

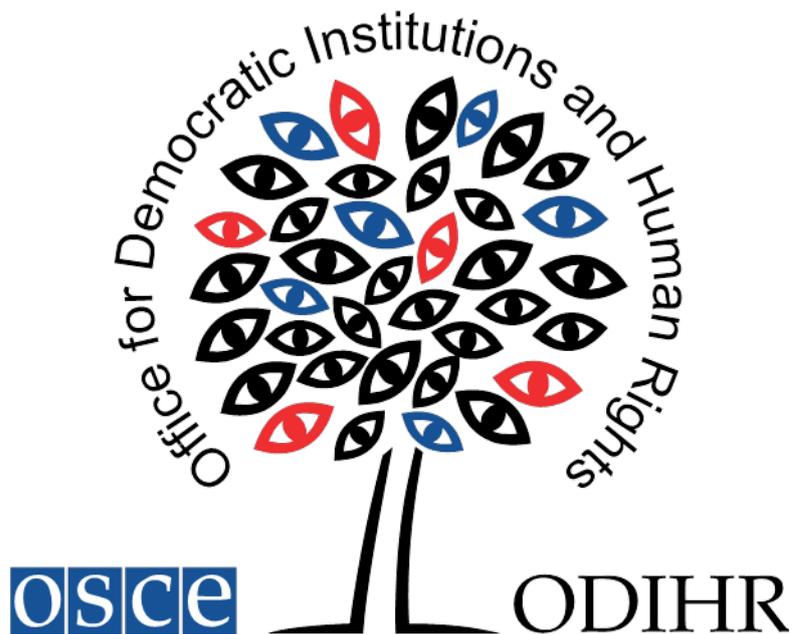


Office for Democratic Institutions and Human Rights

# REPUBLIC OF MOLDOVA

LOCAL ELECTIONS  
14 and 28 June 2015

OSCE/ODIHR Limited Election Observation Mission  
Final Report



Warsaw  
20 August 2015

## TABLE OF CONTENTS

<b>I.</b>	<b>EXECUTIVE SUMMARY</b> .....	<b>1</b>
<b>II.</b>	<b>INTRODUCTION AND ACKNOWLEDGMENTS</b> .....	<b>3</b>
<b>III.</b>	<b>BACKGROUND AND POLITICAL CONTEXT</b> .....	<b>3</b>
<b>IV.</b>	<b>ELECTORAL SYSTEM AND LEGAL FRAMEWORK</b> .....	<b>4</b>
<b>V.</b>	<b>ELECTION ADMINISTRATION</b> .....	<b>6</b>
<b>VI.</b>	<b>VOTER REGISTRATION</b> .....	<b>7</b>
<b>VII.</b>	<b>CANDIDATE REGISTRATION</b> .....	<b>9</b>
<b>VIII.</b>	<b>ELECTION CAMPAIGN</b> .....	<b>11</b>
<b>IX.</b>	<b>CAMPAIGN FINANCE</b> .....	<b>12</b>
<b>X.</b>	<b>MEDIA</b> .....	<b>15</b>
	A. MEDIA ENVIRONMENT.....	15
	B. LEGAL FRAMEWORK.....	15
	C. MEDIA MONITORING FINDINGS.....	17
<b>XI.</b>	<b>CITIZEN AND INTERNATIONAL OBSERVERS</b> .....	<b>18</b>
<b>XII.</b>	<b>COMPLAINTS AND APPEALS</b> .....	<b>19</b>
<b>XIII.</b>	<b>ELECTION DAY</b> .....	<b>20</b>
	A. FIRST ROUND VOTING.....	20
	B. SECOND ROUND VOTING.....	21
<b>XIV.</b>	<b>RECOMMENDATIONS</b> .....	<b>22</b>
	A. PRIORITY RECOMMENDATIONS.....	22
	B. OTHER RECOMMENDATIONS.....	22
	<b>ANNEX I: FINAL RESULTS</b> .....	<b>25</b>
	<b>ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION</b> .....	<b>27</b>
	<b>ABOUT THE OSCE/ODIHR</b> .....	<b>29</b>

**REPUBLIC OF MOLDOVA**  
**LOCAL ELECTIONS**  
**14 and 28 June 2015**

**OSCE/ODIHR Limited Election Observation Mission Final Report<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Following an invitation from the authorities of the Republic of Moldova, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established a Limited Election Observation Mission (LEOM) to observe the June 2015 local elections. The OSCE/ODIHR LEOM assessed compliance of the electoral process with OSCE commitments and other international obligations and standards for democratic elections, as well as national legislation. For election observation on 14 June, the OSCE/ODIHR LEOM joined efforts with the Congress of Local and Regional Authorities of Council of Europe. The OSCE/ODIHR LEOM remained in the country to observe second round contests on 28 June.

The 2015 local elections were efficiently administered and offered the electorate a diverse choice. However, confidence in the process decreased following cases of abuse of temporary voter registration provisions during the first round. The elections were held in a context of political turmoil due to a sizeable financial scandal and the prime minister's resignation two days before the first round. The campaign environment was strongly impacted by the division of political forces and society over the country's future orientation. The campaign was lively and generally free, although reflected through politically influenced media, which informed the public on the campaign, but generally did not provide balanced coverage. Fundamental freedoms were respected, yet a few violent incidents occurred.

The legal framework generally provides an adequate basis for conducting democratic elections. The Election Code was amended in April 2015, after the elections were called, mainly related to the campaign and campaign finance. While many amendments address previous OSCE/ODIHR and Council of Europe recommendations, introducing changes so close to the elections led to some confusion and runs contrary to international good practice. Despite a number of improvements, some shortcomings remain outstanding, such as prohibiting the use of state and foreign symbols and images and involving foreign citizens in campaigning, which is a disproportionate restriction challenging freedom of expression. A number of ambiguities and contradictions between the Election Code and other laws have not been addressed. An unclear legal framework for first round recounts and run-offs impacted campaign activities and preparations for the second round.

The Central Election Commission (CEC) administered the elections in a professional manner overall, generally respected deadlines and enjoyed the trust of most stakeholders; but confidence in some lower level commissions decreased following their performance during the first round, including on the handling of complaints. The CEC did not clarify gaps in the Election Code related to the second round. After the first round, several complaints were filed alleging registration of temporary residents close to the elections and of numerous voters at the same address. As a result, public trust in the integrity of voter lists was negatively affected.

Limited efforts were made to encourage and promote opportunities for women's participation. Women candidates received marginal news coverage and few were featured in campaign activities. Only one of nine CEC members is a woman, and women represented some 52 per cent of Level 2

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<sup>1</sup> The English version of this report is the only official document. Unofficial translations are available in Romanian and Russian.

District Electoral Councils (DECs); some 74 per cent of Level 1 DECs and some 82 percent of Precinct Electoral Bureaus.

The CEC managed certain aspects of the process with its State Automated Information System “Elections” (SAISE), which it reviewed for malfunctions during the 2014 parliamentary elections. Polling staff used it to verify voters and transmit counting results directly to the CEC. The SAISE performed well, with minor Internet connectivity issues during voting.

The centralized electronic voter registry was used for the first time in local elections. The responsibilities of various public authorities for data accuracy remained partially undefined, which led to a lack of accountability from these institutions. For the second round, the CEC used voter lists from the first round to prevent possible artificial voter migration. Five days prior to the second round, it clarified certain voter eligibility procedures, which led to varied practices employed by polling staff.

Registered parties and blocs could start campaigning after registration by the respective election administration body. In an overall inclusive process, 4,421 mayoral candidates (22 per cent women) and 63,549 candidates for local councils (35 per cent women) were registered. A few instances of different implementation of the same legal provisions on candidates raised concerns regarding the selective application of the law. Contestants campaigned in both the state and Russian languages.

In April 2015, legal amendments were approved aiming to enhance campaign finance provisions. However, the regulatory system and its implementation were insufficient to ensure transparency, integrity and accountability of campaign finances, and did not enjoy public confidence. The CEC, tasked with campaign finance oversight, lacked sufficient resources to efficiently monitor compliance. Nevertheless, the CEC published financial reports on its website in a timely manner and warned contestants for delayed reporting.

While media freedom is safeguarded, the high concentration of media ownership endangers media pluralism. The media monitored by the OSCE/ODIHR LEOM offered wide coverage of the election campaign in a variety of formats and informed on the political alternatives, but showed biased coverage, thus failing to comply with the legal requirement of impartiality.

Local broadcasters generally fulfilled their obligations to organize debates and allot paid advertisements; however, many offered additional paid airtime in their programmes. Such blurring of a distinction between editorial content and political advertising was misleading for the public and at odds with legal limits on paid advertisement. The Audiovisual Co-ordination Council (CCA), tasked to monitor media coverage, lacked enforcement mechanisms to impose effective and timely remedies for violations. The ban of *Russia 24* over alleged violations was not in line with the principle of proportionality and is at odds with paragraph 9.1 the 1990 OSCE Copenhagen Document.

A total of 2,215 citizen observers representing 14 organizations were accredited by the CEC. One civil society organization conducted large-scale observation, including long- and short-term observation, campaign finance reporting, and parallel vote tabulation in larger cities.

In the limited number of polling stations visited by international observers on election days, the process was transparent and procedures were generally followed, with a few exceptions. Both election days were generally peaceful with few reported incidents. Voter verification and transmission of results through the SAISE functioned overall. The CEC operated transparently and professionally and published preliminary results by polling station on its website shortly after the closing of polls. The discrepancies between some preliminary results in the SAISE and paper-based final results impacted

the overall credibility of the elections. The transparency of the process benefited from the systematic presence of party and candidate representatives and citizen observers.

The CEC processed complaints and appeals in a timely and transparent manner overall, whereas DEC's handled complaints less efficiently and, at times, inconsistently. The effectiveness of dispute resolution was impaired by an inconsistent and at times formalistic approach, ineffective sanctions and lack of proper enforcement, contrary to international obligations and international good practice. Election day disputes were generally resolved in an informal manner without written decisions.

Final results are published by the respective election commissions after validation by local courts. The CEC expected the finalizing of the judicial process to last until September, after which it would announce the final results.

## II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the authorities of the Republic of Moldova, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established a Limited Election Observation Mission (LEOM) on 14 May to observe the June 2015 local elections. The OSCE/ODIHR LEOM was headed by Kimmo Kiljunen and consisted of 13 experts based in Chisinau and 14 long-term observers deployed throughout the country. Mission members were drawn from 20 OSCE participating States.

In line with OSCE/ODIHR's standard methodology for LEOMs, the mission did not include short-term observers, and did not carry out comprehensive or systematic observation of election day proceedings. However, mission members visited a limited number of polling stations and followed the tabulation of results in some districts on both election days. On 14 June, the mission followed electoral proceedings jointly with the Congress of Local and Regional Authorities of Council of Europe delegation led by Amy Koopmanschap. The OSCE/ODIHR LEOM remained in Moldova to follow the 28 June second round contests.

The OSCE/ODIHR LEOM assessed the compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. This final report follows two Statements of Preliminary Findings and Conclusions released on 15 and 29 June.<sup>2</sup>

The OSCE/ODIHR LEOM wishes to thank the authorities of the Republic of Moldova for the invitation to observe the elections, the Central Election Commission (CEC), the Ministry of Foreign Affairs and European Integration and other state and local authorities as well as political parties, civil society organizations and media representatives for their co-operation. The OSCE/ODIHR LEOM also wish to express appreciation to the OSCE Mission to Moldova and other international organizations and diplomatic representation of OSCE participating States for their co-operation and support during the course of the mission.<sup>3</sup>

## III. BACKGROUND AND POLITICAL CONTEXT

The June 2015 local elections took place six months after the 2014 parliamentary elections, which resulted in the formation of a minority government by the Alliance for European Moldova. It

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<sup>2</sup> See all previous [OSCE/ODIHR reports on Moldova](#).

<sup>3</sup> The OSCE/ODIHR LEOM and the OSCE Mission to Moldova operate separately under specific mandates.

comprised the Liberal Democratic Party of Moldova (PLDM), the Democratic Party of Moldova (PDM), and was supported by the Communist Party of Moldova (PCRM), despite formally being in opposition.

On 3 April, the parliament called local elections for 14 June. These were the sixth local elections held since independence and the twelfth elections observed by the OSCE/ODIHR.

The political context of the local elections was affected by a deep division in society over the geopolitical orientation of the country and a sizable scandal in the banking sector.<sup>4</sup> In addition, the prime minister resigned in response to an investigation into his academic credentials two days prior to the first round.<sup>5</sup> This decision started discussions on forming a new government coalition. The appointment of an acting prime minister on 22 June did not consolidate the fragmented pro-European parties. Many OSCE/ODIHR LEOM interlocutors stated that the elections would indicate support levels for the major national political forces.

As in previous elections, voting did not take place on the territory controlled by the Transdniestrian *de facto* authorities. However, provisions for voters from Transdniestria to exercise their right to vote were established by the authorities.

#### IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The local elections were conducted to elect 898 mayors and 11,680 councillors. Mayors are elected under a two-round majoritarian system and councillors under a proportional system without a threshold. If no mayoral candidate wins an absolute majority in the first round, a run-off between the two candidates with the highest number of votes is held two weeks later. In the first round, a turnout of at least 25 per cent of registered voters in a district is required for the election to be valid. There is no turnout requirement in the second round.

Elections are regulated primarily by the Constitution and the Election Code. They are supplemented by other laws, as well as CEC regulations and decisions.<sup>6</sup> The legal framework generally provides an adequate basis for conducting democratic elections. The Election Code has undergone numerous amendments since its adoption in 1997, most recently in April 2015, after the elections were called.

The latest amendments primarily relate to campaign and campaign finance. While several address previous OSCE/ODIHR and Council of Europe recommendations, introducing such changes so close to the elections led to some confusion with implementation and is at odds with international good practice.<sup>7</sup> The amendments also include a prohibition for using state and foreign symbols and images and involving foreign citizens in campaigning. This is a disproportionate restriction challenging

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<sup>4</sup> The alleged embezzlement of approximately MDL 13.5 billion (some EUR 750 million (1 EUR = approx. 20 Moldovan Leu, MDL), or 16 per cent of the gross domestic product) from the *Banca de Economii* (with 56 per cent of shares owned by the state) and two private banks attracted strong public attention after a confidential report by a foreign investigative consultancy company was leaked to the media.

<sup>5</sup> Prior to this, on 6 June, citing the financial crisis and lack of appropriate response from state institutions, the Prime Minister announced that he would step-down unless the leadership of the General Prosecutor's Office, the National Bank and the Financial Stability Commission resign within 30 days.

<sup>6</sup> The legal framework also includes the Law on Political Parties, the Law on Assembly, the Criminal Code, the Code on Administrative Offences and the Audiovisual Code.

<sup>7</sup> The Council of Europe's Commission for Democracy through Law (Venice Commission) [2002 Code of Good Practice in Electoral Matters](#) (Code of Good Practice) advises against fundamental changes in electoral laws less than one year before an election.

freedom of expression, as provided by the Constitution and is at odds with OSCE commitments and international standards.<sup>8</sup>

*Legislative reforms should be undertaken well in advance of elections. The ban on use of state and foreign symbols should be reconsidered as it is a disproportionate restriction of the freedom of expression.*

Other amendments provide more specific sanctions for violations of the Election Code, and elaborate criminal liability for certain acts such as vote-buying. In addition, the Criminal Code was amended to criminalize illegal campaign funding (See Campaign Finance Section).

Possible sanctions for electoral violations include warnings, fines, confiscation of funds, suspension of public funding, and deregistration.<sup>9</sup> Provisions on sanctions are ambiguous, at times conflicting, and do not stipulate an exhaustive list of possible breaches and provide the CEC with broad discretionary powers. This allows for inconsistent implementation and does not ensure legal certainty.<sup>10</sup> In addition, the law prescribes the deregistration of a contestant (party/bloc) for using either undeclared or foreign funds or exceeding the spending limit by over five per cent.<sup>11</sup> Deregistration of an individual candidate is prescribed for ‘violations of the Election Code’ in cases of annulment of elections in a polling station or district. The law prescribes that repeated warnings result in a suspension of public funding from 6 to 12 months, but does not state how many repeated warnings lead to such an outcome. Fines are insignificant and therefore not dissuasive.<sup>12</sup> The deregistration of a contestant should only be a sanction of last resort after serious and repeated breaches of the law.<sup>13</sup>

*The law should be amended to prescribe an exhaustive list of possible electoral violations and respective sanctions, which should be proportionate and dissuasive.*

In addition, the legal framework contains ambiguities and inconsistencies as well as contradictions between the Election Code and other laws related to candidate registration, verification of independent candidate support signatures, sanctions, and holding of a second round. It does not ensure that results are validated in terms of challenges to results and required recounts before a second round. Some OSCE/ODIHR and Venice Commission recommendations remain unaddressed, including streamlining signature collection and verification and introducing measures to promote women’s participation and representation.

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<sup>8</sup> Article 32.1 of the Constitution states that "all citizens are guaranteed the freedom of opinion as well as the freedom of publicly expressing their thoughts and opinions by way of word, image or any other means possible." Article 19.2 of the International Covenant on Civil and Political Rights (ICCPR) states that "everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." See also paragraphs 7.7 and 9.1 of the 1990 OSCE Copenhagen Document.

<sup>9</sup> Sanctions are prescribed by the Election Code, the Law on Political parties, the Code of Administrative Offences and the Criminal Code.

<sup>10</sup> For instance, the use of undeclared or impermissible funds may be sanctioned with a warning, fine, confiscation of the impermissible funds or deregistration of the contestant.

<sup>11</sup> As of 1 January 2016, the law removes the five per cent limit and potentially allows for party deregistration for any use of undeclared or foreign funds and overspending. In these elections, one independent candidate was deregistered for use of undeclared funds that did not exceed five per cent of the permissible amount, while the same situation did not lead to the deregistration of another.

<sup>12</sup> Fines are from 1,000 to 10,000 MDL.

<sup>13</sup> See paragraphs 224-228 of the 2010 [OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

*The legal framework would benefit from a comprehensive review to eliminate inconsistencies and ambiguities as well as contradictions between the Election Code and other laws. Certain legal issues should be detailed by CEC regulations issued well in advance of the elections.*

## V. ELECTION ADMINISTRATION

Local elections were administered by a four-tiered election administration: the CEC, 35 Level 2 District Electoral Councils (DECs),<sup>14</sup> 896 Level 1 DECs,<sup>15</sup> and 1,977 Precinct Electoral Bureaus (PEBs). Parliamentary parties could nominate members to election commissions at all levels, and parties/blocs and independent candidates could nominate non-voting representatives and observers for both rounds. The CEC enjoyed the trust of most stakeholders, while confidence in some lower level commissions decreased following their overall performance during the first round, including the handling of complaints.

The CEC is a permanent body that serves a five-year term, while DECs and PEBs are established for specific elections. CEC meetings were generally conducted in a collegial manner, open to the public and media, and broadcast live on its website. The CEC published session agendas in advance and provided draft decisions upon request. CEC decisions, as well as other documentation and information, were posted on its website, usually in a timely manner. In two cases, important CEC decisions were delayed, which resulted in confusion among stakeholders (see Candidate and Voter Registration Sections). In addition, the CEC did not clarify the gaps in the Election Code related to the second round.

*The CEC should anticipate and address potential problems and communicate decisions in a timely manner, to ensure that stakeholders are sufficiently informed of all procedures.*

Deadlines were respected throughout the election administration, with a few exceptions.<sup>16</sup> Overall, DECs operated effectively, with some discrepancies in dealing with campaign finance and complaints and appeals. Most PEBs visited by the OSCE/ODIHR LEOM were well-organized.

The Election Code permits changes to candidate lists up until seven days prior to election day, which impacted the composition of election commissions as members cannot be related to candidates. According to the CEC, some 10 per cent of Level 2 DEC members were replaced as of 26 May, mostly due to relations to new candidates or nomination as candidates.<sup>17</sup>

The CEC generated candidate and voter lists and ballot papers with its State Automated Information System “Elections” (SAISE). The CEC reviewed the system and prepared contingency plans based on malfunctions during 2014 parliamentary elections.<sup>18</sup> On both election days, PEBs used the SAISE to identify voters and check against multiple voting, as well as to transmit counting results directly to the CEC. The SAISE performed well, with minor Internet connectivity issues on during voting.

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<sup>14</sup> The CEC established Level 2 DECs in 32 *rayons*, the municipalities of Chisinau and Balti and the Autonomous Territorial Unit of Gagauzia. DECs in Bender and Tiraspol, located on the territory controlled by the Transdnestrian *de facto* authorities were not appointed.

<sup>15</sup> Level 1 DECs were established by Level 2 DECs in towns, communes and villages.

<sup>16</sup> In some locations, voter lists distribution was delayed by several days and a few Level 2 DECs submitted first round election materials to the CEC after the 48-hour deadline.

<sup>17</sup> No other statistics were made available after 26 May.

<sup>18</sup> The CEC tested the system nationwide on 6 and 12 June. The first test demonstrated Internet problems, and an uneven level of knowledge and low attendance by operators. The second test was better, although still showed some connectivity issues, mostly reported from DECs in Gagauzia. Between the two rounds, the CEC had all operators ensure the connection functioned.

After the first round, the preliminary results in the SAISE showed discrepancies between data in counting protocols of different races within a same locality, including in the numbers of voters on the main and supplementary lists for mayoral and municipal councils.<sup>19</sup> According to the CEC, this was due to the incorrect entry of counting protocols by PEBs into the system. Discrepancies between the preliminary results in the SAISE and paper-based final results as well as the non-user-friendly format of displaying results impacted overall credibility.

*Consideration could be given to instituting a single entry of common numbers in protocols into the SAISE to prevent possible discrepancies in results data, as well as presenting preliminary results in a more user-friendly format broken down by polling station.*

On 30 May, the CEC shut down its websites for two and a half hours in reaction to an inspection by the National Centre for Personal Data related to an inquiry from a citizen on the CEC's posting of her personal data. The two institutions agreed to postpone the resolution of the matter until after the elections. On 2 June, the CEC requested the parliament to define the applicability of the Election Code and the Law on Personal Data Protection, stating that joint implementation of some provisions is not possible.

*Authorities should review and address any existing legal contradictions between the Election Code and the Law on Personal Data Protection related to processing personal data for electoral purposes.*

The CEC undertook an extensive training programme of election officials and other stakeholders, including party representatives and observers, in the state and Russian languages.<sup>20</sup> Training sessions observed by the OSCE/ODIHR LEOM were informative and well-organized. The CEC offered additional training between the two rounds, but no electoral officials or contestants accepted. It also produced a voter information campaign with thematic spots in the State language with Russian language subtitles and sign language, broadcasted by the media.

Women's representation in election commissions varied. Only one of nine CEC members is a woman. For the first round, women represented some 52 per cent of Level 2 DECs (some 29, 46, and 83 per cent of chairpersons, vice-chairpersons and secretaries, respectively) and some 74 per cent of Level 1 DECs.<sup>21</sup>

## **VI. VOTER REGISTRATION**

Citizens 18 years of age by election day have the right to vote. Those declared incapable by a final court decision, conscripted military personnel, serving a prison sentence and with an active criminal record are deprived of voting rights. These blanket restrictions are disproportionate and at odds with paragraph 7.3 of 1990 OSCE Copenhagen Document and international good practice.<sup>22</sup>

*In line with international good practice and previous OSCE/ODIHR recommendations, conscripted military personnel should be granted the right to vote. In addition, the deprivation of voting rights*

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<sup>19</sup> For example, the protocol for Chisinau Municipal Council had 622,190 registered voters, plus 9,237 voters on supplementary lists, while the Chisinau Mayor protocol had 622,033 and 9,209 respectively.

<sup>20</sup> As of 5 June, the CEC conducted 549 seminars for some 15,000 commissioners, party representatives, observers and treasurers, and SAISE operators, and produced 58,200 printed materials.

<sup>21</sup> No statistics regarding the gender of PEB members was available for the first round and of all lower level electoral bodies for the second round.

<sup>22</sup> Paragraph 7.3 provides that the participating States "will guarantee universal and equal suffrage to adult citizens". Also see Code of Good Practice\_ (1.1.d.iv and v).

*should only be considered for mental incapacity or criminal conviction for a serious offence through an explicit court decision.*

Voter registration is passive. Voter lists are drawn up based on the State Register of Voters (SRV), which is extracted from the State Population Register maintained by the Centre for State Information Resources “*Registru*”. The responsibilities of the *Registru*, the CEC and other public authorities for the accuracy of data on voter lists remain partially undefined, which led to a lack of accountability. Some interlocutors, including the CEC Deputy Chairperson, raised concerns regarding a lack of access to the SRV, including the manner of its publication, which limits scrutiny.

*To enhance transparency and trust in the integrity of the electoral process, the CEC and representatives of contestants could be given access to the SRV to allow for the possibility of comprehensive scrutiny.*

The state register of addresses, maintained and updated by the State Enterprise “*Cadastru*”, is incomplete and not used by all state agencies to ensure a unified way to register residency, which is an essential component of the SRV. Some localities lack street names and assigned addresses, which are not reflected in the register.

*The establishment of an accurate, complete and regularly updated national register of addresses would increase the accuracy of residency registration data used to register voters.*

Voter lists include all voters who have domicile or (temporary) residence in a precinct.<sup>23</sup> If a voter has both, s/he is assigned to the list based on temporary residence. Voters not included in lists, but able to prove their residence in the precinct, are allowed to vote after being registered on a supplementary list on election day, contrary to international good practice.<sup>24</sup>

Between the two rounds, the CEC decided to use the main and supplementary voter lists from the first round to prevent possible artificial voter migration. Five days prior to the mayoral run-offs, it issued another decision, which stated that voters with amended registration would vote at their domicile/residence valid as of 14 June, voters with expired residence would vote according to their domicile, and voters who reached 18 years of age since the first round and voters without personal identification (ID) numbers could vote on supplementary lists. This late decision resulted in varied practices employed by PEBs on 28 June.

*In line with international good practice, consideration could be given to amending the law to introduce a closing date to update the voter register, including for changes of voting location, ahead of election day, which should also apply in case of a second round.*

According to the CEC, preliminary voter lists included 2,821,657 registered voters. This was an increase compared to the 2011 local elections, reported as mainly due to using a centralized system to produce voter lists, which was more inclusive than when local administrations maintained the lists. In some localities, the increase was particularly high.<sup>25</sup>

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<sup>23</sup> The provision that a precinct should not exceed 3,000 voters was not respected in 34 polling stations.

<sup>24</sup> The Code of Good Practice (I.1.2.iv) states that “there should be an administrative procedure - subject to judicial control - or a judicial procedure, allowing for the registration of a voter who was not registered; the registration should not take place at the polling station on election day.” Spot checks conducted by the OSCE/ODIHR LEOM showed a high number of voters who voted on supplementary lists in the first round (e.g. Calimanesti and Cioresti (Nisporeni district) – 11.4 and 5.8 per cent, respectively; Cricova (Chisinau) 6.8 per cent and Greblesti (Straseni district) – 4.6 per cent).

<sup>25</sup> For example, Nisporeni had 11,719 voters on the main list (9,273 in 2011), Basarabeasca 10,203 (7,284 in 2011).

A number of complaints were submitted related to the abuse of provisions for temporary residence registration during the first round (see Complaints and Appeals Section).<sup>26</sup> As a result, public trust in the integrity of voter lists was negatively affected and led to reactions by state institutions, including the parliament, which convened a public hearing. The Ministry of Information Technology and Communications, responsible for population registration data, announced that it would investigate these cases.

Mobile voting is provided for voters who are homebound or in hospitals or prisons and have the right to vote in the given district. The use of expired identification (ID) documents was not permitted. The *Registru* declared 152,685 citizens with such cases and issued them free temporary IDs for voting.

Starting on 25 May, voters could check their data at PEBs and online.<sup>27</sup> The CEC decision in the State language provides that voter lists are to be made accessible at polling stations, while the Russian version of the same decision requires that lists are to be posted (based on different language versions of the Election Code). The Constitution provides that the State language version prevails when discrepancies exist. The Personal Data Protection Centre opined that the Election Code should stipulate how lists should be made public, which personal data of voters should be disclosed, and that processing of other personal data by the CEC should be clarified.

During this period, 5,526 entries were modified, mostly related to voter reassignment to other polling stations. In the polling stations visited by the OSCE/ODIHR LEOM, voter lists were available for individual verification. Some PEBs provided the voter with access only to his/her data, while others allowed voters to verify entries of family members.<sup>28</sup>

*Authorities could clarify procedures on posting voter lists for review to allow proper public scrutiny, while maintaining sufficient personal data protection. In the absence of clear provisions in the law, the CEC should consider issuing timely instructions on procedures to be followed by PEBs.*

## VII. CANDIDATE REGISTRATION

Citizens eligible to vote can stand as a candidate for councillor, whereas only those over 25 years of age may run for mayor. An individual may run for both mayor and a council, but only in one electoral district of the same level. The right to nominate candidates is granted to political parties and electoral blocs as well as to citizens through self-nomination upon submission of support signatures. Candidate lists were registered by 19 of 42 eligible parties, and 2 electoral blocs.<sup>29</sup>

In an overall inclusive process, 4,421 mayoral candidates (22 per cent women) and 63,549 candidates for local councils (35 per cent women) were registered.<sup>30</sup> In Chisinau, 4 of 17 mayoral candidates

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<sup>26</sup> The Code of Good Practice (I.1.1.c.iv) states that “the requisite period of residence should not exceed six months”.

<sup>27</sup> The OSCE/ODIHR LEOM noted several polling stations locked during work hours and some PEBs received voter lists with a few days delay (e.g. in Level 1 DECs in Basarabasca, Comrat, Cahul, and Ceadir-Lunga). The CEC reprinted voter lists in 76 polling stations due to the incorrect format of the first version.

<sup>28</sup> The Code of Good Practice (I.1.2.7.iii) states that voter lists should be published.

<sup>29</sup> On 8 April, the Ministry of Justice provided a list of 43 eligible parties, confirmed by the CEC. On 24 April, a court decision cancelled the registration of the Communist Reformist Party (the party contested the 2014 parliamentary elections, although a decision to deregister it was pending at the time with the Ministry of Justice). A new list of 42 registered parties was submitted to the CEC and confirmed on 4 May.

<sup>30</sup> No party/bloc contested all mayoral races: The PDM registered 843 mayoral candidates, PLDM 797, PCRM 649, Party of Socialists of the Republic of Moldova (PSRM) 582, Peoples European Platform of Moldova–Iurie Leanca (PPEM) 296 and Our Party (PN) 289.

were women, as were 248 of 801 candidates for its council. There are no legal provisions to enhance the participation of women in elections.<sup>31</sup>

*Consideration could be given to introducing temporary special legislative measures to promote women candidates. Political parties could consider ways to further increase gender balance on their electoral lists.*

The CEC amended some procedures for candidate list registration after the start of the nomination period.<sup>32</sup> In addition, some contestants reported cases of DEC's requesting supporting documents not required by law. The lists were eventually registered, but only after clarifications from the CEC. Contestants pointed out that this wasted their resources and also delayed their campaigns.

The CEC did not aggregate data on candidate registration, which took place at lower levels and few local administrations published information on mayoral and council candidates. Most lower-level electoral bodies did not have up-to-date websites or alternative sources of information on candidates, which could have affected voters' ability to have an informed choice.

Independent candidates for local councils required the support of two per cent of voters in the district divided by the number of councillor mandates, but not less than 50 people. Independent mayoral candidates required the support of five per cent of voters in the district, but not less than 150 and not more than 10,000. These are unduly high requirements.<sup>33</sup> In addition, a voter can only support one candidate, which is an unnecessary restriction challenging political pluralism and paragraph 3 of the 1990 OSCE Copenhagen Document and international good practice.<sup>34</sup>

Parties and blocs registered their lists at DEC's and could start campaigning immediately from 23 April. Independent candidates could only start collecting support signatures on that day, which negatively affected the equality of campaign opportunities, at odds with paragraph 7.6 of the 1990 OSCE Copenhagen Document and international good practice.<sup>35</sup>

*Consideration should be given to reviewing support signature requirements, including lowering the number required, allowing voters to support multiple candidates and revising the collection timeframes to ensure equal opportunities for all candidates.*

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<sup>31</sup> Paragraph 23 of the 1999 OSCE Istanbul Document commits participating States to "making equality between men and women an integral part of our policies". Article 4.1 of the CEDAW states that the adoption "of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination". Article 22 of the 1997 CEDAW Committee General Recommendation No. 23 states that "political parties must embrace the principles of equal opportunity and democracy and endeavour to balance the number of male and female candidates".

<sup>32</sup> According to the CEC decision of 17 April, candidate lists had to be submitted for registration in the state and Russian languages; there was no language requirement for independent candidates. On 27 April, the CEC amended its decision, stipulating that personal data in candidate lists should be submitted in the State language and in both languages for independent candidates. This late change caused some confusion and several DEC's continued to demand the Russian version for candidate lists.

<sup>33</sup> The Code of Good Practice (I.1.3. ii) states that "the law should not require collection of the signatures of more than 1% of voters in the constituency concerned".

<sup>34</sup> Paragraph 3 states that participating States "recognize the importance of pluralism with regard to political organizations". Paragraph 77 of the OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations states that "in order to enhance pluralism and freedom of association, legislation should not limit a citizen to signing a supporting list for only one party".

<sup>35</sup> Paragraph 7.6 calls on participating States to ensure that contestants are able "to compete with each other on a basis of equal treatment before the law and by the authorities." The Code of Good Practice (I.2.3.a) states that "equality of opportunity must be guaranteed for parties and candidates alike."

## VIII. ELECTION CAMPAIGN

The campaign period officially started after contestants registered with respective DEC's, and ended the day before each election day. According to the CEC, the run-off campaign started on 16 June, while most contestants considered it to start on the day after the first round.

*Consideration should be given to amending the Election Code so that the official campaign period begins on the same day for all contestants to ensure equal campaign opportunities. The start of the run-off campaign period could also be clarified to contestants in the future to avoid misunderstandings.*

Candidates were able to campaign freely and fundamental rights and freedoms were generally respected. The campaign became highly visible closer to election day of the first round. During the second round, it was more discreet overall and its intensity and tone varied across the country. The political turmoil due to a sizeable financial scandal and the prime minister's resignation two days before the first round significantly impacted the campaign atmosphere.

Six political parties and 1 bloc out of 21, along with several independent candidates conducted a visible campaign. Campaign messages were dominated by concerns over corruption, local governance, social welfare, economy, and unemployment. However, the campaign was focused on personalities rather than on political platforms. While most contestants promoted gender equality, few women candidates featured in campaign activities.<sup>36</sup>

Contestants campaigned through the media, displayed billboards and posters in larger cities, canvassed door-to-door, distributed leaflets and newspapers and held small-scale meetings, which they considered more effective than rallies. Some contestants sponsored concerts. A few mayoral candidates used social media and the Internet, particularly in Chisinau and Balti. For mayoral run-offs, campaign means remained the same for most candidates, but some did not undertake any activities. Contestants campaigned in both the state and Russian languages. Negative campaigning targeting contestants in Chisinau and Comrat appeared in the second round in broadcast media and the Internet.

Voters were offered a choice among a wide range of parties and candidates. However, numerous changes to candidate lists up until seven days prior to election day could have meant that voters were unaware of late adjustments, impacting their ability to make an informed choice.<sup>37</sup>

*Consideration could be given to reconsider the adjustment of party lists so close to election day.*

While the campaign was largely peaceful, isolated violent incidents occurred. One mayoral candidate was assaulted and four other incidents of election-related violence were noted.<sup>38</sup> A few instances of

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<sup>36</sup> Leaders of 20 of 21 blocs were men.

<sup>37</sup> Changes related to the order, exclusion and inclusion of candidates. For example, in Leova and Straseni 9 parties made changes, in Nisporeni all 7, in Hincesti 8 of 9, in Edinet 7 of 8, in Calarasi 8 of 10, in Anenii Noi and Falesti 7 of 9, in Cantemir 5 of 8, and in Chisinau 7 of 18.

<sup>38</sup> The Dominteni mayoral candidate of the PPEM was attacked, allegedly by a PDM representative to withdraw from the race. The case was under police investigation at the time of reporting. In Bacioi, the Liberal Party (PL) candidate (incumbent) was assaulted while campaigning and a rally was interrupted by clashes between participants, resulting in two children being hospitalized. In Racovat, the PLDM candidate was assaulted, allegedly by Our Party (PN) candidate and his relatives. There were also alleged threats against PEB members and the opponent of incumbent mayor in Cimiseni. The OSCE/ODIHR LEOM were made aware of other allegations of intimidation, but their credibility could not be substantiated nor were complaints formally submitted to the authorities.

misuse of administrative resources for campaign purposes and one case of vote buying were also observed.<sup>39</sup> A few local administrations did not always comply with the requirement to provide designated premises for public meetings and places for posting campaign material. These places were limited overall, which led to illegal posting and a number of complaints.<sup>40</sup>

*Consideration could be given to providing contestants with sufficient places in number and size to post campaign materials.*

During the first round, two mayoral candidates for Chisinau and one candidate for Chisinau council did not suspend their official duties immediately, as required by law.<sup>41</sup> For the run-off, the CEC opined that candidates in official positions had to re-submit suspension documents if they previously suspended their position until the end of the first round only. No CEC instruction was issued to clarify this matter. Contrary to law, the incumbent Chisinau mayor returned to duty after the 14 June election, and only suspended his position two days later.<sup>42</sup>

*To avoid potential misuse of office by incumbent candidates, the Election Code could be amended with provisions stipulating terms of suspension for the entire electoral period.*

A few instances of different implementation of the same legal provisions raised concerns regarding selective application of the law. A candidate for Orhei mayor, under prior house arrest, was released the day after registering as a candidate,<sup>43</sup> while two candidates for the Chisinau Council, also under house arrest, could not campaign for two weeks.<sup>44</sup> The incumbent mayor in Ulmu commune was deregistered after a request from law enforcement as he was under criminal investigation.

## IX. CAMPAIGN FINANCE

Following public consultations initiated in 2013, in April 2015, legal amendments to six laws pertaining to campaign finance were adopted.<sup>45</sup> Campaign finance irregularities were criminalized and

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<sup>39</sup> The OSCE/ODIHR LEOM noted the misuse of office in Donduseni, Edinet and Comrat and distribution of goods in Stauceni.

<sup>40</sup> Balti local administration provided contestants with space for placing campaign material with a two-week delay. Also in Balti, the PSRM was denied erecting a tent in the main square; following a complaint, the denial was overturned. In Edinet, three of six designated places for campaign materials were not installed. In Chisinau, some panels were limited in size.

<sup>41</sup> The PL incumbent mayor and two PLDM candidates. The DEC Chisinau decided that registered candidates had three days to suspend their official duties.

<sup>42</sup> On 15 June, the incumbent chaired a Municipal Council session; he stepped down from his duties as of 17 June. On 16 June, the PSRM submitted a complaint to DEC 1 Chisinau, which was rejected.

<sup>43</sup> On 6 May, Ilan Shor was arrested and accused of abuse of official position and placed under house arrest for 30 days. On 21 May, DEC Orhei registered him as a mayoral candidate for the Movement *Ravnopravie*. The next day, the measure of restraint was appealed in the Chisinau Buiucani District Court, which determined that the house arrest was illegal under Article 46.5 of the Election Code whereby “candidates cannot be held criminally liable, arrested or detained or subjected to administrative sanctions without the consent of the election administration that registered them, with the exception of flagrant offenses”.

<sup>44</sup> On 28 November 2014, two current members of the Our Home Moldova Party (PCNM) were detained and accused of organizing a mass violent riot; one was also charged with a firearms offense. Following a 14 April appeal, the Chisinau Central District Court placed them under house arrest. On 15 May, Chisinau DEC registered them as candidates. Later that day, the Chisinau Ciocana District Court extended their house arrest for 30 days, even though they supposedly enjoyed candidate immunity. Following an appeal citing the immunity, they were released from house arrest and placed under judicial surveillance, on 29 May. To date they have not been convicted.

<sup>45</sup> Political party and campaign finance is regulated by the Election Code, the Laws on Political Parties, on Administrative Offences, on the Court of Accounts and the Criminal Code. These are supplemented by a CEC regulations and decisions.

some previous recommendations by the OSCE/ODIHR, Venice Commission and the Council of Europe's Group of States against Corruption (GRECO) were addressed including enhancing oversight, introducing more comprehensive reporting requirements and stipulating criteria for spending limits.<sup>46</sup> However, the late introduction of the amendments did not provide stakeholders sufficient time to prepare for their implementation.<sup>47</sup>

The regulatory system and its current implementation were insufficient to ensure transparency, integrity and accountability of campaign finances, and did not enjoy public confidence. Most OSCE/ODIHR LEOM interlocutors stated that contestants selectively declare income and expenditures and there is illicit funding and influence by business and foreign interests.

There are no direct public subsidies for campaigning, but contestants may receive interest-free loans from the state.<sup>48</sup> Funding from foreign, state, public and anonymous sources and from non-profit and charitable organizations and trade unions is prohibited. Citizens cannot donate out-of-country income, which may constitute a disproportionate restriction on political participation.

*The ban on donations from out-of-country income could be reviewed.*

The amendments introduced donation caps for individuals and legal entities (200 and 400 average monthly salaries respectively).<sup>49</sup> Each party/bloc/independent candidate could spend up to MDL 20.86 per registered voter.<sup>50</sup> Contestants declared a total of MDL 83 million of income and the same amount of expenditures.<sup>51</sup> The absence of a spending limit per district allows contestants to target spending and potentially overspend in selected districts, which may undermine the free choice of voters.

Income and expenditures of contestants had to be incurred through dedicated bank accounts. Legal entities must donate via bank transfer, while individuals may also donate in cash. Contestants with cost-free campaign activities were not legally required to open such accounts, but had to notify the CEC (or the DEC in the case of independent candidates). There is no legal deadline for such notification. Five parties notified the CEC, but only after receiving warnings.<sup>52</sup> Donation procedures are complicated and some contestants viewed them as an administrative burden that could discourage potential donors.<sup>53</sup>

The CEC is mandated with campaign finance oversight. It receives financial reports of parties and blocs, is required to verify their accuracy and compliance, and may impose sanctions (or request other competent bodies to do so).<sup>54</sup> The CEC lacks sufficient resources to efficiently monitor campaign

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<sup>46</sup> See the [2013 OSCE/ODIHR and Venice Commission opinion on draft law pertaining to political party and election campaign financing](#) and the 2013 Council of Europe's Group of States against Corruption (GRECO) [Compliance Report on the Republic of Moldova, Third Evaluation Round](#).

<sup>47</sup> For instance, the CEC was granted six months to adopt regulations, but in practice had only three weeks until the start of the campaign. The CEC Regulation on campaign finance was adopted on 5 May, after the start of campaign.

<sup>48</sup> Loans are written-off fully or partially, proportional to the votes received, provided that a contestant has received above three per cent of votes cast. Eleven independent candidates received state loans.

<sup>49</sup> The individual cap is MDL 900,000, and the legal entity cap is MDL 1,800,000.

<sup>50</sup> The Election Code lacks clarity if expenditure limits apply to both rounds, which the CEC did not address.

<sup>51</sup> The highest income and expenditures were declared by the PDM, PSRM, PN, PCRM and PLDM.

<sup>52</sup> Peoples' Christian Democratic Party, Democracy at Home, Rebirth, Socialist Party of Moldova (PSM) and Peoples' Socialist Party of Moldova.

<sup>53</sup> A legal entity must submit a statement about the absence of state and foreign share in their capital and the recipient must verify the information before accepting a donation. Cash can be donated only at the contestant's headquarters based on statements of personal liability and acceptance of the donation. The donation can then be deposited into the campaign bank account.

<sup>54</sup> The Election Code does not specify these bodies.

finance.<sup>55</sup> The law does not regulate the cooperation between the CEC and other state authorities, such as the National Anticorruption Centre (NAC) or State Tax Inspectorate (STI).<sup>56</sup> Subsequently, when the CEC requested information from the NAC, the court ruled that there is no legal basis. The STI informed the OSCE/ODIHR LEOM that it could not provide the CEC with any information before the end of the fiscal year.

*The oversight of campaign finance could be further enhanced. Should the CEC remain the competent oversight body, its resources should be increased. CEC timely access to relevant information and cooperation with other authorities should be clearly regulated.*

The law requires contestants to submit bi-weekly financial reports with deadlines dependent on the date they opened their bank account.<sup>57</sup> However, reports were submitted on 8 and 22 May, and 5 June, upon CEC request. Final reports were submitted on 12 and 26 June, two days before election days, as required by law. While not required by law, this timeframe does not ensure that final reports are published and verified prior to the elections, which decreased the efficiency of oversight and impacted voters' right to an informed choice.<sup>58</sup>

*To facilitate CEC oversight, the law could prescribe the same date for all candidates to submit financial reports. Final reports could be submitted after election day in order to include all income and expenditures up to and including election day.*

The CEC published financial reports on its website in a timely manner. No sanctions were imposed upon the contestants who failed to submit reports on 8 May.<sup>59</sup> Sixteen warnings were issued to contestants who failed to submit reports for later dates.<sup>60</sup> In addition, the PL received two warnings for using undeclared funds.<sup>61</sup> Upon CEC request, the PN and PSRM submitted additional information on their membership fees as declared in their first two reports. In addition, the CEC requested the NAC to investigate the income sources of these two parties.<sup>62</sup>

Most DEC's stated that they neither verified financial reports nor imposed sanctions on independent candidates who failed to submit reports.<sup>63</sup> However, one independent candidate was deregistered by a DEC for using undeclared funds.<sup>64</sup> This is an inconsistent and possibly selective approach to oversight by DEC's, with the use of deregistration being a potentially disproportionate sanction. Few reports of independent candidates were posted on the websites of local administrations, as required by law.

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<sup>55</sup> In contrast, the Court of Accounts is mandated to oversee the management of public financial resources and assets - including the public funding provided to political parties, which stated that it has access to all state databases, which enables it to crosscheck financial and other information.

<sup>56</sup> The CEC regulation states that the CEC may request information from the STI, but this is not prescribed by law and the cooperation and exchange of information procedures are not defined.

<sup>57</sup> Financial reports are submitted within three days from opening the campaign bank account and afterwards once every two weeks. The account can be opened before candidate registration.

<sup>58</sup> The CEC stated that it needed some four days to verify reports by cross-checking declared figures against the bank statements of transactions through the campaign bank account.

<sup>59</sup> The OSCE/ODIHR LEOM is aware of at least five contestants that did not submit the reports.

<sup>60</sup> The bloc Peoples' List (BeLP), Patriots of Moldova, Rebirth, Peoples' Socialist Party, Christian Democratic Peoples' Party, Party of Regions, Democracy at Home, PSRM and Law and Justice Party were warned for not submitting reports on 22 May; PSM, Peoples' Socialist Party, Rebirth on 5 June; National Liberal Party, PP *Casa Noastra*-Moldova, BeLP, PP People's party (PPRM) on 26 June.

<sup>61</sup> The PSRM filed a complaint that the PL used undeclared/non-permitted funds to print copies of the activity book of the incumbent mayor of Chisinau as campaign material. Following an appeal by the PL, the court overturned the CEC decision. The CEC warning was reinstated following its appeal to the Supreme Court.

<sup>62</sup> Following appeals, the court ruled that there is no legal basis for a NAC investigation.

<sup>63</sup> At least 338 independent candidates notified the DEC's that they would conduct cost-free campaigns, 36 reported no transactions, whereas 43 declared income and expenditures.

<sup>64</sup> In DEC Criuleni.

On 22 May, the STI requested the PSRM to submit its financial records since 2011 within six days, for reasons defined by law as a “tax secret”. The PSRM stated that the request was politically motivated and filed an objection claiming that only the CEC is competent to verify party finances and requested a postponement until after the elections.<sup>65</sup> Subsequently, the STI suspended its inspection.

## **X. MEDIA**

### **A. MEDIA ENVIRONMENT**

Despite a limited advertising market, there are a large number of media outlets. As of May 2015, 72 television channels and 57 radio stations were operating in the country. Print media are numerous, but their impact is limited. Television is the most important source of information, though Internet penetration is growing and online media provides an additional and diverse source of political and election-related information.

The public broadcaster, Teleradio Moldova (TRM), covers the entire territory. Its editorial independence is guaranteed by law; however, TRM is entirely financed by the state budget and the influence of governing parties remains visible. From December 2013 to March 2015, its supervisory body functioned with only three of nine members, due to a political situation in the parliament preventing new nominations. On 4 June, the supervisory body elected the TRM president. However, civil society challenged the process of nomination and asked for its annulment.<sup>66</sup>

*A funding mechanism to reduce the dependence of TRM on the state budget could be considered. The criteria for choosing TRM management could be further based on the professional capacities of candidates to increase its independence from the influence of governing parties.*

Many interlocutors opined that political influence over the media landscape is exerted by the *General Media Group*, a dominant corporation associated with the PDM Deputy Chair. While media freedom is safeguarded, media are perceived as aligned to political interests. The Audiovisual Code, which regulates the media, was amended in March 2015, with the aim of increasing ownership transparency.<sup>67</sup> Civil society and international organisations expressed significant concerns over the concentration of media ownership and warned that additional amendments under discussion could endanger media pluralism.<sup>68</sup>

*The high concentration of media ownership should be comprehensively addressed to ensure media pluralism and diversity of views.*

### **B. LEGAL FRAMEWORK**

The legislation provides a sound framework for freedom of media. The Constitution guarantees freedoms of opinion and expression without censorship. Other laws governing the media are the Law

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<sup>65</sup> The STI informed the OSCE/ODIHR LEOM that it had not made similar requests in the last two years.

<sup>66</sup> In a joint statement issued on 23 June, three media civil society organizations expressed concern over the criteria used in the selection process and for the lack of verification of documents submitted by the candidates.

<sup>67</sup> These amendments will take effect in November 2015.

<sup>68</sup> See the [2014 Legal Analysis of the Draft Laws Amending and Complementing the Moldovan Audiovisual Code by the OSCE Representative on Freedom of the Media](#). See also the [2014 European Neighbourhood Policy Country Progress Report](#). On 22 April, [the OSCE Representative on Freedom of the Media stated](#) that some proposed provisions are excessive and not in line with best international practices.

on the Freedom of Expression, the Audiovisual Code, the Law on Print Media, the Law on Access to Information, and the Election Code.

The Law on Freedom of Expression includes freedom to seek, receive and impart information and prohibits interferences in editorial policies of the media. The Audiovisual Code defines the status of the broadcasters, regulates advertising, licenses, the supervisory role of the Audiovisual Co-ordination Council (CCA) and rights and duties of public and private broadcasters. It also provides the concept of political pluralism during elections, charging all broadcasters to cover the elections in an accurate, balanced, and impartial manner.

The Election Code and the Audiovisual Code regulate the media during the campaign. In addition, a CEC regulation on broadcast media coverage required broadcasters to provide fair, balanced and impartial coverage and set rules for debates and paid political advertisements. The regulation does not address issues related to a second round, such as the first day of the campaign or media requirements on debates.

*The responsibilities of broadcasters for mayoral run-offs should be clarified in the legal framework.*

The monitored broadcasters generally fulfilled their obligation to allot the maximum two minutes per day of paid advertisements to each contestant; however, many local broadcasters offered additional paid airtime to parties. The OSCE/ODIHR LEOM noted that many broadcasters published price lists for television shows and news reports, and in at least in two cases payment was requested for editorial content.<sup>69</sup> The lack of distinction between editorial content and political advertising is contrary to international good practice, misleading for the public, and at odds with the limit on paid advertisement imposed by the Election Code.

*Editorial content and political advertising should be clearly separated. To preserve the integrity of the news, broadcasters should refrain from offering paid airtime to parties in their newscasts or information programmes.*

During local elections, local private broadcasters are obliged to organize debates. All such broadcasters fulfilled this obligation, but only some organized debates for the second round.

*Consideration could be given to reviewing the obligation for private broadcasters to organize electoral debates, as it appears an undue interference in the editorial policy of the media.*

The CCA is tasked to monitor media coverage and its compliance with the law and potentially impose sanctions. During campaign, the CCA monitored 13 broadcasters and published 4 media monitoring reports for the period from 9 May to 14 June. The CCA did not publish any report for the period between the two rounds prior to election day, though not required by law. A final report of the entire campaign was published on 10 July.

Prior to election day, the CCA warned nine television channels and sanctioned five broadcasters for biased coverage. However, despite noted biases, the CCA imposed only minimum fines and proved to be unable to ensure respect for the law. The CCA lacks enforcement mechanism to impose effective and timely remedies when violations take place.<sup>70</sup> The CCA received seven media-related complaints,

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<sup>69</sup> All broadcasters were required to provide the CCA with statements about their election coverage.

<sup>70</sup> The CCA imposed fines to *Publika TV*, *Canal 2*, *Canal 3*, *Prime TV*, and to *Accent TV*. The Audiovisual Code limits the fines between MLD 1,800 and 5,400. On 10 July, it imposed 15 sanctions for biased coverage in the period 28 May-28 June.

mostly on alleged biased coverage.<sup>71</sup> The CCA examined and dismissed the complaints based on its media monitoring findings and information collected from the broadcasters. The nine members of the managing board are elected by parliament, and many OSCE/ODIHR LEOM interlocutors questioned the CCA's independence from political influence.<sup>72</sup>

*To enhance the CCA's credibility, independence and effectiveness, consideration could be given to modifying the appointment mechanism of its members to reduce the influence of the parliamentary majority, and to strengthening sanctions to discourage violations.*

On 27 May, the CCA renewed the ban of *Russia 24* channel over alleged propaganda, hate speech and threats to national security. This decision violates the principle of proportionality and is at odds with paragraph 9.1 the 1990 OSCE Copenhagen Document.<sup>73</sup> During a parliamentary hearing, the deputy Minister of Justice warned that the ban infringes on international standards.

*Bans on media, including foreign, are not compatible with international commitments and should be repealed. Restrictions on the right to freedom of expression should be provided by law, pursue a legitimate aim, and conform to the tests of necessity and proportionality.*

### C. MEDIA MONITORING FINDINGS



The media monitored by the OSCE/ODIHR LEOM offered wide coverage of the campaign in a variety of formats, including newscasts, information programmes, paid airtime, and television debates.<sup>74</sup> Some 165 hours were devoted by the 8 monitored broadcasters to election and political issues. They offered access to all major contestants; however, most showed a division along partisan lines, failing to comply with the legal obligations of balance and impartiality. Nevertheless, voters were sufficiently informed about the political alternatives.

Women candidates received marginal news coverage in the first round (seven per cent average in the monitored broadcasters), reflecting outstanding issues related to women's participation in political life. In the second round, the presence of a woman candidate for the Chisinau mayoral race increased the visibility of women to 12 per cent. The monitored media respected the provision of campaign silence. Campaign materials remained visible on the Internet, including social media, during the silence period, which is not regulated in the law.

Ahead of the second round, the Chisinau mayoral race dominated the media monitored by the OSCE/ODIHR LEOM with some 95 to 100 per cent of news coverage.

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<sup>71</sup> Two complaints were filed by 6 political parties and one independent candidate about debates on Gagauz TV, three complaints were filed by PSRM (one on the first CCA media monitoring report and two on biased coverage on *Publika TV, Canal 2, Canal 3, Prime TV*), one from the Green Ecologist Party (PVE) about debates on *Realitate TV*, and one from *Ravnopravie* for biased coverage on *Radio Orhei*.

<sup>72</sup> On 5 June, the PCRM excluded from its ranks a CCA member due to his vote for the suspension of *Russia 24*, which it labelled as a breach of party policy.

<sup>73</sup> Paragraph 9.1 the 1990 OSCE Copenhagen Document states that the right to freedom of expression includes freedom to impart information and ideas without interference by public authorities and regardless of frontiers. Paragraph 26 of the 1991 Moscow Meeting Document states that "media in their territory should enjoy unrestricted access to foreign news and information services. The public will enjoy similar freedom to receive and impart information and ideas without interference by public authority regardless of frontiers, including through foreign publications and foreign broadcasts. Any restriction in the exercise of this right will be prescribed by law and in accordance with international standards".

<sup>74</sup> Between 18 May-28 June, the OSCE/ODIHR LEOM monitored primetime political coverage of 7 television channels (*Moldova 1, Gagauz TV, Jurnal TV, Prime TV, Pro TV Chisinau, Publika TV* and *TV 7*), 1 radio station (*Radio Moldova*); 2 newspapers (*Komsomolskaya Pravda* and *Moldova Suverana*); and 5 online media (*moldova.org, noi.md, omg.md, point.md* and *unimedia.info*).

Public television, *Moldova 1*, organized debates granting equal access to representatives of parties and mayoral candidates for Chisinau, Cahul, Comrat and Balti. The PSRM candidate for Chisinau declined the invitation and delegated her representative to attend, including for the second round. Thus voters were deprived of the opportunity to observe direct debate between the run-off candidates in Chisinau.

*Moldova 1* generally provided equitable news coverage of the contestants in the first round, but devoted extensive coverage to the government (38 per cent) and Speaker of the parliament (8 per cent), and favoured the ruling PLDM (10 per cent). Between the two rounds, *Moldova 1* offered neutral news coverage to the PL and PSRM mayoral candidates for Chisinau, but devoted more coverage to the PL candidate, with 61 and 39 per cent, respectively. *Radio Moldova* and *Gagauz TV* allotted little coverage to the contestants in their newscasts, devoting most coverage to national and local government activities (77 per cent and 80 per cent, respectively).

The monitored private broadcasters showed bias. *Prime TV* and *Publika TV* largely favoured the PDM in the first round, with 21 and 14 per cent, respectively, of mostly positive news coverage. These two national channels did not organize debates and frequently aired a *VIP Magazin* spot featuring positively the PDM candidate for Chisinau mayor. *Jurnal TV* devoted extensive mostly negative news coverage to the government (23 per cent) and its parties: PDM (21 per cent), and PLDM (12 per cent). *Jurnal TV* covered a 7 June march promoted by a civil society group by airing a television spot against the ruling parties. These three channels devoted limited and often critical coverage to the PSRM. *Pro TV* and *TV 7* provided generally neutral coverage of the major political parties, although devoted more time to PLDM and PL.

In the second round, most private broadcasters favoured the PL candidate for Chisinau mayor: *Prime TV* (89 per cent), *Publika TV* (79), *Pro TV* (63) and *Jurnal TV* (62); *TV 7* allotted equal coverage to both candidates. The tone of news coverage was generally neutral.

Online and print media showed more diverse views. In the first round, *Komsomolskaya Pravda* mainly favoured *Ravnopravie* and PN, *Moldova Suverana* favoured the PSRM, *Noi* the PCRM, and *Omega* the PN and PCNM. *Unimedia*, *Point* and *Moldova* provided generally balanced coverage. In contravention of the CEC regulation on media coverage, some campaign materials in the print media were not identified as paid advertisement and the obligatory information on the invoice of the campaign fund was missing.<sup>75</sup> In the second round, *Komsomolskaya Pravda*, *Moldova Suverana*, *Noi*, *Omega*, and *Point* mainly favoured the PSRM candidate, with extensive positive coverage, compared with negative coverage of the PL candidate. *Moldova* and *Unimedia* devoted generally neutral coverage to both contestants.

## **XI. CITIZEN AND INTERNATIONAL OBSERVERS**

The Election Code provides for observation of the election process by international and citizen observers, as well as by contestants' proxies and representatives at polling stations. A total of 2,315 citizen observers representing 14 organizations as well as 139 observers from 25 international organizations were accredited by the CEC. The civil society organization Promo-Lex conducted a large-scale observation, including long- and short-term observation, campaign finance reporting and parallel vote tabulation for Chisinau, Balti and Comrat mayoral elections in the first round and for

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<sup>75</sup> For example, *Komsomolskaya Pravda* published campaign materials of *Ravnopravie* candidate for Orhei mayor, and PSRM and PLDM candidates for Chisinau mayor.

Chisinau and Comrat in the second. The Independent Journalism Center conducted media monitoring of 10 media outlets during the first round campaign.

## **XII. COMPLAINTS AND APPEALS**

The complaints and appeals process is regulated primarily by the Election Code and the CEC regulation on adjudication of complaints.<sup>76</sup> Voters and contestants can file complaints against actions, inactions and decisions of election commissions, other contestants and the media. A complaint must be first considered by a higher electoral body before being filed to the respective district court. Election day complaints and those related to the right to vote may be filed directly to the courts. CEC decisions are appealed at the Chisinau Court of Appeals. Complaints on campaign finance of parties and blocs are filed to the CEC, whereas those of independent candidates go to DEC. The CCA rules on complaints related to broadcast media, while complaints on print media and Internet are filed to the courts.

Complaints and appeals must be filed within three days of the date of action, inaction or decision.<sup>77</sup> Complaints against PEB/DEC decisions must be decided within three days whereas complaints against contestants within five days. All complaints must be decided by election day. Complaints on voter registration must be decided by the respective electoral body within 24 hours and not later than one day prior to elections whereas appeals on these decisions are filed to the administrative courts. Complaints filed with the courts on election day are adjudicated on the same day. If an electoral body decides it has no competency on a given complaint, it is required to refer the complaint to the competent body within two days.

The CEC processed complaints and appeals in a timely and transparent manner overall, whereas DEC. handled complaints less efficiently and, at times, inconsistently. Complaints were reviewed by the CEC in open sessions where parties had the right to speak. Although not required, CEC decisions on complaints were published on its website. The CEC did not maintain a registry of complaints filed to lower level electoral bodies, which weakened its supervisory role.<sup>78</sup>

Court hearings were open to the public. In some instances they issued ‘protocol decisions’ on complaints, which lacked a written decision and did not include any reference to a right of appeal, contrary to due process and at odds with paragraphs 5.10 and 5.11 of the 1990 OSCE Copenhagen Document.<sup>79</sup>

Several complaints were not filed with the competent authorities, raising doubts about the understanding of the dispute resolution mechanism by complainants.<sup>80</sup> Few complaints were satisfied and, in most cases, only warnings were issued, decreasing the effectiveness of dispute resolution. The confidence level in the complaint process differed among stakeholders. Overall, the effectiveness of dispute resolution was impaired by an inconsistent approach, ineffective sanctions and insufficient enforcement, at odds with paragraph 5.10 of the 1990 OSCE Copenhagen Document, other international standards and good practice.<sup>81</sup>

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<sup>76</sup> The Code of Civil Proceedings and the Law on Administrative Litigation are also applicable.

<sup>77</sup> As an exception, complaints on campaign finance could be filed within three years as per the Civil Code.

<sup>78</sup> The CEC stated that it would receive information on complaints by DEC. after the elections and include this information in its post-election report.

<sup>79</sup> See paragraphs 5.10 and 5.11 of the 1990 OSCE Copenhagen Document.

<sup>80</sup> For instance, seven requests for recounts in PEBs after the first round were submitted to the CEC.

<sup>81</sup> See also Article 2 of the ICCPR, Article 13 of the European Convention on Human Rights and the Code of Good Practice in Electoral Matters (II.3.3b).

The OSCE/ODIHR LEOM is aware of some 55 complaints and appeals filed to the CEC and 85 filed to the Level 2 DEC. Most related to candidate registration by DECs and campaign violations including the misuse of state administrative resources, illegal posting of campaign materials, use of state and foreign symbols and vote-buying. Most complaints were rejected as unsubstantiated or dismissed by the CEC and DECs for not complying with procedural rules.<sup>82</sup> In addition, the Chisinau Court of Appeal upheld 2 of 18 appeals against CEC decisions. Sixteen judgments were appealed to the Supreme Court, of which 13 were upheld.<sup>83</sup>

*To ensure effectiveness, consistency and transparency in dispute resolution, the CEC could consider enhancing its supervisory role over lower level bodies and provide clear guidance on complaint forms to simplify procedures. All decisions should be fully justifiable and indicate available remedies.*

After the first round, several complaints were filed alleging registration of temporary residents close to election day and of numerous voters on the same addresses.<sup>84</sup> Voting in one polling station during 14 June was disrupted by local inhabitants and subsequently annulled, after 53 persons were bused in and voted on the supplementary list.<sup>85</sup> Of five requests for annulment of PEB elections, two were granted. In addition, recounts were requested for some 391 PEBs alleging counting irregularities. Of them, some 300 were requested by PSRM for the Chisinau council elections.<sup>86</sup> These were initially granted by the court, but rejected at second instance. Comprehensive information on other requests was not available. The law is unclear on whether the three-day deadline for filing complaints is applicable to filing recount requests and when the timeline starts.<sup>87</sup> For the second round, the OSCE/ODIHR LEOM is aware of some 11 complaints filed, mostly on election day irregularities. In addition, 14 recount requests were filed; 4 were granted. According to the CEC, only one of these complaints altered the results.<sup>88</sup>

*The Election Code should clearly set out the timelines for filing recount requests.*

### **XIII. ELECTION DAY**

#### **A. FIRST ROUND VOTING**

In the limited number of polling stations visited by international observers, the process was orderly and transparent, and procedures were generally followed. Election day was generally peaceful, with

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<sup>82</sup> For example, on 4 May, the PN submitted documents for registration of the candidate list for DEC Briceni. On 12 May (a day after the response deadline), the party applied to the CEC to oblige the DEC to consider their application. On 13 May, the party received the DEC decision rejecting their list registration on procedural grounds. The PN appealed the DEC decision to the CEC, which overturned it on 15 May and the party list was registered.

<sup>83</sup> The Supreme Court is the last instance for appeals, but does not review facts as it only considers their legal basis. It can issue advisory decisions with interpretations of election legislation for the lower-level courts.

<sup>84</sup> Such complaints were filed in Bacioi, Comrat, Drochia, Durlesti, Orhei, Telenesti and Truseni. A joint complaint was filed by PLDM, PL, PPRM, PSRM, PCRM and PPE in Truseni alleging that 347 individuals were added in the voter list three days before elections; the LP incumbent Mayor of Bacioi filed a complaint on 122 individuals registered on four addresses of one polling station in Bacioi commune, alleging that these individuals were registered as residents in April-May 2015. The complaint was dismissed by PEBs/DECs and rejected by the court; subsequently, incumbent sued the four PEBs.

<sup>85</sup> The voters were registered in Topala commune, Cimislia rayon after 18 May, and represented some 12 per cent of turnout in the polling station.

<sup>86</sup> The PSRM cited fluctuations in the number of registered voters and discrepancies in result protocols according to the SAISE.

<sup>87</sup> The Botanica Court dismissed requests for recounts in Bacioi commune, Chisinau Municipality stating that requests for recounts may be heard only after validation of results by the courts.

<sup>88</sup> Results changed following the recount in Coşernița village, Criuleni rayon.

only a few incidents. Voter verification and transmission of results through the SAISE functioned with overall efficiency.

Most polling stations visited were noted as lacking adequate access for voters with disabilities; often the available ramps were unusable. Contrary to paragraph 7.4 of the 1990 OSCE Copenhagen Document vote secrecy was not always ensured in polling stations visited by the OSCE/ODIHR LEOM due to overcrowding from voters waiting inside and voting booth design (given the ballot size) and placement.

*Consideration could be given to better management of polling stations and reviewing voting booth design for local elections, to consistently ensure the secrecy of vote.*

The counting and tabulation processes observed were orderly and well organized, although minor shortcomings were noted, such as certain procedures either not conducted or in a different order than required. The counting of multiple races contributed to additional complexities for polling staff.

*The CEC could consider placing more emphasis on training for counting and tabulation procedures, particularly for local elections, given the complexities related to multiple races.*

The voter verification process through the SAISE and transmission of results was quick, with only one case reported in Comrat city where SAISE temporarily did not function properly after opening. The CEC call centre operated professionally and by 23:00 it received some 4,700 calls from voters, electoral body members, operators, and other stakeholders. The transparency of the process benefited from the systematic presence of party and candidate representatives and citizen observers.

On election day, the CEC operated transparently and efficiently. It displayed live information from the SAISE regarding voter turnout. The CEC held multiple briefings including on voter turnout statistics, and aggregated candidate and voter information. The CEC published preliminary results protocols by polling station on its website the morning after the first round. Voter turnout was reported at 49 per cent.

## **B. SECOND ROUND VOTING**

For the second round, in the limited number of polling stations visited by international observers, the process was transparent and procedures were generally followed, with some exceptions as certain PEBs inconsistently implemented CEC regulations on voter registration adopted between the two rounds. Election day was generally calm, transparent and orderly, with only few reported incidents. As in the first round, voter verification and the transmission of results functioned efficiently, with minor exceptions. The CEC reported that only two polling stations did not connect to the network by opening due to Internet connection issues, which were promptly solved.

Not all PEB chairpersons seemed to be aware of the CEC regulation concerning voters that had temporarily registered between the two rounds. As in the first round, the transparency of the process benefited from the systematic presence of party and candidate representatives and citizen observers.

On election day, the CEC functioned transparently and efficiently. It again displayed live updates from SAISE regarding national voter turnout, as well as more localized turnout information. Counting results were available and constantly updated upon arrival through the SAISE. The CEC again held multiple briefings throughout election day and promptly published preliminary results. Voter turnout for the second round was reported at 48 per cent. Election day disputes were generally resolved in an informal manner without a written decision.

Final results are published by the respective election commissions after validation by local courts. The CEC expected the finalizing of judicial process to last until September, after which it would announce the final results.

#### **XIV. RECOMMENDATIONS**

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Republic of Moldova and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past OSCE/ODIHR recommendations that remain to be addressed, in particular in its final reports from the 2011 local and 2014 parliamentary elections. The OSCE/ODIHR stands ready to assist the authorities of Moldova to further improve the electoral process and to address the recommendations contained in this and previous reports.<sup>89</sup>

##### **A. PRIORITY RECOMMENDATIONS**

1. The legal framework would benefit from a comprehensive review to eliminate inconsistencies and ambiguities as well as contradictions between the Election Code and other laws. Certain legal issues should be detailed by CEC regulations issued well in advance of the elections.
2. Legislative reforms should be undertaken well in advance of elections. The ban on use of state and foreign symbols should be reconsidered as it is a disproportionate restriction of the freedom of expression.
3. The CEC should anticipate and address potential problems and communicate decisions in a timely manner, to ensure that stakeholders are sufficiently informed of all procedures.
4. The oversight of campaign finance could be further enhanced. Should the CEC remain the competent oversight body, its resources should be increased. CEC timely access to relevant information and cooperation with other authorities should be clearly regulated.
5. The high concentration of media ownership should be comprehensively addressed to ensure media pluralism and diversity of views.
6. To enhance the CCA's credibility, independence and effectiveness, consideration could be given to modifying the appointment mechanism of its members to reduce the influence of the parliamentary majority, and to strengthening sanctions to discourage violations.

##### **B. OTHER RECOMMENDATIONS**

###### **Legal Framework**

7. The law should be amended to prescribe an exhaustive list of possible electoral violations and respective sanctions, which should be proportionate and dissuasive.

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<sup>89</sup> According to the paragraph 24 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

## **Election Administration**

8. Consideration could be given to instituting a single entry of common numbers in protocols into the SAISE to prevent possible discrepancies in results data, as well as presenting preliminary results in a more user-friendly format broken down by polling station.
9. Authorities should review and address any existing legal contradictions between the Election Code and the Law on Personal Data Protection related to processing personal data for electoral purposes.

## **Voter Registration**

10. In line with international good practice and previous OSCE/ODIHR recommendations, conscripted military personnel should be granted the right to vote. In addition, the deprivation of voting rights should only be considered for mental incapacity or criminal conviction for a serious offence through an explicit court decision.
11. To enhance transparency and trust in the integrity of the electoral process, the CEC and representatives of contestants could be given access to the SRV to allow for the possibility of comprehensive scrutiny.
12. The establishment of an accurate, complete and regularly updated national register of addresses would increase the accuracy of residency registration data used to register voters.
13. In line with international good practice, consideration could be given to amending the law to introduce a closing date to update the voter register, including for changes of voting location, ahead of election day, which should also apply in case of a second round.
14. Authorities could clarify procedures on posting voter lists for review to allow proper public scrutiny, while maintaining sufficient personal data protection. In the absence of clear provisions in the law, the CEC should consider issuing timely instructions on procedures to be followed by PEBs.

## **Candidate Registration**

15. Consideration could be given to introducing temporary special legislative measures to promote women candidates. Political parties could consider ways to further increase gender balance on their electoral lists.
16. Consideration should be given to reviewing support signature requirements, including lowering the number required, allowing voters to support multiple candidates and revising the collection timeframes to ensure equal opportunities for all candidates.

## **Election Campaign**

17. Consideration should be given to amending the Election Code so that the official campaign period begins on the same day for all contestants to ensure equal campaign opportunities. The start of the run-off campaign period could also be clarified to contestants in the future to avoid misunderstandings.
18. Consideration could be given to reconsider the adjustment of party lists so close to election day.

19. Consideration could be given to providing contestants with sufficient places in number and size to post campaign materials.
20. To avoid potential misuse of office by incumbent candidates, the Election Code could be amended with provisions stipulating terms of suspension for the entire electoral period.

### **Campaign Finance**

21. The ban on donations on out-of-country income could be reviewed.
22. To facilitate CEC oversight, the law could prescribe the same date for all candidates to submit financial reports. Final reports could be submitted after election day in order to include all income and expenditures incurred up to and including election day.

### **Media**

23. A funding mechanism to reduce the dependence of TRM on the state budget could be considered. The criteria for choosing TRM management could be further based on the professional capacities of candidates to increase its independence from the influence of governing parties.
24. The responsibilities of broadcasters for mayoral run-offs should be clarified in the legal framework.
25. Editorial content and political advertising should be clearly separated. To preserve the integrity of the news, broadcasters should refrain from offering paid airtime to parties in their newscasts or information programmes.
26. Consideration could be given to reviewing the obligation for private broadcasters to organize electoral debates, as it appears an undue interference in the editorial policy of the media.
27. Bans on media, including foreign, are not compatible with international commitments and should be repealed. Restrictions on the right to freedom of expression should be provided by law, pursue a legitimate aim, and conform to the tests of necessity and proportionality.

### **Complaints and appeals**

28. To ensure effectiveness, consistency and transparency in dispute resolution, the CEC could consider enhancing its supervisory role over lower level bodies and provide clear guidance on complaint forms to simplify procedures. All decisions should be fully justifiable and indicate available remedies.
29. The Election Code should clearly set out the timelines for filing recount requests.

### **Election Day**

30. Consideration could be given to better management of polling stations and reviewing voting booth design for local elections, to consistently ensure the secrecy of vote.
31. The CEC could consider placing more emphasis on training for counting and tabulation procedures, particularly for local elections, given the complexities related to multiple races.

## ANNEX I: FINAL RESULTS

### CEC Data on 14 June 2015 Local Elections

Number of voters on regular voter lists	2,809,319	
Number of voters added to supplementary voter lists	29,844	1.06%
Number of ballots issued to voters	3,897,199	
Number of voters who voted	1,392,875	
Turnout	49,06%	
Number of valid votes	3,778,273	
Number of invalid votes	118,291	
Number of unused and cancelled ballots	3,924,713	
Number of ballots received by PEBs	7,821,912	

### CEC Data on 28 June 2015 Mayoral Run-Offs

Number of voters on regular voter lists	1,844,626	
Number of voters added to supplementary voter lists	16,762*	0.9%
Number of ballots issued to voters	929,742	
Number of voters who voted	882,282	
Turnout	47.40%	
Number of valid votes	917,616	
Number of invalid votes	12,069	
Number of unused and cancelled ballots	1,005,262	
Number of ballots received by PEBs	1,935,004	

\*According to the CEC, some PEBs input the data from the first round supplementary lists into the main list column, while others reported it as supplementary list data.

### Mayoral Elections (1<sup>st</sup> Round and 2<sup>nd</sup> Round)

Electoral Contestant	1 <sup>st</sup> Round				2 <sup>nd</sup> Round			
	Votes		Mayor Positions		Votes		Mayor positions	
	Total	%	Total	%	Total	%	Total	%
Democratic Party of Moldova	275,216	19.32	147	33.5	162,937	17.77	140	30.7
Liberal Democratic Party of Moldova	284,901	20.0	181	41.2	137,840	15.03	105	22.8
Political Party "The Party of Socialists of the Republic of Moldova"	213,833	15.01	22	5.0	201,984	22.02	31	6.8
The Party of Communists of the Republic of Moldova	116,264	8.16	31	7.1	50,487	5.51	46	10.1
Political Party "Our Party"	119,243	8.37	3	0.7	64,140	6.99	41	9.0
Liberal Party	188,153	13.21	13	3.0	214,514	23.39	38	8.1
Electoral Bloc "European People's Platform of Moldova – Iurie Leanca"	85,932	6.03	7	1.6	30,574	3.33	20	4.4

Independent Candidates	106,412	7.47	34	7.7	50,775	5.54	33	7.2
Other	34,502	2.43	2	0.4	3,891	0.42	4	0.8
Total	1,424,456	100	440	100	917,142	100	458	100

#### Rayon and Municipal Council Elections

Electoral contestant	Votes		Councillor positions	
	Total	%	Total	%
Democratic Party of Moldova	226,661	17.60	267	23.92
Liberal Democratic Party of Moldova	235,430	18.28	262	23.48
Political Party "Party of Socialists of the Republic of Moldova"	213,287	16.56	156	13.98
Party of Communists of the Republic of Moldova	131,609	10.22	135	12.10
Political Party "Our Party"	143,445	11.14	133	11.92
Liberal Party	162,446	12.62	91	8.15
Electoral Bloc "European People's Platform of Moldova – Iurie Leanca"	98,005	7.61	64	5.73
Independent candidates	40,935	3.18	6	0.54
Other	35,820	2.79	2	0.18
Total	1,287,638	100	1,116	100

#### Town and Commune/Village Councils Elections

Electoral contestant	Votes		Councillor positions	
	Total	%	Total	%
Democratic Party of Moldova	232,193	21.85	2,811	26.61
Liberal Democratic Party of Moldova	236,272	22.24	2,764	26.16
Political Party "Party of Socialists of the Republic of Moldova"	130,908	12.32	1,293	12.24
Party of Communists of the Republic of Moldova	116,464	10.96	1,178	11.15
Political Party "Our Party"	87,029	8.19	792	7.50
Liberal Party	86,940	8.18	729	6.90
Electoral Bloc "European People's Platform of Moldova – Iurie Leanca"	62,715	5.90	513	4.86
Independent candidates	83,597	7.87	372	3.52
Other	26,425	2.49	112	1.06
Total	1,062,543	100	10,564	100

## ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

### SHORT-TERM OBSERVERS

#### Congress of Local and Regional Authorities

##### Members of the Congress:

Amy Koopmanschap	Head of Delegation	The Netherlands
Emin Yeritsyan		Armenia
Samira Aliyeva		Azerbaijan
Leo Adel		Estonia
Sari Janatuinen		Finland
Nino Zurabishvili		Georgia
Gyorgy Illes		Hungary
Matteo Toscani		Italy
Anthony Misfud		Malta
Vsevolod Belikov		Russian Federation
Dobrica Milovanovic		Serbia
Mehmet Aydin		Turkey
Vitaly Oluyko		Ukraine
Murad Qureshi		United Kingdom
Line Vennessland	Rapporteur	Norway
Aiste Lazauskiene	Expert	Lithuania
Renate Zikmund	Congress Secretariat	France
Martine Roudolff	Congress Secretariat	France
Ségolène TAVEL	Congress Secretariat	France

##### EU Committee of the Regions:

Arnoldas Abramavicius	Spokesperson	Lithuania
Petr Osvald		Czech Republic
Uno Silberg		Estonia
Vytautas Kanevicius		Lithuania
Jerry Lundy		Ireland

### LONG-TERM OBSERVERS

#### OSCE/ODIHR LEOM CORE TEAM

Kimmo Kiljunen	Head of Mission	Finland
Lilit Ohanyan		Armenia
Sasa Pokrajac		Croatia
Elissavet Karagiannidou		Greece
Giuseppe Milazzo		Italy
Dimash Alzhanov		Kazakhstan
Jane Kareski		former Yugoslav Republic of Macedonia
Przemysław Laskowski		Poland
Raul Muresan		Romania

Roman Railean  
Maša Janjušević  
Branko Živanović  
Robert Gurnsey  
Kathleen Johnson

Romania  
Serbia  
Serbia  
United Kingdom  
United States

**OSCE/ODIHR LEOM LONG-TERM OBSERVERS**

Gabriela Skulova  
Ken Charboe Christensen  
Reima Ilari Larki  
Loe Langrange  
Hans-Heinrich Reiser  
Emil Shakir Uulu  
Berta Imeri

Cornelis Jan Koojimans  
Eva-Kristin Pedersen  
Alexandra Von Arx  
Nicolas Heyum  
Leif Niord  
Paul Wesson  
Sheila Jaghab

Czech Republic  
Denmark  
Finland  
France  
Germany  
Kyrgyz Republic  
former Yugoslav Republic  
of Macedonia  
The Netherlands  
Norway  
Switzerland  
Sweden  
Sweden  
United Kingdom  
United States

## ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website ([www.osce.org/odihr](http://www.osce.org/odihr)).