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Experience of legal support in electoral processes in Denmark, New Zealand and USA: possibility of use in Ukraine

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Abstract

The aim of the article was to discuss conceptual ideas on the state of legal support of the electoral process in Denmark, New Zealand and the United States, as well as to identify opportunities to use the positive experience of these countries in Ukraine. The article uses such methods as dialectical, comparative law, system-structural, formal-dogmatic, modelling and forecasting. It should be noted that, despite the ability of EU countries to introduce their own electoral legislation and choose the electoral system, the exercise of the right of everyone to vote or be elected is ensured by compliance with international standards of organization and conduct of elections. It is concluded that the countries studied: Denmark, New Zealand and the United States generally adhere to the rule of law and the electoral process is well organized. It is stated that the due legal support of the electoral process is a tool for the formation of legitimate representative bodies of state power and local self-government. In addition, it is proposed to implement in the Ukrainian

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electoral legislation the positive experience of some countries, as well as to identify possible ways to improve it.

Keywords: legal guaranteeing; elections; electoral legislation; election system; electoral process.

Experiencia de soporte legal en procesos electorales en Dinamarca, Nueva Zelanda y EE. UU: posibilidad de uso en Ucrania

Resumen

El objetivo del artículo fue discutir ideas conceptuales sobre el estado del soporte legal del proceso electoral en Dinamarca, Nueva Zelanda y los Estados Unidos, así como identificar oportunidades para utilizar la experiencia positiva de estos países en Ucrania. El artículo utiliza métodos tales como el dialéctico, derecho comparado, sistema-estructural, formal-dogmático, modelado y pronóstico. Cabe señalar que, a pesar de la capacidad de los países de la UE para introducir su propia legislación electoral y elegir el sistema electoral, el ejercicio del derecho de toda persona a votar o ser elegido está garantizado mediante el cumplimiento de las normas internacionales de organización y celebración de elecciones. Se concluye que los países estudiados: Dinamarca, Nueva Zelanda y los Estados Unidos generalmente se adhieren al estado de derecho y el proceso electoral está bien organizado. Se afirma que el debido sustento legal del proceso electoral es una herramienta para la formación de legítimos órganos representativos del poder estatal y de autogobierno local. Además, se propone implementar en la legislación electoral de Ucrania la experiencia positiva de algunos países, así como identificar posibles formas de mejorarla.

Palabras clave: apoyo legal; elecciones; legislación electoral; sistema electoral; proceso electoral.

Introduction

It is well known that elections are the foundation of a democratic society. Elections give the opportunity for voters to participate in governing the state, elect leaders; strengthen the stability and legitimacy of the political community (Teremetskyi and Chudyk, 2021). Elections provide political education for citizens, promote social and political integration.

Election systems have a profound effect on the future political life of the corresponding country. Therefore, the choice of the election system is one of the most important institutional decisions for any democratic state.

An important role along with the choice of the election system belongs to the extent of the formation of the relevant legal guaranteeing of the electoral process. Nevertheless we have to agree with the statement that: “Today, there is a large discrepancy (inconsistency) between the actual system and structure of activities in the field of organizing and holding elections to government bodies and those enshrined in the current legislation” (Keshikova and Demeshko, 2021: 483). This thesis is also proved by the provisions of the Art. 21 of the Universal Declaration of Human Rights which states that:

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedure (Universal Declaration of Human Rights, 1948).

Besides, the UN Member States have agreed to abide by a number of commitments regarding the organization and conduction of elections and the protection of suffrage of their citizens (International Covenant on Civil and Political Rights, 1966, Art. 25). According to the Art. 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, States Parties undertake:

To guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law... notably in the enjoyment of political rights, in particular the right to participate in elections –to vote and to stand for election – on the basis of universal and equal suffrage (International Convention on the Elimination of All Forms of Racial Discrimination, 1965).

Thus, despite the fact that each country has the sovereign right to choose how to act in elections, most of the developed world countries pay considerable attention to improving national electoral legislation and bringing it in line with international norms and standards. Thus, international and legal standards of the countries that have common values and fundamental legal principle snare the crucial mean to achieve the legal unity (Chudyk *et al.*, 2021).

1. Methodology of the study

The materials for identifying specific features of legal regulation of the electoral process in Denmark, New Zealand and the United States were

the laws of those countries in the field of guaranteeing people suffrage, the practice of its application, analytical, statistical and financial reports, reference books, political and legal journalism, results of the polls and online resource.

The methodological basis of this research is a set of general and special scientific methods of scientific cognition. Thus, the dialectical method was used to clarify the current status of legal guaranteeing of the electoral process in some foreign countries, the comparative and legal method – to determine the perspectives for the application of positive foreign experience in Ukraine. The use of the systematic and structural method allowed us to clarify the characteristic features of the electoral process in those countries. Modeling and forecasting methods were used while developing and formulating directions for the improvement of the electoral legislation of Ukraine.

2. Results and Discussion

2.1. Legal regulation of the electoral process in EU countries

The Article 3 of the Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms enshrines the right to free elections, including the obligation of EU countries to “to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature” (Convention for the Protection of Human Rights and Fundamental Freedoms, 1950).

The Parliamentary Assembly of the Council of Europe has adopted a number of Resolutions on elections and referendums in EU Member States. In particular, the Resolution 1353 (2003) “On the Future of Democracy: Strengthening Democratic Institutions” addresses the possibility of making democratic decision-making processes more accessible and transparent by “introducing or facilitating remote voting at national and regional levels...” (Resolution of Parliamentary Assembly, 2003).

The Parliamentary Assembly of the Council of Europe called on Member States in its Resolution 2390 (2021) “Transparency and regulation of donations to political parties and electoral campaigns from foreign donors” to “review their rules regulating financial contributions to political parties and financial campaigns from foreign countries in order to prevent risks related to non-compliance or illegal foreign financial interference...” (Resolution of Parliamentary Assembly, 2021).

There is currently no single rating in the world that reflects information on the countries with the best electoral system, as well as the best legal guaranteeing for the organization and conduction of elections. At the same time, the international human rights non-governmental organization “Freedom House” annually analyzes existing problems of the electoral process, political pluralism and participation in the electoral process, functioning of government in 195 countries.

In particular, the annual report “Freedom in the World 2020” analyzes and evaluates people’s access to political rights and civil liberties in the world countries (Annual Freedom in the World report, 2020). According to this report, the best countries in 2020 with the highest permissible score (40 points), which promote sustainable democracy and pay great attention to supporting efficient and sustainable electoral processes by ensuring free and fair elections, are such countries as: Australia, Canada, Denmark, Netherlands, New Zealand, Norway, USA (32 points) (Annual Freedom in the World report, 2020).

Countries definitely use various electoral systems, which differ from one another, differing in the legal instruments and traditions, which are the basis of the electoral system. However, the existence of adequate legal guaranteeing of the electoral process in any country should be considered as the guarantee for the implementation of fair and just elections, the organization and conduction of the electoral process. Therefore, we want to consider the state of legal guaranteeing of such foreign countries as Denmark, New Zealand and the United States.

2.2. The current status of legal guaranteeing of the electoral process in Denmark, New Zealand and the United States

Elections to the national parliament (“folketinget”), local elections (to municipal and regional councils) and elections to the European Parliament are held in **Denmark**. Referendums may also be convened along with elections in order to consult with citizens directly on matters of national interest.

Elections in Denmark are held on the basis of the Law “On Folketinget (Parliamentary) Elections” of 27 August 2020, No. 1260 (Folketing (Parliamentary) Elections Act, 2020), the Law “On Local and Regional Elections” of 7 February 2019, No. 138 (Local and Regional Government Elections Act, 2019), the Law “On Elections to the European Parliament” of 7 February 2019, No. 140 (Lov om valg af danske medlemmer til Europa-Parlamentet, 2019).

Parliamentary elections are called by the monarch on the advice of the Prime Minister, usually after four years, although pre-term election may take place. 179 people are elected to the Danish parliament, who must be

exclusively members of the party. The peculiarity of the parliamentary elections in Denmark is that the parties that hold seats in the parliament automatically have the right to participate in the next elections. Parties that received signatures from 1/175 of the valid votes during the last elections (about 20,000 signatures) and registered in the Ministry of the Interior and Housing at least 15 days before the election date are also eligible to take part in the parliamentary elections (Folketing (Parliamentary) Elections Act, 2020).

Elections to local councils (municipal or regional) and to the European Parliament are held on fixed dates. The proportional system of representation on party lists is used on such elections.

Persons eligible for suffrage are automatically included in the electoral roll on the basis of temporary or permanent residence. People without a permanent place of residence, such as the homeless, can also vote. As a general rule, such persons are included in the voter list in the municipality, where they last had their registered address. Voter lists are prepared on the basis of information contained in the civil status registration system. Voters receive a ballot card by mail 5 days before the poll (Folketing (Parliamentary) Elections Act, 2020).

Voters, who due to disability, bad health conditions or other similar reasons, are unable to vote in the prescribed manner may apply for the assistance required to vote. Voting assistance may be given in the form of personal assistance and assistance to be provided during voting. Personal assistance in voting is provided by two observers or appointed voters. Instead of one of the observers or appointed voters, such a person may request assistance in voting from a person of his or her choice. Assistance in crossing out the ballot paper may be provided only if the voter can directly and unambiguously indicate to those who provide assistance the list of candidates or the candidate for whom he / she wishes to vote (Folketing (Parliamentary) Elections Act, 2020).

Individuals in Denmark can vote early at any citizen service center starting from Tuesday six weeks before the election day and no later than the Friday before the election day. Persons abroad may cast their ballots in advance at the Danish diplomatic mission or consular agency.

We should note the high legal culture of Danish citizens regarding their attitude to the elections. Those who do not wish to vote for any of the candidates or parties running in the elections may not tick and cast a blank ballot. Formally, this ballot is invalid and will not be included in the results. However, invalid ballots are included in the total number of votes and thus affect the turnout. So, unlike citizens who stay at home and do not exercise their right to come and vote, many Danish citizens return a blank ballot to show that democracy is important to them.

For example, the overall turnout in the elections on September 15, 2011 was 87.74%, with 3,579,675 casted votes, where 34,307 were invalid and 22,815 were empty (The Us Congress, 2011). In addition, a voter has the right to replace the ballot if he / she has crossed out incorrectly or has become invalid due to negligence (Folketing (Parliamentary) Elections Act, 2020).

There is a ban in Denmark on political campaigning on television. According to the Art. 76 of the Danish Radio and Television Act, television cannot broadcast advertisements for political parties, political movements or elected members or candidates for elections, or advertise political announcements from the time of the announcement of the elections or referendum till the elections or referendum day. However, if the date of the elections or voting is announced earlier than 3 months before they start, the period without advertising begins no earlier than 3 months before the elections or voting (Lov om offentlige veje m.v. LOV, 2014). Besides, Danish law restricts the placement of election posters on public roads (Bekendtgørelse af lov om radio- og fjernsynsvirksomhed LBK, 2019).

The name, address and telephone number of the individual or legal entity who initiated the display of the election poster must be indicated on the posted election poster. Information about the legal entity must be supplemented by the name, address and telephone number of the individual representing the legal entity.

Election posters that pose an immediate and specific threat to security must be removed by the Highway Administration or the police immediately after the issued order and no later than 24 hours. In this case, the individual or legal entity that hung them pay the costs spent by the Highway Administration and the police, the cost of repairing damage to the road tree and equipment. If the election poster does not contain information about the person who hung it, then these costs may pay the individual or legal entity campaigning on the election poster (Bekendtgørelse af lov om radio- og fjernsynsvirksomhed LBK, 2019).

According to the Danish Constitution, there are 5 circumstances when a referendum can or should be held and the result of which is binding (Danmarks Riges Grundlov (Grundloven), 1953). Members of the Danish Parliament, as well as regional and municipal councils may also decide to hold a consultative referendum (Lov om afholdelse af vejledende folkeafstemning om Danmarks tiltrædelse af EF-pakken (Europæisk Fælles Akt), 1986).

The main agency of state power that organizes the election process is the Ministry of the Interior and Housing. The main responsibilities of this agency in the field of electoral process include: organizing the conduction of the parliamentary elections, referendums, local and regional council

elections, as well as elections of Danish deputies to the European Parliament, establishing detailed rules for inclusion in the electoral roll, preparation of election reports for elected candidates if the elections are approved by the Parliament, etc. (Ministry of the Interior and Housing, 2022).

The election commission is independent of the political process and cannot receive instructions from the government or parliament. Decisions of the election commission are not subject to appeal to any other administrative agency (Vaalirahoitus).

New Zealand is a parliamentary democracy, which has historically held free and fair elections, guaranteeing the realization of political rights and civil liberties.

Legal guaranteeing of elections in New Zealand is based on: the Electoral Act 1993, which introduced proportional electoral system in New Zealand (The Electoral Act, 1993); Local Electoral Act 2001, which regulates local elections and voting.

This provides sufficient flexibility in legislation to easily adapt new technologies and processes as they are developed (Local Electoral Act, 2001); Election Access Fund Act 2020, which established the fund to remove or reduce barriers to voting in general and local elections, when people may face due to their disability (Election Access Fund Act, 2020); The Citizens Initiated Referenda Act 1993, which provides for referendums initiated by citizens, which will indicate the views of the people on specific questions but will not be binding on the New Zealand Government (The Citizens Initiated Referenda Act, 1993).

New Zealand has mandatory voter registration, but voting is not mandatory. A person entitled to vote must be registered as a voter in any constituency by submitting an application to the election commission for being registered as a voter. Otherwise, he / she will be prosecuted.

Individuals must be registered under certain conditions in order to vote in the New Zealand elections. The application for voter registration may be submitted to the election commission in writing by filling in the appropriate form or online (The Electoral Act, 1993).

Only after registration the person will be included in the publicly published voter list. The election commission must deliver to this person in person or send by mail a written notice of registration no later than 14 days after the registration of a person as a voter. In case of changing the residence, a person must notify the election commission about the change of residence address within two months. Having received the notification, the election commission must: make changes to the list of changes in the voter's place of residence and provide confirmation to the voter of this amendment. A person is subject to prosecution for the failure to notify of a change of the place of residence (The Electoral Act, 1993).

In addition to voting in person New Zealand provides dictation voting services for people abroad, as well as for people in remote locations, for the visually impaired or for people who cannot mark the ballot without assistance. A person may be prosecuted with a fine not exceeding \$ 1,000 for disclosing information that became known to a person during assistance (The Electoral Act, 1993).

The Covid-19 pandemic, which has become an international public health problem, has both demonstrated weaknesses in many of the world's health systems in 2020, and has affected all aspects of vital activity of the state (Teremetskyi *et al.*, 2021). That is why the clearance of election procedures, the provision of the election in force majeure (as quarantine and COVID-19) is of prime importance (Perezhniak *et al.*, 2020). In terms of preparing for the elections, New Zealand's electoral legislation was temporarily amended acting from 5 October 2020 until the end of voting day (until December 1, 2020) and granted special voting right to all persons in isolation or quarantine (Electoral Amendment Regulations, 2020).

Referendums have been used in New Zealand for more than a century as a tool for public policy decision-making. Throughout the history of New Zealand, the country has held 5 referendums initiated by citizens. However, the results of those referendums were largely ignored by the government (Roberts, n/y). The New Zealand parliament uses consultative referendums to find out what voters think about a certain usually controversial issue. Thus, consultative referendums were held in 1992 and 2011 to ask: whether the electoral system should be changed (Roberts, n/y).

The New Zealand election commission is responsible for holding parliamentary elections and referendums in the country, for constantly updating voter lists, promotes the compliance with electoral legislation, and provides education to the public on electoral matters. The election commission registers political parties and their logos, guides people to comply with election legislation, helps the public to understand how to register and to vote, allocates funding to parties to broadcast elections, accomplishes vote tabulation and processing and timely publishes accurate election results.

The election commission's tasks are to manage the electoral system impartially, efficiently and in such a way as to promote participation in parliamentary democracy, understanding of the electoral system and related issues; to maintain trust in the administration of the electoral system, to promote public awareness of electoral issues through educational and information programs (New Zealand Election Commission). The election commission develops and conducts an informational and educational campaign for the public during every election.

Advertising in New Zealand can be placed both on television and on social networks. Such an awareness-raising campaign includes the development of easy-to-read voting manuals for people with disabilities, audio files, Braille files, New Zealand sign language videos, information about registration and voting in 27 languages.

Such measures have led to an increase in general awareness of the electoral process in the country. For example, the overall awareness of the 2020 election process rose in 2017 from 52% to 72%, and information campaigns helped to attract more than 11 million page views on the election commission's website (Report of the Electoral Commission on the 2020 General Election and referendums, 2020).

New Zealand is constantly reviewing electoral legislation, introducing a number of "target-oriented amendments", including addressing political party funding issues and the three-year term of the Parliament, transparency of political donations and the ability for Maori to switch between Maori and general voter lists.

The United States has a complex electoral system that is well regulated at the federal level. At the same time, the US Constitution and federal laws gave states wide freedom to organize and conduct elections (U.S. Code).

Federal laws help to protect the right for Americans to vote and make it easier for citizens to exercise that right. One of the major laws in the United States is the Voting Rights Act of 1965, which prohibited discrimination of voters on the grounds of race, color of the skin or language minority, and provided the election materials in languages other than English (The Voting Rights Act, 1965).

No one is required by law to vote in local, state or presidential elections in the United States. Voting is a right in accordance with the US Constitution (USC Ch. 205: National Voter Registration, 2015). According to the National Voter Registration Act of 1993, there are various ways to voting registration, in particular: while applying for the right to drive a vehicle, while applying to all offices that provide state aid or implement state programs by using letters (USC Ch. 205: National Voter Registration, 2015).

Each U.S. state maintains voter registration lists for federal elections, and the law requires states to keep voter registration lists accurate and up-to-date. The law provides additional guarantees that registered voters will be able to vote despite a change of address in certain circumstances. For example, voters moving within a constituency or polling station will retain the right to vote, even if they have not re-registered at a new address.

The Uniformed and Overseas Citizens Absentee Voting Act of 1986 improved access to voting for U.S. military personnel and their families, and U.S. citizens living abroad by allowing them to register and vote by mail (USC 20310, 2014).

Election laws of the United States ensures that people with disabilities or conditional barriers have the opportunity to vote. Several federal laws protect the voting right of Americans with disabilities, including:

1. The Americans with Disabilities Act (42 USC Ch. 126, 2010). This law is applied to all aspects of voting, including voter registration, choice of location and ballot stuffing on election day or early voting (42 USC Ch. 126, 2010).
2. Voting Accessibility for the Elderly and Handicapped Act of 1984 (52 USC Ch. 201, 2015). This Act requires the introduction of accessible polling stations for the elderly and people with disabilities or the creation of alternative voting methods. For example, voters with disabilities have the right to vote privately without outside help, to have a polling station available for voters with disabilities.

To this end, polling stations are equipped with wheelchair-accessible voting booths, handrails on all stairs, voting equipment for the blind or visually impaired, etc. If a person is handicapped, he / she can seek help from a polling officer or bring in someone to help him to vote. In some states offer “voting on the sidelines”, when a polling station officer brings everything needed to vote in a car or voting is accomplished by mail (52 USC Ch. 201, 2015).

3. The Help America Vote Act of 2002, which contains minimum standards for voters’ education, registration, and ballots, allows the formation of federal funds for the elections. This Act established the US Election Promotion Commission (hereinafter – the Commission), which is the national center for the exchange of information on the administration of elections. The Commission develops recommendations on the implementation of election legislation, adopts recommendations on the voluntary voting system, accredits testing laboratories and certifies voting systems and maintains the national form of voters’ registration by mail.

The Commission is also responsible for maintaining the national voter registration form, for conducting research and managing the National Electoral Information Exchange Center, which includes common practices, voter information and other resources to improve the elections (Office of the Law Revision Counsel, 2015). The Commission submits an annual report to the Congress, holds public meetings and hearings to inform the public about its activities (Federal Election Commission).

US citizens have the right to elect candidates directly by popular vote. However, the President and Vice-President are not directly elected by the citizens. They are elected by the Electoral Board in accordance with the US Constitution. Thus, residents of the respective states vote for the presidential candidate, choosing the list of voters of this candidate. After the citizens of a state has elected a list of voters, those voters formally elect the President and Vice-President, casting their votes (U.S. Constitution, 1787). Each state receives as many voters as it has members of the Congress (House of Representatives and Senate). Each state's political parties choose their own list of potential voters.

The Office of the Federal Register coordinates the work of the Electoral Board. The total number of votes, consisting of 538 voters, is equal to the total number of representatives and senators currently constituting the Congress. The number of voters on the state's list is equal to the number of US representatives plus two.

The number of state representatives is determined by considering the population of every state in proportion to all other states. Accordingly, each state receives a proportional number of representatives. The Government conducts the national census every ten years to determine the population of each state. When this happens, the state could potentially gain or lose congressmen, affecting the number of voters known as the votes the state will have in the Electoral Board (The Office of the Federal Register).

There is a "winner gets everything" system in 48 out of the 50 US states. This system assigns the entire list of voters in that state to the candidate who won the popular vote, regardless of how close the voting was in that state. A presidential candidate who has won a constituency receives the votes of that constituency. After each state has cast its votes, the votes are tabulated and the President and Vice-President are appointed.

The Federal Election Campaigns Act of 1971 restricts campaign contributions to presidential and congressional candidates and requires candidates to report all money received and spent on their campaigns (Type of contributions; 52 USC Ch. 201, 2015).

The Federal Election Commission (FEC) monitors the compliance with campaign finance laws. It protects the integrity of the federal campaign finance process by ensuring transparency and fair implementation and administration of federal campaign finance laws (The Federal Election Commission (FEC)). Thus, a person may donate \$ 2,900 to the elections per one candidate during the 2021-2022 elections. Goods (tools, equipment) are also considered as contributions. For example, if someone donates a personal computer to a campaign, the contribution is equal to the normal market price of the computer at the time of contribution. Services (e.g. advertising, printing or consulting services) are valued at the commercial

rate in effect at the time the services are provided (The Federal Election Commission (FEC)).

Each US state determines the documents it accepts as proof of identity. Most US states allow people to vote when presenting photo documents (driver's license, military ID, passport). In the absence of a valid document with a photo, they offer to make a free voter ID with a photo. Some states accept non-photographic IDs, in particular by providing birth certificates, social security cards, bank statements and utility bills. Any registered voter in the United States can vote by mail after receiving a ballot.

The Electoral Performance Index is the primary tool for assessing election administration in the United States. This Index helps politicians, election administrators and citizens to evaluate elections based on data, to compare election results across states, to define potential issues to be addressed, to measure the impact of policy and practice changes, to identify tendencies, to use data to determine resource needs and to implement education of voter on the elections administration (Election Performance Index, 2020).

Thus, the analysis of legal guaranteeing of the electoral process in Denmark, New Zealand and the United States allows us to conclude that despite the use of various electoral systems, the existence of different regulatory legal acts regulating the electoral process, those countries adhere to international standards for organizing and conducting elections, respect the fundamental freedoms and are characterized by equality, universality, political pluralism, trust, transparency and accountability of elections. At the same time the main guarantee for ensuring free and fair elections in those countries is to ensure the functioning of the effective judicial system to protect the suffrage (Chudyk *et al.*, 2022).

Conclusions

The study of specific features of legal guaranteeing of the electoral process in Denmark, New Zealand and the United States allows us to make the following conclusions:

1. It has been concluded that the realization of the right to vote or to be elected by everyone is ensured through the existence and observance of international standards for the organization and conduction of elections. At the same time, the sovereign right of each state to introduce its own electoral legislation and choose the electoral system is respected.

The indicated international electoral standards are mainly sectoral principles of objective suffrage and contain both a statement of the

mandatory content of the relevant fundamental requirements and recommendations for their implementation. Such standards are the system of minimum requirements for national electoral law and law-enforcement practices for conducting elections. One cannot speak about the existence of democratic elections without adherence to these standards.

2. A comparison of data from different world rankings (in particular, “Freedom in the World in 2020”, “Rule of Law in 2020”, “Global Open Database Index”) allowed us to conclude that Denmark, New Zealand and the United States generally adhere to rule of law, and the electoral process is organized at the appropriate level. The stability and reliability of election legislation is the key factor.
3. The authors of the article have focused on specific features for the formation of voter registers in Denmark, New Zealand and the United States, the use of information systems, conducting election campaigns under strict supervision and control, possibility of early voting, letter voting and technology voting (in particular, through the use of telephone dictation for people abroad or with visual impairments and during quarantine), conducting informational and educational activities, continuous improvement of election legislation.
4. Analysis of legal regulation of the electoral process in Denmark, New Zealand and the United States has led to the conclusion that proper legal guaranteeing of the electoral process is a tool for the formation of legitimate representative agencies of state power and local self-governments.

On this basis and in order to improve the current electoral legislation of Ukraine, we suggest to implement those innovative provisions into Ukrainian legislation that have already proven themselves in those countries, namely: assigning an important role to local authorities during the elections, establishing their proper cooperation with public authorities; supervision and control over the financing of election campaigns; ensuring equality of all voters, including persons with disabilities; early voting; voting by mail, as well as voting using the telephone dictation service for people being abroad or with visual impairments and during quarantine; existence of a developed information election system, conducting an educational campaign for the public; banning political campaigns on television and imposing restrictions on the placement of public election posters on the roads; accelerating the development of information systems, as well as information and analytical services of elections, concluding agreements on technical cooperation with leading private IT companies under the supervision of the Ministry of Justice.

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