



Office for Democratic Institutions and Human Rights

REPUBLIC OF MOLDOVA
2007 LOCAL ELECTIONS

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

21 – 23 February 2007



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**REPUBLIC OF MOLDOVA
LOCAL ELECTIONS 2007**

OSCE/ODIHR Needs Assessment Mission Report

I. INTRODUCTION

In anticipation of an invitation from the Government of the Republic of Moldova to observe the forthcoming general local elections, the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE) undertook a Needs Assessment Mission (NAM) to the Republic of Moldova from 21 to 23 February 2007.

The purpose of the OSCE/ODIHR NAM was to assess the pre-electoral environment and the preparations for the election, and to make recommendations regarding possible observation activity by the OSCE/ODIHR. The Needs Assessment Mission included Mr. Vadim Zhdanovich, OSCE/ODIHR Senior Election Adviser, and Ms. Tatyana Bogussevich, OSCE/ODIHR Election Adviser.

The term of office of current mayors and members of local councils will expire on 25 May 2007. While the law obliges the Parliament to set the date for the polls not later than 60 days before the election, it does not stipulate the timeframe within which a new election needs to be held. At the time of the NAM visit, the date of the election was not yet established.

The OSCE/ODIHR is grateful to the Ministry for Foreign Affairs and European Integration of the Republic of Moldova for its assistance and co-operation throughout the duration of the NAM. It expresses its appreciation to the OSCE Mission to Moldova for its support and cooperation. The OSCE/ODIHR would also like to thank the representatives of state authorities, Central Election Commission, political parties, media, civil society and the resident diplomatic community in Chişinău who took the time to meet with the NAM. The list of meetings is attached to this report.

II. EXECUTIVE SUMMARY

The OSCE/ODIHR has previously observed a number of elections in Moldova. In its Final Reports on the 2005 parliamentary elections and the 2003 local elections, the OSCE/ODIHR concluded that while these elections were well-administered and generally complied with OSCE Commitments, notable shortcomings were evident during the pre-electoral period.

In its assessment of the December 2006 elections for the Bashkan (Governor) of the Autonomous Territorial Unit of Gagauzia (hereafter Gagauzia), the OSCE Mission to Moldova noted progress in the administration and the conduct of the elections, however the Mission also expressed concerns with regard to the lack of equal campaign

conditions before the first round of these elections and to the inconsistencies in the election legislation of the region.

During the forthcoming election, the voters will elect around 12,000 representatives to district, municipal and communal councils, as well as some 900 mayors of municipalities and communes. A majority two-round system is used to elect mayors, whereas councillors are elected through proportional representation. Independent candidates are allowed to stand in elections for both mayors and councillors.

The elections will be regulated by the Electoral Code, which has undergone a number of revisions in 2006 in response to recommendations by the OSCE/ODIHR and the Venice Commission of the Council of Europe (VC/CoE). The Code generally provides an adequate framework for the conduct of democratic elections, although a number of VC/CoE and OSCE/ODIHR recommendations remain to be addressed.

Since multi-party election administration was introduced in mid-2005, the upcoming elections will be the first nationwide election administered accordingly. The interlocutors of the NAM appeared satisfied with the performance of the Central Election Commission to date, and noted the enhanced transparency of its work and openness for co-operation with the political parties and the civil society.

Many interlocutors expressed concerns for the performance of the media, in particular during the pre-election period. Unequal access of political parties to the media, as well as failures of the public broadcaster to provide balanced reporting, were regarded as having a potential to limit possibilities of voters to receive diverse information about the candidates and their platforms, and make a fully informed choice.

All interlocutors welcomed the presence of international observers during the forthcoming local elections. The need for a long-term presence during the pre-electoral campaign, as well as for the comprehensive media monitoring, were emphasized.

The NAM recommends that a standard Election Observation Mission (EOM) be deployed to the Republic in Moldova to observe the forthcoming local elections, contingent upon the receipt of an official invitation from the Moldovan authorities. To this effect, the OSCE/ODIHR will request participating States to second 12 long-term observers and 100 short-term observers.

III. FINDINGS

A. POLITICAL CONTEXT

The OSCE/ODIHR has previously followed a number of elections in Moldova. In its Final Reports on the 2005 parliamentary elections and the 2003 local elections¹, the OSCE/ODIHR concluded that while these elections were well-administered and

¹ Final Reports of the OSCE/ODIHR Election Observation Missions to 6 March 2005 parliamentary elections, http://www.osce.org/documents/odihr/2005/06/14919_en.pdf, and 25 May and 8 June 2003 local elections, http://www.osce.org/documents/odihr/2003/08/560_en.pdf.

generally complied with OSCE Commitments, notable shortcomings were also evident during the pre-electoral period. Unequal campaign conditions, constrained media coverage as well as widespread use of administrative resources represented a particular concern.

The OSCE Mission to Moldova, which followed the 4 and 17 December 2006 elections of Bashkan (Governor) of Gagauzia, noted progress in the administration and the conduct of elections, however it expressed concerns with regard to the unequal conditions, particularly during the first round of voting, and the existence of a number of inconsistencies in the election legislation of the region.²

The 2007 local elections will be taking place after four unsuccessful attempts undertaken in 2005 to elect the Mayor of Chişinău, when neither of the elections met the 33 percent turnout requirement then in force. Thus, the turnout requirement introduced an endless cycle of failed elections. Acting Mayor Vasile Ursu remained in office until 23 January 2007, when he was replaced by his deputy Vyacheslav Iordan in this position.

There are currently 27 registered political parties in Moldova. Following the 6 March 2005 parliamentary elections, five parties overcame the electoral threshold³ and won seats in the Parliament. These included the Party of Communists of the Republic of Moldova (PRCM)⁴, Alliance Our Moldova (AMN), Democratic Party of Moldova (PDM), Social Liberal Party (PSL) and the Christian-Democratic People's Party (PPCD), with 56, 22, 8, 4 and 11 seats, respectively.

The PRCM holds a majority of seats in the Parliament and was able to form the Government without entering into coalition with other parties. However, it had to rely on the support of PPCD, PDM and PSL for the re-election of President Vladimir Voronin.

Two newly-established parties, the National Liberal Party (PNL) and the Party of Social Democracy (PDSM), both of which split from AMN, are now represented in Parliament by 2 and 4 deputies respectively. Another newly-established socio-political movement *Actiunea Europeana* sought to obtain registration from the Ministry of Justice in January 2007, but the application was rejected. Although some political parties are currently considering the possibility of consolidating efforts and putting forward a joint candidate for the Mayor of Chişinău, many declared their intention to run on their own.

² Press releases of the OSCE Mission to Moldova:
http://www.osce.org/moldova/item_1_22400.html;
http://www.osce.org/moldova/item_1_22745.html.

³ During 6 March 2005 elections, the threshold for parliamentary representation was six per cent for parties running individually, nine per cent for electoral blocs of two parties, 12 per cent for coalitions of three or more parties, and three per cent for independent candidates. Following the 2005 amendments, the threshold for single parties was reduced to four per cent and a single eight per cent threshold was introduced for coalitions. The threshold for independent candidates remained unchanged.

⁴ The abbreviations of names of political parties are based on the Moldovan spelling.

Representatives of the authorities informed the NAM that the problem of emigration remains topical. Issues related to the regional economic development and creation of employment, are thus likely to be a focus of the campaign. While the citizens of Moldova are reported to be actively pursuing their right to dual citizenship, the NAM was informed that the government is currently considering the adoption of provisions which will prevent citizens with dual citizenship from standing as candidates. Although the provisions are not likely to be adopted in time for local elections, they have the potential to affect the rights of a large number of potential candidates.

The rights of women are guaranteed by the Constitution and more specifically by the Law on Equal Opportunities, adopted in 2006. The participation of women in politics, including in elections, appears to be increasing. The number of women in Parliament had increased from 4 in 1994 to 21 in 2005. Presently, there is one female Deputy Prime Minister, one minister and four deputy ministers, as well as five female ambassadors out of the total number of 25.⁵

According to the 2004 census, national minorities account for some 23 per cent of Moldova's population. The largest minorities are the Ukrainians, Russians, Roma, Gagauz, Bulgarians and Jews. Under the Moldovan Constitution and the Electoral Code, national minorities have equal rights and may not be discriminated against.

B. LEGAL FRAMEWORK

The current election legislation in Moldova generally provides an adequate basis for the conduct of democratic elections, if implemented in good faith.⁶ The conduct of local elections is regulated primarily by the Electoral Code, which was adopted in November 1997 and has since undergone significant revisions.

In response to the recommendations provided in the latest Joint Opinion of the OSCE/ODIHR and the Venice Commission of the Council of Europe (VC/CoE), the Moldovan Parliament adopted on 21 July 2006 a number of amendments to the Electoral Code. However, some recommendations were not reflected and remain to be addressed. Provisions related to the secrecy of the vote, aggregation and publication of results, and the performance of the media during the campaign remained a concern.

The interlocutors of the NAM appeared to be generally satisfied with the legal framework provided by the Electoral Code. However, some political parties informed the NAM that they were either not consulted in the process of elaboration of recent amendments or their suggestions were not taken into consideration.

Under the Electoral Code, the rights to vote and to stand as a candidate for a local councillor are extended to all Moldovan citizens aged 18 and older, with the exception

⁵ Report on the anti-discrimination efforts by Moldova presented on 16 August 2006 to the UN Committee on Elimination of Discrimination against Women;
<http://www.un.org/News/Press/docs/2006/wom1581.doc.htm>.

⁶ OSCE/ODIHR Final Report on 6 March 2005 Parliamentary Elections;
http://www.osce.org/documents/odihr/2005/06/14919_en.pdf.

of individuals declared incapacitated or sentenced to imprisonment by a final court decision. Mayoral candidates have to be 25 years of age or older.

The legal framework for local elections also includes the Constitution, the Law on the Territorial-Administrative Division, the Law on Decentralization, the Law on Political Parties and Socio-Political Organisations, the Law on Local Public Administration and the Law on the Organization and the Conduct of Meeting. During the time of the NAM, the three latter laws were in the process of being reviewed, however the changes are unlikely to come into force for the 2007 local elections.

The conduct of local elections on the territory of Gagauzia will be regulated by the Moldovan election legislation⁷. The representatives of state authorities meeting with the NAM acknowledged the existence of inconsistencies between the national and the Gagauz legislation, which might have an impact on the conduct of upcoming elections, and spoke in favour of harmonization of legislation.

C. ELECTION SYSTEM

The forthcoming local elections are conducted to elect around 900 mayors of municipalities and communes, as well as some 12,000 councillors of district, municipal and communal local councils. Electoral districts coincide with the respective administrative units, such as districts (rayons), administrative-territorial units, municipalities (towns) and communes (villages) of Moldova⁸.

The right to nominate candidates in local elections is granted to political parties and electoral blocs registered with the Ministry of Justice, as well as to Moldovan citizens through self-nomination. Independent candidates are allowed to run for both councillors and mayors. The number of candidates for councillors put forward by political parties and electoral blocs has to be at least half of the total number of available seats. Only one mayoral candidate can be put forward by a party or a bloc in one electoral district.

The independent candidates applying for registration are obliged to collect support signatures of voters registered as residents in the locality where the candidacy is put forward⁹. Voters are allowed to sign petitions in support of one candidate only. The verification of signatures is carried out by the respective electoral councils of the first and second level within five days from their submission.

The law envisages printing of separate ballots for elections to district, municipal and communal councils, and elections for mayors of municipalities and communes. In the

⁷ As during previous elections, voting will not take place on the territory of Transdnistria, which *de facto* has not been under the control of the Moldovan authorities since 1992.

⁸ Under the Law on Territorial-Administrative Division of the Republic of Moldova, the territory of the Republic is subdivided into some 900 first-level units, which include towns, villages and communes, and 35 second-level units, which include rayons, municipalities of Chişinău and Balti and the administrative territorial unit of Gagauzia.

⁹ The candidates for local councils have to be supported by two per cent of the voters in the respective district, divided by the number of available councillor positions, but not less than 50 persons. The mayoral independent candidates have to be supported by five per cent of the voters in the respective district, but not less than 150 and not more than 10,000 voters.

upcoming local elections voters will thus be issued from two to four different types of ballots. One third of the ballot papers will be printed in the Russian language.

In response to a long-standing recommendation of the OSCE/ODIHR and the VC/CoE, the turnout requirement for all types of elections was lowered from 33 to 25 per cent of the number of registered voters. In cases of second rounds and repeat voting, the turnout requirement was removed thus eliminating further possibilities for cycles of failed elections.

Under the Electoral Code, the members of commune, municipal and district councils are elected through proportional representation without a threshold. The allocation of seats in local councils is carried out by respective electoral councils of the first and second level based on the final result protocols using the D'Hondt formula.

Mayors are elected by a popular vote using a majority system. If none of the registered candidates receives a majority of the valid votes cast in the first round of voting, a runoff is to take place in two weeks between the two candidates with highest numbers of votes.

D. ELECTION ADMINISTRATION

The forthcoming local elections in Moldova will be administered by a *de facto* four-tier structure, including the Central Election Commission (CEC), District Electoral Councils (DECs), Municipal and Communal Electoral Councils (MECs and CoECs), and some 1,967 Precinct Electoral Bureaus (PEBs). During local elections, the Chişinău City Election Council (CCEC), Bălţi City Election Council (BCEC) and the Central Election Commission of Gagauzia (CECG), which administers the electoral process on the territory of Gagauzia, *de facto* have status commensurate with that of a District Electoral Council.

Following the July 2005 amendments, the composition of election commissions at all levels allows for nominations from political parties proportional to the number of mandates held in the Parliament. At the same time, the members of election commissions may not be members of political parties.

The Central Election Commission (CEC) is a permanent state body responsible for the overall conduct of the elections and consists of 9 members with deliberative vote, including 1 member nominated by the President, 1 by the Government and 7 by the Parliament, including 5 by the opposition parties. The CEC members are voted into office by the Parliament for a five year term. The Central Election Commission of Gagauzia (CECG) is a temporary body comprising of nine members with the People's Assembly of Gagauzia, the Executive Committee and the Appellate Chamber of Gagauzia each nominating three members.

The CEC is obliged by law to provide a public notice ahead of every meeting related to electoral matters and to conduct open sessions. Most of the interlocutors of the NAM noted that the CEC meets this obligation and is generally operating in a transparent and inclusive manner. Representatives of political parties and the civil society assessed positively the co-operation they had with the CEC to date.

While the current multi-party composition of the CEC appears to enjoy a greater degree of trust and is perceived to be performing its duties efficiently and professionally, some representatives of political parties expressed misgivings that the nominal affiliation of members of the Commission with certain political forces might preclude complete independence and impartiality.

In line with the structure envisaged by the Law on Territorial-Administrative Division, the District Electoral Councils (DECs) are established in administrative units of the second-level (rayons, municipalities and Gagauzia), and the Municipal and Communal Electoral Councils (MECs and CoECs) are formed in first-level administrative units (towns, communes and villages). Due to the fact that first- and second-level electoral councils carry out similar work in the electoral process at their respective levels, the Electoral Code does not distinguish between the two and treats them as a single level of election administration.

At least 50 days before the election, the CEC forms the DECs, which subsequently form municipal and communal councils 40 days before the election. The candidates for membership in both first- and second-level electoral councils (7 to 11 persons) are proposed by the local councils, which also appoint two of its members. The DECs have two additional nominees from district courts. The remaining positions are distributed among parliamentary parties.

The electoral councils at district, municipal and communal levels carry out a wide range of activities in the pre-electoral period, including the review of candidate applications, verification of signatures submitted in support of independent candidates, registration of candidates and party lists, as well as exercise control over the process of verification and update of voter lists. Following the tabulation of results on the election day, the MECs and CoECs decide on the necessity of second rounds in mayoral races and allocate the mandates in town, commune and village councils. The DECs allocate the mandates in rayon-level councils, as well as summarize the results of mayoral races in Chişinău and Bălţi.

Precinct Electoral Bureaus (PEBs) consisting of 5 to 11 members are formed by the DECs not later than 20 days before the election. Three members of PEBs are nominated by local councils and remaining positions are distributed among parliamentary political parties.

While the representatives of political parties generally spoke in support of the recently introduced multi-party composition of election commissions, it was noted that with the current breakdown of forces in the Parliament the political balance was unlikely to be improved. In line with the formula for the allocation of seats in election commissions among parliamentary political parties, which was adopted by the Central Election Commission in line with the requirements of the Code, the governing party is likely to dominate in the majority of election commissions at all levels.

Despite concerns expressed by some interlocutors, the parliamentary political parties met by the NAM appeared confident in their ability to fill the positions in the election

commissions they are entitled to.¹⁰ Non-parliamentary parties shared the intention to ensure oversight of the work of commissions through nomination of members with consultative vote.¹¹

In line with a number of amendments introduced to the election legislation last year, the CEC plans to ensure adequate training for election officials. The International Republican Institute (IRI) and ADEPT NGO informed then NAM that they were approached by the CEC to assist in the development of the training curriculum and the delivery of trainings. The CEC has already published an updated guide to members of election commissions in two languages, Moldovan and Russian, which will be distributed during the upcoming trainings.

Despite the fact that the date of the election was not yet set by the time the NAM was conducted, the Central Election Commission had already posted on its website a notice for potential candidates, containing detailed information on the registration requirements and procedures, as well as samples of necessary forms, including the income declaration form.

E. VOTER REGISTRATION

The list of voters in Moldova is based on the information extracted from the permanent State Population Register, which is maintained by the Ministry of Information Development. The Ministry estimates that the register currently contains 95,6 per cent complete and correct data of the citizens of the country. The data received from the Ministry is used by local administrative authorities to draw voter lists for each election.

As envisaged in Article 39.3 of the Electoral Code, district, municipal and communal councils have completed the annual review and update of voter lists by 28 February 2007. Following the review, the CEC announced that some 2,449,715 voters would be eligible to cast ballots during upcoming local elections.

Voters have the right to vote at the place of their registered permanent residence, marked in ID documents with a “*domicile*” stamp, or at a place of temporary residence, confirmed by a “*residence*” stamp. In case a voter has both types of residence at the same time, he/she is obliged to vote at the place of temporary residence. This measure, introduced into the legislation in 2005, created better conditions for voting by students¹². However, the prohibition of voting in local elections by conscripts and voters residing abroad was retained.

¹⁰ The Electoral Code provides that in absence of a sufficient number of nominations from qualified political parties, the remaining vacant positions will be staffed by nominees from local councils.

¹¹ Electoral contenders are entitled to nominate their representatives with consultative vote to second- and first-level electoral councils that have registered them as well as to lower-level commissions. In addition, political parties, socio-political organizations and blocs taking part in the elections are allowed to nominate one member with consultative vote to the CEC.

¹² The number of students temporarily residing in Chişinău is estimated to be around 120,000. The lack of possibility to vote at the place of their residence became a highly charged issue during early elections of the Mayor of Chişinău in 2005.

The finalized voter lists are due to be posted for public review 20 days before the election. Voters have the right to appeal against inclusion of incorrect data or omissions in the respective commission and subsequently in court up to 5 days before election. Voters changing their residence between the day of publication of lists and the election day are entitled to receive an absentee voting certificate¹³.

The Central Election Commission has adopted on 4 October 2006 a concept of development of a new State Information System "Elections", which was initiated by the Ministry of Information Development. In a longer-term perspective, the concept envisages electronic management and implementation of all the stages of the electoral process, including the preparation and conduct of elections, as well as counting and tabulation of results.

The CEC informed the NAM that it anticipates using the first component of the System, a centralized electronic voter register, during the upcoming elections. The register will be accessible from polling stations and will be used to mark the voters who have exercised their right to vote in order to prevent possible multiple voting. The CEC intends to identify a company for development of this component of the System through a public tender.

Many of the NAM's interlocutors expressed concern with regard to the accuracy and completeness of voters lists. It was pointed out that should the new centralized electronic voter register not be operational by the time of the election, the continued use of supplementary lists on election day and absence of other sufficient safeguards against possible multiple voting¹⁴ might create the potential for manipulations. Representatives of political parties found this to be of particular concern, because a significant number of Moldovan citizens are believed to be residing abroad¹⁵ and are not expected to return to Moldova to take part in the upcoming elections.

F. CAMPAIGN AND CAMPAIGN FINANCING

In line with the Electoral Code, the pre-electoral campaign can be launched by the candidates and political parties on the day of their registration as electoral subjects. Campaign activities on the election day and on the day preceding it are prohibited. The conduct of the campaign is regulated by Articles 46 and 47 of the Code, which contain a range of guarantees for the freedom of association and expression as well as for the equality of conditions and opportunities during the pre-electoral period.

Most political parties met by the NAM have already started their preparations for the upcoming elections. Some have started identifying potential candidates and announced

¹³ In local elections, the absentee vote certificate can be used by voters only on the territory of the same district.

¹⁴ Prior to 2006 amendments, the Electoral Code provided for stamping of the inserts to the voters' passports after s/he was issued a ballot paper. This measure served as a safeguard against possible multiple voting. Following the criticism expressed by voters with regard to this practice, the provision was eliminated.

¹⁵ According to the official data of the National Statistics Bureau, about 334,000 people left Moldova to work abroad at the end of 2006. Unofficial estimates are significantly higher and yield a figure of 1 million.

their aspirations to compete for the post of Mayor of Chişinău. Some have, however, expressed concerns with regard to the intensifying pressure on opposition parties, their field offices, leaders and activists across the country.

Regional party branches are reported to receive frequent inspections from tax and administrative authorities. The individuals, who have been identified by political parties as potential candidates, are reported to be threatened and discouraged from running on lists of opposition parties. Legal proceedings on various charges have been brought against leaders of three opposition parties, including Nicolae Andronik of the Republican Popular Party, Serafim Urechean of the Alliance Our Moldova, and Eduard Musuc of the Social Democratic Party. While this report does not concern itself with the validity or justification for the cases brought against the above-mentioned individuals, the legal proceedings and the alleged pressure may have implications for the abilities of parties to engage in political activities, including preparations for the upcoming elections.

The conduct of large-scale meetings and rallies in public places is regulated by the Law on the Organization and the Conduct of Meetings, which obliges the organizers to request the permission of local authorities 15 days in advance of the planned event. The municipalities are obliged to inform the organizers of their decisions at least 5 days before the event. Representatives of some political parties informed the NAM about frequent delays in the consideration of such requests and stated that venues that are eventually provided are often inferior in size and location to the ones requested. Presence of police and surveillance of meetings conducted by political parties was also widely noted.

The Electoral Code contains detailed regulations on the financing of the pre-electoral campaign. Electoral contenders are obliged to set up special “Electoral Accounts” and to ensure that all campaign-related donations and payments are channelled through and are duly registered in those accounts. The law provides a possibility of receiving interest-free state loans for the conduct of the campaign. The campaign fund ceiling is determined by the CEC for every election. Donations from foreign and anonymous sources, as well as from charity or religious organizations, are prohibited. The reports on the campaign expenditures of candidates are considered to be public information.

The review of campaign expenditures may be carried out by the Court of Accounts or the Ministry of Finance at the request of the CEC, but is not obligatory. With the exception of proven facts of acceptance of foreign funding,¹⁶ no penalties or sanctions are envisaged for violations of regulations. While it did not appear to represent a particular concern for the political parties, they have acknowledged that the limit set by the CEC is commonly exceeded, in particular by accepting services or goods in-kind.

G. MEDIA FRAMEWORK

The broadcasting media remain the most important sources of information in Moldova. While there are only few television channels with nationwide coverage, radio

¹⁶ Article 36.2 of the Electoral Code provides that if the Supreme Court establishes the fact of acceptance and usage of foreign funds, the registration of a contestant will be withdrawn.

outreaches to a significant audience, particularly in the rural areas. Some 82 outlets are currently licensed¹⁷ to carry out broadcasting in Moldova. The print media mostly have limited circulation. Local newspapers are largely dependent on funding provided by local authorities, which appears to impact on the content and the diversity of coverage they offer.

Most of media outlets in Moldova are privately-owned. Two outlets have the status of public broadcasters. *Teleradio Moldova* was re-organized in 2004 and is managed by a 9-member board elected by the Parliament for a four-year term. By the time of local elections, the broadcaster is likely to be administered by a newly-appointed board, the selection of which is scheduled to take place on 28 March. *Teleradio Gagauzia* is a regional broadcaster operating on the territory of Gagauzia, which is yet to undergo official re-organization into a public company.

The work of the electronic media¹⁸ in Moldova is regulated primarily by the Broadcasting Code, adopted in August 2006. While the Code sets a generally adequate legal framework for the functioning of free media, editorial independence and pluralism, it became subject of a number of criticisms from the side of the media. They have been particularly discontent with hasty adoption of the Code without due public consultations and in disregard of recommendations of the key media organizations.

The Code obliges all broadcasters to provide equitable conditions to the electoral contenders and to ensure fair and impartial coverage of the pre-electoral campaign, in line with the principles of coverage adopted by the media outlet and approved by the Audio-Visual Coordination Council (CCA). Additionally, all media are bound by a general concept of coverage of the campaign, which is prepared by the CCA and adopted by the Central Election Commission.

The control over the implementation of media regulations is carried out by the CCA. Under the current Broadcasting Code, the 9-member Council is appointed for a six-year term by the Parliament based on nominations of public and professional associations. Decisions of the Council are legally binding, but can be appealed in the Administrative Court. The Council, in its current composition, took office on 9 November 2006. Some of the NAM interlocutors raised doubts about the neutrality and impartiality of the CCA and alleged affiliation of some of its members with certain political forces.

Assessing the media climate in the run up to the elections, many interlocutors expressed concerns related to the ongoing re-organization of the media, which results in shrinking of the information space and reduces the variety of sources. This is regarded as having the potential to affect the diversity of information that will be available to the electorate. Many associate the current overhaul in the media with attempts of the governing party to ensure sufficient media support during the upcoming local elections.

¹⁷ Licenses are issued by the Audio-Visual Broadcasting Council based on the results of a public tender for frequencies. The term of general radio and television broadcasting licenses is seven years and six years for cable broadcasters.

¹⁸ The work of print media is regulated by the Law on Print Media, adopted in 1994. Other applicable media-related legislation includes the Law on Access to Information, as well as the Code on Administrative Offences.

Many interlocutors found particularly unfortunate the 14 December 2006 decision of the Chişinău Municipal Council to put two reputable broadcasters, *Antena-C* radio station and *Euro TV Chişinău*, up for a tender that led to the change of ownership¹⁹. In the appeal to the CCA, the journalists of the two broadcasters claimed that the new management introduced swift changes to the editorial policy, cut some of the analytical content and attempted to influence the coverage of political events.

As noted during previous elections, political parties remain discontent with the work of *Teleradio Moldova* (TRM). While they expect the broadcaster to fulfil its obligations related to the allocation of free airtime during the pre-electoral campaign²⁰, some opposition parties are concerned by the fact that TRM fails to provide coverage of their activities outside of the pre-electoral period. While meeting with the NAM, the outgoing management of TRM acknowledged those concerns, but explained the inability to respond to all invitations to events of political parties and to provide comprehensive coverage by technical and financial constraints and shortage of staff.

In connection with the above-stated concerns, many of the NAM interlocutors pointed to the necessity and the importance of a comprehensive media monitoring effort to be undertaken by the OSCE/ODIHR in the framework of a possible observation activity.

The national media monitoring efforts will be undertaken by the Independent Journalism Centre (IJC), which plans to carry out both quantitative and qualitative assessment of the work of a broad range of mass media, including press, television and radio. The CCA aspires to carry out the monitoring of both Chişinău-based broadcasters and regional media, following the planned opening of 4 additional monitoring centres.

H. INTERNATIONAL AND DOMESTIC OBSERVATION

The legal provisions for international and domestic election observation now provide adequate conditions for the effective work of observers. On 24 October 2006, the CEC has adopted additional regulation on the status and the procedures of accreditation of observers. The regulation envisages handling of all observer applications and their accreditation by the CEC.

The domestic observation effort will be mounted by the League for Defence of Human Rights “LADOM”, which is currently trying to secure funding for the deployment of 30 long-term observers based in 5 regions and 2,000 short-term observers deployed across the country to follow the election day proceedings. The League also plans to organize parallel vote counts in three regions, including Chişinău, Balti and Comrat.

A number of other domestic non-governmental organizations intend to launch projects and activities related to the upcoming local elections. In addition, the National Democratic Institute (NDI) informed that NAM of its plans to organize trainings for legal services of political parties aimed at increasing their knowledge of legal

¹⁹ See for reference the press releases by the OSCE Mission to Moldova at <http://www.osce.org/item/22758.html> and http://www.osce.org/moldova/item_1_23339.html.

²⁰ The amount of free airtime/space to be provided to the electoral contestants during the pre-electoral campaign is determined by the CEC in co-operation with the CCA.

procedures and at enhancing their ability to defend their rights, with particular emphasis on the electoral campaign. Similarly, the International Republican Institute (IRI) is considering conducting campaign management seminars for political parties as well as trainings for party observers.

IV. CONCLUSIONS AND RECOMMENDATIONS

All interlocutors of the NAM expressed their support for OSCE/ODIHR observation of the upcoming local elections. The importance of long-term observation of the pre-electoral campaign, including the monitoring of the media, was emphasized.

The OSCE/ODIHR recommends that a standard Election Observation Mission (EOM) be established to observe the forthcoming local elections, contingent upon the receipt of an official invitation from the Moldovan authorities. The OSCE/ODIHR would therefore request OSCE participating States to second 12 long-term observers to follow the election process countrywide and 100 short-term observers to observe election day procedures, including voting, counting of votes and tabulation of results at all levels of the election administration.

ANNEX: LIST OF MEETINGS

Election Administration

Central Electoral Commission

Eugeniu STIRBU, Chairperson
Renata LAPTI, Deputy Chairperson
Nicolae GIRBU, CEC member
Valentin VIZANT, CEC member
Mihai BUSULEAC, CEC member
Vasile GAFTON, CEC member
Pavel MIDRIGAN, CEC member

State Authorities

Ministry of Foreign Affairs and European Integration

Eugenia KISTRUGA, Deputy Minister
Corina CALUGARU, 2nd Secretary

Ministry of Internal Affairs

Valentin ZUBIC, Vice Minister
Mihai CIUBOTARU, Chief Security Department

Ministry of Justice

Nicolae ESHANU, Deputy Minister

Ministry of Local Public Administration

Valentin GUZNAC, Deputy Minister

Ministry of Information Development

Constantin BOGATOV, Director of the Centre of Elaboration and Implementation of Information Systems

Sergiu SYTNIK, Director, Directorate-General on Information Society Development

K. ZHALOBA, Director of Department of Technical and Technological Policy

Constantin DENISOV, Director of the Centre of State Registers

V. CHERNY, Head of Department of Information Resources

Parliament

Maria POSTOICO, Deputy Speaker

Mass Media and Media Organizations

Public National Broadcasting Company “*Teleradio Moldova*”

Ilie TELEȘCU, Chairman TRM,
Adela RAILEANU, Director TV Moldova-1
Victor, TABIRTA, Director National Radio

Audiovisual Coordinating Council (CCA)

Corneliu Mihalache, Chairman

Ludmila Vasilache, Deputy Chairman
Gheorghe Gorincioi, CCA member
Valeriu Soltan, CCA member
Carmelia Albu, CCA member
Ruslan Pleşca, CCA member
Valeriu Frumusachi, CCA member
Vlad Turcanu, CCA member

Political Parties²¹

Christian-Democratic People's Party (PPCD)

Vlad CUBREACOV, Chairperson
Dinu ȚURCANU, Secretary General
Mihai ADAUGE, Adviser to the Vice President
Ghenadie VACULOVSCHI, Adviser

Alliance Our Moldova (AMN)

Serafim URECHEAN, Chairperson

Democratic Party (PDM)

Dumitru DIACOV, Chairperson

Social Democratic Party (PSDM)

Victor CIOBANU, Vice Chairperson

Republican Popular Party (PPR)

Nicolae ANDRONIC, Chairperson

Party of Socialists of Moldova "Patria – Rodina"

Valenitn Krilov, Deputy Chairperson

Party of Social Democracy (PDSM)

Dumitru BRAGHIȘ, Chairperson

Liberal Party (PL)

Mihai GHIMPU, Chairperson

National Liberal Party (PNL)

Natalia PAVLICHENKO, Chairperson

NGOs and Foundations

Radivoje GRUJIĆ, Program Manager, Eurasia Foundation
Serghei NEICOVCHIN, Central Contact
Olga STRATON, LADOM
Igor BOTSAN, ADEPT

²¹ Due to last-minute changes in the programme of the visit, a separate meeting with the representative of the Party of Communists of the Republic of Moldova (PRCM) did not take place as initially scheduled.

Corina CEPOI, Independent Journalism Centre
Petru MACOVEI, API
Alex GRIGORIEVS, Resident Director, National Democratic Institute
Stela MOCAN, Program Officer, International Republican Institute

Diplomatic Representations

Veronica NORTH-MINCA, First Secretary, Embassy of France
Mindaugas KACERAUSKIS, Counsellor, Embassy of Lithuania
Victor MUNTEANU, Political Officer, Embassy of United Kingdom
Michael PLEBAN, Deputy Head, Embassy of Germany
Marcin NOSAL, First Secretary, Embassy of Poland
Janos BARABAS, Charge d'Affaires, Embassy of Hungary
Djovanina DOKOVA, Deputy Head, Embassy of Bulgaria
Monica SITARU, Consellor, Embassy of Romania
Pavel Klima, Deputy Head, Embassy of Czech Republic
Vladimir RISTOVSKI, Special Representative of the SG of the Council of Europe