

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

**REPORT
NO. IV**

**OBSERVING THE ELECTIONS ON THE ELECTION DAY AND THE
PARTICULAR SITUATION AFTER THE ELECTION DAY**

1 – 10 June, 2007

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RESUME AND CONCLUSIONS

General References

The present report contains a number of findings about the day before the elections, the unfolding of the electoral process on the Election Day and refers to the period immediately following the first elections tour on 3 June, 2007.

The electoral campaign was generally organized according to the law, although multiple appeals and complaints, as well as inappropriate actions by some electoral officers, representatives of the public administration and by some electoral competitors were registered that led to continuous degrading of the election process in the Republic of Moldova and had an impact on its integrity.

Administration of Elections

In its activity the Central Electoral Commission (CEC) has registered positive tendencies and was characterized by openness and transparency. Also it is desirable that for the next elections CEC improve its capacities to apply the competences in taking decisions on the basis of the received contestations.

The councils of the second level have administered the electoral campaign in a partial, often unqualified way in organizing the voting sections and the voting process, as well as in protracting the examination of contestations. The observers have found out that during the reporting period there was an ample conflict of competence between the electoral bodies of the first and second level, as well as the doubling of the jurisdiction competences between the electoral bodies and the court bodies, which in most cases did not manage to sanction the people, who were guilty of committing some fraud or to analyze competently and within acceptable time limits the received contestations submitted by the electoral competitors or by their representatives.

Election Day

The voting process generally took place in a calm atmosphere, the voters were not impeded to exercise the right to vote in a free and secret way. The Election Day was marked by registering by the observers of some unedited situations, not common to principles of free and fair elections. Thus, many times the electoral lists were not prepared in the corresponding way, containing wrong data, which led to inviting to voting people, who deceased long time ago, in other cases the electors voted twice.

The observers also reported to the Monitoring group the fact that not all the members of the Electoral Councils were present on Election Day; incorrect sealing of the ballot-boxes, late opening of some voting sections, inadequate placement and refurbishment of voting sections were reported; electoral publicity on Election Day; more than one person inside the secret polling booth at the same time; voting on the basis of some irrelevant identification documents or voting without showing the identity document; influencing and intimidation of voters; attempts to defraud the elections; hostile attitude towards national observers; late counting of votes, etc.

In this context, there was no strict record of the ballot papers, so that in some localities it was possible to take the ballot papers outside the voting sections and more ballot papers were given to one voter. Only in Ciocana district in Chisinau municipality a surplus of 525 ballot papers was discovered.

Electoral Competitors

The conditions of campaign organization was not fair for all electoral competitors, and the fans of some electoral competitors made electoral publicity one day before the Election Day, as well as on the Election Day. A considerable number of contestations were submitted mostly by opposition parties (AMN, PL, PNL, PSL, PSDM, PPR, PPCD, PDM) at the Electoral District Councils, in which a wide range of infringements of the electoral legislation are revealed. The delayed or formal examination of these did not contribute to make the electoral campaign fair. In Ialoveni town, Stăuceni village, Cricova town the electoral publicity continued on the Election day. Out of the 21 political parties that participated in the elections, only 17 have presented financial reports to CEC on collected and spent funds during the electoral campaign for the local general elections. At the same time, there is a fear that some electoral competitors have spent more than they really reported.

The Results of the First Elections Tour

The favorite electoral competitor of the first elections tour was Dorin Chirtoacă, candidate for the function of General mayor of Chisinau municipality from the Liberal Party, who outran the other electoral competitors and with 24.33% or 52, 104 votes will compete in the second tour of the elections with Veaceslav Iordan, representative of PCRM, who accumulated 27.72% or 59,363 votes. To the opinion of the Monitoring group the vote of electors for Mr. Dorin Chirtoacă was a personalized vote and at a lesser extent for the Liberal Party (PL), managed by Mihai Ghimpu. This is proved by the fact that PL accumulated only 11 mandates or 18.31% in the Chişinău Municipal Council (CMC), 1.51% in town and village councils and 1.43% for the mayor's positions. In case of Chisinau municipality the future elected General mayor will need to create a coalition with the representatives of other electoral competitors in CMC. Moreover, the tendency of creating a coalition of non-Communist parties is manifested in most rayon, town and village councils during the period between the first and second elections tour.

A negative influence on the organization and unfolding of elections in the Republic of Moldova is due to the Moldova's lack of success on the international level, and first of all on the regional level in the political and economic field, as well as due to the lack of a real perspective to solve the Transnistrian conflict. The lack of viable successes on the international level lead to the mistrust of the electorate regarding achievements inside the country and increases the absenteeism on the Election Day.

It is worth mentioning the fact that the Central Electoral Commission (CEC) has announced the preliminary results of the elections immediately after they became known to it, as well as the final results of the elections of 3 June and set 17 June, 2007 as the date of unfolding the second elections tour for election of mayor in some localities. In 9 localities of the 18 that are part of Chisinau municipality the mayors have already been elected in the first tour: 3 independent candidates, 3 members of PCRM, 1 - AMN, 1 - PSL and 1 - PPCD. out of these 7 people were re-elected and thus kept their position. In the other 9 localities of the municipality 18 candidates run, out of whom: 8 are independent candidates, 3 — PCRM, 2 - AMN and 1 from each of the following: PSL, PDS, PNL and PPCD. The Popular Christian Democratic Party submitted to the Chisinau Electoral District Council a request „to publicly recognize the high degree of fraud of the elections in Chisinau municipality, declare null the results of the elections of 03 June, 2007 and organize repeated elections”. The AMN party in the Parliament has disseminated a declaration on “the active sustaining the non-Communist cooperation” within the bodies of the local public administration. The AMN speakers declare they make efforts in order to create post-electoral non-Communist alliances in all local councils, in which the results of voting allow this and call all the parties of a democratic orientation to contribute to the success of coalition creation.

The mayors have been elected in the first elections tour in less than half of the Moldova's localities, and the second tour will be organized in 467 out of the 898 localities of the country. In a series of localities the elections were invalidated and repeated elections were announced: v. Chioselia, r. Cantemir; v. Fundurii-Noi, r. Glodeni, v. Sadaclia, r. Basarabasca etc. on the reason the ballot papers did not respect the requirements of the Electoral Code.

Forced Raid of the Transnistrian Militiamen

An extremely serious situation was registered at the voting section no. 15/5 from v. Corjova, r. Dubăsari, where on 02 June this year the employees of non-constitutional bodies of the so-called „pmr” descended forcibly on the territory of Theoretical Lyceum „Mihai Eminescu” and blocked the voting process during the day of 3 June, maltreated people from the locality, arrested some electoral competitors and international observers. Finally the Central Electoral Commission had to announce repeated local elections also for this locality.

Correct Sealing of Ballot-boxes

There were revealed multiple cases when ballot-boxes were not sealed in a transparent way (not demonstrating to all the members of the council and to the observers that the box was empty). The observers have reported the incorrect sealing of the ballot-boxes at 8 voting sections.

Improper Opening of the Voting Sections

This action becomes one of the negative tendencies in organizing the voting process on the Election Day. The observers of Coalition 2007 reported the late opening of 25 voting sections (for example voting section no. 2 from Căuşeni town was open at 7:20 a.m.). At the voting section no. 1/201, Alecu Russo str., Chişinău, the seal “Voted” was applied previously on ballot papers, and the voting section opened at 6:40 a.m. The voting started

with delay in Corlateni, Rîșcani, section no. 27/19, at section no. 27/3 from Alexandrești, Rîșcani, in **Volovița**, Soroca the voting section was open at 7:15 a.m.

Inadequate Placement and Refurbishment of Voting Sections

One of the most serious impediments that diminish the presence of electors on the Election Day is the incorrect placement of the voting sections, in uncomfortable places, not accessible to all citizens. The Electoral District Council no. 10 from v. Ignăței found out that the voting section was placed in three halls of the theoretical Lyceum from the locality, creating impossibility to observe the voting, thus infringing art. 52 (9) of the Electoral Code. The observers reported 27 cases when the placement of the sections was not appropriate. Also, at sections 30/1 and 30/1 from Strășeni, at section no. 6/28 from Larga, Briceni; at section no. 6/39 from Trebisăuți, Briceni; in locality Geamăna, Anenii Noi there was no indicator that would confirm the placement of the voting section.

Electoral Publicity on the Election Day

Despite the prohibitive provisions on electoral publicity on the previous day to the Election Day and on the Election Day, electoral publicity is still frequent. The observers reported about electoral posters near and inside the voting sections at 40 voting sections. On the other hand, the observers from different electoral competitors wore electoral symbols or something associated with them.

On 2 June, 2007 at about 12:00 a group of people from Ialoveni town went to people's houses and encouraged the electors to vote for PCRM.

A group of young people was noticed in v. Stăuceni, mun. Chișinău that glued posters against the law with a vilified character using the letterhead of the Prosecutor's Office of the Republic of Moldova.

On the Election Day at the voting section no. 235 from Codru town, Chisinau municipality, at a distance of less than 100 meters away from the section electoral posters were placed. Also, a case of electoral publicity in favor of the Communist Party was registered, and after the intervention of observers, the person was asked to leave the voting section. In section no. 1/113 in the premises of the state enterprise „Railway of Moldova” promotional magazines of this institution were distributed on the Election Day, containing materials with the Prime-Minister Vasile Tarlev and the director of CFM, dl Miron Găgăuz. Other cases of electoral publicity were registered at the voting sections no. 30, no. 32 and no. 12 from v. Merenii Noi, Puhaceni and Chetrosu from Anenii Noi rayon; at the voting section no. 30/18 from Ghelăuza, Strășeni.

At a few voting sections from Chisinau the observers of the Liberal Party had the *Guide of the Local Electees* with the symbols of the corresponding party printed on the cover.

In house 62/5 on G. Asachi street, on the night between 2 and 3 June envelopes on behalf of Alexandru Corduneanu, PPCD were distributed, which contained materials of electoral publicity and invitations to voting.

In Cricova the candidates for the position of local councilors violated the secret of voting, asking the citizens to show them for whom they voted. Additionally the candidate from PCRM, Ana Plămădeală, together with other candidates for the position of local councilor, was making electoral publicity in favor of the Communist Party not far from the both voting sections from the town: no. 1/239 and 1/249.

Cases of electoral publicity were reported at section 24/58 from v. Petrești, r. Ungheni; at section no. 11/17 from Ciucur-Mingir, Cîmislia; at section no. 20/40 from v. Lăpușna, r. Hîncești; at section no. 19/15 from v. Zimbrenii Vechi, r. Glodeni; in Bădragii Noi, r. Edineț (round the voting section); at voting section no. 2 from Căușeni town, in villages Mana and Pănășești from Orhei rayon; in Bădiceni, Soroca, in many villages from Fălești rayon: Căbăiești, Călărași; in Risipeni, Sărata Nouă, Sărata-Veche, Valea Rusului, Bocani, Obreja Veche, Ilenița, Obreja Nouă, Musteața, Pînzareno, Călinești, Ciolacu Vechi etc.

More people in the secret polling booth

A particular aspect of the electoral process was entering of two or more people in the secret polling booth, thus infringing art. 54 of the Electoral Code. The Elections on 3 June 2007 were not an exception - usually the husband and wife entered together in the secret polling booth at most voting sections. For example, at sections no. 1, 2, 3 from Edinet, at the sections from villages Alexăndreni, Terebna, Tîrnova, Viișoara, Corpaci, Bădragii Vechi, Lopatnic, Bădragii Noi, Constantinovca; in Leușeni and Ciuciuleni, Hîncești; in Surchiceni, Chircăiești, r. Căușeni; in Abaclia, r. Basarabeasca; in Vărzărești, r. Nisporeni; in villages Chetrosu, Merenii Noi, Bulboaca from r. Anenii Noi; in Voloave, Schineni from r. Soroca; in v. Risipeni, r. Fălești; in v. Sofia, r. Drochia; at section no. 30/18 from v. Ghelauza, Strasenii; at section no. 6/3 from v. Bălăsinești, r. Briceni; at section no. 6/1 from Corjeuți, r. Briceni; at section no. 6/39 from v. Trebisăuți, r. Briceni; at voting sections no. 45 and 12 from

r. Orhei; at voting section no. 29/10 from Soroca; at section no. 29/1.11 from v. Cureșnița Nouă, v. Volovița, v. Cureșnița, v. Visoca, in v. Volovița of the same rayon etc.

Irrelevant identification documents, voting without identity documents

In many cases the electors showed irrelevant identity documents (no residence remark, expired document, etc.) and thus they could not vote. The observers reported such cases in 429 voting sections. Especially in rural localities the phenomenon of voting without showing the identity document is spread. In most cases the old people in the villages due to the lack of information or due to other subjective reasons, do not take their identity documents with them when they go to the ballot-boxes. The observers reported 63 voting sections, where the members of the electoral councils tolerated this phenomenon. In Lopatnic, Edineț and Krasnoarmeiskoe, Hîncești one could vote by showing the driving license, in Ungheni one could vote having the traveling passport, as well as in Vărzărești, Nisporeni, in Hănăsenii Noi, Leova etc. A person tried to vote without the Supplement of the Identity Card at section no. 10 from Chisinau. The observer of the Communist Party said he knew the elector and he was allowed to vote. At section no. 35/34 Cornești, Ungheni a huge amount of elector voted without relevant identity documents, and in Avdarma the members of the Electoral Council of the voting section have even signed a protocol to allow this. At voting section no. 30 from v. Merenii Noi, r. Anenii Noi, 12 citizens were not allowed to vote for the reason of not having corresponding identity documents. In Chetrosu, r. Anenii Noi, at the voting section no. 13, an elector voted and did not show the identity document. Also here two citizens were not allowed to vote, as they had their identity documents expired. In Voloave, Soroca, a person voted with the identity card of another person etc.

Influencing and Intimidation of Electors

In Sănătăuca, Florești, CEC no. 18/31, the relieved mayor Mr. Iu. Grădinaru, was transporting with his work car a few citizens to the Department of Population Records in order to get the Form – 9, and the members of the Electoral Council were giving instructions for whom to vote, thus breaking art. 53-54 of the Electoral Code. Similar cases were registered in Petrești, Ungheni, section 24/58; in Zimbrenii Noi, Glodeni, and section 19/14. in Bulboaca, Anenii Noi; Voloave, Soroca; Risipeni, Fălești; Bucovăț, Strășeni; Cojușna, Strasenii at voting sections no. 30/15 and 30/14; in Ghelauza, Strasenii, at section no. 30/18; at section no. 6/13 from Caracușenii Vechi, Briceni; in Beleavineț, Briceni; in Trebisăuți, Briceni, at section no. 6/39; in Vîșcăuți, Orhei, in v. Risipeni, v. Chetriș, v. Ilenuța, v. Catranic, v. Izvoare, v. Răuțel, v. Măgureanca from Fălești rayon etc.

Attempts to Defraud the Elections

A member of the Electoral council of the voting section no. 14-3 Drochia, Mrs. E. Pricop, tried to throw into the ballot-box two sets of ballot papers, altogether 6 ballot papers. Similar tricks were registered in Pănășești, Orhei; in Călinești, Fălești etc.

Ensuring the Vote Secret

The vote secret represents a key element of free and fair elections. In 111 voting sections the observers mentioned about inadequate polling booths so as to ensure a secret vote, additionally not all electors were informed regarding the voting procedure and did not fold the ballot papers, thus not ensuring the vote secret.

Imperfect Electoral Lists. Voting on Additional Lists

The update of the electoral lists is still an issue for organizing a transparent and legitimate electoral process. Against art. 39/40 of the Electoral Code the main electoral lists were not updated correspondingly. In 35% of sections the lists were not displayed according to the regulations, and in 10% of voting sections the observers reported cases when the citizens were not allowed to vote due to imperfect voting lists. The main electoral lists were mainly incomplete, often containing even wrong information. The number of electors registered in the additional lists amounted in some cases to a few hundreds, exceeding with 14 per cent the number of electors, registered in the main lists (in Orhei rayon the voting on additional lists exceeded 14%). There were registered cases of deceased people in the main electoral lists, as well as cases when unknown people voted for citizens with voting right, who were out of country on the Election day.

At the voting section no. 30/18 from CEC Strășeni, before opening the voting section, the observers were not allowed to observe the checking and counting of received ballot papers by the voting section; in Trebisăuți, Briceni, section 6/39, the ballot papers were kept in the village administration building, which was situated across the street and were brought only according to necessity; in Caracușeni, Briceni, section 6/9, the members of the commission visited the old

and disabled people with the mobile ballot-box and did not have a list of the requests to be visited at home; in Rezina, at section no. 1/1, a list of 60 people was brought, written by the same person and containing obvious counterfeited signatures of people, who asked to vote at home – out of these 15 people came and voted at the voting section and did not know they were included in that list.

The election lists at section no. 30/15 from Cojușna, Strasenii; at section no. 6/16 from Trestieni, Briceni; at section no. 6/134 from Caracuseeni Vechi, Briceni etc. were not updated, and in v. Untești, Ungheni the mobile ballot-box was brought into the section with the deteriorated seal.

Interruption of the Voting Process

In Drochia town at section no. 14/3 the voting was interrupted for a short time due to a member of the voting council, who took 6 ballot papers instead of 3 when he wanted to exercise his voting right; he was stopped by the vice-president of the council. After writing a protocol, he was suspended temporarily and re-took his activity in a few hours. At voting section no. 30/12, Strășeni the voting was interrupted for about 10 minutes due to a small ballot-box, an additional ballot-box was brought; in Volovița, Soroca the voting process was interrupted in order to decide about some people that had to enter in the secret polling booths with old people who could not read the Latin letters, etc.

Ballot Papers Declared Null

In the elections there over 55,000 ballot papers were declared invalid, out of which 9000 in Chisinau municipality

The Possibility to Exercise Multiple Vote or Electoral Tourism. Vanished Ballot Papers.

On Election Day at voting section no. 2 from Causeni an elector showed up at the voting section with a ballot paper sealed “voted”. He explained he received the ballot paper from unknown people who asked him to take a way from the corresponding voting section a clean ballot paper for the amount of 50 lei. Similar cases were registered at the voting sections no. 3 and 4 from Căușeni town.

At the Electoral District Council no. 29/1 from Soroca town it was found out that the elector Ostapov Alexandru voted at the voting section no. 2, on the territory of which he is a resident. The Electoral District Council no. 29/1 from Soroca was obliged to examine the request of the elector Ostapov Alexandru regarding annulling the ballot papers with the remark “voted for PCRM”.

At the voting section no. 14 from v. Ghiduleni, r. Rezina a set of ballot papers disappeared, fact that was registered in a protocol signed by the members of the voting section council.

There was a tendency of electoral tourism at section no. 14/43 from v. Șuri, Drochia, at voting sections no. 6/13 from Briceni and at voting section no. 6/28 from Caracuseeni Vechi, Briceni.

Influencing and Intimidation of Electors by Local Authorities

A pattern of the electoral process in 2007 was the implication of local authorities in the electoral process. Also in these elections the mayors got involved illegally in the electoral process. For example in v. Bădrăgii Vechi, Gordinești Noi, Edineț; in Untești and Măcărești, r. Ungheni; in Surchiceni, Căușeni; in Vinători, Nisporeni etc.

Hostile Attitude towards National Observers

In approximately 5% of voting sections at the national level the observers have had serious problems with registration. The frequently invoked reason by the president of the electoral council, lacking legal basis was: “The observers did not register with the Electoral District Councils 5 days before the Election day” or “the observers do not have a special document to confirm their position”. It is to be mentioned that independent observers are accredited by CEC and have received the accreditation document of the observer, which was not taken into consideration. Such situations took place in village Limbenii Noi and in village Danu from Glodeni rayon, in Șoldănești rayon and in village Băcioi from Chișinău municipality. Some members of the electoral councils do not understand the status of the national observers, such as in village Cajba, Glodeni and impeded the observers’ activity. In Rezina the president of the voting section council took away the accreditation document from the LADOM observer, telling him it was better that he kept it. At voting section no. 1/38, 7, Teilor str., the president of the voting section council forbid the national observers to move away from chairs. The interdiction was removed for a few minutes, when the section was visited by foreign observers. Cases of intimidation of observers were registered in village Ghidighici, Chișinău municipality, village Goianul Nou, Stăuceni; in Tigheci, Leova the LADOM observer was not allowed to participate in counting the white ballot papers. Consequently he was obliged to leave the voting section because he was trying to take a photo of a person who was advising a group of 5 people for whom to vote. The Electoral council grounded its decision on the fact that taking photos was not coordinated with the president of the voting section according to the Electoral Code.

MISCELANEOUS:

The Căușeni Electoral District Council during the day of Monday suspended its activity of collecting the protocols and ballot papers from Electoral District Councils of the first level invoking the reason the members of the Council were tired.

In Ignăței, r. Rezina, an electoral competitor, who has criminal records, participated in the elections.

The representatives of the local public administration, especially the mayors from rural localities stayed illegally inside the voting sections; there were cases of electoral publicity made by some of them. Moreover, some electoral competitors had name plates of observers, issued by Electoral District Councils (v. Zgurița, r. Drochia).

In v. Măcărești, Ungheni, at the voting section no. 35/44 10 elderly people were allowed to vote with a Soviet passport only after the OSCE observers came in; in Fundurii Noi, Glodeni, section no. 19/10: the ballot papers for the position of mayor were printed incorrectly, the names of the parties being mixed; in Iabloana, Glodeni, at section no. 19/27, alcoholic beverages were in sale in the vicinity of the voting section, and PCRM representatives, having auto-transportation were bringing citizens to the voting section.

There was an attempt to take away ballot papers from the voting section no. 4 from Edineț, and in v. Bădragii Noi, Edineț, during vote counting many members of the commission were leaving the room; in the same locality there were additional votes after counting the votes for the positions of local councilors and one vote lacked for the position of mayor; in Sofia, Hîncești a citizen was thrust by a PCRM observer, who was also a candidate in the list of councilors – a contestation was submitted; at voting section no. 16 the ex-mayor, who is a candidate on the PCRM list visited the citizens with the mobile ballot-box together with other members of the council.

At voting section no. 29/6 from Soroca a ballot paper was found in the polling booth, a case of giving 4 ballot papers to the same person was registered.

Recommendations

Coalition 2007

The Civic Coalition for Free and Fair Elections – Coalition 2007 – called the citizens with vote right from the Republic of Moldova to participate in the elections on 3 June and to elect their mayors and councilors in the rayon, town and village councils. Coalition 2007 encourages the electors to get informed correctly and wholly, from different sources regarding the electoral competitors and their programs in order to exercise consciously the voting right. At the same time Coalition 2007, immediately after the Election Day in the first elections tour has characterized the elections as being unfair and not free, using as assessment criteria the OSCE standards, the Code of Good Practices In Electoral Field, adopted by the European Commission for Democracy through Law (Commission from Venice), other international documents.

Taking into account all findings and the concerns expressed in this report, the monitoring group, responsible of the project implementation “Monitoring the electoral process” 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;
-

Public authorities:

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

Electoral candidates:

- Ensuring the electoral legislation.

Mass-media:

- Objective and ample information of the public opinion regarding the electoral process

Coalition 2007 draws attention to some possible issues that we could face on the elections day and that need to be removed immediately. Late opening of the voting sections; inadequate placement of voting sections; electoral publicity in the vicinity of the voting section; reduced capacity of the voting sections and their refurbishment not according to the legal requirements; presence of the police officers inside the voting sections; partial presence of the members of the Electoral Councils; Incorrect sealing of the ballot-boxes; non-ensuring the right of expressing the secret vote; Possibility of exercising a multiple vote or of electoral tourism; voting without an identity card; more people in the secret voting cabin; irrelevant identity documents; influencing and intimidation of voters by the local authorities; attempts to fraud the elections by a massive voting according to the principle "at the place of location"; interrupting the elections; hostile attitude towards national observers.
