

INTERNATIONAL ELECTION OBSERVATION Republic of Moldova, Local Elections, 5 June 2011

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Chisinau, 6 June 2011 - This Statement of Preliminary Findings and Conclusions is the result of a common endeavor involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Congress of Local and Regional Authorities of the Council of Europe (Congress).

The 5 June 2011 local elections were assessed for their compliance with OSCE and Council of Europe commitments and other international standards for democratic elections, as well as with Moldovan legislation. This statement is delivered prior to the completion of the electoral process, including counting and tabulation. OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the process. The Bureau of the Congress will discuss the findings at its next meeting on 16 June 2011. A comprehensive report by the Congress, including a recommendation and resolution, will be adopted at its next plenary session in mid-October 2011.

OSCE/ODIHR sent a Limited Election Observation Mission that focused on the longer-term electoral process without the additional deployment of short-term observers that would have provided the basis for a quantitative assessment of election day. The Congress mission was carried out in accordance with its specific mandate and adopted rules and modalities to observe local and regional elections in Council of Europe member states. Both institutions were present in polling stations to view the process on election day. They would like to thank the authorities, political parties and civil society for their co-operation and stand ready to continue their support for the conduct of more democratic elections.

PRELIMINARY CONCLUSIONS

The 5 June local elections largely met the OSCE and Council of Europe election-related commitments. The elections were conducted in a calm environment, conducive to a competitive campaign, and offered voters a genuine choice. Electoral contestants noted equitable opportunities to reach voters. Remaining legal, administrative and regulatory issues need to be further addressed in order to ensure continued forward progress.

In particular, this electoral process again underscored the need to address longstanding concerns over voter registration and highlighted the need for increased awareness of the impact of political finance on various aspects of the electoral process, requiring further elaboration and enforcement. Instances of campaigning aimed at misrepresenting candidates occurred, as well as allegations of parties offering illegal electoral gifts; both are being investigated by relevant authorities.

The elections took place in context of an ongoing political impasse, stemming from a continued inability of successive parliaments to elect the head of state. Many interlocutors felt that these local elections were an important watershed regarding parties' levels of popular support in light of future elections.

While the legal framework provides a sound basis for the conduct of democratic elections, some confusion among stakeholders was noted, in particular with regard to complaints and appeals procedures, voter registration and campaign finance issues. Late amendments to the Election Code, some of them substantive, were introduced just a few months prior to election

day. Amending electoral legislation immediately prior to an election process is not in line with international good electoral practice.

The election administration, led by the Central Election Commission (CEC), performed in an overall transparent and professional manner and was perceived as impartial by the majority of stakeholders. The electoral process experienced specific challenges related to the conduct of local elections, such as the large number of electoral contests and candidates, and would have benefitted from greater co-ordination. The District Election Commissions (DECs) operated in an independent manner, and no cases of intimidation or interference with their work were registered. The composition of Precinct Electoral Bureaus (PEBs) was frequently changed after their appointment, which led to a degree of confusion and inconsistency in the implementation of some election procedures.

The candidate registration process was inclusive and resulted in a broad range of candidates at all levels. Last-moment adjustments by parties to their lists, although allowed by law, may have meant that voters were not aware of late candidate replacements, which may have impacted their choices.

The introduction of a centralized electronic voter register which was due to be implemented in these elections was postponed until 2015. Therefore, as in the past, voter lists (VLs) were prepared by local authorities, resulting in concerns regarding their accuracy, as was the case in the past. In particular, confusion persisted as to the competencies of different bodies involved in voter registration at central and local levels. Unclear residency provisions meant that there was a degree of confusion as to whether permanent or temporary residency was to apply to establish where a voter is entitled to vote. The CEC did not issue an official decision to clarify this issue, but used voter education spots near the end of the campaign to explain that temporary residence was the prevailing criteria.

Media covered the election campaign through a variety of formats, including editorial programs, debates and paid advertising, offering voters adequate information about contestants and their programs. The broadcast media overall complied with the legal requirement to provide equitable coverage for contestants; however, one channel fell short in this regard and was sanctioned for biased coverage. One other local TV channel received a warning.

The CEC and courts processed complaints and appeals in an open and transparent manner. The majority of complaints to the CEC and DECs were related to candidate registration and campaigning. The practice of filing complaints with more than one electoral body and/or courts and the confusion over where to appeal decisions persisted during these elections, despite the legal provisions in place.

Mechanisms for the oversight of campaign financing are insufficiently developed, lacking precision and enforcement. Contestants appeared not to have treated their reporting responsibilities with due diligence and the comprehensiveness of reporting was questioned by many stakeholders.

Election day procedures, including voting and counting, proceeded calmly and were conducted in a generally orderly and transparent manner. Election commissions tended to follow the procedures in polling stations visited by OSCE/ODIHR and Congress observers, although certain minor procedural problems were noted. In a number of polling stations, inadequate polling station arrangements were noted, at times leading to overcrowding and with the potential to compromise the secrecy of the vote.

PRELIMINARY FINDINGS

Background

The 5 June local elections are the fifth local elections to be held in Moldova since its 1991 independence. In the last 2007 local elections, the Communist Party of the Republic of Moldova (PCRM) won over one-third of the mayoral and councilor posts.¹ The political situation has reached a state of impasse, as reflected by the inability of two successive parliaments in 2009 to elect the country's president and their subsequent dissolutions.² Following the most recent parliamentary elections in November 2010, the ruling Alliance for European Integration (AEI), comprised of the Democratic Party of Moldova (PDM), the Liberal Party (PL), and the Liberal Democratic Party (PLDM) does not have the 3/5 majority necessary to elect a president and has not attempted to do so.³

On the eve of these local elections, certain political parties merged, most significantly the Alliance Our Moldova (AMN) with the PLDM. The PL merged with the European Action Movement (MAE). Three extra-parliamentary parties, the United Moldova Party, the Republican People's Party and the *Forța Nouă* (New Force Movement) formed the "Third Force" bloc. Many interlocutors felt that these local elections were an important watershed regarding parties' levels of popular support in light of future elections.

The Legal Framework and Electoral System

The Constitution and the Electoral Code are the principal laws regulating local elections. The legal framework is supplemented by other laws,⁴ and CEC resolutions and regulations.

The Election Code has undergone numerous amendments since its adoption in 1997. Most recently, it was amended in March and April 2011. While most amendments were technical in nature, some were substantive: voters were granted the right to request changes to VLS up until one day prior to election day, instead of the previous five days. In addition, the law now expressly provided that decisions of electoral bodies could be appealed directly to court on election day. Other significant changes included the repeal of provisions for free candidate airtime in local elections; postponement in the use of a centralized electronic voter register; and the removal of restrictions on the right of prisoners to vote. Amendments also reduced the remuneration for electoral commission members. Good electoral practice stipulates that amendments should not be effected so shortly before an upcoming election.⁵

Overall, the legal framework provided a sound basis for the conduct of democratic elections. However, a number of gaps and ambiguities exist, especially with regard to the complaints and

¹ For detailed results of the 2007 local elections, see www.alegeri.md/en/2007/. Also see the OSCE/ODIHR Final Report, available at www.osce.org/odihr/elections/moldova/66865.

² Article 78 of the Constitution stipulates that if the parliament is not able to elect the president in two rounds of voting, parliament has to be dissolved and new elections to be called.

³ In November 2010 elections, the PCRM obtained 42 mandates, while the AEI parties together received 59 mandates (PLDM - 32, PDM - 15 and PL - 7).

⁴ The legal framework also includes the Law on Local Public Administration, Law on the Territorial Administrative Division, Law on Decentralization, Law on Political Parties, Law on Assembly, organic laws on the courts, relevant provisions of the Criminal Code and Code on Offences.

⁵ See the Code of Good Practice in Electoral Matters. Guidelines and Explanatory Report, adopted by the Venice Commission of the Council of Europe at its 52nd session (Venice, 18-19 October 2002), CDL-AD(2002)023rev.

appeals procedures, voter registration and campaign finance; this occasionally led to conflicting interpretations and some confusion among stakeholders.

The local elections were conducted to elect 898 mayors of municipalities, towns, communes and villages, as well as 11,744 members of regional, municipal, town, communal and village councils for a four-year term. While members of councils are elected under a proportional system without a threshold, mayors are elected under a two-round majoritarian system. At least 25 per cent of registered voters must participate for the elections to be valid. There is no turnout requirement in the second round.

Election Administration

Local elections were administered by a four-tiered election administration, comprising the CEC, 37 Level-2 DECs,⁶ 896 Level-1 DECs, and 1,955 PEBs.⁷ Political parties represented in parliament nominated members to commissions at all levels. The election administration performed in an overall transparent and professional manner and was perceived as impartial by the majority of stakeholders.

The current CEC was appointed in February 2011, in line with amendments introduced to the Election Code in 2010; of the nine CEC members, one member was appointed by the president and the remaining eight by the parliamentary parties, in proportion to their representation.⁸ The CEC meetings, which were held twice a week during most of the campaign, became more frequent closer to election day. They were generally conducted in a collegial manner, and were open to the public and media.⁹ The CEC adopted a number of decisions aimed at improving the administration and integrity of the elections. At certain times when clarifications of legal provisions were necessary, however, the CEC chose to conduct information campaigns and to provide informal advice to election stakeholders, rather than to take formal decisions.¹⁰

In the run-up to the elections, the CEC tried to increase the capacity of the State Automated Information System 'Elections' to allow for electronic candidate registration and automatic generation of ballots. The effort, however, was only partially successful, which according to the CEC was due to insufficient qualifications of some system administrators. As a consequence, the CEC experienced some difficulties in the process of aggregation of candidate information and printing of ballots. This has resulted in some delays in the preparation of ballots at the central level and their distribution to DECs and PEBs.

All DECs were established within respective legal deadlines. OSCE/ODIHR observers reported that both levels of DEC were well-organized and conducted most election preparations according to legal requirements. It was also observed that DECs operated in an independent manner, and no cases of intimidation or interference with their work were registered. There were multiple changes in the composition of some DECs, mostly due to the withdrawal of members who were also running as candidates or their relatives.¹¹

⁶ Out of this number, two Level-2 DECs in Bender and Tiraspol were formally established, but were not functioning. Thus, the actual number of Level-2 DECs that operated during these elections was 35.

⁷ 495 PEBs were also carrying out the function of a Level-1 DEC.

⁸ Of the members appointed by parliamentary parties, five were from the governing AEI and three from the PCRM.

⁹ Video footage of the CEC sessions was available on the CEC website.

¹⁰ For example: lack of precision on residency requirements, some aspects of voting and counting procedures, and the transfer of election materials.

¹¹ The legislation stipulates that candidates and their close relatives may not serve as members of election commission.

PEBs were generally established within legal deadlines. PEBs visited by OSCE/ODIHR observers were well-organized. However, frequent compositional changes, the complexity of local election procedures and, at times, a lack of adequate support from higher-level election commissions led to some degree of confusion and inconsistency in the implementation of certain electoral procedures within the competence of PEBs.¹²

As during previous elections, voting did not take place on the territory controlled by Transnistrian *de facto* authorities.¹³

Voter Registration

Although initially planned for implementation prior to these local elections, the establishment of a centralized electronic voter register was postponed until 2015 by the April 2010 amendments to the Election Code.¹⁴ As a result, VLs were prepared by local authorities on the basis of past lists, resulting in similar concerns being voiced by interlocutors over this issue as in the past.¹⁵ In particular, confusion persisted as to the competences of different bodies involved in voter registration at central and local levels.

Unclear residency provisions led to variable interpretations by election stakeholders and resulted in a degree of confusion as to whether permanent or temporary residency was to be applicable to establish where a voter is entitled to vote. The CEC did not issue an official decision to clarify this issue, but conducted a voter education campaign in the latter stages of the process, clarifying that temporary residence was to be regarded as the prevailing criteria. In some cases, this led to inconsistent practices by local authorities and election administration bodies dealing with voter registration issues.¹⁶

As noted above, prisoners have been granted the right to vote, although this provision was introduced at a late stage. Relevant institutions and election administration bodies did not receive clear guidelines on how to implement this newly adopted amendment. This led to an inconsistent approach by them, which may have disadvantaged certain imprisoned voters.

With some delays noted by OSCE/ODIHR observers,¹⁷ VLs were available for public scrutiny, as required by law. It appeared that very few voters checked their records, despite a voter information campaign carried out by the CEC. An online verification of voters' records was not available for these elections; lack of funding was argued.

At the start of the election campaign, the CEC announced the total number of citizens eligible to vote in the upcoming local elections to be 2,646,279. On election day, the CEC announced

¹² These included uncertainties related to amending candidate lists, deadlines for updating of VLs, as well as procedures related to mobile voting, counting and tabulation.

¹³ Prior to the elections, polling stations for voters from the disputed village of Cojova were established in Cocieri and for voters from Chitcani, Cremenciuc and Gisca, in Copanca and Farladeni.

¹⁴ On election day, the CEC carried a pilot project to test the centralized electronic voter register and the online transfer of election results from PEBs to the higher levels of election administration in one district in Chisinau.

¹⁵ See OSCE/ODIHR Final Report on 10 November 2010 early parliamentary elections, p. 8; available at www.osce.org/odihr/75118, and the Congress Recommendation 227(2007) with regard to 3 and 17 June 2007 local elections; available at www.coe.int.

¹⁶ For example, in Soldanesti voters with permanent residence in a precinct, but allegedly residing abroad were deleted from VLs; DEC 2 (Balti) instructed PEBs to include voters with no residence into the supplementary lists at precincts, where they were residing at the time of last elections; DEC 25 (Orhei) instructed voters that they can vote only in a locality, where s/he has permanent residence.

¹⁷ For example PEBs in the Level-2 Districts 2 (Balti), 16 (Edinet), 17 (Falesti), 18 (Floresti), 27 (Riscani).

the updated figure on the number of voters – 2,653,921. Certain categories of voters were entitled to be added to supplementary VLs on election day, including voters who were not included in the basic VLs (upon presentation of the ID confirming their residence within the respective precinct), voters with absentee voter certificates,¹⁸ and voters in pre-trial detention.

Candidate Registration

Political parties and electoral blocs enjoy the right to nominate candidates for local elections, as do citizens through the collection of voter support signatures. A total of 4,312 mayoral candidates and some 60,000 candidates for regional, municipal, town and village councils were registered in a process that was inclusive, overall. Candidates from 21 political parties, 1 electoral bloc, as well as independents contested these elections. The mayoral race in Chisinau was contested by 13 candidates.¹⁹ Parliamentary political parties reportedly registered candidates in 80-90 per cent of districts, a vast field of candidates that provided voters with genuine choice. Despite some complaints,²⁰ contestants did not express any major concerns regarding the registration process.

Many political parties made use of the legal possibility to introduce changes to candidate lists up to seven days before election day. Last-moment adjustments by parties to their lists may have meant that voters were not aware of late candidate replacements, which may have impacted their choices.

Campaign Environment

The campaign got off to a slow start, but gained momentum in the later stages. Campaigns tended to focus on local issues and personalities and door-to-door canvassing, small gatherings, use of posters and leaflets, and meetings in workplaces were the primary means for candidates to reach out to voters. Some electoral contestants also used more modern campaigning techniques, such as direct mailing, e-mailing, phone banks, and internet advertising.

Parties from AEI and PCRM ran the most visible campaigns and organized a number of large-scale events. Extra-parliamentary parties primarily focused their efforts on their known support bases. Independent candidates were also seen campaigning in some localities, especially where incumbents running as independents stood for re-election. In general, electoral contestants noted that they had equitable campaign opportunities.

Overall, the campaign was conducted in a calm atmosphere. In some regions, political contestants undertook unofficial agreements of mutual respect in the campaign.²¹ There were isolated criminal offences, however, during the pre-election period, which are being investigated by the relevant authorities. They included incidents such as the car of a PL candidate in Straseni being set on fire.²² In addition, there were isolated cases of physical assaults, which are under investigation to determine whether they are election-related.²³ Some reports of intimidation were also brought to OSCE/ODIHR's attention.²⁴

¹⁸ This applies only to PEB members during local elections.

¹⁹ Fifteen candidates were initially registered and two subsequently withdrew. Mr. Victor Bodiuc of PLDM withdrew on 6 May and Mr. Valentin Crilov of the Party of Socialists of the Republic of Moldova, *Patria-Rodina*, withdrew on 1 June.

²⁰ See "Complaints and Appeals" section.

²¹ Such unofficial agreements have been noted in Balti, Edinet, Orhei and Riscani.

²² Incident took place on 10 April. The case is under investigation.

²³ Among other things, the OSCE/ODIHR LEOM was informed of an assault against the PLDM candidate for local council in Sangera (Chisinau Municipality) allegedly by a PLDM member; a PL member of the

Instances of campaigning aimed at misrepresenting candidates occurred. Mock-ups of two popular newspapers and posters contained materials aimed at discrediting the PLDM and the mayor of Chisinau. Cases are being investigated by relevant authorities. Negative campaigning was also noted at the local level.²⁵ Widespread reports of parties, including PDM and PLDM, distributing illegal electoral gifts to voters emerged late in the campaign and gained considerable media attention. The CEC subsequently asked the Ministry of Interior (MoI) to investigate the matter. OSCE/ODIHR noted isolated reports of the misuse of administrative resources at the local level, although the scale was difficult to determine.

Campaign Finance

The Election Code obliges electoral contestants to open a special bank account for all campaign-related transactions and to submit bi-weekly financial reports. In practice, however, many contestants did not open accounts; this was tolerated by the election administration, if duly notified, on the grounds that campaigning could take place without any incomes or expenditures incurred.²⁶ As well, the election administration interpreted the provisions for reporting as only applying to contestants that had opened such accounts.

Even those contestants that had opened bank accounts did not always comply with the legal requirement to submit bi-weekly reports.²⁷ Furthermore, contestants appeared not to have treated their reporting responsibilities with due diligence and the comprehensiveness of reporting was questioned by many stakeholders. Mechanisms for the oversight of campaign financing are insufficiently developed, lacking precision and enforcement.

The Media

The main source of public information is television, with three TV stations broadcasting nationwide and several with regional and local coverage. The print media has limited readership and suffers from the emerging role of online news portals. Media covered the electoral campaign both at the national and local level. Although certain media outlets were perceived to be affiliated with political parties the variety of views available to the public generally enabled citizens to make an informed choice.

The conduct of the media during the electoral campaign was regulated by the Election Code and a CEC Media Regulation, which oblige the media to cover the campaign in an accurate, balanced and equitable manner. Local media were obliged to organize public debates, whereas the national ones were entitled to do so. Among TV broadcasters with national coverage, only the public TV channel *Moldova 1* decided to hold public debates, inviting political party

DEC in Cimislia having been assaulted by a PCRM sympathizer; and a case of a PDM member in Ialoveni having been assaulted by three PCRM members.

²⁴ An independent candidate for mayor of Chisinau stated that he was subjected to intimidation by state authorities and that his supporters were being discouraged to co-operate with him. In Straseni, a PDM candidate's house was vandalized and an axe was left on a table. Another PDM candidate for mayor's office in Stauceni (Chisinau Municipality) reported receiving life threatening messages.

²⁵ The PCRM reported that fake General Prosecutor's letters were sent to people in Vyshkyuc locality (Orhei). The letters were accusing the PCRM mayoral candidate of being involved in illegal sales of state and private plots of land. In Ialoveni, a defamatory pamphlet on the incumbent mayor running for re-election was issued by a "Politico-Analytical Centre and Rural Press". Leaflets of defamatory content against mayoral candidates were distributed in Nimoreni village (Ialoveni).

²⁶ These provisions stem from Article 38 of the Electoral Code.

²⁷ Seven political contestants were officially warned by the CEC for missing the deadline for the submission of their reports.

representatives and mayoral candidates for Chisinau, Comrat and Balti. All local and regional broadcasters covering the elections fulfilled the requirement of organizing public debates.

Monitored TV stations also respected the legal requirements for paid advertisement, allotting no more than 2 minutes per day to each contestant, a possibility that was extensively used by political parties. In addition, most broadcasters offered free airtime to electoral bodies for the broadcasting of voter education information.

According to OSCE/ODIHR LEOM media monitoring,²⁸ the national public TV *Moldova 1* offered a balanced coverage of the campaign in its editorial programs,²⁹ granting access not only to the four parliamentary parties, but also to other contestants, generally presenting them in a neutral tone. The national private broadcaster *NIT* devoted 67 per cent of its coverage to the PCRM, mostly in a positive or neutral tone, with the governing AEI parties receiving far less coverage. Among AEI parties, the PL received the most coverage (5 per cent) which was mainly negative and denigrated the incumbent Chisinau mayor. The third private national TV channel *Prime TV* devoted extensive coverage to PDM (33 per cent) mostly in positive and neutral tone and gave considerable coverage to the government (18 per cent) and acting president (9 per cent).

Three other monitored channels, *Jurnal TV*, *Publika TV* and *PRO TV*, provided a balanced coverage of the four main political parties, while offering limited access to extra-parliamentary contestants. An exception was the coverage received by an independent candidate for Chisinau mayor on *PRO TV* and *Jurnal TV*.

The Audio-Visual Co-ordinating Council (CCA), which is responsible for hearing complaints related to campaign coverage by broadcasters, registered only one complaint during the pre-electoral campaign. The complaint was submitted by a mayoral candidate in Comrat against *Eny Ai TV*, a private local TV from Gagauzia, alleging unbalanced electoral coverage. The CCA issued *Eny Ai TV* a public warning. Based on the results of its internal media monitoring, the CCA also sanctioned *NIT* for its unbalanced coverage of the campaign and repeated violations of legal provisions.³⁰ During the pre-electoral campaign, the CCA also drew attention of *Jurnal TV* and *Publika TV* to their obligation to cover the electoral campaign in an equitable manner, and to grant access not only to the parliamentary political parties.³¹

Complaints and Appeals

The CEC and courts processed complaints and appeals in an open and transparent manner. CEC sessions and court hearings were open for the media and the public. Overall, the CEC considered and adjudicated the majority of complaints within the legal deadlines. However, on nine occasions, it exceeded the established timeframes. Decisions of the CEC and the courts were generally well reasoned and in line with the legislation.

²⁸ The media monitoring covered the period from 12 May to 3 June 2011. The sample monitored includes 6 TV stations and 5 newspapers. TV stations: *Moldova 1*, *Prime TV*, *NIT*, *PRO TV*, *Publika TV*, *Jurnal TV*. Newspapers: *Jurnal du Chisinau*, *Timpul*, *Moldova Suverana*, *Adevarul* and *Moldavskie Vedomosti*.

²⁹ Editorial programs include news, talk shows, electoral debates and information programs on current affairs.

³⁰ The CCA established that *NIT* violated articles 7 and 10 of the Broadcasting Code and point 17 of general provisions of the CEC Media Regulation. The CCA first issued a public warning, then imposed the maximum fine applicable, and finally prohibited the channel to broadcast commercial advertisements for five days. The sanctions were imposed on 18 and 27 May and 3 June 2011.

³¹ This was done through a public announcement during the CCA meeting held on 27 May 2011.

The CEC received 74 complaints and appeals in total, and reviewed 27 of them in open sessions resulting in a formal decision on each complaint. According to the CEC, the remainder of the complaints received did not comply with procedural rules or were out of its competence and were thus not considered. In these cases, the CEC issued letters to the complainants, informing them about the correct procedures that needed to be followed. The vast majority of complaints to the CEC were related to candidate registration. In several instances, the CEC overturned decisions of DEC's refusing candidate registration, when it deemed the reasons for refusal to be minor, enhancing the inclusiveness of candidate registration.

Since June 2010, the law provides that decisions of electoral bodies must first be appealed to a hierarchically superior electoral body before an appeal to a court. Despite the provisions in place, the practice of filing complaints with two electoral bodies and/or courts at the same time and confusion over the appeal procedures persisted during these elections. In addition, the OSCE/ODIHR LEOM observed several cases when DEC's reviewed complaints that were outside their competence. In one such case, the CEC subsequently cancelled the decision of a Level-1 DEC (Parcani), which had reviewed a complaint against its own decision, and obliged the higher level DEC to consider it.³² The lack of clear and uniform knowledge of procedures for the review of complaints was particularly visible in the regions.

In general, complaints were filed mainly by independent candidates and by the political parties represented in parliament. They were predominantly related to candidate registration, campaign obstruction, illegal campaigning by candidates, use of administrative resources and the procedure of drawing lots to determine the order of contestants on ballot papers. Contenders mostly chose to bring their complaints and appeals before the electoral bodies without further appeal to a court.

The CEC and DEC's made use of their right to issue warnings to lower level electoral bodies and contestants. In cases of administrative or criminal violations connected to the electoral process the CEC and DEC's sent information to the MoI or the General Prosecutor's Office and their offices in the regions. The LEOM is aware of four such requests by the CEC for follow up to the General Prosecutor and 12 to the MoI.

Fourty-six CEC actions/inactions and decisions, including on complaints, were appealed to the Chisinau Court of Appeal. In addition, the Chisinau Court of Appeal adjudicated five appeals against decisions of territorial courts as the last instance court. The Court adopted 41 decisions, out of which some 25 appeals were rejected as groundless.

The Supreme Court of Justice has reviewed 27 election-related appeals, 20 of which were filed by two voters and seven by electoral competitors. Seven appeals were returned to the Chisinau Court of Appeal for re-consideration of the case and two appeals were satisfied by final decision.³³

³² CEC Decision 233 (dated 26.05.2011) on complaint ALG-9/58 of 23 May 2011 filed by PDM.

³³ One granting an independent candidate an interest free loan from the state budget for campaign purposes (Decision of the Supreme Court of Justice dated 31.05.2011, Negru Fiodor vs. CEC, Ministry of Finance), the other one confirming the lawfulness of a CEC decision not allowing registration of an independent candidate in a mayor's race (Decision of the Supreme Court of Justice dated 31.05.2011, CEC vs. Chisinau Court of Appeal).

Participation of Women and National Minorities

Generally, political parties did not specifically address issues concerning the participation of women. Some parties informed the OSCE/ODIHR LEOM that they tried to meet a self-imposed quota of 30 per cent women candidates for councilor positions. While electoral bodies did not provide disaggregated data on the number of female candidates participating in the elections, interlocutors assessed that the number of women standing as candidates for mayoral posts was approximately 20 per cent. Also, women appear rarely to have been in the top ten positions on parties' candidate lists. Party leaders noted the existence of societal clichés and economic factors as challenges often encountered by female candidates. However, women were well-represented in the lower-level electoral bodies and actively attended electoral events.

The main political parties reported that they had members of national minorities from different ethnic groups on their party lists, reflecting the diverse composition of Moldovan society. Overall, representatives of minority groups did not voice concerns regarding access to the electoral process, except for certain general grievances expressed by representatives of the Roma community.

Domestic and International Election Observers

The Election Code provides for the observation of the election process by international and domestic civic organizations, representatives of foreign governments and of electoral contestants. In demonstration of an inclusive approach, the CEC registered some 1,010 domestic observers from 12 organizations, 146 international observers, as well as experts from 20 organizations. Electoral contestants registered their agents to follow the electoral process at all levels of the election administration. *Promo Lex* was the largest domestic observer group that carried out nationwide observation of the electoral process. Other civil society organizations focused on specific aspects of the process, including on the conduct of the media and campaign finance.

Election Day

Election day procedures, including voting and counting, proceeded calmly and were conducted in a generally orderly and transparent manner. Election commissions tended to follow the procedures in polling stations visited by OSCE/ODIHR and Congress observers, although certain minor procedural problems were noted.

A number of the polling stations were not adequately arranged³⁴ with premises that were too small and insufficient numbers of polling booths. This, at times, resulted in overcrowding and with the potential to compromise the secrecy of the vote. Some PEBs removed polling booth curtains, possibly related to concerns over the potential for voters taking photographs of their ballots.³⁵ Domestic non-partisan and party observers were present at all polling stations visited.

In some places, a high number of voters were added to supplementary voter lists and the practices for doing so were inconsistent. This pointed to continuing problems with voter registration, including unclear instructions on residency requirements for voter list inclusion. Isolated cases of more serious problems were observed, including a candidates' name not included in the Russian version of the ballot paper in one electoral district in Taraclia and concerns over instances of conflict of interest related to candidates serving as PEB members.

³⁴ For example PEBs 2, 4, 56, 12, 46 (Orhei), PEBs 119, 145, 153, 206, 259, 260, 289 (Chisinau).

³⁵ PEB 59 (Balti), PEB 153 (Chisinau), PEB 18 (Gagauzia), PEB 15 (Soroca).

During the tabulation at Level-1 and Level-2 DECs, the results protocols were entered into a special electronic system for results aggregation. Turnout figures were regularly announced by the CEC during the day and published on its website, although there appeared to be some delay in the posting of preliminary results. The overall turnout announced was 54.39 per cent. At the time of writing, the tabulation has been ongoing.

The campaign silence period on election day was respected by the media, with the exception of *Jurnal TV*, which broadcasted two talk shows commenting on the voting process in contravention of the law.

In polling stations set up for voters from Transdnistria, election day proceeded without any apparent disturbances.

***The English version of this statement is the only official document.
An informal translation is also provided in the State language and in Russian.***

Mission Information & Acknowledgements

Following an invitation from the Central Election Commission of the Republic of Moldova, and based on the recommendation of the Needs Assessment Mission, the OSCE/ODIHR established a Limited Election Observation Mission (LEOM) in Chisinau on 9 May. The OSCE/ODIHR LEOM had an 11-member core team and 14 long-term observers deployed to 7 locations throughout the country. The LEOM was led by Mr. Gerald Mitchell.

Following an invitation from the Central Election Commission of the Republic of Moldova, the Bureau of the Congress decided to observe the 5 June 2011 local elections. A pre-electoral mission composed of 3 members of the Congress was conducted from 17 to 20 May to carry out a first political assessment of the situation. The main Congress mission was organized from 1 to 6 June and included 16 local and regional representatives from 14 countries. Four members of the delegation are members of the EU Committee of the Regions. The head of delegation is Ms. Britt-Marie Lövgren from Sweden. Mr. Hannes Weninger from Austria is the Rapporteur for the Congress observation mission to Moldova.

The institutions represented wish 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 institutions also wish to express appreciation to the OSCE Mission in Moldova, the Council of Europe Office in Chisinau and other international organizations and embassies accredited in Chisinau for their co-operation and support.

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OSCE/ODIHR Limited Election Observation Mission:

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