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POSITION STATEMENT ON PROPOSED POLL EMBARGO

The Slovakia parliament has just passed legislation restricting the publication of election poll results in the 50 days before an election. This regulation would more than triple the length of Slovakia's existing restriction of poll reporting during the two weeks before an election – already one of the longest embargoes in all of Europe. ESOMAR, SAVA and WAPOR recommend abolishing its restrictions on publishing polls to give voters access to the most accurate polling information, conducted in the last week before the election. Or at the very least, to not lengthen the current restrictions already in place.

Robust self-regulation coordinated by three bodies, ESOMAR, SAVA and WAPOR

ESOMAR, the World Association for Market, Opinion, and Social Research has been working closely with SAVA, the Slovakian Association of market research and public opinion agencies and WAPOR, the World Association for Public and Opinion Research in order to set professional standards to govern the conduct of polls and ensure their impartiality as an essential element to a functioning democratic society.

Recognising the core function of polling in modern, democratic societies

The electoral decisions voters make in countries with more than two political parties or more than two presidential candidates is often a strategic one. Limiting the availability of polling information can result in poorly informed voting decisions.

Marita Carballo, WAPOR President, stresses: “Free publication of opinion surveys plays a fundamental role in all societies and is essential for an informed citizenry. Banning the publication of pre-election polls limits free access to information and threatens democracy. We therefore strongly oppose such restrictions. Citizens have the right to be informed and will otherwise be excluded from important information that a privileged minority will always find ways to access. “

As ESOMAR Director General, Finn Rabin, wrote last year in the ESOMAR/WAPOR *Report on the Freedom to Conduct Opinion Polls*: “Restricting the publication of election polls runs counter not only to the right to conduct and report polls freely as upheld by Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, but also to the proven finding that election polls are a relatively neutral interpretive aid.”

Polling is not a perfect science, but the best method we have available to measure public opinion

The polling industry has been subject to some fierce criticism over the last years for failing to predict the outcome of three recent UK & US elections. If polls do not predict the outcome it is fairly natural to question the polls.

However, last year, on the occasion of ESOMAR's 70th Anniversary Congress, a unique reference database was launched. The database – compiled by Kantar Lightspeed and made available through

ESOMAR – collated more than 35,000 published polls from 473 elections across 40 countries. Not surprisingly, the margin of error (i.e. the number of polls that got it “wrong”), was less than 3% of all polls. Evaluation polling errors from thousands of polls from around the world shows that in many respects the criticism is undue.

It should also be noted that recent research suggests that the quality of pre-election polls has changed little in recent years. Over the long-term, polling in the last week of election campaigns has even become more accurate. Generally speaking, the accuracy of polls will steadily increase the closer you get to the election. The reason for this is that many of us make up our minds over the course of an election campaign and our opinions can change based upon campaigning activities.

[The Slovakian legal framework provides sufficient safeguards to guarantee quality in polls](#)

Therefore, ESOMAR and WAPOR support SAVA, the Slovakian national association for market, opinion, and social research in urging the Slovakian government not to take a rash action considering the legislation in operation in Slovakia has proven to be sufficient in ensuring that polling agencies in Slovakia accomplish their important societal task of capturing snapshots of public opinion at any given moment. Introducing restrictions would further distance the Slovakian legal framework from many of its neighbours, creating unnecessary legal complications for both operators in Slovakia and international polling agencies.

[Towards an operating environment for polls of less, not more restrictions](#)

The proposed restrictions are especially problematic in multi-party systems like that in Slovakia. ESOMAR, SAVA and WAPOR believe these limitations stifle free speech and democracy. They keep information about the voting landscape from voters, keeping the public uninformed (or even misinformed) about the state of competition. Politicians and candidates may have access to private polling data, but election laws keep similar information from a country’s voters. These restrictions are a statement by governments that they do not trust the voters’ intelligence.

[Slovakia need not become an exception](#)

By introducing a 50-day embargo, Slovakia would be the third most restrictive country in the world when it comes to limiting the reporting of pre-election polls. The 50-day embargo would be exceeded only by Cameroon’s 90-day embargo, and Tunisia’s 150-day block on election poll results. No other country where election polls are conducted restricts poll publication for so long a time.

Blackout periods of such length are more than restrictions on reporting. They outlaw reliable poll information during critical periods of election campaigns and thus expose voters to misinformation from other sources – information that cannot be verified.

ESOMAR, SAVA and WAPOR regard the blackout of election poll publication in Slovakia for 50 days before an election as a severe limitation on the rights of the public to learn important and reliable

information that helps them cast an informed vote, as well as on the rights of journalists to report accurately on the election itself.

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If you would like more information about this topic, please contact Kim Smouter at +31-20-664-21-41 or email at Public.affairs@esomar.org.

ESOMAR

Founded in 1948, ESOMAR gathers nearly 5000 professionals and over 500 companies worldwide providing or commissioning research, including public and academic bodies. For further information on ESOMAR and its activities, contact Kim Smouter, Head of Public Affairs and Professional Standards. For more information visit: <https://www.esomar.org>

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The World Association for Public Opinion Research (WAPOR) is the international professional association for promoting development and publication of public opinion research with 500 individuals from academic and business professions in over 50 countries. For more information visit www.wapor.org.

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