



# EUROPEAN PARLIAMENT

## **PARLIAMENTARY ELECTIONS IN REPUBLIC OF MOLDOVA**

### **ELECTION OBSERVATION DELEGATION**

**3 -7 April 2009**

**Report by  
Mrs. Marianne MIKKO  
Chairperson of the Delegation**

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## **Introduction**

Following receipt of an invitation sent by Mr Eugeniu STIRBU, Chairman of Central Electoral Commission of the Republic of Moldova, to the European Parliament (EP) on 5 February 2009, the EP Conference of Presidents authorised, on 5 March 2009, an election observation delegation to monitor the parliamentary elections in Moldova scheduled for 5 April 2009. The delegation comprised six Members of the European Parliament, nominated by three political groups, and three members of staff.

The Members were appointed by the political groups as follows: Mrs Laima Liucija ANDRIKIENE (EPP-E, Lithuania), Mr Marin-Jean MARINESCU (EPP-ED, Romania), Mrs Marianne MIKKO (PSE, Estonia), Mr. Alin ANTOCHI (PSE, Romania), Mrs Emma NICHOLSON (ALDE, UK) and Mr Henrik LAX (ALDE, Finland).

During the constituent and preparatory meeting of the Moldova parliamentary election observation delegation, held on 18 March 2009, Mrs Marianne MIKKO was elected chairperson of the delegation by Members of the European Parliament delegation present. The Commission representative, Mr. Rémi DUFLOT, briefed the delegation on the electoral and political situation in Moldova. The draft programme for the mission was confirmed, as well as the deployment of the delegation in four teams, one observing from the capital Chisinau and the other three observing on the way to the border with the Transnistria region of Moldova through Dubasari, Orhei and Anenii Noi.

As is usual in the OSCE area, the European Parliament delegation formed part of the joint International Election Observation Mission (IEOM) that also comprised the Parliamentary Assembly of the Council of Europe (PACE), chaired by Mr. David Wilshire (UK); the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), headed by Mr. Nikolai Vulchanov (Bulgaria) and the OSCE Parliamentary Assembly (OSCE PA) headed by Petros Efthymiou (Greece). The OSCE/ODIHR team consisted of 42 experts and long-term observers of 23 OSCE participating States deployed in the capital and seven regional centres. On Election Day, the IEOM deployed some 400 short-term observers from 43 OSCE participating States, including 70 members of the OSCE PA delegation, 19 from PACE, and 13 from the European Parliament.

Aside the International Election Observation Mission (IEOM), the Commonwealth of Independent States (CIS) observed as well the Moldova parliamentary election. According to the CIS Executive Secretary Sergey Lebedev, the representatives from their observer mission visited 27 polling stations of 37 constituencies, on the day of voting.

Domestic non governmental organizations, as well as representatives of electoral contestants also contributed to observe the election process. Under the umbrella of the NGO "Civic Coalition for Free and Fair Elections – Coalition 2009", which groups 70 civil society organizations, the "League for Defence of Human Rights of Moldova" (LADOM) deployed 44 long-term observers and about 2100 short-term observers. Another NGO umbrella organization, the Coalition "Civic Control – Elections 2009"

deployed some 200 short-term observers around the country. In addition, observers nominated by electoral contestants were present in 97% of polling stations.

In the eve of the election, the EP delegation to observe the parliamentary elections in Moldova had meetings with various Moldovan leaders, among which Dorin Chirtoaca, the Mayor of Chisinau and figure of one of Moldovan opposition parties (PL), deputy minister of Foreign Affairs and European Integration, Valeriu Ostalep, the Minister of Justice, Vitalie Pirlog and the Speaker of the Moldovan Parliament, Marian Lupu. On 4 April, a common briefing for the IEOM with the OSCE PA, PACE and the EP delegation took place. ODIHR experts presented the environment in which the elections take place on 5 April. Meetings with the CEC representative, with leaders of the most important Moldovan parties, with observer organizations, NGO and media representatives also took place. All these meetings with different stakeholders gave the Delegation a good overview of the context of, and preparation for elections. In all these meetings, MEPs addressed different issues and aspects, most of which are presented below.

### **The Electoral System**

Moldova held parliamentary elections on 5 April 2009. 101 members of Parliament, serving a four-year term were elected in a nationwide constituency through a proportional representation system. This election well proved a tipping point as what is at stake is not only parliamentary seats but also the following election of the President of Moldova. The president is elected by the newly-elected parliament with three fifths of the votes of the new MPs. President Vladimir Voronin is finishing his second and last tenure. The threshold for a political party to enter the Parliament was increased from four to six per cent of valid ballots.

The latest amendments to the Moldovan Electoral Code did not address recommendations of the OSCE/ODHIR and of the Venice Commission of the Council of Europe.

The increase of the electoral threshold from 4 to 6 per cent could be understandable in a proportional representation system where political fragmentation is underway. Nevertheless, it could seem that the Party of Communists of the Republic of Moldova (PCRM) tried to dominate the elections' results by raising the threshold. The ban on pre-electoral blocs represented a setback. In addition, all these issues together with the restriction of electoral rights of persons with multiple citizenship put obstacles for many political parties and candidates.

The overall assessment is that the pre-election environment deteriorated since 2005, threatening the conditions for competitive elections (pressure, intimidation and criminal cases initiated by law enforcement agencies against opposition candidates).

In Moldova, elections are considered valid if more than 50 % of the voters registered participate. In the Central Electoral Commission's (CEC) view, the total numbers of registered voters is given by the voters registered on the voter lists plus those registered on supplementary lists. If the voter turnout is not reached, a second round

of voting is organized 14 days after, where at least one third of the registered voters should participate for this round of elections to be valid.

### **Voter lists**

At the requests of the MEPs, the Central Electoral Commission representative was not able to provide reliable, clear data on the total number of registered voters, which raised suspicion on the transparency and reliability of the voter lists for these elections. Widespread concerns were expressed that the total number of voters might be too high compared to the total population of the country. Numerous concerns were raised about fraud and multiple voting.

Voter lists were based on the information provided by the Ministry of Information Development, who sent them to the CEC who passes the lists to the local authorities, which carried out an annual update and submitted the information back to the CEC. Voter registration lacked uniformity, the ways voter lists were drawn up varied widely among local government units, especially with regard to the inclusion in the voter lists of voters residing abroad.

It was for the very first time in the history of Moldova that prisoners were able to vote and a team of the EP delegation observed elections on 5 April in Penitentiary No. 13 in Chisinau. Only those sentenced to imprisonment by a final decision of a court for serious crimes, which lost their citizen rights were not able to vote.

Inhabitants of Transnistria were not due to take part in the elections despite the fact that 400,000 of them are voters. In 2005, the same scenario happened, but ten polling stations were opened nonetheless. 10 polling stations were open also this time on the Western bank of Nistru/Dniestr River from voters from the eastern bank, who were added on the supplementary voter lists.

Moldovans currently living abroad (about 35-50 % of the Moldovan working force) encountered difficulty in voting. Moldovan government allowed voting only in embassies and consulates, voting being problematic for Moldovan citizens living and working in places where there is no embassy or consulate nearby. Moldovans living far from capital cities and have no legal residence in host countries may well find it difficult to afford spending time and money to travel long distances in order to vote. This issue is of particular concern as these voters were likely to vote against the ruling party in the election; this is also likely to have a significant impact on the election of the next president. Requests made by individuals, organizations and opposition parties to open additional polling stations for the diaspora bore no fruit by a decision of the Supreme Court. For these elections, 22 064 voters were registered to vote in 33 polling stations abroad, extremely few compared to the considerable number of Moldovan citizens residing abroad.

### **Candidate Registration**

12 parties and 5 individual candidates competed in the elections. Given the amendments to the Electoral Code in 2008 prohibiting the formation of pre-electoral

alliances, some party lists included prominent members of other political parties not so long ago. Most important state officials registered on the list of the Party of Communists of the Republic of Moldova (PCRM).

A restriction to the right to be elected, with regard to persons with multiple citizenship was introduced by one of the amendments to the Electoral Code in April 2008. According to this amendment, elected candidates with multiple citizenship have to renounce their other citizenship(s). At the end of 2008, the European Court of Human Rights ruled against the Republic of Moldova, considering this a violation of the European Convention on Human Rights.

## **Media**

While the Constitution guarantees freedom of expression and prohibits censorship, media was biased (unequal access of political parties to the media): biased television, radio and the written press in favour of government, lack of pluralism and unequal news coverage to the detriment of the opposition. Public broadcaster *Moldova 1* gave preferential treatment to the party in power, blurring the distinction between the coverage of top state officials and their campaign activities. The PCRM received the most positive coverage and the AMN (Our Moldova Alliance) and PLDM (the Liberal Democratic Party of Moldova) were presented in a negative or neutral tone. The PCRM decided not to participate in debates with other political parties, except these organized by the public broadcaster, therefore limiting the informative value of these political debates for the citizens.

The Audiovisual Coordination Council refused to renew the broadcasting licence to *PRO TV Chisinau*, which will continue functioning until after the elections, when a new decision would be taken.

A great number of complaints to the CEC referred to electoral campaigns in the media. The complaints referred especially to unethical campaigning, extensive coverage of President Voronin in the media, etc.

## **Campaign environment**

During the campaign, the PCRM stressed the economic achievements and stability in the past eight years since it has been in power, while the opposition parties criticized the Communists for the widespread corruption and mismanagement.

Opposition candidates were intimidated and pressured upon, some opposition parties' electoral posters and billboards were removed, destroyed and stained. Some of their offices were vandalized. Intimidation by the police and local authorities of voters willing to attend opposition parties' events was registered. There were cases where public employers threatened their staff with unemployment if they campaigned or ran for office for an opposition party. The use of administrative resources by state officials and the PCRM candidates was encountered.

## **Election Day**

The Election Day was well-organized and took place in a calm and peaceful atmosphere. To cover the Election Day on 5 April, the Delegation split into 4 groups, which observed the elections in Chisinau, its surroundings, and in different places (Orhei, Dubasari, Anenii Noi) on the way to the border with the Transnistrian region of Moldova. The EP EOM did not witness any major rigging of the elections but noted that the parliamentary elections took place in an unbalanced environment strongly favouring the ruling party, mainly due to the limited access to the media for the representatives of the opposition parties, the use of state resources by the Communist Party during the election campaign, and intimidation of representatives and supporters of the opposition. The EP teams witnessed some problems, for example observers from the PCRM trying to influence voters. In Dorotcaia, Cosnita, Poheaba and Pirita, the Dubasari team witnessed group voting involving elderly voters, thus hampering the free choice of voters. The same team noticed the presence of some Ukrainian and Russian peacekeeping troops in Dorotcaia, which created the impression of their intention to influence the free choice of the local population. Some teams observed evident confusion linked to the identity documents necessary for voting. Party lists were not displayed in the majority of the polling stations.

## **Election Results**

According to the data provided by the Central Election Commission (CEC) 4 of the 12 main political parties passed the 6% threshold in the parliamentary elections. The final results are the following:

<b>Political Party</b>	<b>% of votes</b>	<b>Mandates obtained</b>
Party of Communists of the Republic of Moldova(PCRM)	49.48%	60 seats
Liberal Party (PL)	13.14%	15 seats
Liberal Democratic Party of Moldova (PLDM)	12.43%	15 seats
Our Moldova Alliance (AMN)	9.77%	11 seats

According to CEC data, the total number of registered voters is 2,586,309, and 1,556,083 voters participated in elections, making the voter turnout 53.9%.

The opposition claims that elections were rigged and demanded that repeat parliamentary elections take place.

On 6 April, hearing the news that the Communists won the elections, crowds of young Moldovans took to the streets spontaneously opposing the outcome of the elections,

which they viewed as rigged by the Communists. The buildings of the Parliament and Presidency of the Republic of Moldova were set on fire during the morning of 7 April.

During the anti-Communist demonstrations, a young girl died on the morning of 7 April and 2 other casualties of other 2 youngsters resulted (at least one of them appeared to have died as a result of the police brutality against the young demonstrators on the night of 7-8 April). More than 200 young people who had demonstrated against the Communists leadership were reportedly taken into police custody. The Moldovan Communist leadership has imposed terror, torture, murder, kidnappings, intimidation and threats against the Moldovan population, trying to prevent future protests against the Communist leadership. The events that followed the Election Day opened the floor to a recount of votes which took place the following week. This recount did not bring any major changes in the final results. A fact-finding mission of the EP went to the Republic of Moldova between 26-29 April.

### **Some conclusions**

The International Election Observation Mission, including the EP delegation, expressed their view that the Moldovan parliamentary elections took place in an overall pluralistic environment and offered voters different political choices. Further changes are required 'to ensure an electoral process free from undue administrative interference and to increase public confidence'. The European Parliament delegation cooperated closely and negotiated with the OSCE PA, PACE and OSCE/ODIHR to produce the preliminary conclusions and all these 4 international organizations endorsed the statement.

Generally the Election Code provided a good basis for these elections, however, ' the combination of the electoral threshold, prohibition of pre-electoral alliances and the restriction of electoral rights of persons with multiple citizenship created obstacles for many political parties and candidates. In addition, the voter turnout requirement for an election to be valid allows for cycles of failed elections'.<sup>1</sup>

Among the conditions seen as essential to a genuine and democratic electoral process, it could be mentioned: equal access for candidates and political parties to state resources and their equal access to, and balanced coverage by, any state or public funded media. The EP delegation considers that these essential conditions were not fulfilled. The Republic of Moldova needs to bring about major improvements in the media, which should be free from political influence, the campaign environment should be free from intimidation of voters and candidates, administrative resources should not be used in campaigning, etc.

A key issue is the voter registration and public confidence in the Moldovan authorities. The numerous allegations of fraud concerning the voter lists and the events after the 5 April elections shook heavily the public confidence in the authorities and the Communist Party which will continue to stay in power.

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<sup>1</sup> Preliminary statement of the International Election Observation Mission to Parliamentary Elections, Republic of Moldova, 5 April 2009

Bearing in mind the serious human rights abuses committed by the Moldovan authorities and the results of the EP fact finding mission to Moldova after the elections, the European Parliament adopted on 7 May 2009 a resolution on the situation in the Republic of Moldova stressing that full compliance with international democratic standards before, during and after the electoral process is of the greatest importance for the future development of relations between the EU and the Republic of Moldova.

By its resolution, the European Parliament strongly condemned the massive campaign of harassment, grave violations of human rights and all other illegal actions carried out by the Moldovan Government in the aftermath of the parliamentary elections and urged the Moldovan authorities to immediately cease all illegal arrests and conduct government action in accordance with the country's international commitments and obligations with regard to democracy, the rule of law and human rights. The EP is particularly concerned about the illegal and arbitrary arrests and the widespread violations of the human rights of arrested persons, in particular the right to life, the right not to be subjected to physical abuse, torture or inhumane or degrading treatment or punishment, the right to freedom and safety, the right to a fair trial and the right to freedom of assembly, association and expression, and about the fact that these abuses are still continuing.<sup>2</sup> These human rights violations in Moldova, just at the EU's border, may raise serious question marks about Moldovan authorities' commitment to European principles and values.

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<sup>2</sup> The European Parliament resolution on the situation in the Republic of Moldova, 7 May 2009



**EUROPEAN PARLIAMENT**  
**PARLIAMENTARY ELECTIONS IN MOLDOVA**  
**ELECTION OBSERVATION DELEGATION**

**3 – 7 April 2009**

**List of participants**

**Members**

Mrs Marianne MIKKO, Estonia, PSE, (*Chairperson*)  
Mrs Laima Liucija ANDRIKIENE, Lithuania, EPP-ED  
Mr Marian-Jean MARINESCU, Romania, EPP-ED  
Mr Alin ANTOCHI, Romania, PSE  
Baroness Emma NICHOLSON, UK, ALDE  
Mr Henrik LAX, Finish, ALDE

**Secretariat**

Mrs Alina GEORGESCU, Administrator  
Mrs Aneta POPESCU-BLACK, Administrator  
Mrs Simona IACOBLEV, Assistant

**Group Staff**

Mr Marian APOSTOL, EPP-ED  
Mr Robert VAN DE WATER, PSE

**Interprets**

Mr Victor CHERATA  
Mr Mihai CODREANU  
Mr Mona STAMATOPOL

**Abbreviations :**

EPP-ED	European People's Party/European Democrats	GUE/NGL	European United Left/Nordic Green Left
PSE	Party of European Socialists	UEN	Union for Europe of the Nations Group
ALDE	Alliance of Liberal and Democrats for Europe	I-D	Independence/Democracy
Verts/ALE	Greens/European Free Alliance	NI	Non-attached

# EUROPEAN PARLIAMENT

## PARLIAMENTARY ELECTIONS IN MOLDOVA ELECTION OBSERVATION DELEGATION

3 – 7 April 2009

### FINAL PROGRAMME

#### **Members**

Mrs Marianne MIKKO, Estonia, PSE, (*Chairperson*)  
Mrs Laima Liucija ANDRIKIENE, Lithuania, EPP-ED  
Mrs Maria PETRE, Romania, EPP-ED  
Mr Marin-Jean MARINESCU, Romania, EPP-ED  
Mr Alin ANTOCHI, Romania, PSE  
Mrs Emma NICHOLSON, UK, ALDE  
Mr Henrik LAX, Finish, ALDE

#### **Secretariat**

Mrs Alina GEORGESCU, Administrator  
Mrs Aneta POPESCU-BLACK, Administrator  
Mrs Simona IACOBLEV, Assistant

#### **Group Staff**

Mr Marian APOSTOL, EPP-ED

#### **Interpreters**

Mr Victor CHERATA  
Mr Mihai CODREANU  
Mr Mona STAMATOPOL

### **Thursday, 2 April**

Arrival of Members in Chisinau and transfer to the hotel:

**Leogrand Hotels**

Mitropolit Varlaam str. 77, MD-2012, Chisinau, Moldova

Tel.: (+373 22) 201 201, Fax: (+373 22) 201 222

E-mail: [info@leograndhotels.com](mailto:info@leograndhotels.com)

Meeting with ODIHR, OSCE PA and PACE at Secretariat level

### **Friday, 3 April**

10h00 Meeting with EU Ambassadors and EC Delegation

12h00 Mayor of Chisinau, Dorin Chirtoaca and Moldovan NGOs

*Venue: Beermania Restaurant*

*Alexandru cel Bun str, nr. 83, tel: 227331, 227319*

15h00 Vice-minister Ostalep, AEIE (tbc)

16h00 Minister of Justice, Vitalie Parlog

*Other meetings to be scheduled*

19h30 Dinner for Heads of delegation hosted by the European Parliament

*Venue: Basarabia Restaurant*

*Str. Kiev, nr 16/1 tel Tel 449735, 498079*

### **Saturday, 4 April**

9h00- 9h30 Speaker of the Moldovan Parliament, Marian Lupu

10h00 Opening by the Heads of Delegations

- Mr. Petros Efthymiou, Head of Delegation of the OSCE Parliamentary Assembly and Special Co-ordinator of the OSCE CiO to lead the OSCE STOs

- Mrs. Marianne Mikko, Head of Delegation of the European Parliament

- Mr David Wilshire, Head of Delegation of the CoE Parliamentary Assembly

**10h15-10h30 Political Background**

Ambassador Philip Remler, Head of the OSCE Mission to Moldova

Mr Vladimir Ristovski, Special Representative of the Council of Europe  
Secretary General to Moldova

**10h30-11h30 OSCE/ODIHR EOM Core Team**

**Introduction**

Mr Nikolai Vulchanov, Head of Mission (10 minutes)

**Political overview; National Minorities; Gender**

Mr Falk Lange, Political Analyst (10 minutes)

**Campaign activities and media landscape**

Mr Ivan Godarsky, Media Analyst, (10 minutes)

**Complaints**

Mrs Francine Barry, Legal Analyst (5 minutes)

**Election administration and E-Day procedures**

Mr Alexander Yurin, Election Analysts (10 minutes)

**Observation forms**

Mr Anders Eriksson, Statistics Expert or Mr. Raul Muresan, LTO Co-ordinator (5 minutes) TBC

*Q&A (10 minutes)*

**11h45 Electoral Administration**

Mr Iurie Ciocan, CEC Secretary

**12h30 Roundtable with Observer Organisations**

- Mr Paul Strutzescu, Chairperson or Mrs. Olga Straton, Program Co-ordinator, League for Human Right Protection in Moldova (LADOM)
- Mr Alexandru Barbov, Executive Director, 'Civic Control - Elections 2009'

**14h30 Meetings with representatives of Political Parties**

- Party of Communists of the Republic of Moldova (PCRM)
- Christian Democratic People's Party (PPCD)

Centre right parties:

- Mr Veaceslav Untila, 'Moldova Noastra (Our Moldova)' Alliance (AMN)
- Liberal Party (PL)
- Liberal Democratic Party of Moldova (PLDM)

Centre left parties:

- Mr Dumitru Braghis, Chairperson; Social Democratic Party of Moldova (PSDM)
- Democratic Party of Moldova (PDM) TBC
- Mr Veaceslav Afanasiev, Centrist Union of Moldova (UCM)

**17h30 Roundtable with NGO Representatives (International and Moldovan)**

- Mr Igor Botsan, Executive Director, Association for Participative Democracy (ADEPT)
- Mr Serghei Ostaf, Executive Director, Resource center for Human Rights NGOs in Moldova-CREDO
- Mr Alex Grigorevs, Resident Director or Aleksandar Bratkovi , Program Manager; National Democratic Institute (NDI)
- Mr Stevan Rader, Program Director, International Republican Institute (IRI)
- Mr Andrei Brighidin, Program Manager, Eurasia Foundation
- Mrs Nadine Gogu, Interim Director, Independent Journalism Centre
- Mr Petru Macovei, Executive Director, Association for Independent Press (API)

**17h30 Roundtable with Media Representatives**

TV:

- Mr Igor Burciu, News Director, Euro TV
- Mr Sergey Riazantzev, NIT TV

Radio:

- Mr Veaceslac Tabuleac, Director, Vocea Basarabiei

Print press:

- Mr Ion Berlinski, Editor in Chief, Moldova Suverană,
- Mr Dmitrii Ciubasenco, Editor in Chief, MoldavskieVedomosti,
- Mr Gheorghe Budeanu, Timpul de Dimineață

**18h30 Concluding Remark**

**18h35 Observers' Safety**

- Mr Emil Pyrich, Security Officer

**Deployment**

- Area specific briefing conducted by OSCE/ODIHR LTO teams and distribution of the regional briefing packs

**Sunday, 5 April**

Election Day

**Monday, 6 April**

*08h30*                      Debriefing EP delegation

*10h00*                      Meeting of Heads of Delegations EP, OSCE PA, PACE and  
OSCE/ODIHR

*14h00*                      Press conference

**Monday late evening/**

**Tuesday, 7 April**      Departure to the airport

*Morning:*                      Secretariat meeting - Debriefing on the Election Observation  
delegation

*Afternoon:*                      Logistical arrangements (with ODIHR Liaison officer)

End of work

# EUROPEAN PARLIAMENT

## PRESIDENTIAL ELECTIONS IN MOLDOVA ELECTION OBSERVATION DELEGATION

3 – 7 April 2009

### Deployment plan

<b>Team 1 - CHISINAU</b>
Mrs Marianne MIKKO, Estonia, PSE, ( <i>Chairperson</i> )
Mrs Alina Alexandra GEORGESCU, Administrator
Mr Victor CHERATA, Interpreter
Driver

<b>Team 2 - Orhei - border with the Transnistrian region of Moldova</b>
Mr Marin-Jean MARINESCU, Romania, EPP-ED
Mr Marian APOSTOL, EPP-ED
Driver

<b>Team 3 - Dubasari - border with the Transnistrian region of Moldova</b>
Mrs Emma NICHOLSON, UK, ALDE
Mr Henrik LAX, Finish, ALDE
Mrs Aneta POPESCU-BLACK, Administrator
Mr Mihai CODREANU, Interpreter
Driver

<b>Team 4 - Anenii Noi - border with the Transnistrian region of Moldova</b>
Mrs Laima Liucija ANDRIKIENE, Lithuania, EPP-ED
Mr Alin ANTOCHI, Romania, PSE
Mrs Simona IACOBLEV, Assistant
Mrs Mona STAMATOPOL, Interpreter
Driver

# EUROPEAN PARLIAMENT

## ELECTION OBSERVATION DELEGATION TO MOLDOVA PARLIAMENTARY ELECTIONS OF 5 APRIL 2009

### Press release

The observer delegation from the European Parliament noted that the proceedings during the Election Day passed in a positive and calm atmosphere. This was a real improvement to the situation as it was observed during the past 2005 parliamentary elections. The pooling stations were better organised, the presence of the political party observers in the pooling stations did not cause any difficulties and the voters had the possibility to make a free choice out of many different political parties. We also observed ourselves that voting in prison – a novelty for Moldova – took place in an organised and quiet manner. The only marked exception was found in the aggressive attempts of the Tiraspol authorities to stop the Transnistrian people to participate in the votes.

This positive observation with regard to the proceedings on election day, however, does not mean that no further steps should be taken by the Moldovan authorities to make the electoral process more transparent and more balanced.

Sincere efforts must be made to strengthen the democratic consciousness in this country and to increase the public confidence in the elected officials of Moldova.

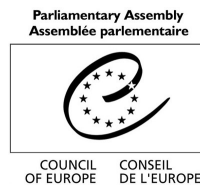
In general, the media provided the candidates with the opportunity to convey their message to the voters. As a former journalist with a long experience in political reporting, I must however note that in particular the public broadcasting organisation Moldova UNU and radio Moldova continuously gave a preferential treatment to the politicians in power and failed to distinguish between their state duties and their campaign activities.

I would like to stress that an independent and transparent public broadcasting system is an essential aspect of a democratic society and I would like to urge the newly elected authorities to give prior attention to further improvements on this issue.

Finally, I would like to draw attention to a specific aspect of the situation in Moldova. Many younger people have left their country to find employment abroad. With their remittances, they make an important contribution to the financial well-being of their families and the economic development of Moldova. It must therefore be regretted that these valuable people have been offered so few possibilities to cast their vote in these elections and therefore express their opinion on the political development of their country. Their absence from the political process in Moldova – some say this may even concern about half of Moldova's labour force – also creates unclarity about correctness of the voter lists.

The European Parliament delegation hopes that these points will be addressed in the near future and that next elections can be given an even more favourable opinion.





## **Moldova's elections met many international standards, but further improvements are needed, observers say**

CHISINAU, 6 April 2009 – Yesterday's parliamentary elections in Moldova met many international standards and commitments, but further improvements are required to ensure an electoral process free from undue administrative interference and to increase public confidence, the International Election Observation Mission said in a statement issued today.

The elections took place in an overall pluralistic environment, offering voters distinct political alternatives. The legal framework generally provided an adequate basis for the conduct of a democratic election, although important previous recommendations remain to be addressed.

Election day was well-organized and passed calmly and peacefully, with no major incidents reported. The voting and counting process was assessed positively by the observers, despite a number of significant procedural shortcomings.

The media provided contestants with opportunities to convey their messages, in particular through debates and paid airtime. The observers noted, however, that the state broadcaster blurred the distinction between the coverage of duties of state officials and their campaign activities.

The campaign environment was affected by frequent allegations of intimidation of voters and candidates, and claims of misuse of administrative resources. Some of these allegations were verified by the observers.

"I am delighted with the progress of democracy in Moldova. These elections were very good and they gave me great confidence in the future of this country," said Petros Efthymiou, head of the delegation of the OSCE Parliamentary Assembly and Special Co-ordinator of the OSCE short-term observers.

"The people of Moldova are to be congratulated on a relaxed, mainly well-run and democratic polling day. Now the new parliament needs to make the necessary improvements to Moldova's legal framework and electoral code," said David Wilshire, head of the delegation of the Council of Europe's Parliamentary Assembly.

"We noted real improvements in comparison with the 2005 parliamentary elections. However, further efforts must be made, in particular with regard to the position of the public broadcasting organization", said Marianne Mikko, head of the delegation of the European Parliament.

"Our overall assessment of this election is positive, but there is a need to inject more trust in the electoral environment, including through unbiased news reporting by the public broadcaster, improving voter registration procedures, and ensuring that contestants are treated

equally by the authorities,” said Nikolai Vulchanov, head of the long-term election observation mission of the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

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**INTERNATIONAL ELECTION OBSERVATION MISSION**  
**Parliamentary Election, Republic of Moldova – 5 April 2009**

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**STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

**Chişinău, 6 April 2009** – The International Election Observation Mission (IEOM) for the 5 April parliamentary elections in the Republic of Moldova is a joint undertaking of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament (EP).

The elections are assessed for their compliance with the OSCE and Council of Europe commitments for democratic elections, as well as with Moldovan legislation. This statement of preliminary findings and conclusions is delivered prior to the completion of the election process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the election process. The delegation of the PACE will present its report at the April 2009 part of the plenary session of the Assembly in Strasbourg.

The institutions represented in the IEOM wish to thank the Moldovan authorities for their cooperation and stand ready to continue their support for the conduct of democratic elections.

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**PRELIMINARY CONCLUSIONS**

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The 5 April 2009 parliamentary elections took place in an overall pluralistic environment, offering voters distinct political alternatives and meeting many of the OSCE and Council of Europe commitments. Further improvements are required to ensure an electoral process free from undue administrative interference and to increase public confidence.

Voting on election day was well-organized and took place in a calm and peaceful atmosphere, without any major incidents reported. Observers noted good knowledge of electoral procedures both by election commission members and most voters. Counting was also assessed positively, but a number of significant procedural shortcomings were noted. Processing of results by District Electoral Councils requires further improvement.

The media provided contestants with opportunities to convey messages to the electorate, in particular through debates and paid airtime, and therefore allowed voters to make a more informed choice. However, the public broadcaster *Moldova 1* in its news offered preferential treatment of the authorities, blurring the distinction between the coverage of duties of top State officials and their campaign activities.

The IEOM noted the following additional positive aspects of the electoral process:

- Party lists and candidates were registered in an inclusive process;
- The Central Election Commission (CEC) operated in an overall professional and transparent manner;
- Electoral contestants were able to benefit from an improved framework for campaign rallies provided by the new Law on Public Assemblies;

- The process of adjudication of complaints and appeals by electoral bodies and courts ensured that electoral challenges were generally considered in a timely manner and with respect for principles of due process.

However, the following shortcomings remain to be addressed:

- The campaign environment was affected by frequent allegations of intimidation, including by the police, of voters and candidates, and allegations of misuse of administrative resources. Some of these allegations were verified;
- Voter registration lacked uniformity and an adequate legal framework. Compilation of voter lists varied considerably among local government units, particularly with regard to the inclusion of voters residing abroad;
- The Audiovisual Co-ordination Council failed to act in a timely manner to address problems related to the media coverage of the campaign;
- The CEC Regulation on Media Coverage of the campaign included restrictions that were not in line with the principle of freedom of expression and access to information guaranteed by the Constitution.

The Election Code generally provided an adequate basis for the conduct of democratic elections. Nonetheless, the combination of the electoral threshold, prohibition of pre-electoral alliances and the restriction of electoral rights of persons with multiple citizenship created obstacles for many political parties and candidates. In addition, the voter turnout requirement for an election to be valid allows for cycles of failed elections.

As in previous elections, voting did not take place on the territory that is, since 1992, under the *de facto* control of the Transdniestrian authorities. Voters residing in Transdniestria could vote at 10 special polling stations. In Corjova, a disputed commune on the eastern bank, voting was aggressively prevented during the day by a seemingly organized crowd.

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## PRELIMINARY FINDINGS

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### Background

The 5 April parliamentary elections were conducted to elect 101 members of the unicameral parliament of the Republic of Moldova for a four-year term. These elections were seen as particularly significant as the newly elected parliament will elect a new President of Moldova. Following the completion of two terms, the incumbent President Vladimir Voronin, Chairman of the Party of Communists of the Republic of Moldova (PCRM), can not stand for re-election.

The outgoing legislature comprised four political party factions, including the PCRM with 55 seats, the Alliance "Our Moldova" (AMN) - 14 seats, the Democratic Party of Moldova (PDM) - 11 seats and the Christian Democratic People's Party (PPCD) - 7 seats. The remaining 14 members of parliament were not affiliated with any of these factions.

The PCRM has enjoyed an absolute majority in the legislature since 2001. After 2005 parliamentary elections, the PCRM mustered the support of several parties, including PDM and PPCD, for the re-election of Mr. Vladimir Voronin as President on 4 April 2005.

## Legal Framework

The 1994 Constitution (last amended in 2006) and the 1997 Electoral Code (last amended in April 2008) constitute key legislation regulating the conduct of elections. The relevant legal framework also includes the 2007 Law on Political Parties, the 2008 Law on Public Assemblies, organic laws on the courts, as well as regulations and decisions issued by the CEC.

The latest Joint Opinion of the OSCE/ODIHR and the Venice Commission of the Council of Europe concluded that while the Election Code continued to provide an adequate basis for the conduct of democratic elections, the 2008 amendments have addressed past recommendations to a limited extent.<sup>1</sup> Key amendments, which raised concerns among the opposition political parties, included the increase of the electoral threshold for party representation in the parliament, the prohibition on forming pre-electoral coalitions and the limitation of the rights of persons with multiple citizenship to become members of parliament. These provisions, combined together, create obstacles for many political parties and candidates, including persons belonging to national minorities.

## Election System

Members of the parliament of the Republic of Moldova are elected within a single nationwide constituency through proportional representation based on closed party lists. The electoral threshold is six per cent of the valid votes cast for political parties and three per cent for independent candidates.

Elections are considered valid if at least half of registered voters participate. In case this turnout requirement is not met, a repeat voting is conducted in 14 days on the basis of the same candidate and voter lists, requiring a lower turnout of at least one-third of the electorate. If the repeat election fails to meet the lowered turnout requirement, new elections are to be called. The OSCE/ODIHR and the Venice Commission of the Council of Europe repeatedly recommended the removal of the turnout requirement as these provisions allow for cycles of failed elections.

## Election Administration

The 2009 parliamentary elections were administered by a three-tiered election administration comprising the CEC, 35 District Electoral Councils (DECs) and 1,977 Precinct Electoral Bureaus (PEBs). Election administration bodies may not include members of political parties or local councils. Election contenders were entitled to appoint one non-voting representative to each level of election administration.

The CEC is a permanent nine-person body appointed for a five-year term. The law provides for one of its members to be appointed by the President and one by the government. The remaining seven commissioners are nominated by the parliamentary political parties in proportion to the number of seats held. Presently, the PPCD is represented by one member and the PCRM, AMN and PDM by two members each.

All 35 DECs that were established for these elections had 11 members - two appointed by district courts and the remaining nine nominated by political parties proportionally to their

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<sup>1</sup> OSCE/ODIHR and Venice Commission of the Council of Europe Joint Opinion on the Election Code of Moldova as of 23 October 2008 (CDL-AD(2008)022), p.5.

representation in parliament. PEBs were appointed by DECes and had either seven, nine or eleven members, depending on the number of voters per polling station; three of them were appointed by local councils and the remaining ones nominated by parliamentary parties.

The CEC operated in an overall transparent and professional manner, although on occasion concerns were expressed with regard to its impartiality in adjudication of complaints. The CEC held meetings twice a week. CEC meetings, including the agenda, were announced on the CEC website. The meetings were well organized and open to the public, domestic media and observers. Decisions were announced by press release and published on the website, mostly within 24 hours.

The CEC passed a number of important decisions, including on stamping of the voters' IDs as a measure against possible multiple voting and enfranchisement of voters without registered residence or with expired IDs.

Some provisions of the Election Code were not implemented at all or were treated by the election administration as "optional". Occasional omissions of electoral deadlines have occurred and the accountability in the process of printing of ballots and distribution of Absentee Vote Certificates (AVCs) from DECes to PEBs was not adequately ensured. Despite legal requirements, the majority of polling stations visited during the pre-election period failed to open 20 days before the election, and in half of polling stations visited, the voter list was not displayed.

In its 20 March decision, the CEC granted the voters residing in the Transnistrian region an opportunity to vote in 10 special polling stations. In Corjova, a disputed commune on the eastern bank of the Nistru/Dniestr, voting was aggressively prevented during the day by a seemingly organized crowd.

### **Voter Registration**

The responsibility for the compilation of voter lists is vested with local executive authorities. The Election Code provides that the CEC co-operates with the Ministry of Information Development (MID) in establishing the number of registered voters. The MID provided the CEC with an extract from the state population register it administers, and this data was then passed on to local authorities to assist them in voter list (VL) compilation. On 17 March, based on locally-compiled VLs, the CEC announced that there were 2,549,804 registered voters, an increase of some 10 per cent compared to the last parliamentary elections.

Comparison of data on the voting age population provided by the MID with the number of registered voters provided by local executive authorities revealed a discrepancy of some 160,000. This discrepancy raised concerns of some stakeholders with regard to possible errors and multiple records.

The OSCE/ODIHR observers noted that the methods of compilation of VLs varied considerably among local government units, which led to controversies between the CEC and some local authorities, particularly with regard to the inclusion of voters abroad. On 23 March, the CEC issued a clarification that voters residing abroad were to be included into the regular VLs in Moldova. This was contested in some localities, e.g. in Hincesti and Gagauzia.

With a considerable number of Moldovan citizens temporarily residing abroad, a controversy had developed over requests by some political parties and individuals to open additional polling stations abroad. According to the Election Code, voters residing abroad can only vote in diplomatic and consular offices of the Republic of Moldova. For these elections, 22,064 voters were registered to vote in 33 polling stations abroad. However, following a decision of the CEC to allow all voters abroad to vote, including with expired passports, 63,091 ballots were printed for out-of-country voting. This decision contradicted the provision in the Election Code which requires that the number of ballots printed for voting abroad should not exceed the number of registered voters by more than 5 per cent.

In addition to the regular VL, supplementary VLs were drawn by election commissions on election day to include voters without registered residence, voters with AVCs, voters with registered residence on the territory of a respective precinct, but not included on the regular VL, as well as voters from Transnistria voting at specially-assigned polling stations. Separate supplementary VLs were also drawn to include homebound voters using a mobile ballot box.

### **Campaign Environment**

While the campaign environment was generally pluralistic, there were frequent allegations of candidate and voter intimidation and police involvement, some of which were verified. Months prior to the elections, criminal and tax investigations were launched against a number of opposition leaders and party activists. Candidates involved complained that their campaigning was affected by fear of possible repercussions.

According to the data provided by the CEC, 1,183 candidates on 12 party lists, as well as five independent candidates<sup>2</sup>, were registered in an inclusive process. Of these, 208 candidates were reported as holding more than one citizenship, and if elected, would have to initiate proceedings to renounce their other citizenship(s) in order to take up their seats in parliament.

The governing PCRM emphasized their views about economic achievements of the past eight years, the need for stability and the international standing of the President, who engaged in increased foreign policy activities throughout the campaign. Most opposition parties criticized the PCRM for widespread corruption and mismanagement, and campaigned on an anti-communist rhetoric. Negative campaigning, in particular against key opposition figures, became more frequent in the run-up to election day.

Following a low-key start, the campaign gained momentum after the completion of candidate registration on 10 March. Outside the capital Chisinau, electoral contestants primarily campaigned by door-to-door canvassing and display of campaign billboards and posters. Major electoral events took place mostly in Chisinau.

The OSCE/ODIHR EOM received numerous reports from election contestants relating to the removal, destruction and staining of electoral posters and billboards, and verified such instances in Chisinau, Vulcanesti and Balti. In Orhei, offices of some opposition parties were vandalized during the night of 16 to 17 March.

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<sup>2</sup> Initially, 15 party lists and 6 independent candidates were registered. Subsequently, three political parties and one independent candidate withdrew from the race.

OSCE/ODIHR EOM also noted instances of interference with opposition party meetings and rallies. On 13 March in Chisinau, at a protest youth rally of the AMN in front of the Ministry of Interior, unidentified persons threw bottles with paint into the group of participants. Some rallies of opposition parties were disturbed by seemingly organized groups shouting insults at participants and candidates as observed in Orhei region and the city of Balti.

In the course of the pre-electoral period, the OSCE/ODIHR EOM has been receiving reports from opposition parties alleging various forms of police involvement in the campaign. Parties complained about the obstruction and intimidation by police of voters willing to attend their rallies. The Liberal Democratic Party (PLDM) complained that in some cities the police stopped busses with party supporters planning to attend a rally in Chisinau on 22 March. The OSCE/ODIHR EOM confirmed such instances in Orhei and Balti.

The OSCE/ODIHR EOM was also informed of an arrest, court case and an eventual expulsion of two foreign consultants of the PLDM on questionable charges. In another instance, the OSCE/ODIHR EOM confirmed a case of a senior police official in Briceni having been removed from office due to his refusal to contribute to the work allegedly carried out by the police in favour of the PCRM. In another case, on 25 February, the Nisporeni-based *Albasat* TV was subject to a police search and a subsequent criminal case against the channel for alleged violation of an employment contract that took place in 2006.

The OSCE/ODIHR EOM received credible reports from candidates, party activists or their families, including from Edinet and Briceni, about pressure by employers to cease either candidacy or participation in the campaign or otherwise face job dismissal. Opposition parties also informed the OSCE/ODIHR EOM about pressure on public employees and students to attend meetings of the PCRM and to abstain from attending opposition rallies. Such reports were received from a number of locations and were verified by OSCE/ODIHR EOM observers in Briceni and Ialoveni. The shortcomings observed during the campaign are not in line with Paragraph 7.7 of the 1990 OSCE Copenhagen Document requiring that campaign atmosphere is free from administrative interference and intimidation.

Electoral contestants benefited from the provisions of the new Law on Public Assemblies, which replaced the requirement to obtain an authorisation for outdoor meetings from local authorities with a notification by the organisers. In a few cases, however, election contenders and local authorities appeared to believe that an authorization continues to be required. Some political parties reported occasional difficulties in accessing publicly owned meeting halls.

In a regrettable development, a PLDM candidate attacked a TV crew of an information agency *Omega* at the 22 March rally in Chisinau. The party leadership apologised and removed the candidate in question from its list. The media reported that the individual in question was subsequently arrested.

## Media

Television is the most influential source of information in Moldova. Two channels, the public service broadcaster *Moldova 1* and *NIT*, have nationwide coverage. Newspapers have a limited impact due to relatively low circulation. Private *Pro TV*, perceived as one of the few sources willing to offer diverse political viewpoints, faced problems in December 2008 with the extension of its license. Following concerns expressed by the diplomatic



community, the *Pro TV* was able to continue broadcasting and a tender for new licences was postponed until after the elections.

The legal framework for media coverage of the campaign is provided by the Election Code, the Broadcasting Code and the CEC Regulation on the Media Coverage.<sup>3</sup> Some aspects of this Regulation raised concerns as they included restrictions that were not in line with the principle of freedom of expression and access to information guaranteed by Articles 32 and 34 of the Constitution.<sup>4</sup>

In its prime-time news, the publicly-funded *Moldova 1* and *Radio Moldova* provided some coverage to a broad range of electoral contestants, however limited in time<sup>5</sup>. The PCRM received the most positive coverage, while AMN and PLDM were predominantly presented in a neutral or negative tone. At the same time, in its newscasts<sup>6</sup>, *Moldova 1* provided extensive reporting<sup>7</sup> on the official activities of the President and the government. As the President and the majority of ministers were candidates at the top of the PCRM list<sup>8</sup>, the public broadcaster blurred the distinction between the coverage of official duties of top State officials and their campaign activities.<sup>9</sup> This was not consistent with paragraph 5.4 of the 1990 OSCE Copenhagen Document.

Among private broadcasters, the editorial policy of *NIT* and *N4* was similar to that of *Moldova 1*, with extensive and favourable coverage of State authorities. At the same time, both channels presented AMN, PL and PLDM in a predominantly negative tone. *EU TV* also generally provided favourable news reporting on State authorities, but predominantly favoured the PPCD. *Pro TV* and *TV7* were the only channels providing a more balanced coverage of the campaign, including critical reporting on the authorities. However, their potential audience was limited compared to that of *Moldova 1* and *NIT*.

Beyond the news, the media generally adhered to the legal requirement to provide equitable access of electoral contestants to the media. Regular televised debates organized by a number of national and local media provided opportunities for contestants to inform voters of their platforms. However, the fact that the PCRM decided not to participate in most debates, except those organized by the public TV and radio, may have reduced the informational value of these debates for the viewers.

Paid advertising was used extensively by approximately half of contestants, with some portion of negative campaigning used mostly by PCRM against electoral opponents. Some contestants complained about high costs set by *Moldova 1* for paid campaign spots – 450 euro per minute – the highest among operating broadcasters.

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<sup>3</sup> The Regulation on the Coverage of Electoral Campaign by Mass Media was adopted by the CEC on 2 February.

<sup>4</sup> The Regulation prohibited to “use video and audio materials containing historical personalities of Moldova or of other countries, as well as the symbols of foreign states, international bodies and the image of foreign officials” in campaign spots.

<sup>5</sup> All electoral contestants together received 38 per cent (more than 165 minutes) of subject-related news coverage.

<sup>6</sup> Calculated as a share of the total time given to all monitored subjects, which include all electoral contestants, President, Government, including ministers, Speaker of Parliament, and all levels of election commissions.

<sup>7</sup> 42 per cent (equal to some 180 minutes).

<sup>8</sup> Mr. Voronin received 90 per cent of coverage as a President, amounting to some 90 minutes.

<sup>9</sup> Article 47(4) of the Election Code stipulates that “no electoral candidate shall be entitled to privileges due to the offices they hold”.

A large number of media related complaints were received and considered by the CEC and the Audiovisual Co-ordination Council (CCA). The CCA, the only body with competence to sanction broadcast media to ensure their compliance with the law, failed to act on observed imbalance in media coverage in a timely manner. The 24 March decision by CCA to warn seven broadcasters, including *Moldova 1*, for not respecting the principle of pluralism in their broadcasting was not published before the end of election campaign and therefore had little impact.

### **Complaints and Appeals**

Overall, the CEC and DEC's have met their responsibilities related to adjudication of complaints, and ensured that the electoral challenges were generally considered in a timely manner and with respect for the due process principles. The CEC established a regularly updated register of complaints and posted its decisions on the website within 24 hours of their issuance. However, the CEC also responded to numerous complaints by means of a letter, without passing an official decision, thus depriving the complainant of the possibility to appeal in court.

The vast majority of CEC decisions on complaints were related to electoral campaigning in the media. Complaints referred mostly to unethical campaigning, extensive coverage of the President in media, and use of national or foreign symbols or personalities. Other complaints were related to posters destruction, absence of legally required indication that a material is election related and omission of the indication that the material had been paid from the electoral fund. The rejection of a considerable number of such complaints appeared to stem from a lack of sufficient evidence.

In the regions, destruction of posters and their display in unauthorized locations were by far the most frequent subjects of complaints filed either with DEC or with the police. Other complaints included allegations of obstruction of campaigning by local government authorities or police, use of public resources for campaigning and illegal campaigning by public authorities or DEC's members.

As of 4 April, the Supreme Court heard some 24 appeals. These were primarily related to the decisions by the CEC on the establishment of polling stations abroad, stamping of voters' IDs, postponement of broadcasting of debates until after the end of the candidate registration process, as well as challenges to CEC decisions on campaign-related issues. The Supreme Court upheld the original decisions in almost all cases.

Two applications by prospective independent candidates were rejected by the CEC due to an insufficient number of valid signatures submitted. Both candidates challenged the CEC decisions at the Supreme Court, which upheld the decisions of the CEC.

### **Participation of Women**

Although most competitors included social and family issues in their platforms, specific topics related to women or gender equality were not evident during the campaign and parties did not specifically target female voters.

According to the CEC, there were 305 women candidates competing in the election, constituting 25,7 per cent of the total number of candidates. Twenty-two women (18,3 per cent) were positioned among the first ten candidates on the respective party lists; however,

five of them on one list of the “European Action” (MAE). Two parties, AMN and UCM, did not include any woman among first ten positions on their lists.

In the outgoing parliament, women held 21,8 per cent of seats. The current Prime Minister is a woman and ran third on the candidate list of the PCRM. One of the nine CEC members is a woman and nine out of 35 DEC’s are headed by women. Women were generally over-represented at the lower level of election administration, with 64 per cent of PEBs headed by women.

### **Participation of National Minorities**

Although persons belonging to national minorities constitute a considerable part of population, issues related to national minorities did not play a prominent role in the election campaign. Official information, party campaign materials and ballots were provided both in the State language and in Russian, which enjoys the status of ‘language of inter-ethnic communication’ and is spoken by most persons belonging to national minorities.

While no official data on the ethnicity of candidates was made available by the CEC, it appears that several parties included representatives of national minorities on their candidate lists. No concerns were raised regarding the ethnic composition of electoral bodies.

The recent changes to the Election Code regarding multiple citizenship may adversely affect political participation of persons belonging to national minorities. As during previous elections, the participation of persons belonging to the Roma minority remained comparatively low, and they were not specifically targeted by most parties.

### **Election Observers**

The Election Code provides for the observation of the election process by international and domestic nongovernmental organizations, as well as by representatives of electoral contestants. Overall the CEC accredited 2,532 domestic non-partisan observers.

Under the umbrella NGO “Civic Coalition for Free and Fair Elections – Coalition 2009” comprising 70 civil society organizations, the League for Defense of Human Rights of Moldova (LADOM) deployed 44 long-term observers and published five reports on the pre-electoral process. LADOM deployed some 2,102 observers to polling stations on election day and to conduct, in addition to polling day observation, a parallel vote count in most polling stations.

### **Election Day**

Election day was well-organized and took place in calm and peaceful atmosphere, without any major incidents reported. Voting was observed in some 1,300 polling stations in all electoral districts. The overall conduct of voting was assessed as good and very good in 98 per cent of polling stations visited.

The IEOM observers reported good knowledge of voting procedures by PEB members, with few instances of inconsistent application of the law. Problems observed included PEBs accepting the invitation to vote as identification document in 23 per cent of polling stations observed and not always retaining AVCs as stipulated in the CEC regulation 20 per cent of polling stations visited. Unauthorized persons, mainly police or local authorities,

were present in 4 per cent of polling stations observed, however, there were only isolated reports of these persons trying to influence voters.

Other problems reported by observers were related to the secrecy of the vote with cases of group voting having been reported from 6 per cent of polling stations visited and some polling premises equipped with ballot booths with transparent or no curtains. Ballot boxes were not sealed properly in 3 per cent of polling stations observed. According to the CEC, approximately 25 per cent of ballots were printed in Russian language. IEOM observers reported instances of ballots in Russian not being available to voters in Copaceni (DEC Singerei) and in Birnova and Sauca (both DEC Ocnita). Observers also noted that candidate lists were not posted inside 75 per cent of polling stations visited.

According to the preliminary analysis conducted by the IEOM, voters added on supplementary lists across the country did not exceed 1,5 per cent.

Observers reported that 61 per cent of polling stations visited were not accessible to voters with disabilities. Domestic observers were present in 78 per cent of the polling stations visited, with 42 per cent of them belonging to the umbrella-NGO Coalition 2009. In addition, observers nominated by electoral contestants were present in 97 per cent of polling stations visited, with the majority representing PCRM, PSDM, PLDM, AMN, PL and PDM.

A total of 103 counts were observed by the IEOM. The vote count was assessed less positively than voting, with observers characterizing it as very good and good in 93 per cent of observations, and bad and very bad in 7 per cent of cases. Significant procedural problems were encountered in a number of vote counts observed. The law requires that before the beginning of the counting process unused ballots are counted, cancelled with a special stamp, packed separately and sealed. This procedure was not followed in 17 per cent of observations. Stamps "VOTAT" used for marking ballots were not collected and securely stored before counting in 7 per cent of observations.

In 9 per cent of cases, observers reported that a discrepancy was revealed between the number of ballots found in the mobile ballot box and the number of voters on the supplementary list for mobile voting. Observers reported that in 9 per cent of counts observed, the PEB did not establish the number of ballots issued by counting the signatures on the voter list. In violation of procedures, 21 per cent of PEBs did not establish the number of ballots found in the regular box.

During 20 per cent of counts observed, controversies arose with regard to the validity of a ballot, with observers assessing in some cases that the criteria applied to determine ballot eligibility were unreasonable or inconsistent. In 30 per cent of cases, the PEBs encountered difficulties in filling out the results protocol. Some instances were reported of figures announced not having been accurately recorded, result protocols having been filled out in pencil and protocols not signed in presence of all PEB members. In contravention of the legal requirement, the results protocol was not immediately posted outside the polling station in 64 per cent of cases, and in 10 per cent of the observations, observers or representatives of contestants were prevented from following the results handover process to the DEC's.

The tabulation of results at DEC's received an overall positive assessment; however it was assessed negatively in 25 per cent of reports, with the working atmosphere at some DEC's characterized as disorganized and chaotic. Observers stated that DEC's had difficulties in

completing DEC results protocols in 13 per cent of cases. Representatives of electoral contestants were encountered in 76 per cent of tabulation processes observed, whilst the presence of unauthorized persons was noted in 17 per cent of cases. Transparency of the tabulation process was not always ensured, with observers not having been able to follow manual and computer tabulation in 25 and 26 per cent of observations, respectively.

*This statement is also available in the State language and Russian.  
However, the English version remains the only official document.*

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### **Mission Information & Acknowledgements**

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Mr. Petros Efthymiou (Greece), Head of the OSCE Parliamentary Assembly (PA) Delegation, was appointed as Special Coordinator by the OSCE Chairperson-in-Office to lead the OSCE short-term observers. Mr. David Wilshire (UK) led the Parliamentary Assembly of the Council of Europe (PACE) Delegation, and Mrs. Marianne Mikko (Estonia) led the European Parliament (EP) delegation. Mr. Nikolai Vulchanov (Bulgaria) is the Head of the OSCE/ODIHR Election Observation Mission.

The OSCE/ODIHR Election Observation Mission (EOM) opened in Chisinau on 26 February with 42 experts and long-term observers of 23 OSCE participating States deployed in the capital and seven regional centers. On election day, the IEOM deployed some 400 short-term observers from 43 OSCE participating States, including 70 members of the OSCE PA delegation, 19 from PACE, and 13 from the European Parliament. The IEOM observed voting throughout the Republic of Moldova in some 1,300 polling stations out of a total of 1,977, and counting was observed in some 100 polling stations in all electoral districts. The IEOM was also present in all District Electoral Councils to observe the tabulation of results.

The IEOM wishes to thank the Ministry of Foreign Affairs, the Central Election Commission, and other State and local authorities for their support and co-operation during the course of the observation. The IEOM also wishes to express its appreciation to the OSCE Mission to Moldova, the OSCE Office of the High Commissioner on National Minorities, the Special Representative of the Secretary General of the Council of Europe, other international organizations and embassies accredited in Chisinau for their support throughout the duration of the mission.

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