



OSCE/ODIHR
ELECTION OBSERVATION MISSION
Local Elections, Republic of Moldova
Second Round, 8 June 2003

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Chisinau, 9 June 2003 – The OSCE Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission (EOM) for the 2003 local elections in the Republic of Moldova issues this statement on the second round before the official announcement of results, before election-day complaints and appeals have been addressed, and before a complete analysis of election-day observation findings. This statement should be read in conjunction with the statement of preliminary findings and conclusions issued on 26 May 2003 following the first round of the elections.

PRELIMINARY CONCLUSIONS

The second round of local elections held on 8 June showed slight improvement compared with the first round on 25 May. While the voting was conducted generally in accordance with OSCE commitments for democratic elections, the campaign remained problematic.

The campaigning between the two rounds of voting was notably low-key but at times aggressive, especially in Chisinau and Comrat. In comparison with the period before the first round, the EOM noted an overall decrease of tension and received no substantial reports of intimidation or harassment of candidates.

Despite some improvement, the state media continued to be biased in favour of the government. State television continued its aggressive, negative campaign against the incumbent Mayor of Chisinau, Serafim Urechean, but, unlike the campaign period prior to the first round, granted him an opportunity for rebuttal. In general, the freedom of the press was again called into question. The director of the News Department of the state news agency MOLDPRES was removed from her position after publicly accusing the Presidential Press Office of putting undue pressure on the agency to publish information affecting the campaign.

Complaints and appeals related to the first round of voting were adjudicated in a timely and expeditious manner. Shortcomings identified during the adjudication of complaints highlight the need for more precise regulations governing the elections. The Central Election Commission (CEC) should be given the authority to enforce its decisions and impose administrative sanctions for non-compliance.

In four constituencies, elections were declared invalid and had to be repeated. In Chisinau, a complaint led to the recount of more than 1.2 million ballots for the races of mayor and municipal council. The lengthy recount process did not substantially alter the results, although it revealed a number of problems in the counting process.

On 8 June, the EOM observed approximately one-third of the polling stations and 85 per cent were assessed as good to excellent. As in the first-round elections, secrecy of the ballot remains a concern, as well as persistent police presence inside a number of polling stations. The EOM regrets that in some places, Polling Boards barred a number of accredited domestic observers from

observing, notably in Balti, where a Communist Party Member of Parliament forcibly took a CEC accreditation from an observer. Timely intervention of central and district-level election officials quickly resolved such problems.

The OSCE/ODIHR stands ready to assist the Moldovan authorities and civil society in addressing the shortcomings identified in this statement and in the statement issued on 26 May.

PRELIMINARY FINDINGS

Campaign and Candidates

In the first round of local elections on 25 May, *raion*, municipal, and local councils were elected, as were the mayors in 503 of the 898 units of local government. The ruling Party of Communists of the Republic of Moldova (PCRM) emerged as the strongest party, gaining almost 48 per cent of the vote nationwide for *raion* and municipal councils and winning 265 mayoral races. The Social Liberal Alliance “Our Moldova” finished second, with slightly more than 20 per cent of the vote and winning 105 mayoral races. The Christian Democratic People’s Party received some 9 per cent of the council vote, while the Democratic Party received 8 per cent. Seventy-six independent candidates were elected as mayors. Overall turnout was 57.7 per cent of the electorate.

Runoff elections for mayor were required in nearly 400 constituencies where no candidate received more than 50 per cent of the vote in the first round. Second-round elections for mayors were held in the Municipality of Chisinau, in Comrat (the capital of the Autonomous Territorial Unit of Gagauzia), in eight out of 32 *raion* administrative centres, and in seven other cities. All other runoffs were held in smaller constituencies throughout the country. In addition, four repeat elections took place: two for mayors and two for local councils.

As in the first round, the campaign prior to the second round was low-key and mostly limited to door-to-door canvassing. At times, however, the tone of the campaign became aggressive, especially in Chisinau, where incumbent Mayor Serafim Urechean (supported by “Our Moldova”) and Transport and Communications Minister Vasile Zgardan (the PCRM’s candidate) contested the second round. On 29 May, MOLDPRES published an address of the PCRM Central Committee to the residents of Chisinau that stressed the importance of the elections in the capital ostensibly because Chisinau had become “the centre of financial and criminal separatism” where “forces ready to overthrow the government at any moment” were concentrated. Mr. Urechean’s representative on the Chisinau Election Council asked the Prosecutor General’s Office to intervene in what he considered to be a violation of the Constitution and the Criminal Code. Campaign posters featuring President Vladimir Voronin (also leader of the PCRM) stating that he “will vote against Serafim Urechean” and claiming that the municipality was being run with “unprecedented cynicism” appeared shortly before the second round.

In Comrat, the mayoral runoff was also hotly contested, and the campaign’s tone was at times hostile.

Election Administration

In general, the election administration at the central and district levels continued to perform its duties in a professional manner. Certain shortcomings and irregularities during the vote and count on 25 May highlighted the need for comprehensive regulations by the CEC, in particular with regard to counting procedures and the safeguarding of ballots and other sensitive materials. The CEC should also be given the authority to enforce its decisions and impose administrative sanctions for non-compliance. Moreover, every Polling Board member should receive professional training to ensure the uniform implementation of procedures.

On 26 May, the PCRM filed a formal complaint demanding a recount in Chisinau, claiming that the party's representatives found many errors in the counting of votes and the completion of protocols of the first-round results. After the court upheld the complaint, the District Election Council began recounting the more than 1.2 million ballots cast in the capital's two races. This exercise was concluded only on 5 June. Although significant irregularities were found in 16 of the 277 polling stations, including 200 ballots taken from one candidate and added to others at one polling station, overall, the recount did not affect the outcome of the first-round vote. In general, the recount revealed serious problems with the count in a few polling stations, including arithmetical errors in protocols, misallocation of votes, wrongful disqualification of ballots, failure to authenticate the ballots with a control stamp, and failure to cancel unused ballots. This process showed that clear regulations are needed for recount procedures, including rules regarding who should conduct the recount.

A second round of elections was held in some 958 of the 1,938 polling stations countrywide. The voters' lists for the second round comprised the voters' lists from the 25 May vote and the supplementary lists compiled during the first-round election day.

Complaints and Appeals Related to the First-Round Vote

Some 100 formal complaints were submitted after the first round of elections, most of which related to irregularities on election day. In general, complaints and appeals from the first round were adjudicated in a timely and expeditious manner.

The courts declared the first-round election results invalid in four constituencies, either as a result of fraud or because significant errors were discovered that affected the results. Thus, repeat elections were required. The judiciary is still considering the validity of results in a few other constituencies. In Grozesti, the results of the mayoral contest were invalidated because a mobile ballot box was not sent out to voters as requested and because the race was so close that a few votes could have changed the result. In Cosauti, double voting was noted, as the names of five people who had voted in one polling station were later discovered on the supplementary list in another polling station; the results were again close enough to require a repeat election in the mayoral race. In Oniscani and Chirianca, the local-council races had to be repeated because of typographical errors on the ballots.

A number of mayoral races were contested and adjudicated by the courts. The election of mayors in the first round was challenged in Singerei, Glinjeni, Cania, Gotesti, and Valcinet. Following recounts, the courts determined that no candidate had received more than 50 per cent of the vote

and that runoffs were needed. In contrast, recounts in Enichioi, Sagaidac, and Corjova determined that a mayoral candidate in each race had received more than 50 per cent of the votes and no runoffs were required.

Domestic observers and electoral contestants reported numerous procedural violations during the first round on 25 May, including technical mistakes, such as misprinted ballots or ballots lacking a candidate's logo; candidates serving as members of Polling Boards; procedures regarding the use of mobile ballot boxes not being adhered to; widespread problems with the secrecy of the vote; proxy voting; and the use of humanitarian aid for campaign purposes.

The Media

Candidates in runoffs were provided with the same amount of free-of-charge time as before the first round: two and four minutes, respectively, on state television and radio, and five and ten minutes, respectively, on local public television and radio. Unlike in regulations issued before the first round, the CEC advised media outlets to organize debates and roundtable discussions among the candidates.

Prior to the second round of elections, state television provided reporting that showed less bias than during the period before the first round. Nonetheless, previously observed trends persisted. The state channel M1's news programmes continued to provide the authorities with extensive coverage, dedicating 23 per cent of its coverage to the President and 52 per cent to the Government. In the analytical programmes *Argument* and *Rezonans*, TV M1 continued to present Mr. Urechean in a negative light; at the same time, both programmes provided positive coverage of Mr. Zgardan. In turn, Chisinau's municipal Euro TV continued to present Mr. Urechean in overwhelmingly positive terms. Of all the television channels monitored by the EOM, only Euro TV aired get-out-the-vote spots prior to 8 June.

After repeated appeals by "Our Moldova", TV M1 heeded a CEC decision of 18 April 2003 requiring the broadcaster to provide representatives of "Our Moldova" with time for rebuttal. Thus, TV M1 gave Mr. Urechean, as a representative of "Our Moldova", rebuttal time on its news programmes on 4 June.

Euro TV attempted to organize a debate between the two candidates in Chisinau's mayoral runoff, but Mr. Zgardan did not accept the invitation. Thus, the proposed debate turned into an interview with Mr. Urechean. However, both candidates took advantage of the opportunity to campaign in the broadcast media, using both free and paid advertisements.

On 4 June, Comrat's TV channels *Yeni Ay* and ATV broadcast a video portraying incumbent Mayor Constantin Taushanji in a highly negative light. The Mayor complained to the local court alleging that such material violated the Election Code. Moreover, while the case was pending, the state-owned local station, TV Gagauzia, rebroadcast the same video in prime time.

The state-owned newspapers *Moldova Suverana* and *Nezavisimaia Moldova* continued to provide approximately 70 per cent of their coverage to the President and the Government, presenting them as well as Mr. Zgardan, in a positive light, while portraying Mr. Urechean negatively. In contrast,

Mr. Urechean was given positive coverage in *Moldovskie Vedomosti*, *Accente*, *Timpul*, and *Saptamina*, while the government was presented in negative terms in these newspapers.

Freedom of the press was again called into question. On 21 May, Ms. Cornelia Cozonac, director of the News Department of MOLDPRES, publicly accused the Presidential Press Office of exerting undue pressure on her institution by obliging the agency to publish its information affecting the campaign without editing, verifying facts, or commenting on the material. Ms. Cozonac was removed from her position on 6 June.

Civil Society

The League for the Defense of Human Rights of Moldova (LADOM) accredited some 640 observers for the second round, while the Helsinki Committee and a few other civil society organizations deployed small numbers of observers.

Election Day

International observers visited 349 out of approximately 958 polling stations throughout the entire country. In 85 per cent of the observations, EOM observers reported that the conduct of the poll was good to excellent.

A serious concern that was not evident in the first round arose when, at a number of polling stations in Chisinau, Balti, and Cahul, LADOM's domestic observers, including the organization's President, were initially not allowed to observe the poll. Reasons cited included an assertion that LADOM was accredited only for the first round, was not a recognized domestic observer group, or because observer identification contained errors. In Balti, claiming that domestic observers were only allowed to be present at the first round, a Communist Party Member of Parliament forcibly took the CEC identification away from an observer. Timely intervention by the CEC and District Election Councils quickly resolved such problems. The allegations of pressure on domestic observers received by the EOM on election day are reason for concern.

The Ministry of Interior's policy of strictly enforcing public security was evident during the elections. The EOM observers reported police presence in 29 per cent of polling stations visited, in direct contravention of the Election Code and instructions reiterated by the CEC. In a few polling stations, observers noted campaigning and the presence of candidates. Allegations of partisan Polling Board chairpersons resulted in the replacement of personnel in a few cases during the course of voting. Observers also expressed concerns regarding the use of the mobile ballot box, reported that identification was not always presented and observed that secrecy of the ballot remained problematic. However, tabulation of the count appeared to have improved considerably in Chisinau.

The CEC reported overall voter turnout at 60.7 per cent. In all four repeat elections, the one-third turnout requirement was met.

This statement is also available in Moldovan (Romanian) and Russian. However, the English version remains the only official document.

MISSION INFORMATION & ACKNOWLEDGEMENTS

The OSCE/ODIHR Election Observation Mission (EOM) is headed by Ambassador Michael G. Wygant (United States). This statement is based on the findings of 15 observers from the OSCE/ODIHR EOM, based in Chisinau and two regional centers in the Republic of Moldova, who have been deployed since 25 April 2003, and 58 observers from 17 OSCE participating States reporting on election day from some 349 out of 958 polling stations.

The EOM will publish a comprehensive report on the local elections, including recommendations, within a month after the election process is completed.

The EOM wishes to express appreciation to the Moldovan authorities, including the Ministry of Foreign Affairs, the Central Election Commission, the Ministry of Interior and local authorities for their co-operation and assistance during the course of the observation. The EOM is also grateful for the support of the OSCE Mission to Moldova and Embassies of OSCE participating States.

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