



coalitia 2009



coalitia civică pentru alegeri libere și corecte

CIVIC COALITION FOR FREE AND FAIR ELECTIONS

PROMO-LEX ASSOCIATION

## **2nd Monitoring Report For Early Parliamentary Elections of 29 July 2009**

Monitoring period: 11 – 20 July 2009

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### **Introduction**

The monitoring of the campaign for early parliamentary elections of 29 July 2009 conducted in 7 electoral districts is a project implemented by the Promo-LEX Association within the Civic Coalition for Free and Fair Elections "Coalition 2009". „Coalition 2009” is a voluntary association of nongovernmental organizations, which runs projects aimed at improving the election process and enhancing citizens’ confidence in that process. Coalition 2009 election monitoring programs are conducted both by Promo-LEX and by other members of the Coalition.

The second Monitoring Report, conducted in the period of 11 July – 20 July 2009 covers the monitoring of the campaign for the July 29 early elections in the electoral districts of Floresti, Rezina, Dubasari, Anenii Noi, Causeni, Stefan Voda, and the Transnistrian region of Moldova, by over 270 observers. These districts are adjacent to the Transnistrian region and host special polling stations opened for voters residing in that region. The information presented in this Report was collected by Promo-LEX observers in the monitoring districts by direct observation, meetings with interlocutors and consulting official documents.

The findings and recommendations of this Report have been developed in good faith and are presented in a spirit of professional cooperation between all parties interested in building a transparent and fair electoral process in Moldova. The authors of this Report call all interested persons or institutions to contribute information and criticism and/or rectify any aspects or recommendations included in this and other Monitoring Reports on the electoral process in the mentioned electoral districts. The monitoring effort is governed by the Constitution of the Republic of Moldova, the Elections Code, other national laws and international election monitoring standards and principles.

This project is implemented with the financial support of the National Endowment for Democracy.

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## Summary

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During the monitoring period, similarly to the findings of the previous report of July 14, the Promo-LEX monitoring effort notes that the electoral law was not fully adhered to by the stakeholders.

In certain localities, non-observance of electoral regarding posting voter lists determined a low interest for verifying those lists by the voters. In addition to violations concerning the deadline and other conditions for posting voter lists, Promo-LEX observers noted shortcomings in the information included by the mayoralties in those preliminary lists. Promo-LEX is concerned that the ambiguous definition of responsibilities in compiling voter lists may affect the quality of the voting.

The monitoring mission also notes a worrying trend of hindering observation efforts for the election. The public authorities and law enforcement intimidated and harassed Promo-LEX observers for their activities. The Stefan Voda district administration hindered the training of observers.

Observers also reported patterns of undue influence on voters on behalf of electoral contestants and public authorities in the monitored districts. The perpetuation of such trends of undue influence on and blackmail of voters for their voting options also raises concerns regarding the fairness of the electoral process.

The monitoring effort noted a pattern among the electoral contestants of violating the legal ban on electoral gifts and material goods to voters. The pattern of posting electoral materials in unauthorized areas, noted in the previous monitoring period, also continued. The systemic attempts of various actors to hinder contestants' electoral activities also raise concerns.

Promo-LEX observers reported multiple cases of use of public office and resources for electoral purposes. The shortcomings in the legislation and the dishonest use of public resources by certain electoral contestants limits the voters' opportunities to make uninfluenced voting decisions.

The electoral bureaus of polling stations from the monitored region did not start their work on time. Violations of the electoral calendar thus create difficulties for properly conducting the electoral process.

Promo-LEX will continue to monitor the electoral process and will publish other Monitoring Reports before the Election Day.

### **I. VOTER LISTS**

#### *Compilation of Voter Lists*

By July 14, 2009 all voter lists were to be publicized at the polling stations for verification.

On July 16, 2009, Popescu Vasile, mayor of Ustia village in the district of Dubasari (representing PCRM in the electoral bureau of the polling station No.13 ), demanded the PEBS chairperson to withdraw from the list the persons who have left abroad.

Observers noted that voter lists in the town of Causeni (polling stations Nos. 1 and 2) contained persons whose ID information was missing.

In five households from the town of Floresti, the spouses are included in voter lists for different polling stations (stations No. 4 and 5), while having the same residence.

#### *Publicizing Voter Lists*

On July 14, 2009, voter lists were publicized in the town of Causeni (polling stations Nos. 1, 2, and 3), and in villages of Baccealia, Chircaiestii Noi, Baurci, and Ciuflesti. At the same time, as of July 17, 2009, voter lists were

not yet publicized in the villages of Copanca (polling station No. 24), Farladeni (polling station No. 27), Tanatari, Tanatarii Noi, Tocuz, Zaim, and Copanca (polling stations Nos. 22 and 23).

In the district of Anenii Noi voter lists have not been publicized in the following villages: Mereni (polling station No. 28), where the secretary of the local council, Nicula Ludmila, argued she could not post them because they contained as much as 144 sheets; Geamana, where the secretary of the council, Danilov Eugenia, noted she could not post them as they contained 69 sheets; Bulboaca, where the secretary of the local council, Sandu Larisa, said she wouldn't post voter lists because "they could be stolen from the Mayor's office hall".

Observers noted that the polling station No. 5 in Causeni had been closed until July 17, 2009. A member of the PEBS of the station No. 5 suggested that the voter lists were posted on July 14, 2009; however, the school guard denied that the lists had been posted inside the building.

Although properly posted, voter lists in the villages of Molovata Noua, Molovata Veche and Holercani in the district of Dubasari are not readable because of the poor quality of printing. The electoral contestant AMN submitted a complaint in that regard to the Dubasari DEC.

On July 16, 2009, the secretary of the Mayor's office of the village of Holercani (representing PCRM) blocked the access of a Promo-LEX observer to the originals of the voter lists.

In the district of Falesti, only the villages of Zorojeni, Iliciovca, Dumitreni and Frumusica had their voter lists posted on July 14, 2009. The village of Stefanesti of the same district publicized its voter lists on July 20, 2009.

Voter lists have not been posted at polling stations in the localities of Rezina, Buseuca, Ciniseuti, Echimauti, Ghiduleni, Roscana de Sus, Gordinesti in the district of Rezina; and in Floresti, Bahranesti, Marculesti, Gura Cainarului, Gura Camencii, Ciotulesti in the Floresti district as of the moment of publication of this report. On July 20, 2009, a Promo-LEX observer noted that the polling station in the village of Maiscoe in Floresti district was closed. Upon his request, the mayor of Iliciova called the chair of the polling station, Galusca Irina, by phone, and demanded that voter lists be made public. After an hour, Galusca Irina brought the voter lists from home. On July 15 and 20, the polling station in the village of Gvozdova, Floresti, was closed. The door to the polling station had a written announcement reading: "...Voter lists are posted inside...". Electoral officials in the village Lunga in the district of Floresti argue that the voter lists had not been posted because of the risk that they could be deteriorated.

As of July 16, 2009, voter lists in Molovata Veche, Molovata Noua and Oxentea village in Dubasari had not yet been posted.

### *Citizens' Awareness of the Possibility to Verify Voter Lists*

During the door-to-door poll that is underway in the district of Dubasari, observers noted that very few people were aware that they had the right to check preliminary voter lists.

## **II. HINDERING THE OBSERVATION PROCESS**

On July 11, 2009, an agreement was reached with the chair of the district of Stefan Voda, Valeriu Beril (elected on a PPCD ticket), to hold a training seminar for Promo-LEX observers on Sunday, July 12, 2009, in the meeting room of the district council. However, on the agreed date and time, observers were not allowed into the building by the guard, and the liaison person for the event on behalf of the district council, Lilian Zavalisca, failed to show up to the event. He did not answer phone calls either.

On July 17, 2009, La 17 iulie 2009, Promo-LEX observer Vitalie Mardari was offended, intimidated and threatened by Victor Moroz, mayor of the village of Parata, district of Dubasari. The mayor told him that "... Each step you take is being followed...".

On July 17, 2009, in the village of Pohrebea in Dubasari, at the end of an electoral meeting with voters of the representatives of the PCRM, Promo-LEX observer Victor Pantaru, who took a few shots of the meeting, was

threatened by Tudor Copaci, then Deputy Minister of Economics and Trade, who used the words: „...If the images get into the media, I will break your neck...”.

On July 16, 2009, Promo-LEX observer Alexandru Anin received a phone call from the police inspector in the village of Grigorievca, district of Causeni, and was invited to the police, where he was asked about the purpose of the data collection and whether he was accredited to do it. Later, on July 20, 2009, the same observer was called again to the police.

### **III. ABUSIVE INFLUENCE AND INTIMIDATION OF VOTERS**

On July 11, 2009, in the village of Parata, Dubasari district, an electoral meeting with PCRM representatives was held and attended by Vasiliu Sova, Grigore Policinschi, and mayor of the village Victor Moroz. At the meeting, high school graduates were threatened that negative references would be sent to universities they were applying for.

On July 17, 2009, PCRM candidate Vasiliu Sova visited the village of Ustia in the district of Dubasari. Citizens were invited to the meeting in a public announcement, which contained the colloquial: „... All are invited mandatorily...”.

In the village of Pripiceni-Razesi, Rezina district, voters were threatened by PCRM representatives (Mr. Vitali Ciugui, mayor of the village, and Gobjila Petru, secretary of the Rezina district council) that if they would not vote for the PCRM, and would go to watch the films broadcast by the PL and the PLDM, pensioners in the village would not receive their pensions.

In Meseni, Rezina, local mayor Maria Zaharia (representing PCRM) and her brother Ilie Mereacre (a local leading farmer) were calling citizens not to attend an electoral meeting with the representatives of the PLDM on July 19, 2009. Some voters in Meseni told an observer that they had been threatened that their land would remain unplowed if they vote another electoral contestant.

### **IV. ELECTORAL CONTESTANTS**

#### *Offering Donations in Electoral Activities*

On July 11, 2009, in the village of Chircaiesti, district Causeni, during an electoral meeting with PCRM candidate Veaceslav Iordan, the village lyceum received a computer and a and telephone/fax machine. In addition, the localsoccer team received sports equipment.

On July 17, 2009 in Stefanesti village, Floresti, an electoral meeting was conducted in the local culture hall with representative of the PPCD. The PPCD people donated a metall door to the culture hall.

On the same July 17, in Hagimus, Causeni, during an electoral meeting with Deputy Minister of Economics and Trade Iurie Munteanu (suspended public office, candidate of PCRM), a DVD-karaoke system was donated to the local kindergarten, and the voters were called on to vote for PCRM.

On July 18, 2009, graduates of the 12th grade of high-school from the village of Holercani, Dubasari district, were taken on a tour to the monastery Hancu and to Orheiul Vechi. They were told that „... this trip was possible thanks to the district chairman, who is also a member of the PCRM...”. The persons accompanying the tour noted they had been hired by the PCRM to conduct it.

#### *Hindering Electoral Activities*

On July 11, 2009, in the village of Chircaiestii Noi, district Causeni, mayor Cericov Vitalie (representing AMN) organized that a group of citizens gather to shout offenses at representatives of the PCRM ahead of an electoral meeting they were planning. As a result, the meeting did not take place.

On July 19, 2009, in Meseni, Rezina, an authorized electoral meeting with the representatives of PLDM was held in the local culture hall; however, all the chairs were taken out of the room ahead of the meeting. It was discovered that the chairs had been removed following an order by mayor Maria Zaharia (representing PCRM).

On July 19, 2009, mayor of the village of Cosnița, district Dubasari, Alexandru Leșan (representing the PCRМ), came to an electoral meeting with representatives of PL, and demanded that several persons leave. The intimidated voters immediately left the room.

#### Posting Electoral Materials

In accordance with Decision No. 80 of July 7, 2009, of the Anenii Noi City Council „On establishing special areas for posting electoral materials”, contestants may post their materials on the panel outside the local council building. However, it was noted that the council representatives had locked up the pannels, and only PCRМ had access to them. The cited Decision did not specify authorized areas for posting electoral materials in the villages of Hirbovatul Nou, Socoleni and Beriozchi, which are component parts of he city.

On July 13, 2009, in Parata, Dubasari, there were electoral materials of AMN posted in unauthorized areas (on pillars, on the door of the post office, and on the bus station); by 11.00 of that day, these materials had already been torn off. On the same day, the pannel for public announcements inside the mayor’s office was covered with PCRМ electoral materials.

On July 15, 2009, in Ustia Dubasari, PDM electoral materials were posted on the pillars; these materials were torn off by representatives of the police in the night of 17 to 18 July.

On July 15, 2009, in the village of Varnita, Anenii Noi, PLDM posters were places on all the pillars on streets M. Eminescu and V. Alecsandri. PL posters were placed on the pillars on the main streets of the village Bulboaca, Anenii Noi, on July 16, 2009.

On July 18, 2009, PL representatives submitted to the Stefan Voda district court and police department complaints regarding the unauthorized posting of electoral materials of the PCRМ. The authorities were informed about the unauthorized electoral postings at bus stations at the exit from the city towards the village of Stefanesti, on Florilor street, as well as in the vicinity of the district hospital, on pillars, on entrances to apartment buildings and on other houses.

As of July 19, 2009, in Causeni there were unauthorized postings of electoral materials of certain electoral contestants (PCRМ, AMN, and PLDM) on pillars, in bus stations and on shops in the food market.

The electoral information pannels were smaller than usual in the villages of Cocieri, Cosnita, Marcauti and Oxentea in the district of Dubasari. Regular destructions of electoral materials of electoral contestants were reported in those villages.

In the villages of Parata, Pohrebea and Ustia, Dubasari, posters of PCRМ, PL and PDM are posted on pillars.

#### **V. USE OF PUBLIC OFFICE AND RESOURCES FOR ELECTORAL PURPOSES**

On July 10, 2009, PCRМ representatives visited the village of Cobusca Veche, district Anenii Noi, where the residents complained that the roads in the village were bad. In the following days, 13 trucks with gravel were brought to the village to repair the roads. At the same time, posters containing the following mesasage were posted on the electoral panels and pillars: „Dear residents of Cobusca Veche! Recently in your village, we had an electoral meeting with representatives of the Party of Communists of Moldova. During the meeting, you have put forth a request. WE INFORM YOU: The President of Moldova, V. Voronin, ordered the urgent repairs of the most damaged road in the village. Today works are underway! Vote for the Party of Communists! Be with your people on July 29! Only together we can defend our country!”.

On July 15, 2009, in Stefanesti, Floresti, an electoral meeting was held with the chairman of Floresti district Mihai Rusu (suspended from office, candidate of PCRМ). On the same day, wood was brought into the village to repair a bridge connecting villages of Prodanest and Stefanesti. During the meeting, the chair of the district emphasized that the wood planks were brought in with the support of the PCRМ.

## VI. PERFORMANCE OF ELECTORAL BODIES

### Activities of Electoral Bureaus of Polling Stations

PEBSs were to start their activities on July 14, 2009. Observers have noted that not one of the 43 PEBSs in the district of Anenii Noi started work on time. On July 17, the Anenii-Noi district electoral council [DEC] warned the chairpersons of the PEBSs regarding the delays in fulfilling the electoral calendar, and ordered that they start their work accordingly.

On July 14, in the district of Stefan Voda, 17 of a total of 31 PEBSs were opened. The remaining PEBSs started work in delay, that is after the date of July 15.

As of July 18, PEBSs were still unformed for polling stations No. 3 (Bender municipality) and No. 37 (for the Transnistrian region).

### Transparency of Electoral Bodies

On July 15, a Promo-LEX observer in the village of Cosnita demanded access to the Dubasari DEC decisions. The DEC chair refused, arguing that the observer did not have proper accreditation.

### Involvement of Members of Electoral Bodies in the Campaign

In the reporting period, member of the PEBS of the polling station No. 21 from the village of Tapova, district Rezina, Surdu Irina, campaigned in favor of the PCRM in the local dancing club. In the same period, Stoian Natalia, member of the PEBS from the village of Pripiceni-Razesi, district Rezina, also campaigned in favor of PCRM.

## VII. CAMPAIGN COVERAGE IN THE TRANSNISTRIAN REGION MEDIA

In the period of 11-20 July, the Transnistrian media provided more news covering the election campaign for the early parliamentary elections of July 29 than in the previous reporting period.

### Electoral Contestants

On July 11, **Regnum** news agency quoted PL leader Mihai Ghimpu as saying that the CIS is an „old lady awaiting death”, and that during the Communist government, Moldova „is isolated and has turned into a state with an unclear status.”

On July 13, **Regnum** announced the withdrawal from the race for Parliament of the European Action Movement [MAE]. On July 14, **Lenta PMR** also reported on the withdrawal of MAE, noting that it pleaded for removing Communists from power.

On July 14, **Lenta PMR** published an article about the leader of the Centrist Union of Moldova [UCM], entitled: „V. Tarlev: God Help My Country Moldova”, where Tarlev states that: „I am an beginner as a politician, but, brothers, I confess there are many dirty tricks used by so-called politicians.”

The same news portal published on July 14 an article stating that „The Democratic Party [PD] will join forces with Ghimpu and Filat. PD intends to join forces with the liberal opposition to seek solutions to the many issues currently faced by Moldova”.

On July 15, **Regnum** reported in full the appeal of Voronin announced in a news conference: „All those who believe in the Moldovan democracy, in a fair election process, must vote for PCRM on July 29”. After the election, „PCRM wants to start a dialogue with the opposition for a new parliamentary consensus, and it will happen even if the Communists garner all the mandates.”

**Lenta PMR** published the same speech by Voronin on July 15, entitling the article: „Opening remark by the PCRM Chair at the news conference”; later, the portal published an appeal to the voters of the UCM and the Social Democratic Party [PSD].

On July 15, **Lenta PMR** quoted [Moldovan Russian language biweekly], „Moldavskie Vedomosti”, that published the news that „*Marian Lupu is the only Moldovan politician invited to France by Sarkozy to mark the French National Day.*”

On the same day, **Lenta PMR** published the results of a poll, according to which five parties: PCRM, PL, PLDM, AMN and PD, will accede to Parliament.

On July 13, news portal **Lenta PMR** published a news report in which [PCRM candidate] Oleg Reidman denied statements that the PCRM spent most money for the current campaign. Reidman was quoted as saying that in the districts where the representatives of the liberal opposition are in power, there are money in the local budgets, that had to be used to pay salaries, *but weren't*. Reidman suggests that the opposition did that on purpose to increase social tensions and to be able to accuse the Communists for not paying salaries to the budgetary employees.

On the same date of July 13, **Lenta PMR** re-posted a news report of the agency Omega about a letter from Romania addressed to Moldovan mayors. The letter signed by the Free European Union of citizens of Moldova and Romania calls on the mayors to support unification with Romania.

On July 14, **Lenta PMR** re-posted a news report from Moldpres, which argues that the opposition did not provide evidence to prove election fraud committed by the Communists. The report concludes that „*the lie took people to the streets, and those responsible for the lie are AMN and PLDM.*”

On the same date of July 14, **Lenta PMR** published a news report, according to which „*liberal parties discriminate youth, as PCRM is the only party that will have young members in Parliament.*”

During the day of July 18, the media outlets monitored for the purposes of this report republished news reports posted during the week. **TV PMR**, in its program „Nablyudatel”, repeated a news report about the opening of polling stations for the left-bank region; **TSV**, in its program „Otrazhenie”, produced a detailed report on the political context in Moldova and the differences between contestants.

Both **Regnum** and **TSV** provided a retrospective view of the week's events.

#### Electoral Debates in Russian

On July 11, news agency **Regnum** published an article about the Liberal Democrats' appeal to the CEC to demand that Moldova-1 TV organize electoral debates in Russian language, to allow political parties to convey their electoral messages to the Russian-speaking voters. The same news report was published on July 12 by the news portal **Lenta PMR**. On July 15, **Regnum** reported on a news conference by Vladimir Voronin, in which the PCRM leader hailed the opposition's calls to organize debates in Russian. The report, however, contradicts itself by saying that: „*According to Voronin, these attempts are sheer „political demagogy”, and are a way of flirting with Russian voters.*”

#### Observers of the electoral process

On July 13 **Regnum** wire agency writes that the CEC has accredited a group of international observers which includes: 3 persons from the Hungarian Embassy to Moldova, 87 LADOM observers and 27 observers from the Community Alliance of Access to Centers of Information and Professional Development from Moldova.

On July 13 **Lenta PMR** published a news story announcing that the Council of Europe Delegation will take part in election monitoring, and the results of the monitoring will be made public in fall. The same news story also mentions the OSCE observers.

On July 13 wire agency **Novyi Region** has announced that „Moldova will be visited by 70 observers from the CIS countries, who will monitor the snap parliamentary elections,” at the same time reminding that after the 5 of April elections the Presidency and Parliament buildings were destroyed while „Moldovan opposition organized a protest against the winning party - *PCRM, accusing it of electoral fraud without presenting evidence*”. The TV channel **TSV**, has also aired the information that 70 observers from CIS countries will monitor elections. The same news was published by the online **Lenta PMR**.

On July 15, **Novyi Region** published that „*the number of observers for elections in Moldova is approaching 1500 people*”.

#### Polling stations

On July 14 the wire agency **Novyi Region** and TSV TV channel announced that the voting procedures for the Moldovans living on the left bank of Nistru remains unchanged. Thusly, “*10 polling stations will be opened for these voters, placed in the villages that are covered by the Chisiau jurisdiction.*” On the same day, **Regnum** confirmed that „*Moldova will not open a polling station in Corjova village.*” The voters from this villages are to vote in Cocieri and Ustia villages.

On July 15 **Lenta PMR** and **TV PMR** announced that „*inhabitants from transnistria will be able to vote on July 29 in 10 polling stations.*”

#### Reaction to Sova’s statement of July 8

**Regnum** writes in a news story on July 13, that a “so-called political analyst”, Bogdan Tardea, has denied the statements of Vasiliu Șova, made on July 8, where he says that „*PCRM is the only political party capable of solving the transnistrian conflict in a peaceful manner*”. Tardea said Sova’s statement lacked “*political logics*”, while making such statements the communists follow the single goal of accumulating as many votes as possible on the expense of electoral promises of reuniting Moldova and Transnistria.

On July 15, **Olvia pres** publishes an article entitled „*The Weird Sova*”. The story states the authorities in Tiraspol were surprised by Sova’s statement, and goes on with concluding that: “*PCRM is making such statements because of the snap elections. Although left of Nistru nobody took Sova’s statements seriously, on the right bank there are enough PCRM opponents who would be able to demonstrate that this party had never wanted the solution of the transnistrian conflict.*”

On July 13 **Regnum** publishes an interview with Ivan Burgudji, formed head of the Juridical and Protocol direction of the Comrat Popular Assembly. He says in the interview that Voronin’s campaign workers among the transnistrian communist take Transnistria as part of Moldova thusly “*inducing the population left of Nistru into an error, disregarding the constitution of Transnistria.*”

### VIII. CONCERNS

In the light of the findings, Promo-LEX monitoring effort expresses concerns regarding the following aspects:

- The incomplete nature of information included in the voters’ lists;
- Voters’ lists posted with delays and/or not posted for public scrutiny;
- Insufficient voter education efforts;
- Intimidation of observers by the representatives of local public administration and law enforcement agencies;
- Perpetuation of patterns of undue influence on and blackmailing of voters for their political views;
- Flagrant and frequent infringement of art. 38 (7) of the Electoral Code by electoral contestants who give away gifts that could lead to influencing the voters’ options;
- Unequal conditions created by the local public administration regarding the authorized places for electoral billposting and campaign events of the electoral contestants;
- Regular use of public office and resources for electoral purposes, which endangers the competitive nature of the electoral contest;
- Breaches of electoral calendar by election administration causes difficulties for the good organization of the electoral run;



## IX. RECOMMENDATIONS

Taking into account the findings and observations of the electoral effort so far, Promo-LEX Association is recommending:

- Prompt reaction of the law enforcement agencies to the occurrences of intimidation of observers;
- Amendment of the legal framework to define clearly which institution bears the responsibility and is accountable for compiling duly the voters' lists;
- Intensification of the efforts of electoral administration in organizing voter education and information campaigns;
- Representatives of law enforcement agencies and public administration avoid any interference with the activity of observers and citizens conducting monitoring and voter education activities;
- Adherence to article 38, paragraph 7 of the Electoral Code, which bans the electoral contestants from distributing gifts to voters;
- Local public administration creates equal conditions and free access of all electoral contestants to the authorized bill-posting amenities;
- Amendment of electoral legal framework to oblige the representatives of electoral contestants to suspend their public office;
- Amendment of electoral legal framework to introduce a clear legal mechanism for complaints against actions or inactions of representatives of local public administration during the electoral campaign period;
- Verification by the CEC and DEC's of the degree of implementation of the electoral calendar;