/zvity/43825-opora-pidhotuvala-pidsumkovyi-zvit-shchodo-rozsliduvannia-zlochyniv-proti-vyborchych-prav-na-cherhovyykh-mistsevykh-vyborakh>

## Survey methodology

The survey was carried out in June–July 2017.

At the first stage of the survey, six focus groups were conducted in six cities (Kyiv, Chernivtsi, Chernihiv, Dnipro, Odesa, Mariupol) in order to collect insights for the quantitative survey. Participants for focus groups were selected according to the following criteria:

- age – 25-55 years old;
- approximately equal numbers of men and women per each group;
- completed secondary education;
- interest in social and political life of Ukraine;
- no membership in political parties or non-governmental organizations;
- no membership in election commissions (at any time);
- participation in recent presidential, parliamentary and local elections in Ukraine;
- experience of witnessing/facing with at least one type of election related violations (or knowing someone who witnessed/faced with election related violations).

At the second stage, the quantitative survey took place within June 14 – July 5. Sample size constitutes of 1635 respondents aged 18+. Sample is representative for adult population of Ukraine in terms of gender, age, region of residence, and settlement size according to State Statistics Service of Ukraine data as of 1/01/2016 (excluding the territories of AR Crimea and Luhansk and Donetsk regions, which are not under the control of the government of Ukraine). The survey was conducted via personal interview at respondent's home method. Theoretical sample error does not exceed 2.5%.

After the quantitative survey at the third stage, six focus groups were conducted with Ukrainian citizens being or having been members of precinct, district election commissions or territorial election commissions of oblast level since 2014; and another six focus groups were conducted with Ukrainian citizens being members of the political parties represented in the Verkhovna Rada of Ukraine of the current convocation or represented in oblast or city council currently or at the period of any elections since 2014.

GfK Ukraine guaranteed confidentiality and anonymity to all participants of all stages. Respondents were not asked about violations committed by themselves (only about the ones they have witnessed/committed by others etc.), also focus group participants were asked not to name the parties/candidates/other persons involved in violations.

The survey questionnaire and guides include the following topics:

- Experience of violations during elections in Ukraine (both national and local);
- Perception and attitude to the election related violations;
- Readiness to combat the violations during the election process;
- Possible ways how to combat the violations during the election process.

## Key results

### Trust to key stakeholders of electoral process and authorities

Among key stakeholders of electoral process, the positive balance of trust of Ukrainian population is observed only for exit polls (6.19 of 10-points scale) and international organizations which observe electoral process (6.17). Ukrainian NGOs which observe electoral process have neutral balance of trust (5.47 – the share of those who trust is approximately the same as the share of those who do not trust).

The rest stakeholders have negative balance of trust: members of precinct election commissions (5), members of district election commissions (4.58), the Central Election Commission (3.67). Higher level of trust to local state authorities than to central ones is common for Ukrainians: particularly, the level of trust to local authorities is 4.73, to the President – 3.49, to the Cabinet of Ministries – 3.09, to the Parliament – 2.79. Participants in each focus group have stated that authorities are not interested to combat violations during electoral process, because they are main beneficiaries of violations.

The trust to the law enforcement agencies and courts is also low: the level of trust to the National Police is 4.3, to the Prosecutor's Office – 3.11, to courts – 2.83. Focus groups also show negative attitudes towards the law-enforcement agencies and their capabilities to combat election related violations. According to participants, the main reasons for such inefficiency are corruption, incompetence and dependence of investigators on politicians whose cases they investigate. On the other hand, focus groups participants recognize that the National Police is more effective than previous militia as a result of the police reform.

Political process in Ukraine is described mostly in negative terms in all focus groups: instability, crisis, constant strain, corruption, chaos, fighting for the power. In correspondence with political process electoral process has also mostly negative perception. Some participants from general population mentioned possibilities to get some benefits during elections (for example, new playgrounds) or to earn some extra money as a positive aspect.

### Estimation of elections integrity

68% of Ukrainians are dissatisfied with integrity of election process and only 19% are satisfied. Focus groups participants understand the integrity of electoral process mostly as an absence of violations (vote buying, miscounting of votes etc.). At the same time, there is a prevalent opinion that elections are fair if candidates and parties keep their promises.

Ukrainians believe that there is a progress in a level of integrity of elections: integrity of elections which took place in 2014 and 2015 is estimated higher than in previous period. Thus, integrity of Presidential elections in 2014 is estimated as 5.25 in 10-points scale, of 2010 – as 4.65, of 2004 – as 4.8. Integrity of parliamentary elections in 2014 is estimated as 5.02, of 2012 and 2006 – as 4.65, of 2007 – as 4.61. Integrity of local elections in 2015 is estimated as 5.5, in 2010 – as 4.97. So, integrity of local elections receives the highest estimates and integrity of parliamentary elections – the lowest.

Participants also mentioned legal loopholes, lack of unified procedures, inexperience of commissioners as reasons which could lead to high rates of electoral violations. Focus groups participants also pointed out an improvement of electoral process since Euromaidain in 2014.

Some focus groups participants claimed 2014 Presidential elections as the fairest ones, because *“There was an euphoria. There was no pressure to choose a certain candidate”* (Chernivtsi, members of political parties). Since Euromaidan, positive changes regarding integrity are the following: increasing of transparency, better monitoring of electoral process by observers and decreasing of abuse of an administrative resource.

## Awareness, attitudes and experience of violations of electoral process

Among all types of violations, the violations of election campaigning are the most prevalent in Ukraine: within the period since 2014, 51% of Ukrainians faced placing campaign material or political ads on/in bus stops and train stations, 47% – placing campaign material or political ads on dwelling houses, 42% – placing campaign material or political ads on/in public transport vehicles, 23% – placing campaign material or political ads on/in national or municipal enterprises, 21% – placing campaign material or political ads on/in offices of government or local authorities, 18% – election campaigning one day before or during election day and the same share – distribution of untruthful or unproven information by a candidate with a purpose to form negative attitude towards other candidates or parties. Less prevalent situations are the following: election campaigning during worktime by public servants not being candidates; money or gifts proposed within election campaigning without insisting on voting in return (10% of Ukrainians faced each of these three types of violations); misbalance and unequal distribution of election campaigning in state-owned media for the benefit of certain candidates and parties; election campaigning by members of election commissions (6% of Ukrainians faced each of these violations); participation of state officials in election campaigning; abuse of material and human resources of central and local authorities for an election campaigning or other means to ensure a victory for certain candidates or parties (4% of Ukrainians faced each of these violations). All other situations were mentioned by less than 3% of Ukrainians.

68% of Ukrainians faced at least one electoral violation since 2014. All situations of violations were classified in the following types:

- Election campaigning violations (65% of Ukrainians faced this type of violations at least once since 2014);
- Vote buying (13%);
- Abuse of administrative resources (election campaigning during worktime by public servants not being candidates etc. – 8%);
- Interference into the activities of election commissions (6%);
- Criminal interference into electoral process (4%);
- Distortion of election results (3%);
- Preclusion to work of journalists and observers during elections (2%).

Focus groups participants confirmed all above-mentioned types of violations in their settlements since 2014. They either witnessed them personally or received information about them from relatives/friends/colleagues or media. Groups with members of political parties mostly reported all types of violations, while members of election commissions tended to deny violations in their own commissions (precinct, district and territorial) and to blame the Central Election Commission.

On the one hand, the majority of Ukrainians consider all these types of violations to be unacceptable. On the other hand, Ukrainians mostly do not realize the seriousness of consequences of particular cases of violations: all respondents who mentioned at least one of the above-mentioned violations were asked whether these situations<sup>2</sup> significantly influenced election results in their settlement – and only 19% confirmed this, 44% said that there was no significant influence and 38% could not assess the effect. The influence of these situations on election results was reported significantly more often by the respondents in Kyiv city and in the North (31% and 29%, respectively) comparing to Ukraine in general.

The same ambiguity is observed regarding vote buying: on the one hand, 64% consider distribution of food packages to voters during an election campaign as unacceptable (notable that situation when a candidate for elected position distributes campaign materials during an election day is considered as unacceptable much more often – by 73%). Unlike vote buying, the situation when a candidate for elected position installs a playground at

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<sup>2</sup> Which haven't been named as "violations" in the questionnaire – just neutral description was given.

his/her own expense is mostly perceived as acceptable – only 19% consider it to be unacceptable. On the other hand, if food packages were offered to respondent's family, 64% (!) said that it would not affect their vote and only 26% – that they would less likely vote for such candidate (additionally 1% confessed that they would be more likely to vote for this candidate and 10% could not answer the question). Only 16% of Ukrainians are ready to appeal to the law enforcement agencies in case of receiving money or present from a party or a candidate for his/her voice at elections, and the share of those who would do that is significantly higher in the West and in the South (21% and 25%, respectively).

Overall, 6% of Ukrainians are ready to sell their votes and 4% stated that members of their household are ready (only one third of these respondents (36%) consider such position of their relatives as unacceptable for them personally). 79% stated that nobody from their household is ready to sell their votes (the rest couldn't answer the question). The share of those who are ready to sell their votes is the highest in the North and in the Center (12% and 9% respectively). 65% of Ukrainians named unsatisfactory financial situation among main reasons for people to sell their votes (the share of those who gave this answer was significantly higher in the South – 73%), and 50% indicated disappointment in the results of any elections, while making attempts to gain at least some benefits from a candidate or a party (significantly more in the Ukraine-controlled territories of Donetsk and Luhansk oblasts – 60%). Focus groups participants also consider that the main reasons for people to sell their votes are poverty and disappointment in integrity of electoral process.

When people are not sure that voting can change anything, they are trying to gain at least some benefits from a candidate or a party. Such behaviour is not restrained neither by public condemnation (considering the above-mentioned, most Ukrainians stated that offering food packages would not influence on their voting or not voting for certain candidates and that violations which they witnessed had no influence on election results, also the majority considered vote buying with regard to their relatives as acceptable), nor by fear of responsibility. People are not aware of cases when those having violated the election law were brought to justice, as well as of liability for vote selling. Only 14% of Ukrainians know about criminal liability for voters who sell their votes, and the share of those who know about that is significantly lower in the Ukraine-controlled territories of Donetsk and Luhansk oblasts (5%) and higher in the South (19%). Therefore, public awareness about liability for vote selling is very low. Also, some participants of focus groups with general population did not consider indirect vote buying (for example, offering food packages without direct demands to vote for specific candidate) as vote buying per se.

Unlike general population, members of political parties and election commissions usually are able to identify indirect vote buying and aware of liability for vote selling. Whereas all members of election commissions state their readiness to report about election related violations, some members of political parties do not condemn vote buying while recognizing its illegality. Most members of political parties are ready to report about vote buying carried out by their competitors, but only a few of them are ready to report about vote buying carried out by their own party or to leave this party due to that. According to one of the focus group participants, "Why should I bite the hand that feeds me?".

Generally, 18% of Ukrainians heard about the cases of bringing those who violated election law to justice, and the share of those who heard about such cases was significantly higher in the South (23%) and significantly lower in the Ukraine-controlled territories of Donetsk and Luhansk oblasts (8%). 73% of Ukrainians consider that organizations which investigate violations of the election law work ineffectively, and such opinion is significantly more common in the North (87%). Relative majority of Ukrainians consider corruption in the law enforcement agencies (47%, significantly more often named in Kyiv city and in the North – 60% and 66%, respectively), imperfection of Ukrainian legislation (36%) and lack of political will (34%) to be the factors which prevent effective investigation of violations. In order to improve situation, 49% of Ukrainians consider that liability for committing offenses needs to be enhanced (such opinion is significantly more common in the West – 60%), 36% believe that there is a need to increase the effectiveness of the law enforcement agencies in fighting against electoral violations (mentioned significantly more often in the North and in Kyiv city – 55% and 47%, respectively) and 34% support the conduct of awareness-raising campaign. 46% of Ukrainians consider that candidates, members of commissions



and voters should be equally liable for violations (such opinion is more common in the North – 53%) and 34% consider that candidates for elective positions should be more liable (such opinion is more common in the West – 41%).

Overall, 55% of Ukrainians are ready to report the electoral violations at least in some way: particularly, 48% of Ukrainians are ready to report the electoral violations to the anonymous hotline, 38% – to journalists/NGOs, 30% – to the law enforcement agencies, 28% – to provide a statement to police or before court about the violations. In contrast to the results of the population survey, participants of each focus group think that Ukrainians are not ready to report or combat election related violations in any way, or they are ready to do that only in words, but not in deeds. They suggest motivating citizens by giving them some kind of remuneration for reporting, providing anonymity and safety, by conducting awareness raising campaigns about election related violations and publicly highlighting the cases of punishment for such violations – many participants consider that it will be better to focus on particular cases than to present statistics.

The majority members of election commissions mentioned large-scale informational campaign on the criminal liability for election related violations as a method to combat electoral violations.

### **Necessary changes to electoral legislation and procedures**

All the changes to the electoral legislation and procedures suggested within the survey in order to increase the integrity of elections were supported by the majority of Ukrainians: thus, "introduction of an option to recall elected deputies" received 9.09 of support out of 10-points scale, "criminal liability for election related violations is enhanced" – 8.88, "law enforcement agencies actively combat electoral violations and effectively investigate election crimes" and "all possible information about financing of political parties, parties' and candidates' pre-election campaigns is available to the public" – 8.69, "election commissions are formed of politically independent people instead of parties' representatives"- 8.66, "adoption of the law which will limit the amount of expenditures of political parties and candidates on election campaigning, including costs on political advertisement on TV and radio" – 8.27, "a self-nomination (without party affiliation) becomes possible at all elections" – 8.08, "electronic voting technologies are introduced (for example, voting machines or voting from home, as in developed Western countries)" – 7.46, introduction of quota for women and ethnic minorities in elected bodies (for example, no less than a third of women or 2 representatives of ethnic minorities in every elected body) – 7.18.

Focus group participants most of all supported the idea to enhance the criminal liability for election related violations and to adopt legislation which will limit the amount of expenditures of political parties and candidates on election campaigning, including costs on political advertisement on TV and radio. In addition, members of political parties highly assessed the potential effectiveness of implementation of electronic voting technologies.

### **Communication channels**

Ukrainian national TV is the most popular media in Ukraine – 90% watch it; the next popular – Ukrainian internet sites (excluding social media – 43%); local TV (41%); print press (35%); radio (31%), social networking sites founded in the Western countries (for example, Facebook – 28%), then social networking sites created in Russia (for example, Vkontakte – 19%). We can expect decrease in popularity of the latter due to the ban since 16 May, 2017 (there are technical possibilities to omit blocking, but many people migrate to social networking sites founded in the Western countries instead of using such possibilities. Therefore, it can be assumed that the number of users of the Russian social networking sites will decrease). The trust to the Russian social networking sites is lower than to any Ukraine-based media, social networking sites founded in the Western countries and Internet sites in the English language and constitutes 4.06 in 10-points scale.

Besides the above-mentioned sources, 13% of Ukrainians use the Russian Internet sites (excluding social media) and 11% watch the Russian TV. Only 4% of Ukrainians use Internet sites in the English language.

The level of trust to these media types generally correlates with their popularity – thus, the level of trust to the Ukrainian national TV is 5.71 in 10-points scale and the trust to the Russian TV – 2.66. Internet sites in the English language receive higher trust than the Russian Internet sites – 4.51 vs 3.03.

As for the sources of information about violations in electoral process, the Ukrainian national TV is also the leading source – 71% of Ukrainians named it, while all other sources were named by less than 25%.

## Key results summary

- Exit polls and international organizations which observe electoral process are trusted by the majority of Ukrainians while the Central Election Commission, the law enforcement agencies and the central and local authorities are distrusted. Therefore, exit polls and resolutions of international organizations are considered as key mechanisms of legitimation of election results.
- Ukrainians believe that there is a progress in the integrity of elections – the integrity of 2014 and 2015 elections is estimated higher than of elections in the previous periods. At the same time, 68% of Ukrainians are dissatisfied with the integrity of the election process and only 19% are satisfied. Local elections received the highest estimates as to their integrity, and parliamentary elections received the lowest, whereas presidential elections are in between.
- 68% of Ukrainians faced at least one type of election violations since 2014: election campaigning violations (named by 65%) and vote buying (named by 13%) are the most prevalent types of violation. As vote buying is one of the key problems in the electoral process in Ukraine, which needs to be tackled by an electoral reform, the present opinion poll particularly focused on the question, why Ukrainian voter would sell his or her vote.
- In majority cases, Ukrainians do not realize the seriousness of consequences of election violations: respondents who mentioned at least one violation were asked whether these situations significantly influenced election results in their settlement – and only 19% confirmed this; if food packages were offered to respondent's family, only 27% said that they would less likely vote for such candidate (at the same time, only 1% stated that they would be more likely to vote for this candidate).
- "Good deeds" of candidates in pre-election period are mostly perceived positively – only 19% consider a situation when a candidate for elected position installs a playground at his/her own expense to be unacceptable.
- Only 14% of Ukrainians know about criminal liability for voters who sell their votes, and only 18% of Ukrainians have heard about the cases of bringing those who violated election law to justice.
- Anonymous hotline is the best way for Ukrainians to report about election violations – 48% are ready to do this. 28% are ready to provide a statement to police or before court about the violations. At the same time, focus group participants consider that this readiness exists only in words, but not in deeds. Only 16% of Ukrainians are ready to appeal to law enforcement agencies in case of receiving money or present from a party or a candidate for his/her vote at elections.
- Overall, 79% of Ukrainians deny readiness of all their households' members to sell votes, while 6% confirmed their personal readiness to vote selling. In reality, the latter percentage could be significantly higher because of sensitivity of the question and because of the fact that vote buying can be hidden in case of indirect vote buying – as stated above, majority of Ukrainians do not condemn offering of food packages by candidates. Summarizing the results of all survey components, the main reasons for vote-selling are the following: 1) poverty; 2) attempts to gain at least some benefits from a candidate or a party as a result of disappointment in the results of any elections; 3) lack of public awareness that distribution of food packages without direct demand to vote for a certain candidate is considered as vote buying; 4) lack of public condemnation of vote buying and vote selling; 5) low awareness about criminal responsibility for vote selling; 6) lack of awareness of the cases of bringing those who violated election law to justice; 7) low readiness to report about election violations, especially in case of indirect vote buying.
- Majority of Ukrainians support the following changes to electoral legislation and procedures: "introduction of an option to recall elected deputies", "criminal liability for election related violations is enhanced", "law enforcement agencies actively combat electoral violations and effectively investigate election crimes", "all possible information

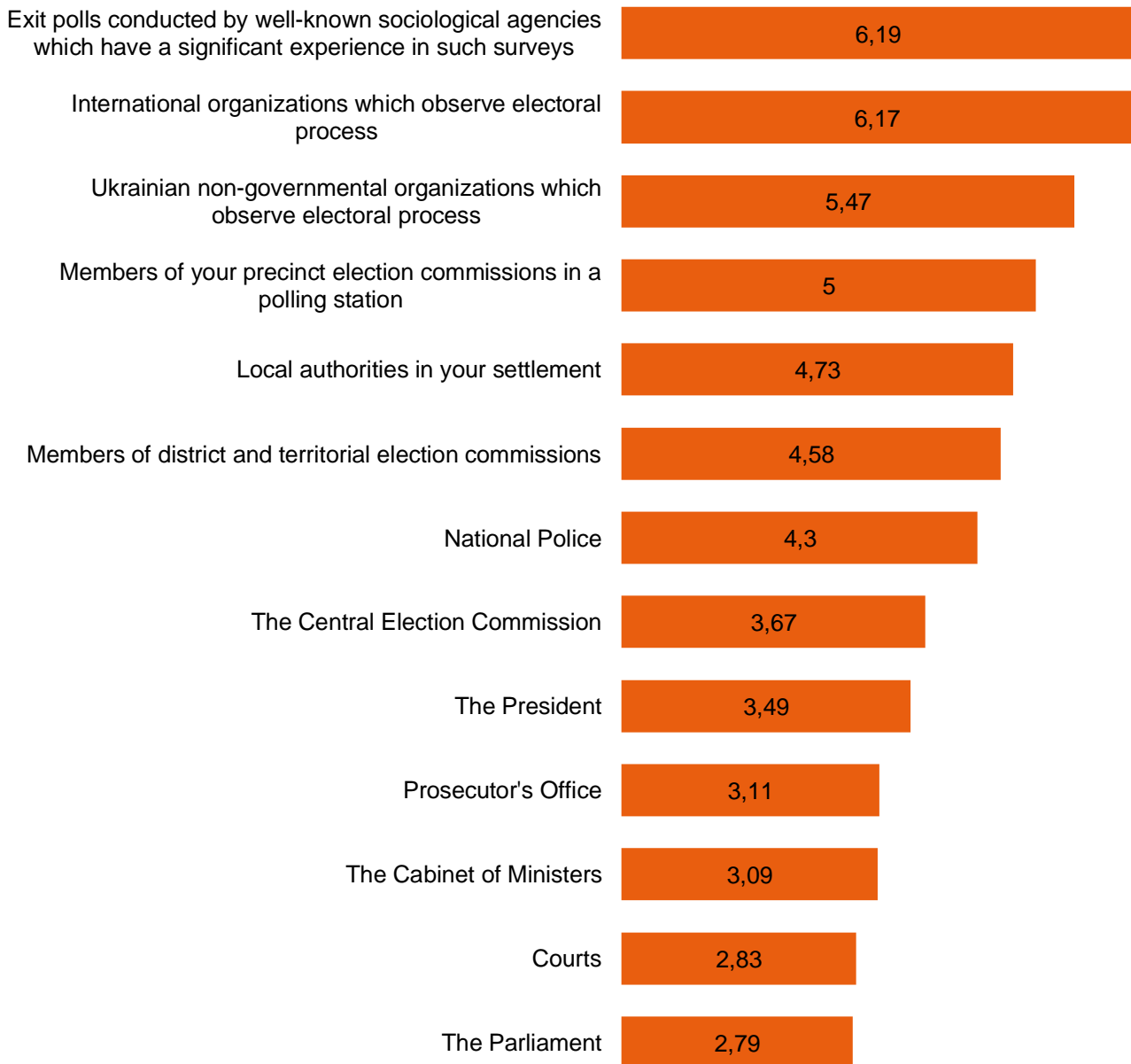
about financing of political parties, parties' and candidates' pre-election campaigns is available for the society", "election commissions are formed of politically independent people instead of parties' representatives", "adoption of the law which will limit the amount of expenditures of political parties and candidates on election campaigning, including costs on political advertisement on TV and radio", "a self-nomination (without party affiliation) becomes possible at all elections", "electronic voting technologies are introduced (for example, voting machines or voting from home, as in the developed Western countries)", implementation of quotas for women and ethnic minorities in elected bodies (for example, no less than a third of women or 2 representatives of ethnic minorities in every elected body).

- TV remains major communication channel for Ukrainians which proves that it should be more widely used to raise voters' awareness about types of election related violations, criminal liability for committing election related violations, as well as to inform voters about the cases of bringing those who violated election law to justice.

# 1 Trust to key stakeholders of electoral process and authorities

## 1.1 Quantitative survey results

**Chart 1.1. Question “Tell me, please, how much do you trust the following organizations and institutions? Rate the level of confidence on a scale of 1 to 10, where 1 – absolutely don’t trust, 10 - completely trust.”**  
(mean among total sample, excluding those who chose option “Hard to answer”)



## 1.2 Qualitative survey results

Negative attitude towards politics in Ukraine is common for all focus groups. It is described mostly in negative terms: instability, crisis, constant strain, corruption, chaos, fighting for the power. In correspondence with political process, electoral process has also a mostly negative perception.

Some participants from general population talked about possibilities to get some benefits during election (for example, new playgrounds) or earn some extra money as a positive aspect.

*Only before elections candidates do something. They do at least small things for people. Installing a bench somewhere or repair a road somewhere. When it's done [an election] – absolutely everything stops.  
It's always like this.  
(Dnipro, voters)*

Members of precinct/district/territorial election commissions positively evaluate their own work, blaming others and the Central Election Commission.

*Well, I think that there is no falsification at the precinct or even territorial level. People count [votes] all night over, do not sleep at night and some even more. Everything is transparent. However, it is not transparent at the CEC level [Central Election Commission], to my opinion. Maybe some pitfalls are there. Because we know what we have in our city, but we have something different in the result.  
(Kyiv, members of election commissions)*

In contrast to them, members of political parties reported about plenty of violations at all levels, including precinct/district/territorial election commissions.

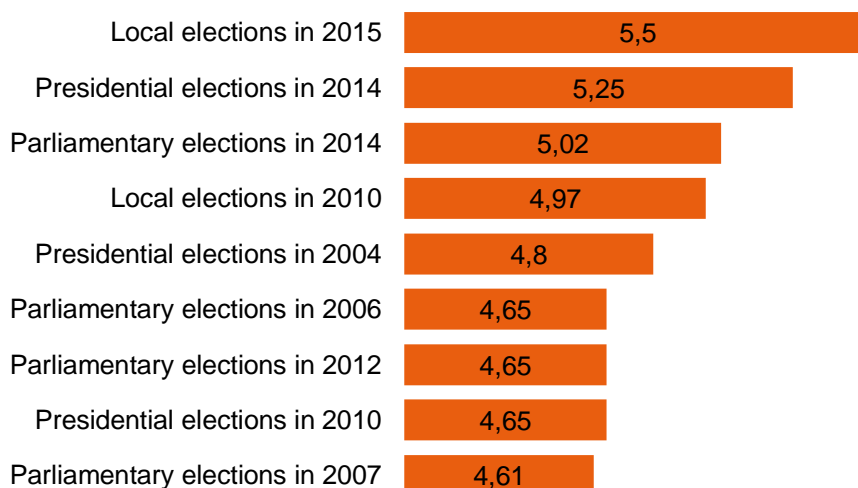
According to participants, main reasons for inefficiency of the law enforcement agencies are corruption, incompetence and dependence of investigators on politicians whose cases they investigate. On the other hand, focus groups participants recognize that the National Police is more effective than previous militia as a result of the police reform.

*New bodies [of the law enforcement agencies] are capable [to investigate election related violations]. However, because of old people in departments, they could do nothing.  
(Mariupol, members of political parties)*

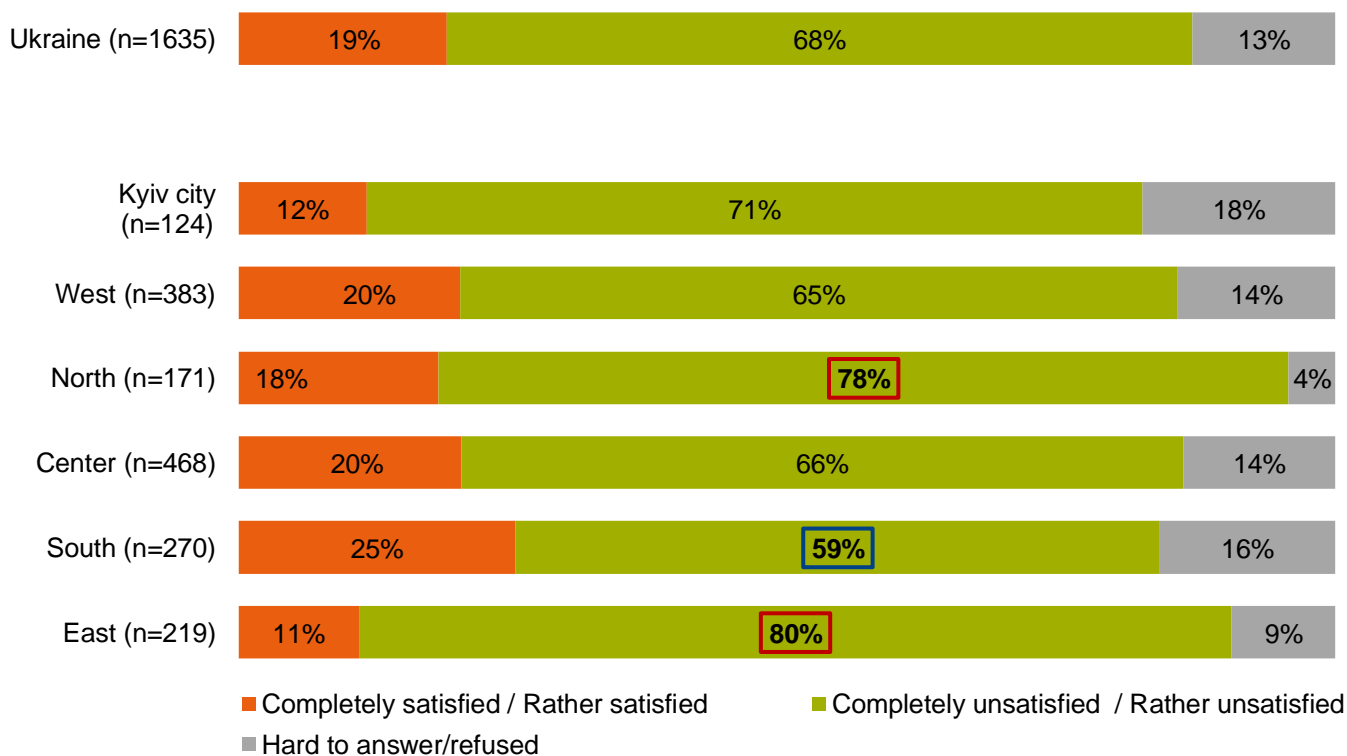
## 2 Estimation of elections integrity

### 2.1 Quantitative survey results

**Chart 2.1. Question “In your opinion, how fair were these elections? Rate on a 10-point scale, where 1 is totally unfair and 10 is completely fair.” (mean among of total sample, excluding those who chose option “Hard to answer”)**



**Chart 2.2. Question “Generally speaking, how much are you satisfied with integrity of electoral process in Ukraine?”**



Here and hereafter:

   % significantly higher with significance level of 95% than total sample (Ukraine)

   % significantly lower with significance level of 95% than total sample (Ukraine)

## 2.2 Qualitative survey results

According to focus groups results, participants understand the integrity of elections mostly as an absence of violations (vote buying, miscounting of votes etc.). At the same time, there is a prevalent opinion that elections are fair if candidates and parties keep their promises.

*They should do promised things. People trusted them. Promises should be fulfilled. Not only material ones (Chernihiv, voters).*

Speaking about why elections are unfair, participants mentioned legal loopholes, lack of unified procedures, inexperience of election commissioners and, therefore, high rates of violations. At the same time, improvement of electoral process since Euromaidan in 2014 was mentioned. Some participants of focus groups claimed 2014 Presidential elections as the fairest, because:

*There was an euphoria. There was no pressure to choose a certain candidate (Chernivtsi, members of political parties).*

Positive changes having taken place since Euromaidan are the following: increasing of transparency, better monitoring of electoral process by observers and decreasing of abuse of an administrative resource.

*... the [electoral] process has become more transparent. Frankly, the level [of transparency] is not such as we want, but there are certain steps in this direction (Mariupol, members of political parties)*

However, some participants see a decline in integrity of electoral process since 2014.

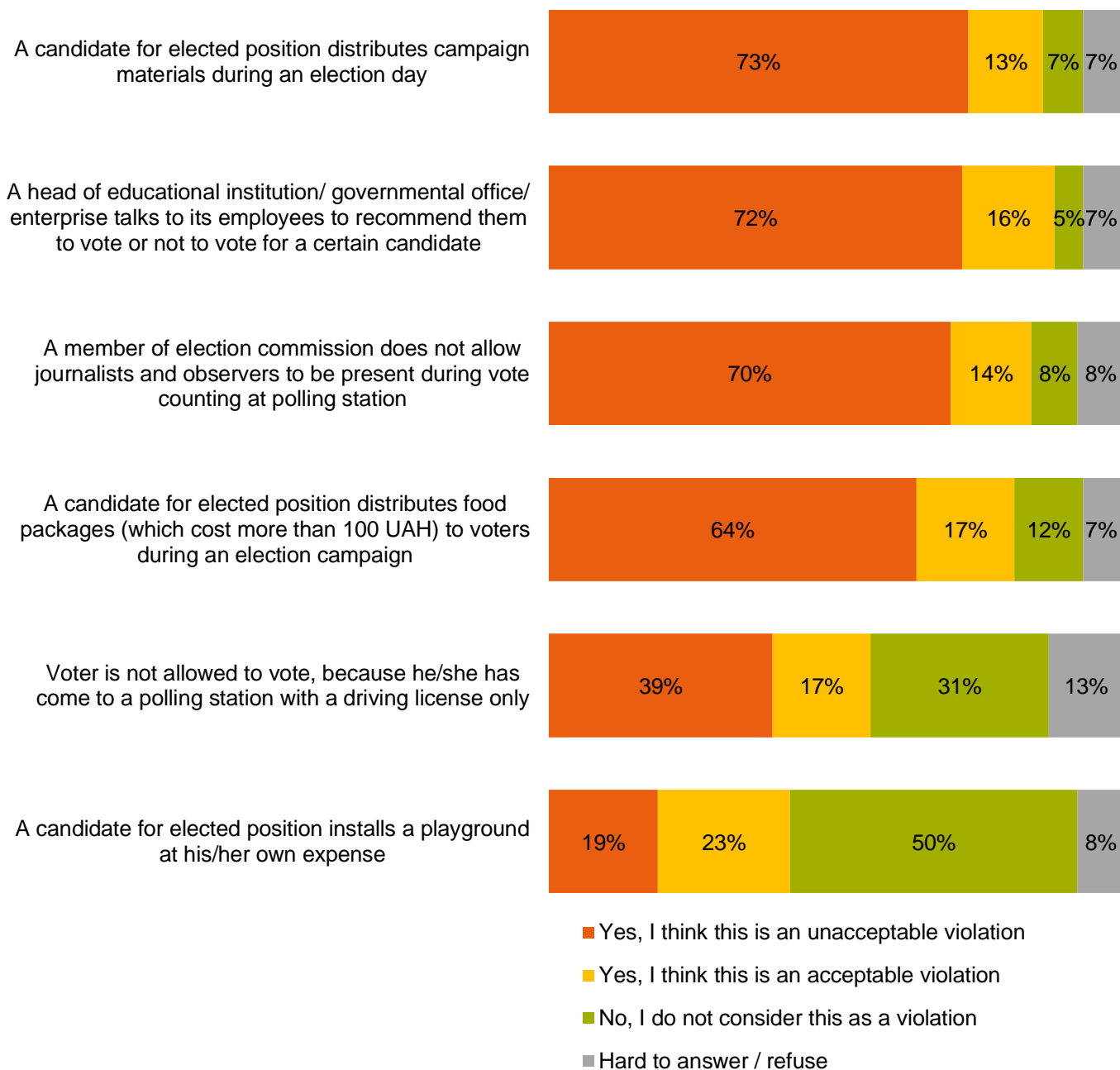
*They have no shame, no. There are no punishments. Armed people come and make a pressure with their authority, saying that they have been in ATO [military conflict in eastern Ukraine]. There is an increase of banditry (Chernivtsi, members of election commissions)*

In context of assessment of the political process and existence of any positive changes, members of political parties and members of election commissions mentioned that elections became fairer after 2014. Members of political parties mentioned that elections became more transparent and democratic. Members of election commissions considered that elections were conducted with less number of violations, corrupt practices were less popular. However, general population has not mentioned any changes in election process since 2014.

### 3 Awareness, attitudes and experience of violations of electoral process

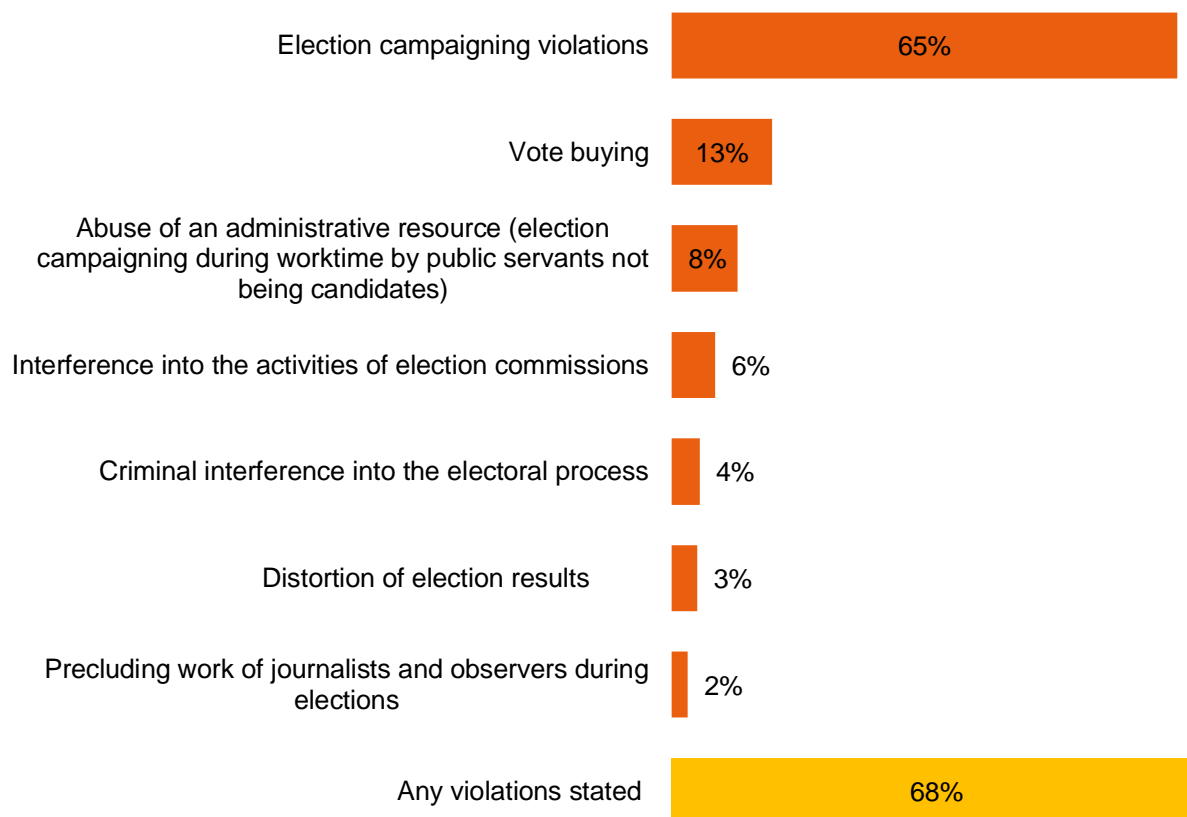
#### 3.1 Quantitative survey results

**Chart 3.1. Question “Do you consider the situation where .... as a violation of electoral laws?”**  
 (% of total sample, N = 1635)



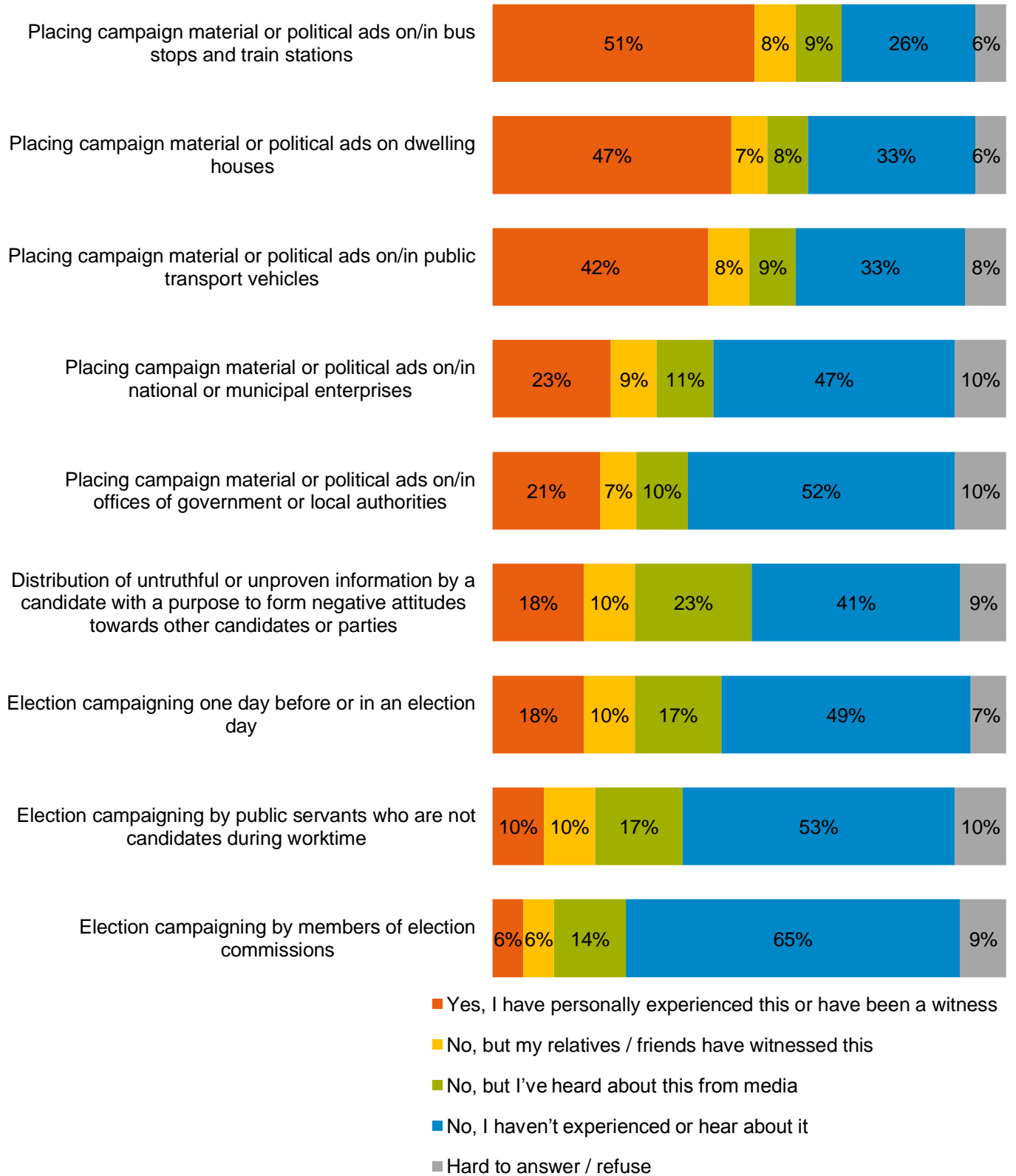


**Chart 3.2. Question “The share of those who personally experienced or were a witness of following violations, related to...”** (the situations were classified in 7 main types, % of total sample, N = 1635)

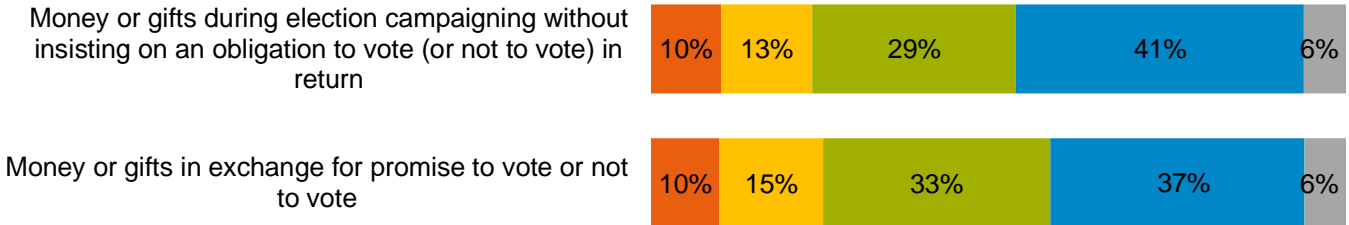


**Chart 3.2.1. Question: “Did you face, starting from 2014, the following situations...?”**

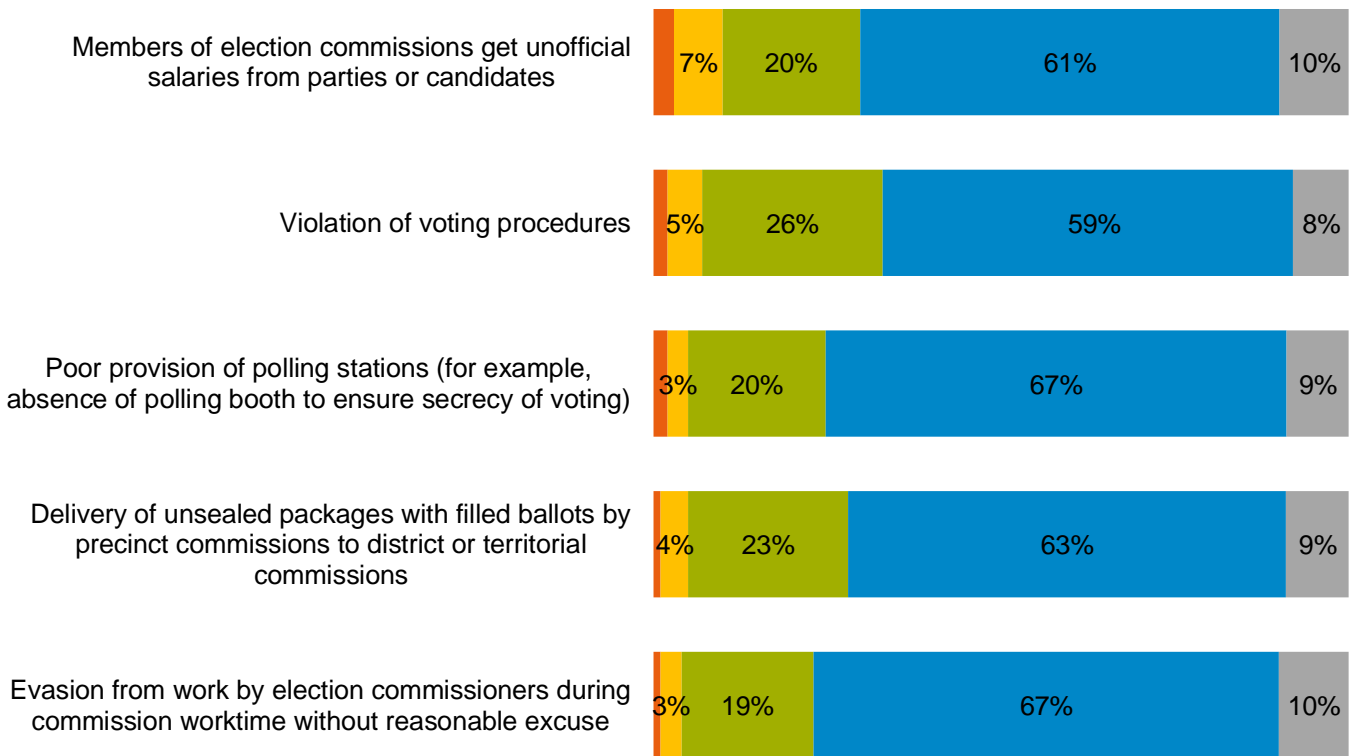
Related to violations in the election campaign (% of total sample, N = 1635)



**Chart 3.2.2. Question: “Did you face, starting from 2014, the following situations...?”**  
 Related to votes buying (% of total sample, N = 1635)

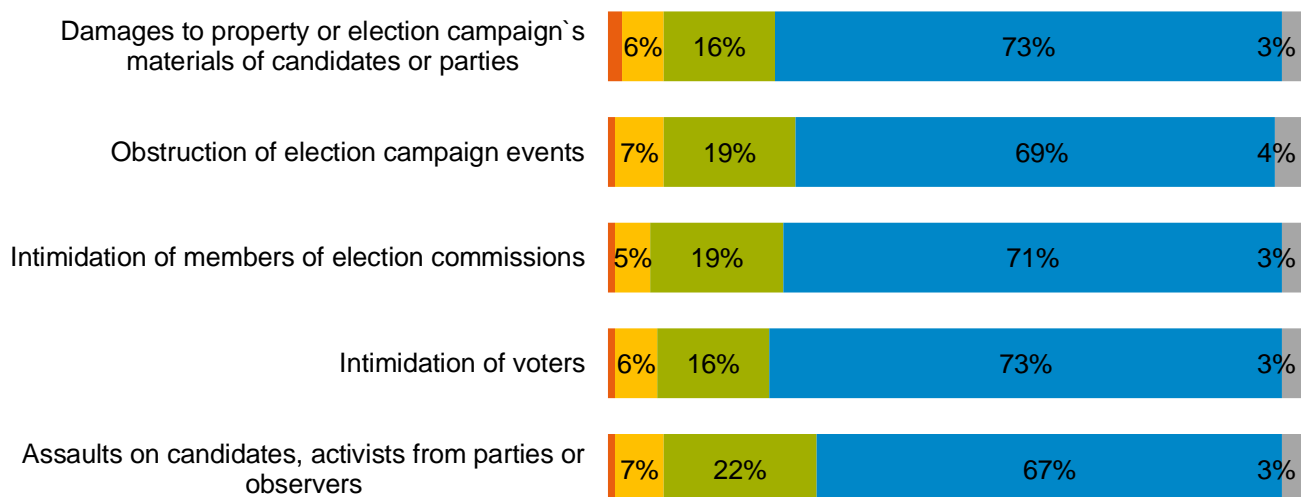


**Chart 3.2.3. Question: “Did you face, starting from 2014, the following situations...?”**  
 Related to violations during activities of election commissions (% of total sample, N = 1635)

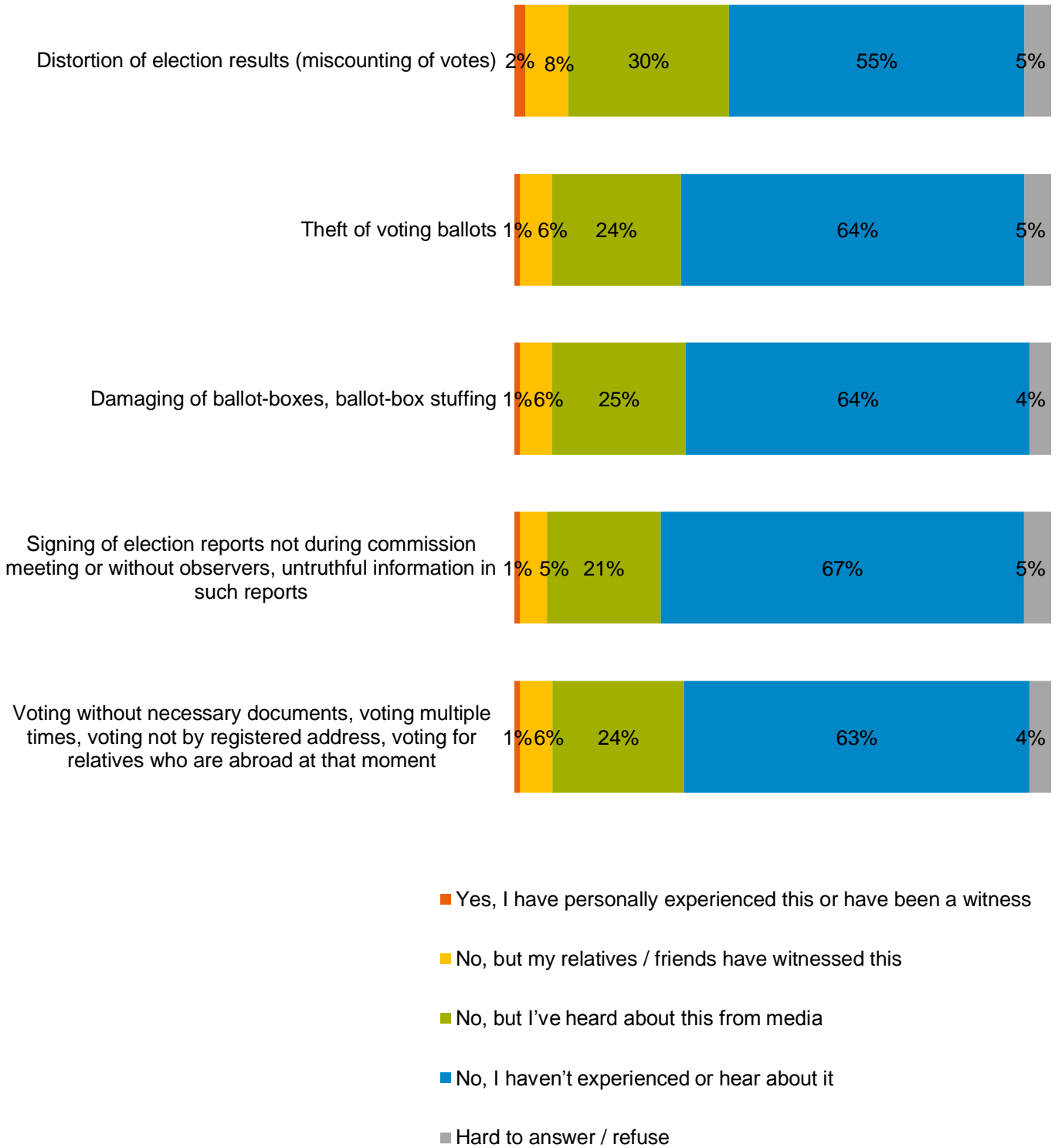


- Yes, I have personally experienced this or have been a witness
- No, but my relatives / friends have witnessed this
- No, but I've heard about this from media
- No, I haven't experienced or hear about it
- Hard to answer / refuse

**Chart 3.2.4. Question: “Did you face, starting from 2014, the following situations...?”**  
 Related to criminal intervention to electoral process (% of total sample, N = 1635)

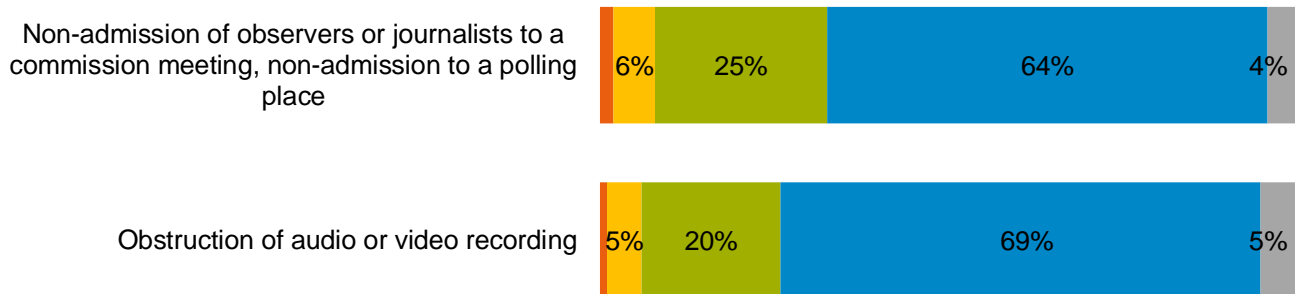


**Chart 3.2.5. Question “Did you face, starting from 2014, the following situations...?”**  
 Related to distortion of election results (% of total sample, N = 1635)



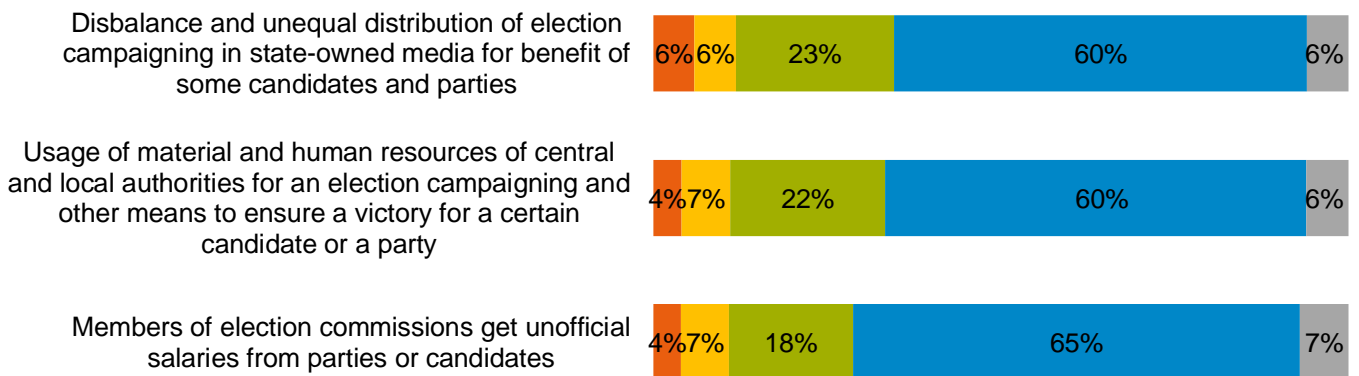
**Chart 3.2.6. Question: “Did you face, starting from 2014, the following situations...?”**

Related to creating obstructions to journalists and observers work during election (% of total sample, N = 1635)



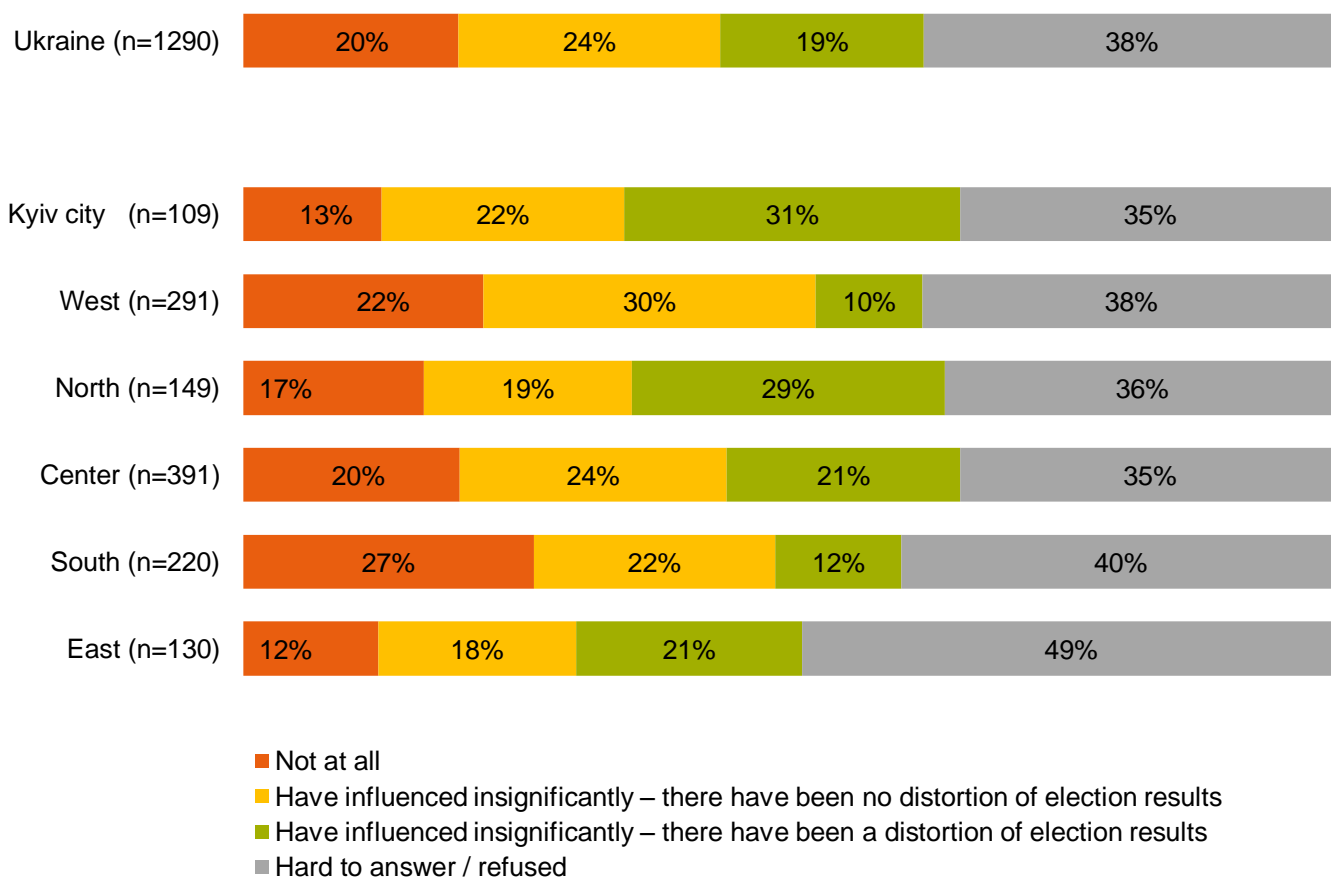
**Chart 3.2.7. Question: “Did you face, starting from 2014, the following situations...?”**

Related to abuse of an administrative resource (election campaigning by public servants who are not candidates during worktime) (% of total sample, N = 1635)



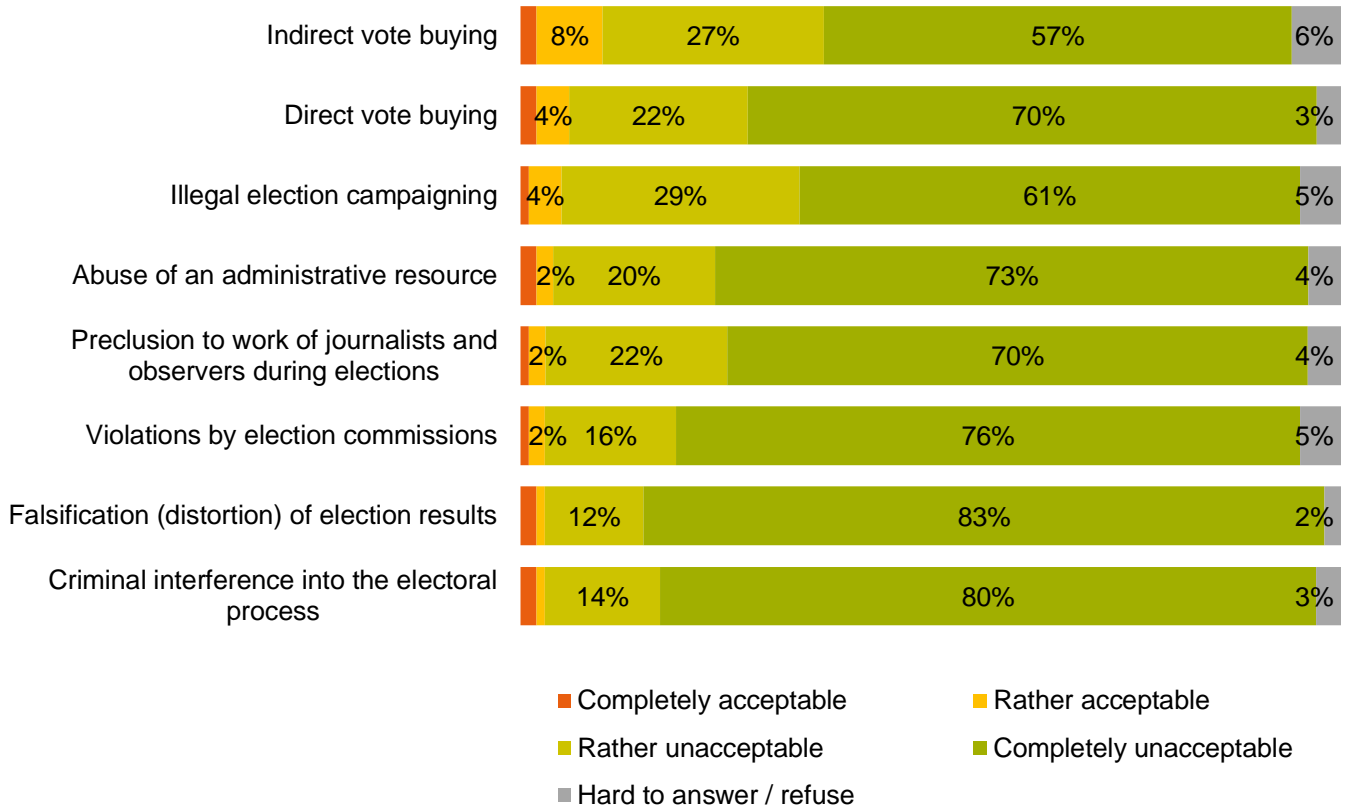
**Chart 3.3. Question “How do you think, have these situations or others, which you or your relatives have witnessed, significantly influenced election results in your settlement?”**

(% of those who personally experienced or were a witness or mentioned relatives and friends who witnessed election violations)



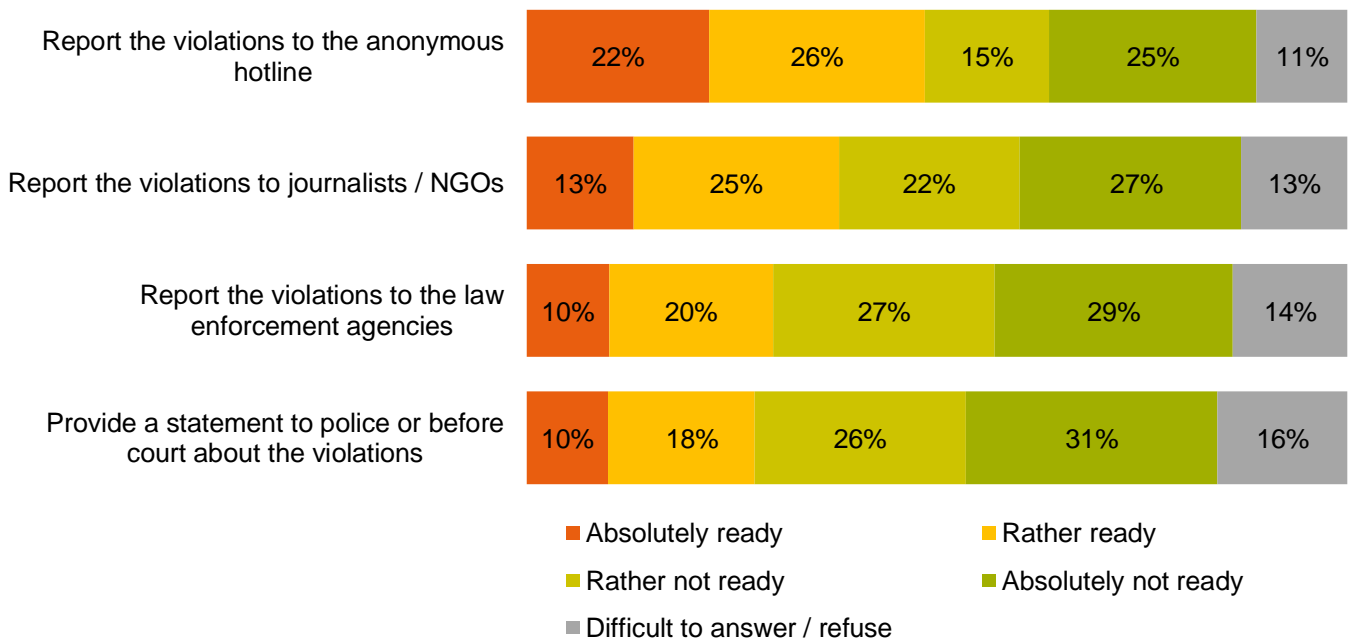
**Chart 3.4. Question: “How acceptable or unacceptable for you personally, are the following violations of the electoral legislation?”** (detailed explanation of each violation was given in the questionnaire)

(% of total sample, N = 1635)



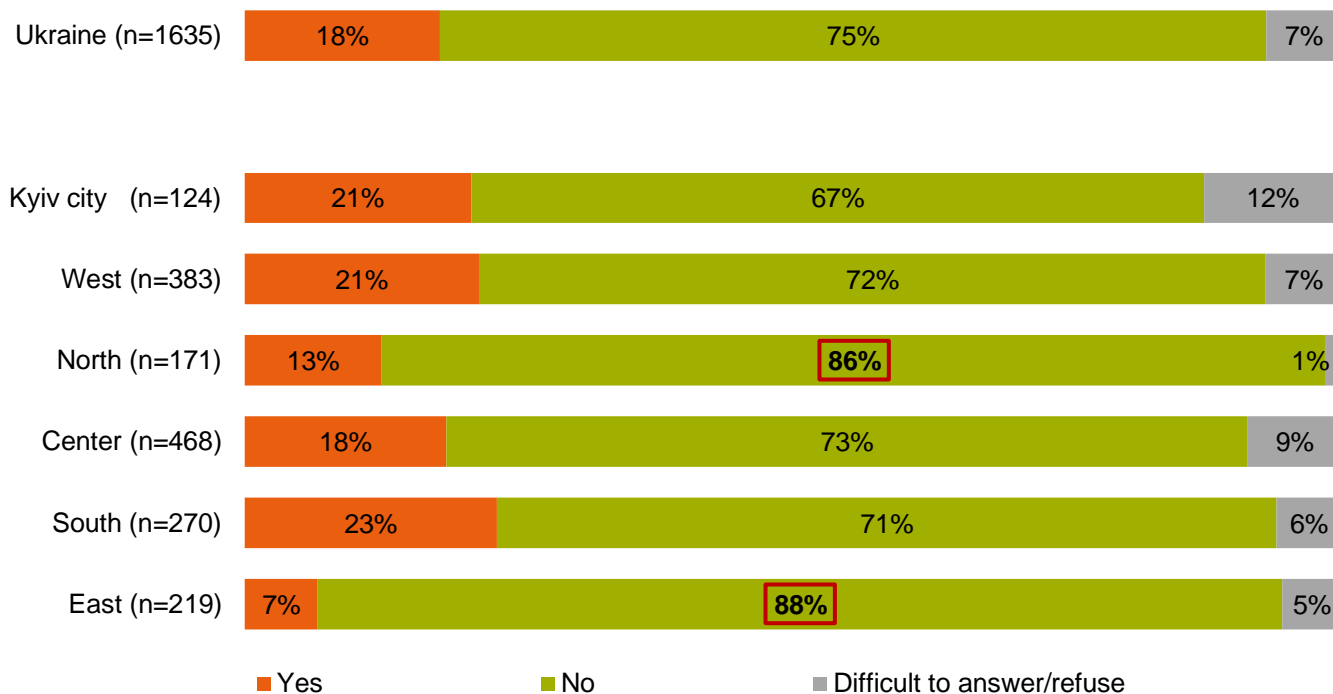
**Chart 3.5. Question: “If you witness violations during elections, how much are you ready ...”**

(% of total sample, N = 1635)

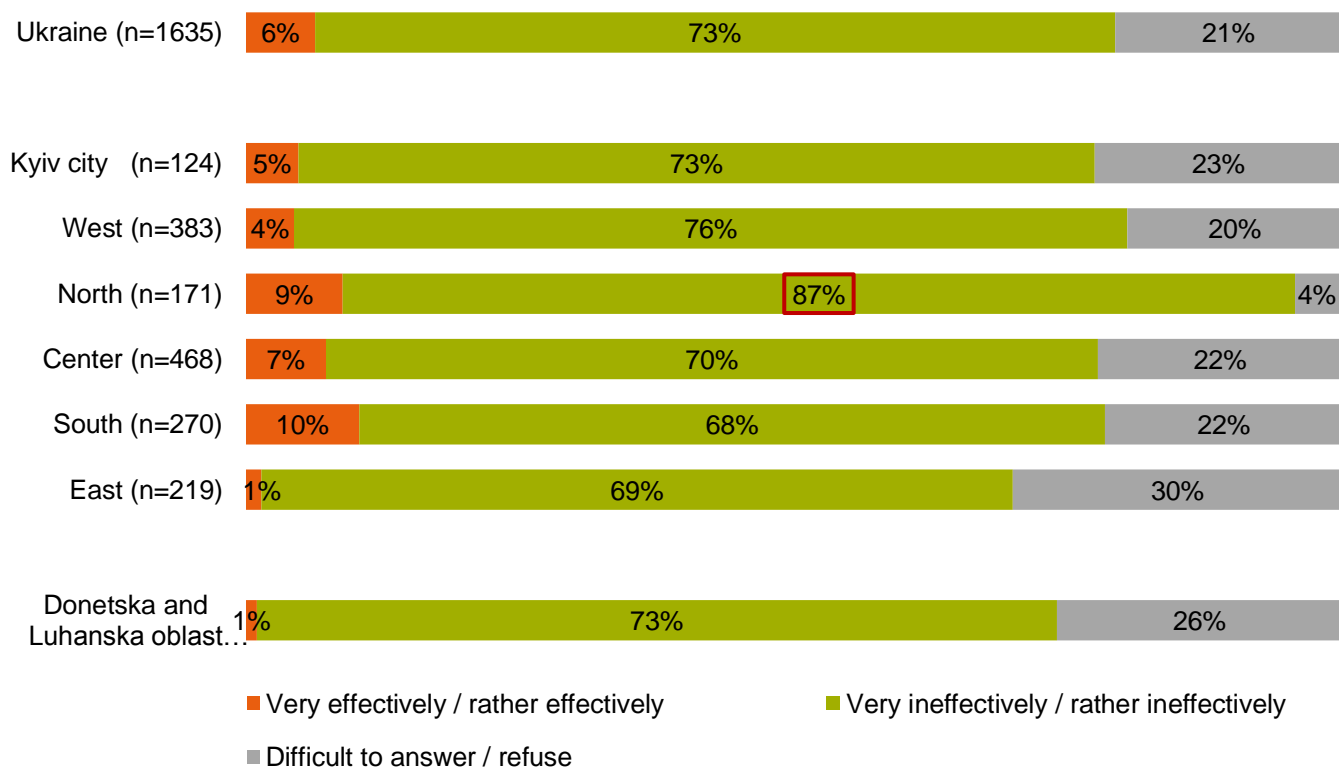




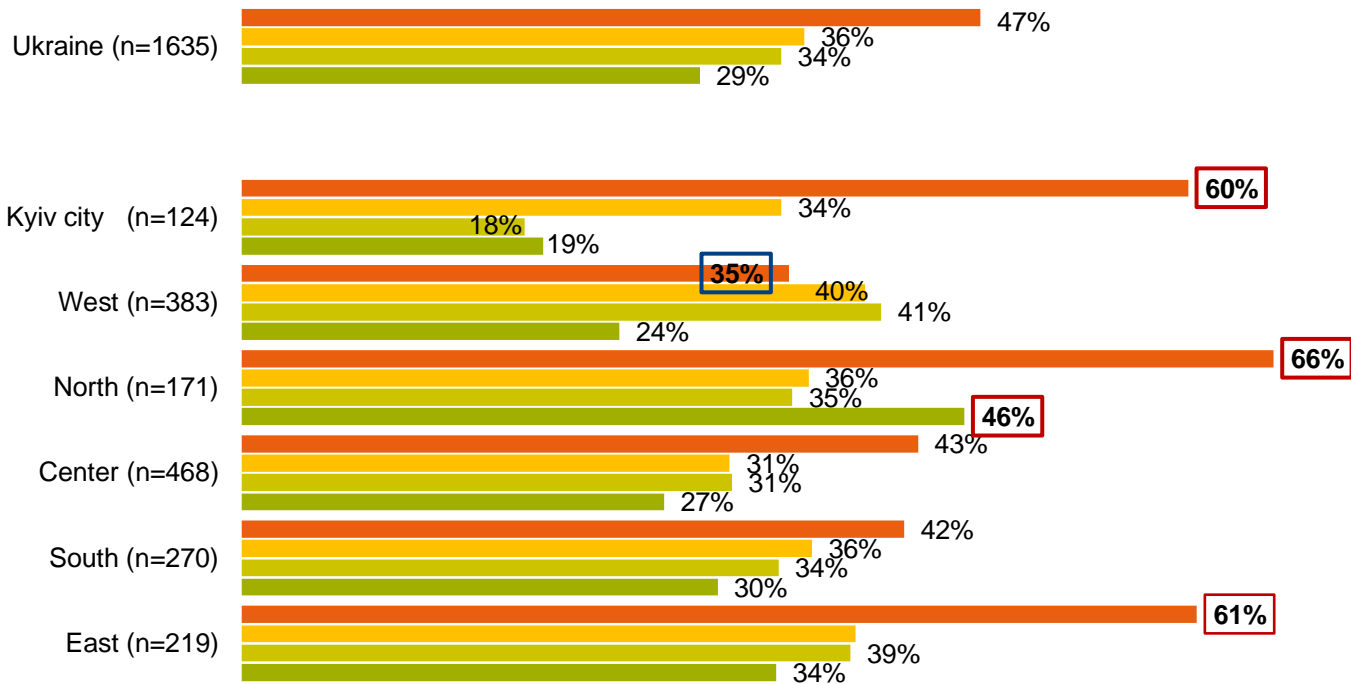
**Chart 3.6. Question “Have you heard about the cases of bringing those having violated the election law to justice?”**



**Chart 3.7. Question “How effectively or ineffectively do the law enforcement agencies investigate election law violations?”**

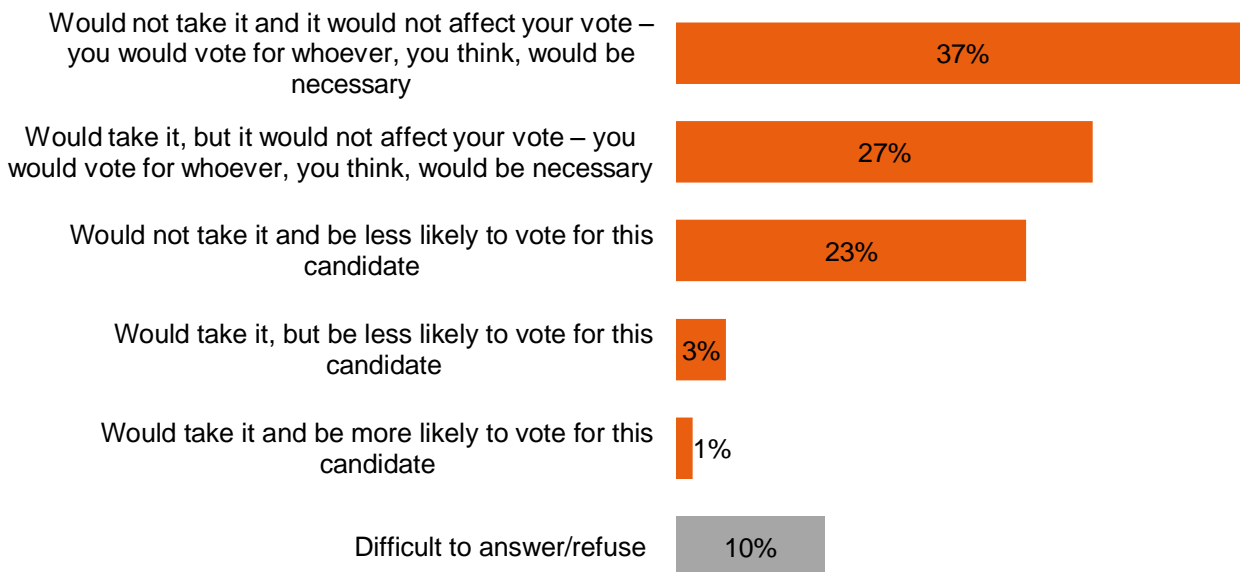


**Chart 3.8. Question “In your opinion, what prevents the law enforcement agencies from fighting the election law violations effectively?”**

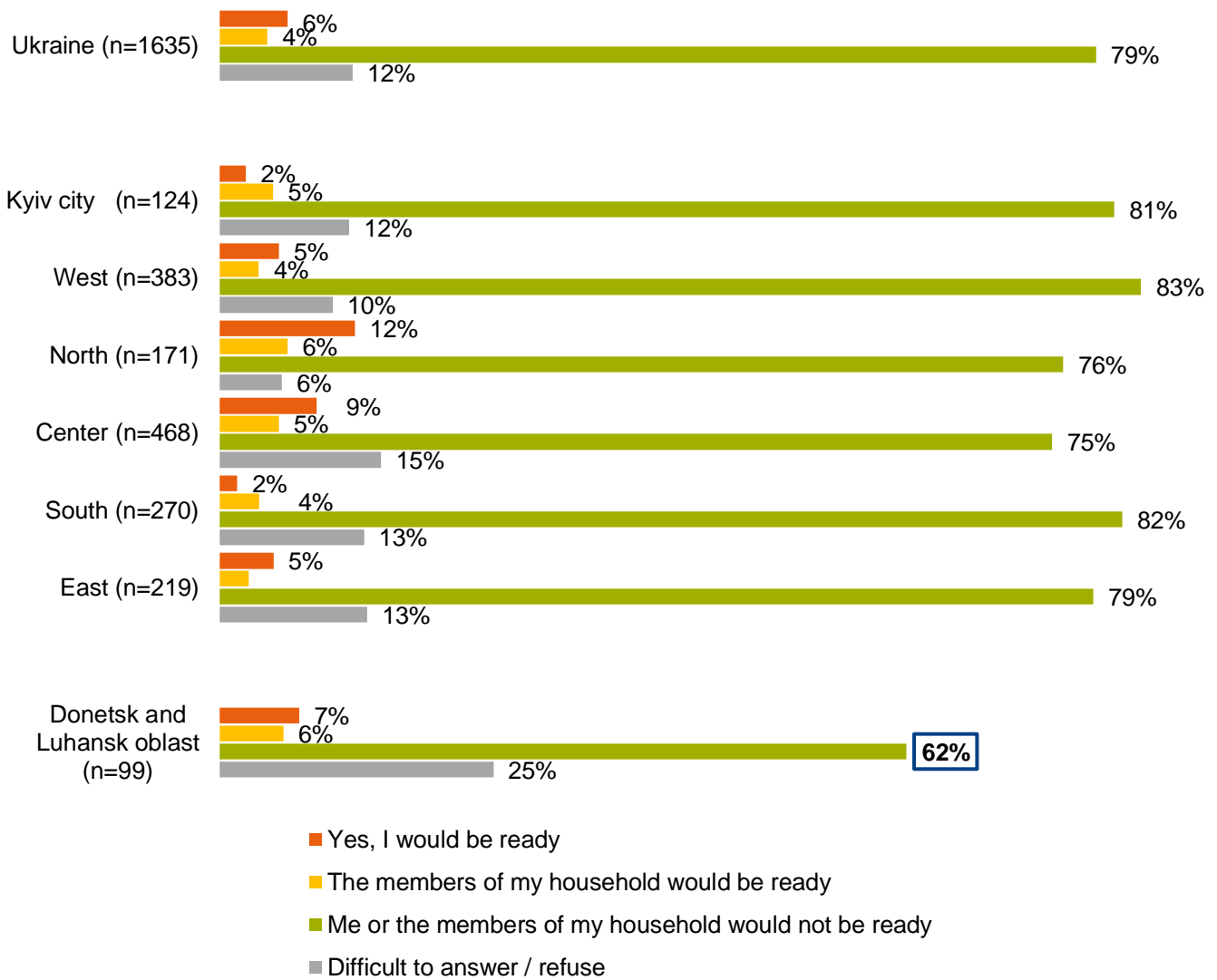


- Corruption in the law enforcement agencies
- Imperfection of Ukrainian legislation
- Lack of political will in the current government – reluctance to promote effective fight against the election law violations
- Opposition of the separate officials to the actions of the law enforcement agencies

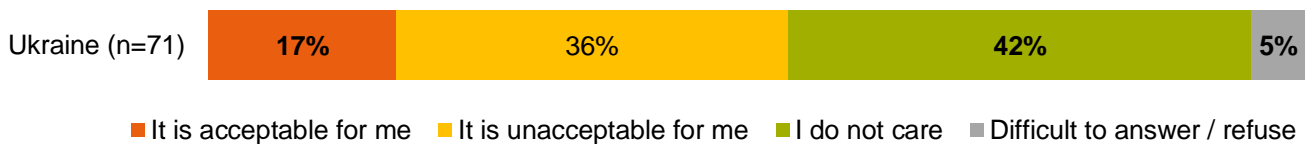
**Chart 3.9. Question “If a candidate or a party offered you or the members of your family a present (for example, food package), would you?” (% of total sample, N = 1635)**



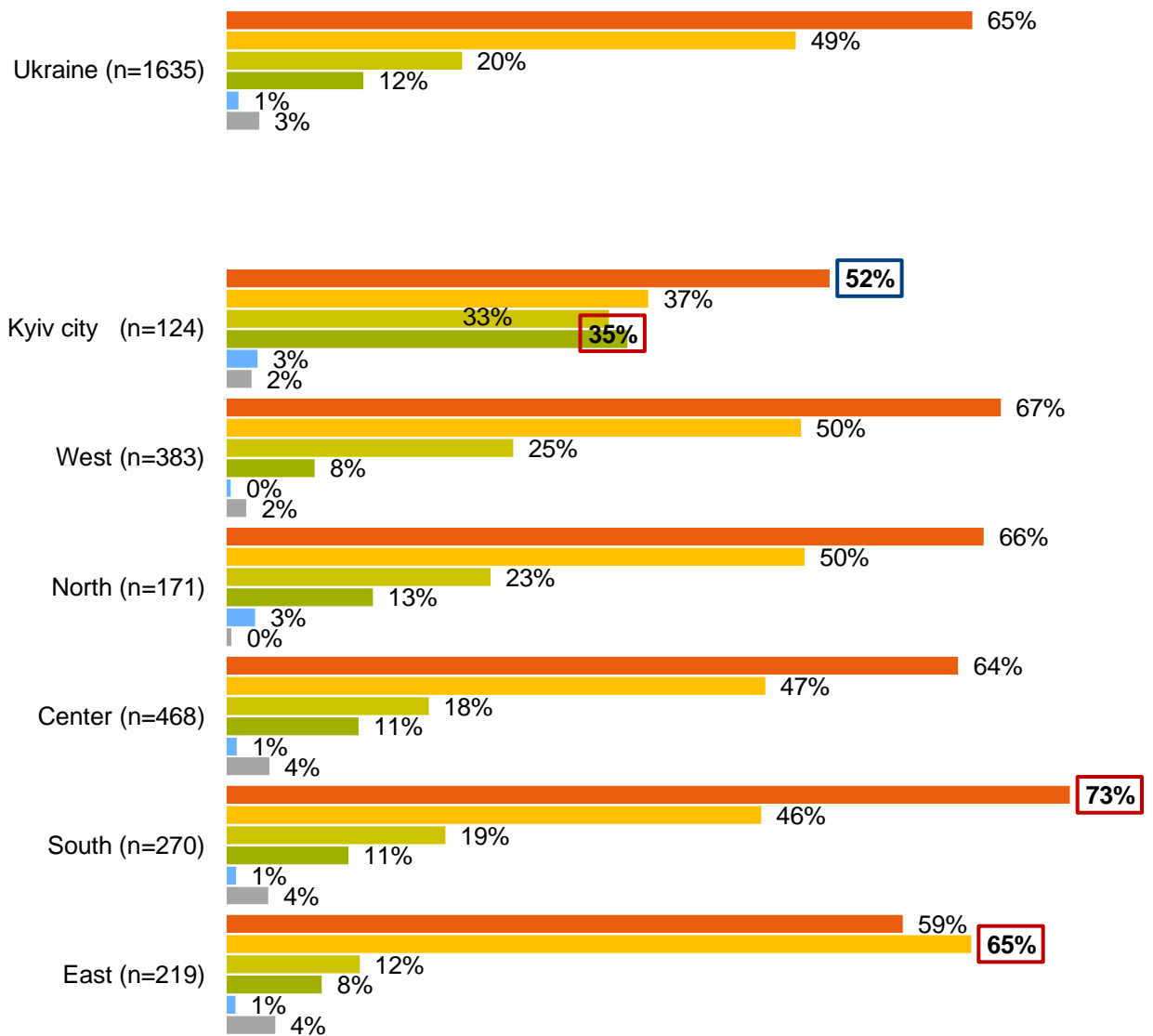
**Chart 3.10. Question “Would you be ready to sell your vote at elections?”**



**Chart 3.11. Question “What is your attitude to the fact that the members of your household are ready to sell their votes?” (% from those who believe that the members of his/her household would be willing to sell their votes)**

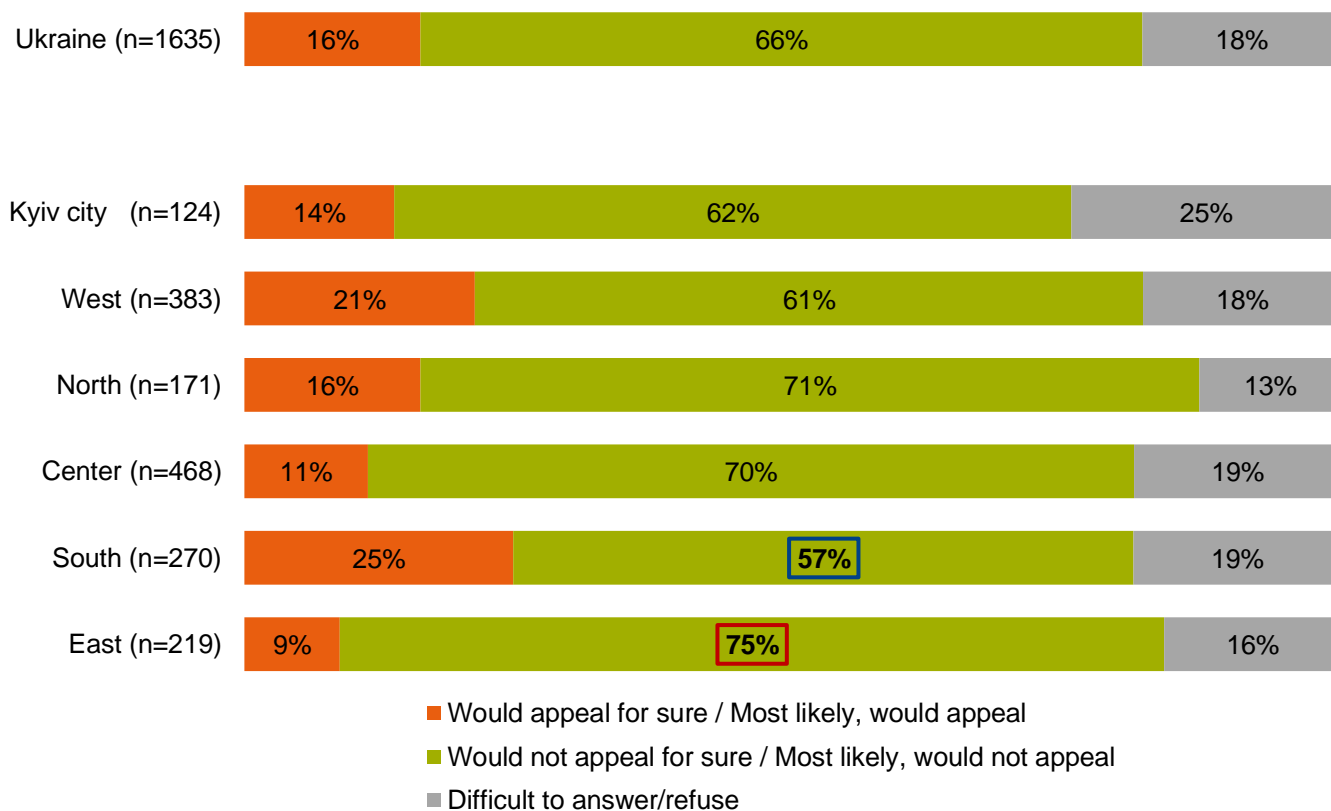


**Chart 3.12. Question “In your opinion, why do people agree to sell their votes?”**

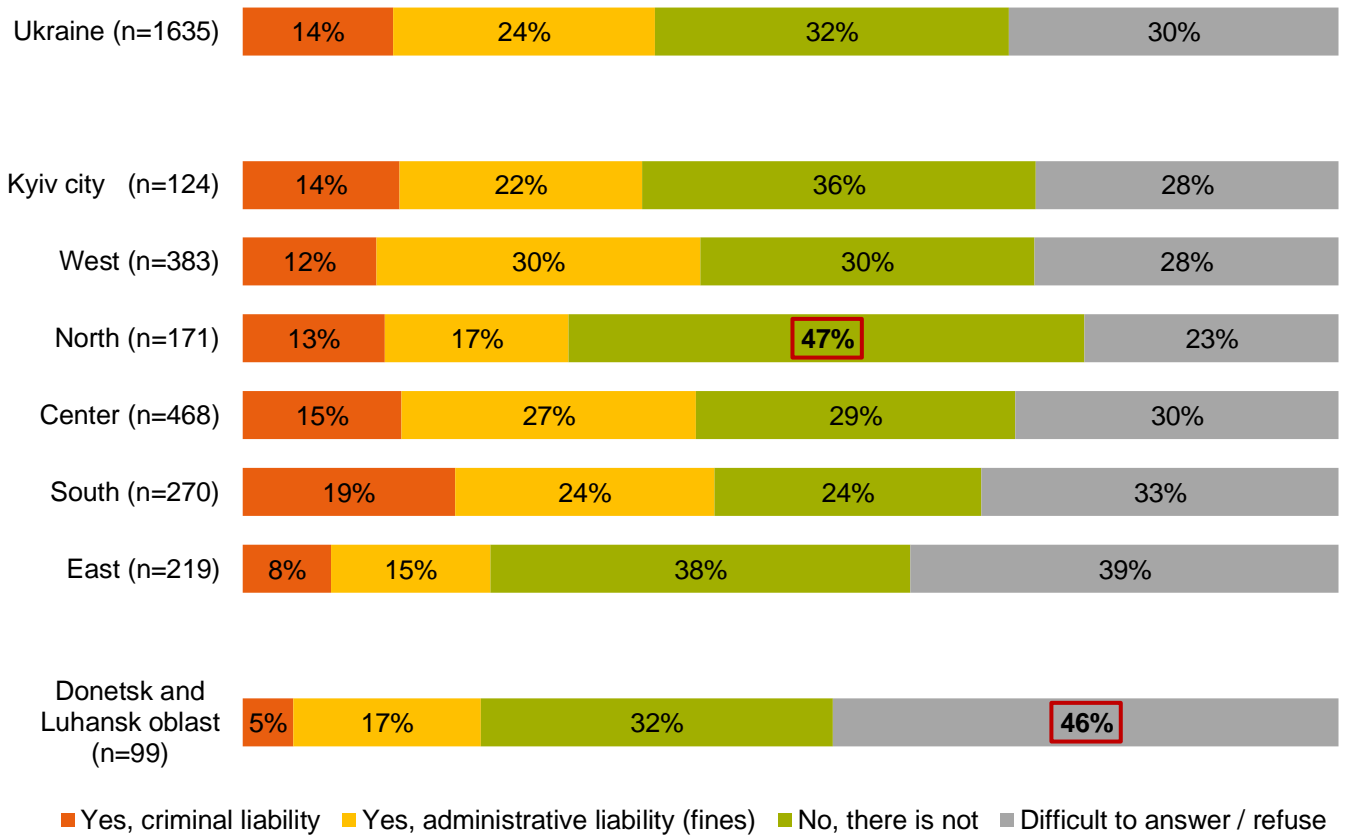


- Due to unsatisfactory financial situation
- Disappointment in the results of any elections, while making attempts to gain at least some benefits from a candidate or a party
- Due to the absence of the punishment for such violations
- Due to the lack of awareness of the fact that there is a liability for such violations
- Other
- Difficult to answer/refuse

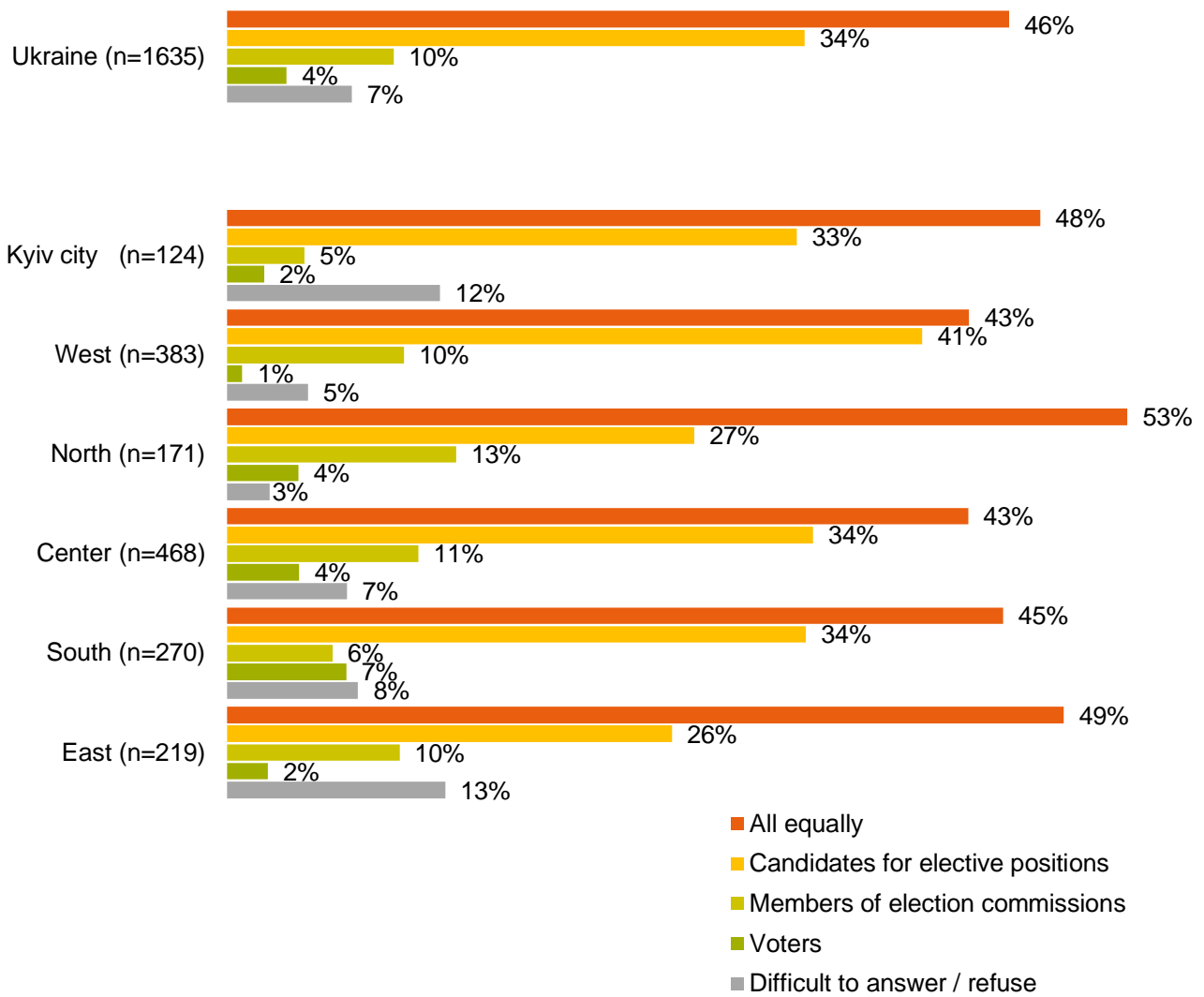
**Chart 3.13. Question: “If a candidate or a party offered you or the members of your family some money or a present in exchange for your vote, would you appeal to the law enforcement agencies?”**



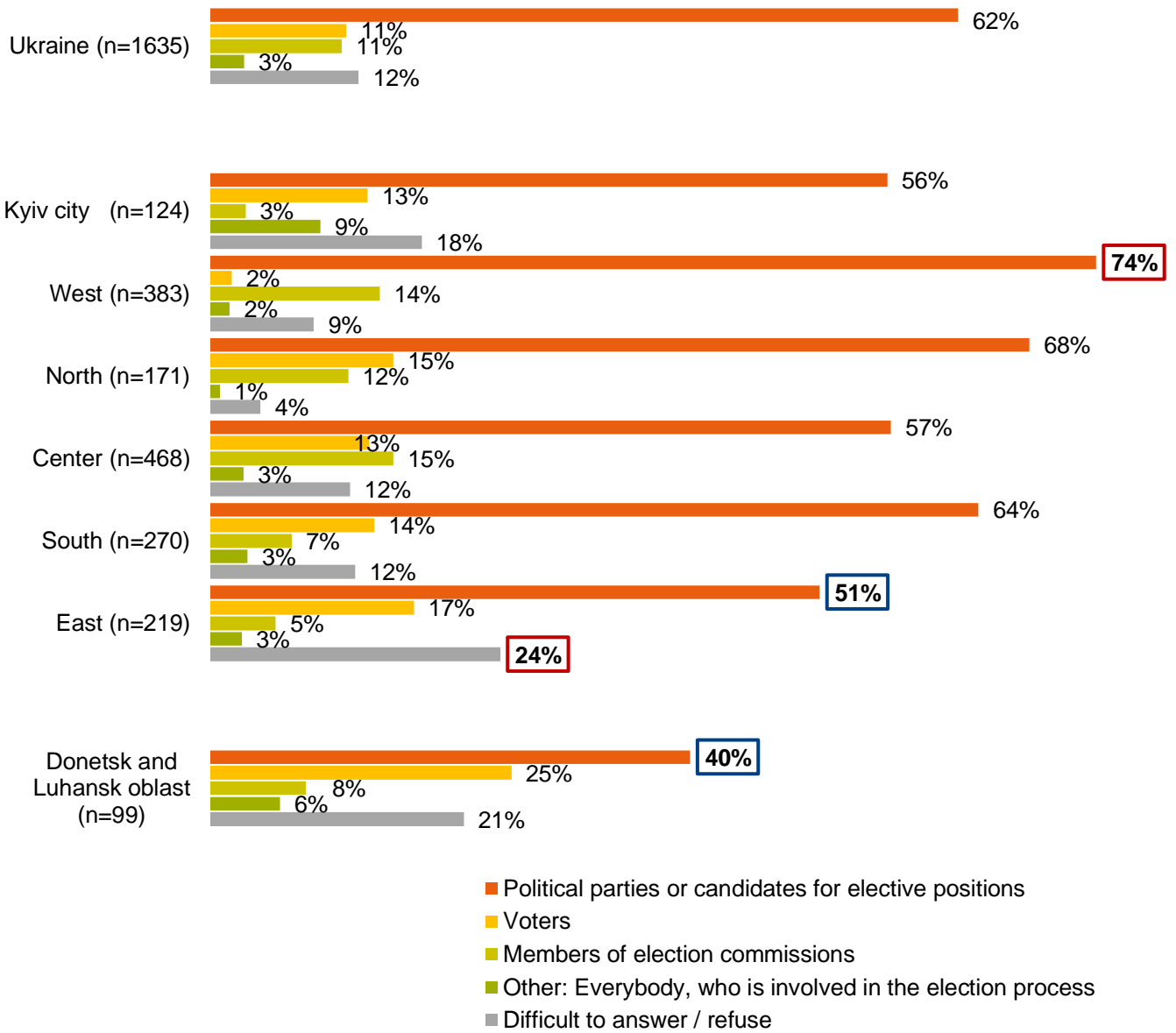
**Chart 3.14. Question “In your opinion, is there a liability for a voter according to the Ukrainian legislation for selling his/her vote?”**



**Chart 3.15. Question “In your opinion, who must be more liable for the violations of election law?”**

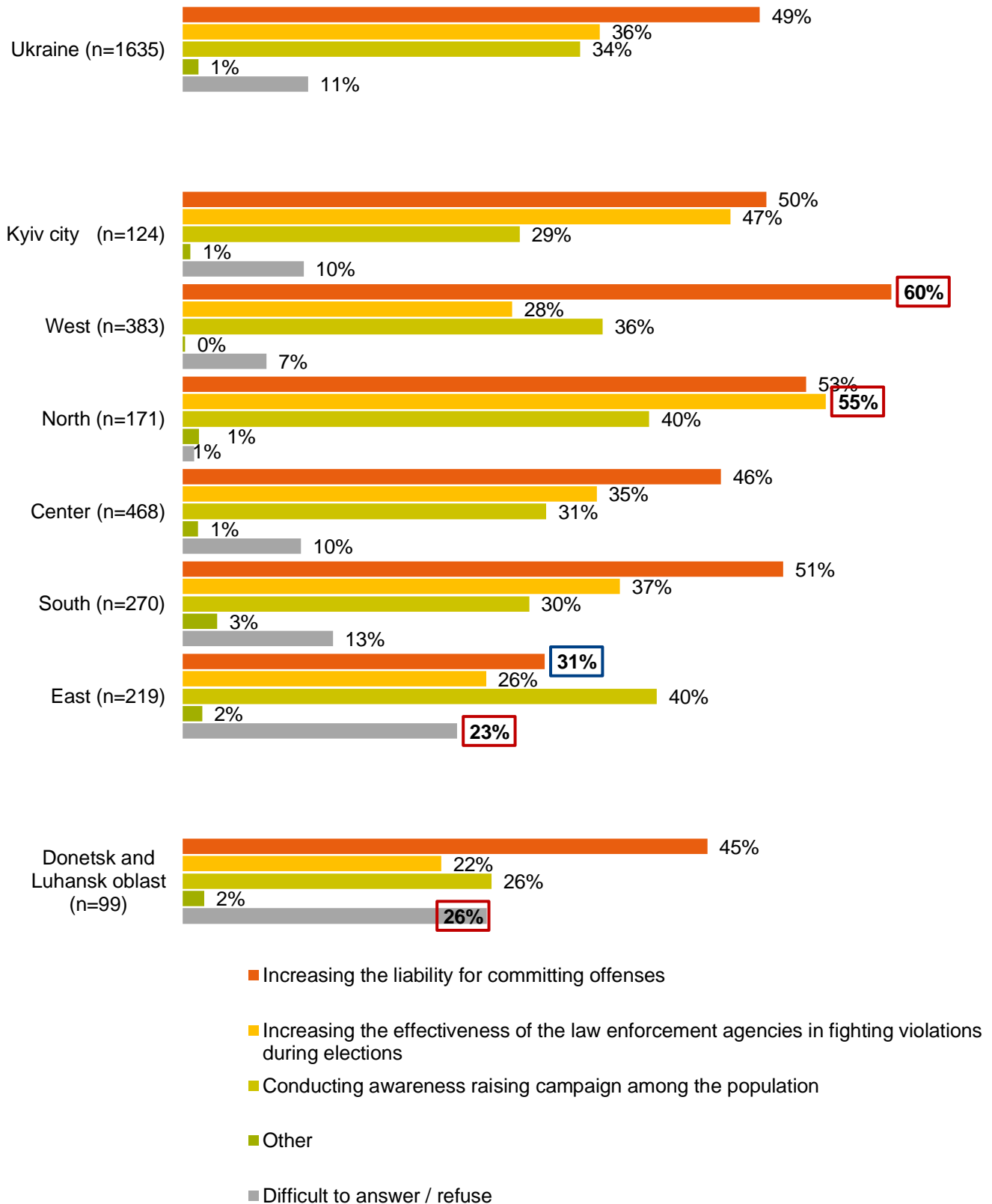


**Chart 3.16. Question “In your opinion, who most often violates the legislation during elections?”**

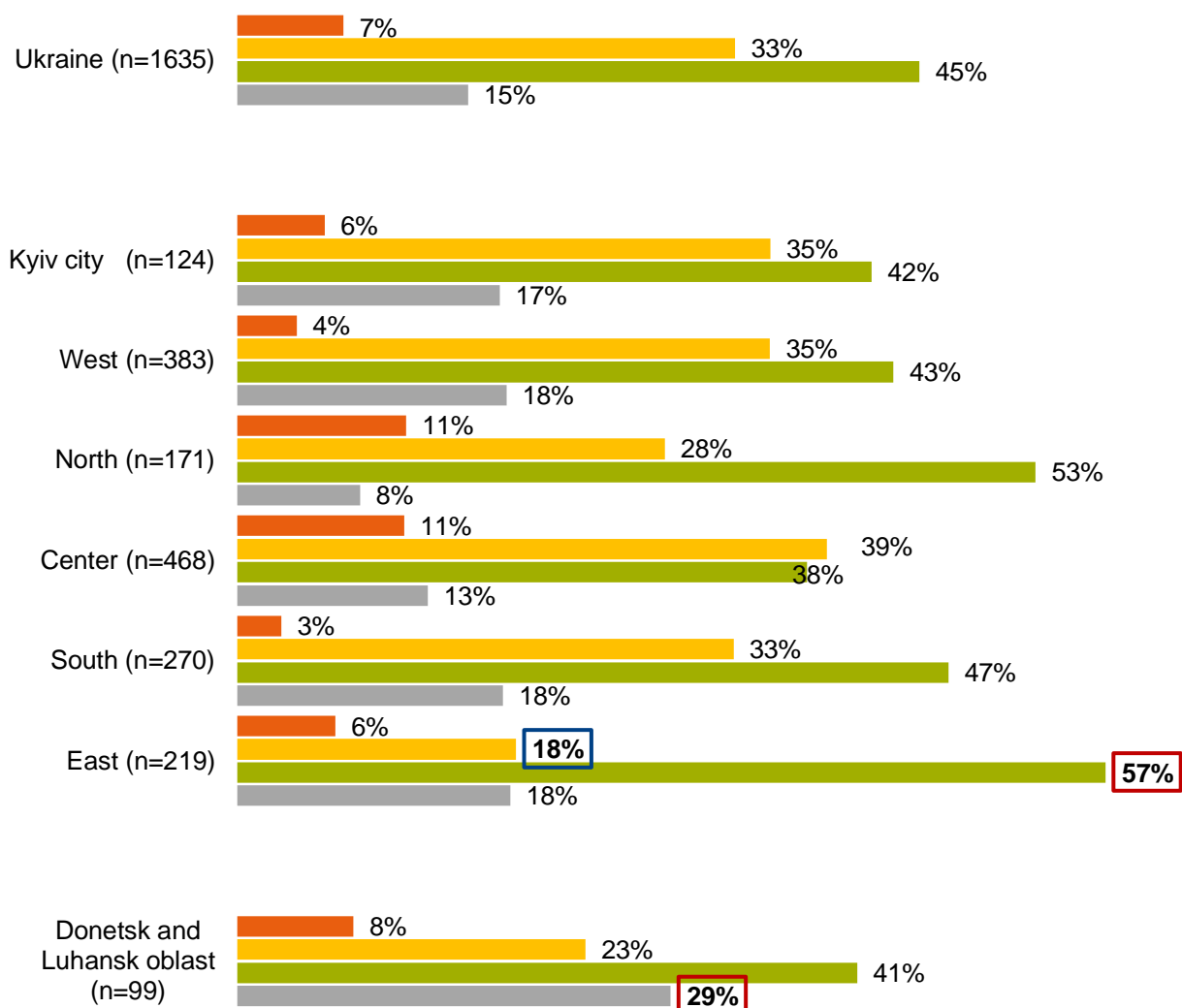




**Chart 3.17. Question: “In your opinion, what are the most effective methods to combat violations during elections?”**



**Chart 3.18. Question “Were there any situations during 2014-2015 elections, when the administration of the government authorities, state-run institutions or companies somehow made or encouraged the employees to vote for certain candidates?”**



- Me, my relatives or acquaintances have witnessed such situations
- I have heard about such situations, but I have no acquaintances who would witness them
- I have not heard about such situations
- Difficult to answer / refuse

## 3.2 Qualitative survey results

During the focus groups with voters, most respondents demonstrated high level of awareness about different types of violations. Many participants mentioned their own experience of situations connected to different kinds of corruption. Most respondents understood the difference between direct and indirect vote buying and could explain main aspects of this difference.

Among the most common examples of violations mentioned and discussed (both from different sources of information and from their own experience) are:

- Placing campaign material or political ads in places that are forbidden for campaigning;
- Money or gifts in exchange for promise to vote or not to vote;
- Money or gifts, accompanied by an election campaigning, without insisting on an obligation to vote (or not to vote) in return;
- Usage of material and human resources of central and local authorities for an election campaigning and for other means to ensure a victory for a certain candidate or a party.

At the same time, some participants of focus groups with general population did not consider indirect vote buying (for example, offering food packages without direct demands to vote for specific candidate) as vote buying per se. Unlike general population, members of political parties and election commissions were often able to identify indirect vote buying. Whereas all members of election commissions stated their readiness to report about vote buying, some representatives of political parties did not condemn vote buying while recognized its illegality. Most members of political parties were ready to report about vote buying carried out by their competitors, but only a few of them were ready to report about vote buying carried out by their own party or to leave this party due to that. According to one of the participants, "why should I bite the hand that feeds me?".

Among the most popular reasons why citizens of Ukraine agree to take money or gifts in exchange for promise to vote or not to vote, voters mentioned low level of life quality and poverty. Besides, many people do not really believe that elections will lead to any significant change in their lives and try to get at least a short-term benefit.

Members of political parties have more experience and more information about different types of violations during the electoral process (because of higher level of inclusion).

According to majority of participants, the main reasons for violations during the electoral process are the poverty and absence of real punishment for those people who violate election laws (especially among politicians).

*Why are we silly? – Because we are poor. Why are we poor? – Because we are silly  
(Dnipro, members of political parties)*

Most participants in all focus groups negatively perceived most violations. Respondents in all focus groups were ready to inform NGOs or local authorities about violations, but mainly anonymously. Some participants were ready to inform mass media, as well as mentioned about the necessity to launch a hotline where everyone could call and inform about violations anonymously. Generally, participants of each focus group think that Ukrainians are not ready to report or combat election violations in any way, or ready only in words, but not in deeds. They suggest motivating citizens by giving them some kind of remuneration for reporting, providing anonymity and safety, launching awareness raising campaigns about election related violations and by highlighting publicly the cases of punishment for such violations – most participants consider that it is better to focus on particular cases than to present statistics.

Most members of election commissions mentioned strong awareness raising campaign about criminal liability for election related violations among one of the methods to combat electoral violations.

In context of difference between opinions of all target audiences in experiencing different types of violations, general population are less informed about violations and liability for such violations and have less experience in

comparison to members of political parties and election commissions (because of low level of inclusion into political process). The main source of information about violations during the election process for general population is TV, while members of political parties and election commissions pay attention to their own experience or experience of their colleagues.

## 4 Necessary changes to electoral legislation and procedures

### 4.1 Quantitative survey results

**Chart 4.1. Question: “In your opinion, what changes should occur in the election process to increase its integrity and fairness? Rate the following changes on a 10-point scale, where 1 is not at all necessary and 10 is most needed to improve the integrity of the electoral process.” (mean among total sample, excluding those who chose alternative “Hard to answer”)**



## 4.2 Qualitative survey results

The law, which limits the amount of expenditures of political parties and candidates on election campaigning, including costs on political advertisement on TV and radio, was named most often among instruments that should be introduced in context of making elections more transparent and fairer. Most respondents considered that this instrument could ensure equal opportunities for all candidates (minimize influence of money) and decrease participation of oligarchs in political process.

*There should be equal opportunities for everyone. As in the USSR, the same – for everyone  
(Kyiv, voters)*

Many focus group participants mentioned the importance to make all possible information about financing of political parties, parties' and candidates' pre-election campaigning public. Also, many participants mentioned the necessity for the law enforcement agencies to combat electoral violations and effectively investigate election violations.

*Because today the responsibility (for violations during election process) is absent. It should be fear [of the responsibility]; it should be fast reaction from the side of the law enforcement authorities  
(Chernivtsi, members of political parties)*

*...before the decision to take money (for voting), he must think about the consequences and decide about real necessity of such actions for him  
(Dnipro, members of election commissions)*

Necessity to introduce electronic voting technologies was mentioned most often in Odessa, Chernivtsi and Mariupol.

*If the system of e-voting will be made by professionals, it will be more difficult to fabricate votes  
(Mariupol, members of election commissions)*

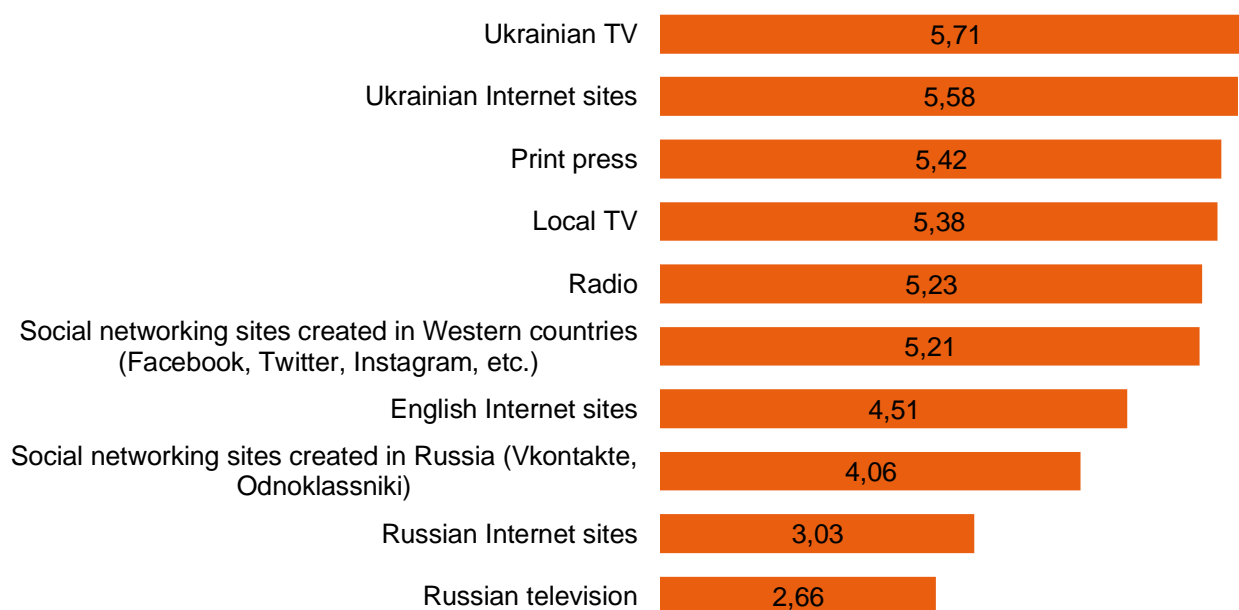
There are some differences between target audiences in their evaluation of possible options how to avoid violations during the election process. General population most often mentioned the importance of punishment for violations during the election process for all violators. Members of political parties and election commissions paid attention to the importance of education, specially, among youth. Also, the idea to introduce the system of e-voting and electronic calculation of votes was more popular among them than among the general population.

Members of political parties more often mentioned the importance of special education for campaigners and officials of political parties (study of election legislation, international cooperation and communication with specialists in the field of counteracting election violations). Members of election commissions also paid attention to the necessity of existence of different systems of control during elections, such as video-recording of all actions at a polling station, emergency button to call the police in case of any violations. Also, during the focus groups with members of election commissions, some participants mentioned that it would be useful to create database with all election commission members from all elections. It would give a possibility to make a "black list" of election commission members having violated the electoral legislation and to avoid their membership in an election commission at next elections.

## 5 Communication channels

### 5.1 Quantitative survey results

**Chart 5.1. Question “How much do you trust these media? Rate the level on a scale of 1 to 10, where 1 - do not trust, 10 - completely trust.” (mean among total sample, excluding those who chose option “Hard to answer”)**



**Chart 5.2. Communication channels (% of total sample, N = 1635)**

