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CIVIC COALITION FOR FREE AND FAIR ELECTIONS

LEAGUE FOR DEFENCE OF HUMAN RIGHTS OF MOLDOVA - LADOM

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**MONITORING THE ELECTORAL PROCESS FOR THE GENERAL LOCAL  
ELECTIONS IN THE REPUBLIC OF MOLDOVA**

**REPORT  
II  
9 May - 20 May 2007**

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## **RESUME AND CONCLUSIONS**

The present report contains the finding on the unfolding of the electoral process during the monitoring period.

The electoral campaign was characterized by a series of actions carried out by the central and local authorities on the occasion of the Victory's Day over the Fascism (9 May), following the celebration of the Europe Day (5 May ) and International Labor Day (1 May). These events served as a pretext for the local and central authorities as well as for some of the candidates, included those relieved from work, to promote their political image by organizing and taking part in official meetings and events and in some cases by distributing humanitarian aid to the WWII veterans.

On 11 May, when the registration process of the electoral candidates was over, they got fully involved in the electoral campaign.

The monitoring group ascertained the fact that most of political parties engaged in electoral contest did not have capacities to assign their candidates for all election precincts.

The administrative resources continue to be used by the candidates, the opposition is still intimidated, there is still direct or hidden electoral publicity in the public media, the electoral advertising is being placed in unauthorized places etc.

During the monitoring period, the actions of the law enforcement bodies from the eastern region of the country under the jurisdiction of the separatist bodies took force. The electoral candidates as well as representatives of the diplomatic corps have been subjects of direct intimidations.

LADOM registered a series of positive tendencies in the activity of the Central Electoral Commission (CEC), in particular by taking legal attitudes and positions in relation to the electoral candidates and submitted suggestions. CEC also adopted a series of decisions leading to the adjustment of the electoral campaign, but at the same time, the adoption of too many regulations, instructions, circulars and interpretations of several pieces of legislation is hardly to be justified, because it seems to burden the implementation of the electoral legislation by the electoral officials.

In the meantime, Chisinau Electoral District Council acted with reserve and prudently, even unjustified in concrete situations.

In particular, LADOM expresses its concern about the following negative aspects of the electoral process:

- Unjustified and selective involvement of the law enforcement bodies and the intimidation of the supporters of some electoral candidates during the electoral campaign;
- Favoring one electoral candidate by the local public administration;
- The use of administrative resources and tools by some electoral candidates in the virtue of their function or position;
- Lack of transparency and accountability in the financing of the candidates, as well as in relation to the expenses operated by them for electoral advertising;
- Lack of equal conditions for all electoral candidates.

The negative aspects outlined in this report can significantly influence the integrity of the electoral process unless properly removed.

## **FINDINGS**

### **1. Political context**

The monitoring period was marked by the celebration of the Victory's Day (9 May) and by the proper, although delayed, involvement of most of electoral candidates in the electoral campaign. Thus, the electoral campaign entered its key phase.

At least seven political formations have reported pressures over the electoral candidates from behalf of the authorities in order to convert them into „PCRM candidates”; many political formations contested the modality of submitting the registration documents to the Electoral district councils; 4 political parties reported over actions of retention of their activists and supporters by the police on the ground of placing or distributing electoral publicity in the streets.

The relationships between the opposition parties, including PPCD and PD on the one hand, and PCRM on the other hand, got more tensioned.

### **2. Central Public Authorities**

#### **Unjustified Involvement of the Head of State in the Electoral Campaign**

On 5 May 2007, at the National Assembly Square a concert was organized with the participation of the Russian pop singer Filip Kirkorov. During this concert, many official persons, such as Moldovan President Vladimir Voronin, Parliament Speaker Marian Lupu and Prime-Minister Vasile Tarlev delivered favorable speeches for the PCRM candidate Veaceslav Iordan.

Representatives of 3 political formations requested the electoral authorities to take attitude against the violation of the electoral legislation by the first three persons in the state, but the examination of the intimations has been postponed by the Chisinau Election Council (CECMC) because of technical reasons (invoking the discharging of the laptop batteries so that the watch of the recordings from the concert could not be possible.) This incident happens after several indecisive efforts of CEC and CECMC to give a legal assessment to the public intervention of the high officials.

The Speaker Marian Lupu together with the electoral candidate Veaceslav Iordan, took part in meetings with voters in villages within the Chisinau municipality. The observers reported over similar cases in other regions of the country.

Members of the Moldovan Government pay systematic working visits in the rayons, which were planed and made public in advance.

### **3. Central Electoral Commission (CEC)**

According to art. 38, par. 8 of the Electoral Code “The electoral competitors present once in two weeks to the corresponding electoral bodies financial reports that should contain information on the income and expenses according to the destination”. In this context the Central Electoral Commission has received financial reports from 9 electoral competitors. According to art. 18, 26 and 38 of the Electoral Code .no. 1381-

XIII of 21 November 1997, the Central Electoral Commission notifies the following electoral competitors that it is necessary to respect the provisions of art. 38, par. (8): The Party of Law and Justice, Social Liberal Party, Social Democratic Party of Moldova, Environmental Party “Green Alliance”, Centrist Union of Moldova, European Party, Party of Spiritual Development “UNITED MOLDOVA”, Conservative Party, National Liberal Party.

#### **4. Intimidations on Behalf of the Secessionist Authorities of the Electoral Candidate from Corjova, Valeriu Mîţul.**

On Sunday, 13 May several armed groups of militiamen and civilians entered illegally the Corjova village and arrested the mayor of the village Mr. Valeriu Mîţul, who at that moment was relieved from his function because he competed again for the post of mayor, and Mr. Iurie Coţofan, competing for the district council of Dubasari.

The two people have been interrogated for 4 hours. According to the militiamen, they have been arrested because that day, at the request of the villagers, the mayor had to hold a meeting and to present a report on his activity. Moreover, Valeriu Mîţul, elected in his function in 2003, will compete for a new mandate of the mayor. He was also informed about the prohibition of placing any electoral publicity in the village, which according to the militiamen is subordinated to the Transnistrian authorities. At the same time, he was not allowed to organize any kind of meetings or events in the village, even cultural events on the occasion of the village day. Mr. Valeriu Mîţul expressed his confusion over the actions of the Chisinau authorities which do not defend the Corjova villagers from separatists and asked the Moldovan bodies to support them.

In his turn, the rayon councilor Iurie Coţofan stated he was interrogated separately and humiliated by the militiamen. In his opinion, all these actions are aimed at favoring the candidate Lidia Lesic for the position of mayor, the lady who is supporting the Transnistrian regime, while her husband, daughter and son-in-law work at the Dubasari police station.

Constantin Sucitu, the director of the local gymnasium, expressed his indignation over the modifications made in the list of members of the electoral district council of the 1st level no.15/3 from Corjova, where most of the enlisted people are members of PPCD and PCRM.

#### **5. Actions of Intimidations of the Electoral Candidates**

The Social Liberal Party (PSL) and the candidate for Chisinau Mayor on behalf of the Democratic Party (PD) Vladimir Filat, denounce the commitment of infringements and abuses by the authorities in the current election campaign, while the ruling party's candidate for Chisinau mayor Veaceslav Iordan denies the accusations.

A press release by the PSL released on 14 May pointed out an incident that occurred on May 13 in Telenesti, where the leader of the party Oleg Serebrian could not meet the voters as planned because the hall was occupied by the head of the Parliament Marian Lupu, who was having a meeting with the supporters of the Communist Party (PCRM).

The press release mentions that though Lupu took part in an electoral event, he came with the cars of the Parliament accompanied by officers of the State Guard Service. PSL says that other similar cases that can serve as dangerous precedents in the electoral practice of Moldova have been noted in the districts of Stefan Voda and Briceni, and even in Chisinau suburbs.

According to a press release by the Democratic Party (PD), the electoral posters with Vladimir Filat were destroyed on May 11 and May 12. The Democratic Party describes the repeated acts of destroying the electoral posters of the candidate Vladimir Filat as attempt to intimidate and an act that can compromise the holding of free and fair local elections in the Chisinau municipality.

On the other hand, a press release issued by the staff of the PCRM candidate, Veaceslav Iordan, says that “some of the opponents competing for the post of Chisinau Mayor have made interpellations against him and his team to different courts, the reasons being usually invented.”

According to Iordan, the real reason for such acts is the fact that “his rivals loose the competition and hope that these interpellations will enhance their popularity and damage his authority.” The Communists’ candidate considers that in such a way the interpellation authors try to provoke him to political discussions that have nothing in common with the problems and needs of the Chisinau inhabitants.

The general local elections appointed for 3 June 2007 entered the third phase. Many opposition parties reported several infringements related to the operation of the electoral campaign.

On 15 May the Court of Appeal has cancelled the decision of the Central Electoral Commission which obliged the Chisinau mayoralty to authorize the Christian Democratic People’s Party to organize an electoral meeting on the Square of the Great national Meeting on 1 June, 2007. The mayoralty refused to authorize the PPCD meeting for the whole day of 1 June on the ground that a similar request was submitted by the PCRM candidate Veaceslav Iordan, who planned to organize a concert with the participation of the popular singer Sofia Rotaru. The Court of Appeal yet considered well grounded the arguments of PCRM, according to which PPCD could not have asked such an authorization on 23 March, as it has been registered as an electoral candidate only on 20 April. PPCD expressed its disagreement with the decision and declared they will appeal it with the Supreme Court of Justice.

After the duel with the Christian-democrats, the communists entered another fight with the Party of Social Democracy (PDS). Although both parties attacked each other in their electoral spots, the court of Râșcani sector forbid the broadcasting of the PSD spot only. Neither the communists nor the Central Electoral Commission have commented the respective decision yet. PDS threatened with the withdrawal of its signature from the Code of Conduct during Elections promoted by CEC.

## **6. Involvement of the Electoral Candidates in Celebration of Victory Day and Distribution of Humanitarian Aid to the Veterans of the World War II.**

The administration of Florești rayon made an unjustified involvement during the meeting organized on the occasion of the commemoration of [Victory Day](#) and made open electoral publicity in the favor of the PCRM candidate Mihai Rusu, who is relieved from his position during the electoral campaign and does not have the right to make official declarations of electoral character. Mihai Rusu offered also presents to the war veterans, specifying that they are on the behalf of the administration.

A similar case took place in the Drochia rayon, where during the meeting on 9 May, the head of district V. Belinschi and his subordinates, being relieved from their functions delivered official speeches in which they reminded the people that the electoral campaign started and openly invited them to vote for them.

In Ocnîța town some candidates for the post of local councilors distributed presents to war veterans.

In Căușeni town, at the request of the independent candidate for Mayor Mrs. Repesciuc Aurelia many minibuses which belong to her have transported the passengers for free.

In Soroca town many mayors relieved from their functions took part in their official capacity during celebration of Victory Day.

The same situation was reported by observers from Cîmislia town, where the relieved local authorities were even making electoral publicity to PCRM candidates during the meeting.

The candidate for mayor of the Social Liberal Party in the village Larga, Mr. Josan A., reported that the humanitarian aid received by the mayoralty was distributed to the families in need from the village with the aim to make electoral publicity to PCRM candidate Lidia Volosciuc.

## **7. Use of administrative resources.**

In Ungheni town only the yards of the living blocks which are part of the Dwelling Association are illuminated. The chairman of the Association is standing for mayor during these elections.

In Donduseni town, 5 political parties submitted appeals to the Electoral district council no. 13 on the use of administrative resources by the PCRM candidate.

In Singerei town, PCRM candidate included in his electoral platform the gasification program, which is included in the national gasification program.

In Cimișlia and Cahul towns, the representatives of the local public administration, although relieved from their function continue to use the service cars, offices, telephones and fuel for private and electoral purposes.

The car of the rayon council Briceni is used by the head of the rayon in his electoral visits to the district's villages.

## **8. Conversions and Pressures on the Electoral Candidates.**

The Monitoring group has been informed by many parents from Tudora village, Stefan Voda rayon on the fact that on 16 May, 2007 the employees of the Police Station from Stefan Voda came to the general school from the locality in order to research the case of Mrs. Căldare Valentina, electoral competitor, teacher of the 3A class, who is suspected to have organized unauthorized electoral publicity in the class and handed out to the pupils

calendars with electoral content. The children were taken with force to the methodic classroom and interrogated, intimidated and frightened that they will be taken to the Police Station. The minor children were interrogated in the absence of their parents and are afraid to go to school again. The parents sustain Mrs. Căldare Valentina has not made electoral publicity to the children and sustain her position.

The Monitoring group was informed by the lawyer Mr. Valeriu Galer through a written declaration as an independent candidate for the position of mayor in Rascani town in electoral district no. 27 about the fact that he was registered accordingly in conformity with art. 41-44 of the Electoral Code and received the permit with no. 07 of 08 May, 2007, and on 16 May was invited at the meeting of the primary organization of PCRM in Rascani town that took place in the premises of the Rascani City Hall. At that meeting the deputy in the parliament of the Republic of Moldova, Mr. Nicolae Guțu asked him for explanations: “how he could dare to candidate for the position of mayor, and then he insisted that Mr. Galer retreat his nomination”. Mr. Valeriu Galer is a member of PCRM. Consequently, on 17 May, 2007 the newspaper “Iskra-Sparkle”, the press body of the Rayon Council Rascani of the PCRM, has published vilified information regarding the mentioned electoral competitor, calling him “impostor”, i.e. a person who pretends to be someone else by cheating in order to get elected in the local public authorities.

Similar declarations were made by electoral competitors for the position of mayor of the Rascani town, Mr. Mihail Chitic and Mr. Alexandru Pădurari. They invoke that due to the fact they were summoned to retrieve their nomination, art. 47 of the Electoral Code of the Republic of Moldova and art. 26, 32, 38, and 39 of the Constitution of the Republic of Moldova. are infringed.

Mrs. Irina Sajin, a candidate for the position of local councilor in the Antoneuca village, Drochia rayon, invokes that the policeman from the sector asked her to go to the mayoralty of the locality. The actual candidate for the position of mayor Mr. Coșarcă Vitalie, the policeman of the sector Hagi Corneliu and Mrs. Găuază Tamara, the member of the electoral district council, have convicted her to “have stolen poultry from the villagers”, facts that needs to be proved, and asked her to leave the electoral contest.

In Dondușeni district many persons from the Democratic Party have been intimidated by their superiors in order not to stand for elections. For example, the head of the post office from Elizavetovca village, the director of the gymnasium from Pivniceni village, a social assistant from Teleșeuca village.

In Rîșcani two electoral candidates have been intimidated and warned not to compete for elections, being threatened with problems after elections. On 10-11 May some of them withdrew their candidacies.

During the last time, the meetings of the MPs with the people became more frequent and during such meeting the people are reminded about the achievements and success of the governing party and local public administration if representing PCRM.

Out of 25 former mayors who submitted their candidatures during the pre-electoral campaign, nine of them have migrated from various parties to PCRM.



The mayors of Bursuceni, Heciul Nou and Belicenii Noi villages, Sîngerei district migrated from Moldova Noastra Alliance to PCRM. Other three candidates from the rayon council migrated from Moldova Noastra to PCRM.

In Soroca, the candidates of Social Liberal Party have been subjected to pressures from the PCRM local leaders. As a result, many SLP candidates for the local councils migrated to PCRM.

The school director from Camenca village, Glodeni district, who was a candidate of Moldova Noastra, was imposed by the rayon administration to withdraw his candidacy and compete for the councilor on behalf of PCRM. The director of the Lyceum of Glodeni town makes electoral publicity in the favor of PCRM during the school meetings with parents and pupils from the senior grades.

In Telenesti, Scorțeni village the PCRM candidate Mrs. Daria Ureche warned the voters that she will stay on Election Day in the voting section and will watch each voter.

In Basarabeasca many electoral candidates have migrated from PCRM to other parties. Many of them declared themselves independent.

5 members of Social Liberal Party from the villages Coteala, Larga, Hlina, Trebisăuți and Bălăsinești from Briceni rayon, all of them being teachers and competing for rayon councilors have been imposed by their superior, Mr. V. Ghies, to leave this party.

Three candidates for the local council in Tabani village – Burea V., Moldovan A., Duplache M. have been imposed by the former mayor Galina Gheorghe, who is now standing again for elections to withdraw their candidacy, being threatened with dismissal from job after the elections.

V. Spatari, deputy head of the rayon has imposed 6 members of the Social Democratic Party, candidates for the local council in Berlinet village - Svera Valentina, Tihonciuc Vasile, Beliciuc Roman, Cazac Eduard, Curahiuc Alexei, Tatarciuc Vasile to withdraw from the list being threatened with dismissal from their job.

## **9. Problems and infringements.**

In Anenii-Noi, PPCD illuminated several streets in the view of attracting the voters on their behalf.

Up to now, in Ștefan Vodă the place for electoral publicity was not made public.

In Briceni the electoral climate is very much tensioned. Most of the members of electoral district commissions are mayoralty officials or PCRM representatives.

The rayon newspaper „Meleag natal” makes electoral advertising only to the PCRM candidates. In the 4 May issue of the newspaper, the article entitled ”Celebrating the 20 years anniversary”, noted that during the veterans plenary, the local public administration called the veterans to vote for PCRM.



## **10. RECOMMENDATIONS**

Taking into account all findings and the concerns expressed in this report, the monitoring group strongly recommends:

- to react promptly and adequately to the cases of voters' corruption and intimidation and towards the electoral officials breaking the electoral legislation;
- to solve the electoral disputes within reasonable time and in strict conformity with the current legislation;
- To declare the financial and material means used by the electoral candidates in accordance with art. 38 par. (1) p. a) of the Electoral Code

### **Non –discriminatory Treatment of the Electoral Candidates**

- Ensuring adequate conditions in the voting sections;
- Objective and complex informing of the public opinion about the electoral process by the public media;
- Non-expelling of the citizens being temporarily out of the country from the voters lists.

#### ***Public authorities:***

- Ensuring equal conditions for all electoral candidates;
- Appropriate up-dating of the voters' lists.

#### ***Electoral candidates:***

- Ensuring the electoral legislation.