



Office for Democratic Institutions and Human Rights

Observation Delegation to the Moldovan Presidential Elections 1996

PRELIMINARY STATEMENT

Presidential Elections in the Republic of Moldova - Second Round 1 December 1996

On invitation by the Ministry of Foreign Affairs the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) has observed the 1996 Presidential Elections in the Republic of Moldova. In the first round of 17 November, the ODIHR deployed 81 observers, and for the second round of 1 December 1996, 62 observers were deployed to 26 of the 38 electoral districts throughout the country. The observers came from the following countries: Austria, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Great Britain, Greece, Hungary, the Netherlands, Norway, Poland, Romania, the Russian Federation, Sweden, Switzerland, Turkey, Ukraine and the USA.

This statement is given before the final results have been declared, and before it has been possible to verify any of the official figures.

THE PERIOD BETWEEN THE TWO ROUNDS OF ELECTIONS

A preliminary statement on the first round was issued on 18 November 1996. The general conclusion was that the elections were carried out in an orderly and peaceful manner, and that the results published at the time of the first statement reflected 'the opinion of the voters on election day'. Some deficiencies were observed, and for the second round the Observer Mission has offered a number of suggestions in both its original statement and directly to the Central Election Commission. The most important suggestions were: a re-iteration on how to use the supplementary voters' lists; a suggested less rigid interpretation of the law when deciding on the invalidity of ballot papers; a clear indication regarding who should be present in the polling stations on election day, a reiteration of the need for the Polling Station Commissions to prevent family voting.

The scrutiny of the results of the first round has taken more time than expected. One reason for this seems to be that the protocols at the national level are based upon the district protocols, and the computerised results from the polling station level have been verified and compared with the district protocols only late in the process. The changes that have been made to the official results after the scrutiny at lower levels have not been significant. The ODIHR will strongly recommend that the polling station results that are being tabulated centrally are verified against the district protocols promptly and that the detailed results should be published immediately.

The polarisation between the two candidates, President Snegur and Parliamentary Speaker Lucinschi, clearly increased before the second round of the election. Even though both candidates had support from various sectors of the media, it became even more evident that the main state-owned media did not pursue a non-partisan line during the campaign. Clear guidelines for the state-owned media's editorial coverage of election campaigns should be established.

ELECTION DAY - SECOND ROUND

The electoral process of the second round was carried out in a peaceful and orderly manner. ODIHR has noted some improvement regarding a number of concerns raised after the first round. For example, a number of the voters' lists in Chisinau had been up-dated to include persons registered on the Supplementary Lists in the first round, thus decreasing the reliance upon the Supplementary Lists in the second round. The ODIHR also noted that in general the Polling Station Commissions had a much clearer understanding of who should be accepted as a voter and who should not. However, in polling stations outside of Chisinau there was a noticeable inconsistency in the application of the law regarding the requirement to produce a passport in cases where a voter included in the voters list was known to the Commission.

Many polling stations were still over-crowded with both voters and observers, and the undue presence of officials. At some stations more than 25 local observers were present, serving to decrease the possibility for the commission to be in full control of the process. It also seems to be unclear to some partisan observers that they are not supposed to act on behalf of the commission.

Regulations regarding the exact procedure for the counting process are, at present, not explicit enough. The ODIHR recommends that a clear instruction on the sequence of events for the count is given in good time for the next elections. The judgement of what constitutes a valid vote under the law should also be defined more in favour of the voter.

It was noted that family voting is still quite common. However, in some areas a clear improvement was observed on this issue.

TRANSNIESTRIA

Due to the fact that Transdniestria is outside the *de facto* control of the Moldovan Government, the voters of Transdniestria have had to move over to the right bank of the Dniestr river to vote in one of the 13 Polling stations assigned to voters from the left bank. The turnout for Transdniestrian voters in the first round was approximately 6,500. The number of voters eligible to vote from Transdniestria has not been accurately established, but it might be as high as 450,000. In the second round the turnout seems to have increased to at least 9,000 voters according to unofficial figures, which is still only 2% of the eligible electorate in Transdniestria.

The ODIHR has paid special attention to the difficulties facing Transdniestrian voters in exercising their civic right to vote. The 13 polling stations for Transdniestrian voters do not represent an adequate alternative to the 466 polling stations that under normal circumstances would be established in the voters' neighbourhood. The responsibility for this failure to provide local polling stations rests solely with the Transdniestrian leaders.

Given the local situation, the Election Law gave a provision for the Transdnistrians to vote, despite the lack of voters registers. In places where the turnout was high, such as in Varnita, this did create a risk of double voting occurring, since in practical terms it is virtually impossible to control a supplementary list containing so many names. It can also be noted that provisions in the Varnita polling station remained inadequate for such a foreseeably large number of voters. There were also some inconsistencies in the practice of accepting voters from Transdnistriian districts in a polling station not assigned to them. However, the ODIHR did not observe any successful double voting at the Transdnistriian polling stations.

The ODIHR noted in the first round the Central Election Commission was late in providing adequate information to potential Transdnistriian voters. However, for the second round this information was available for a longer period, resulting in an improvement in the situation. It was noted that arrangement for the transportation of Transdnistriian voters were again not published in good time.

No negative incidents were reported on the transportation of voters from Transdnistria.

SUMMARY

With the exception of the Transdnistriian voters, the ODIHR observation delegation feels confident that the citizens of Moldova in the second round of the election have again been able to express their will and that the results reflect the opinion of the voters on election day.

For further information please contact the OSCE/ODIHR On-site Co-ordinator, Mr Kare VOLLAN, telephone (373 2) 26 19 50.

A final report will be submitted shortly.

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