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THE CIVIC COALITION FOR FREE AND FAIR ELECTIONS

PROMO-LEX ASSOCIATION

REPORT #4

Monitoring of the early parliamentary elections of 28 November 2010

Monitoring period: November 9 – November 25

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Fourth monitoring report on the early parliamentary elections of 28 November 2010

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I. SUMMARY

The present report, covering the period from November 9 through November 25, 2010, describes the electoral environment and reviews from a legal perspective the recent developments in the election campaign, and the performance of the electoral competitors and of the local and election authorities.

In the monitoring period, the CEC adopted decisions which supplemented the legal framework but also in certain cases violated the provisions of the Election Code. The CEC once again failed to follow the prescriptions of the Election Code concerning the clarification of the voting procedures for certain categories of voters.

The Promo-LEX observers found that voter invitation cards issued by the CEC were distributed in all the electoral constituencies, with information on the electoral rolls and the voting procedures. However, the CEC failed to meet the deadline for posting the electoral rolls from all the polling stations on its web site and didn't arrange for a uniform method for accessing the electoral rolls.

Promo-LEX noted that the CEC has been active in mediating conflicts within election bodies and in facilitating observers' access to electoral proceedings. However, our observers recorded situations of overt bias by some election bodies' members, and disrespect for the principle of visibility of the polling stations and for the work schedule of the PEBs. Particularly alarming is the situation related to the technical conditions in the polling stations, especially the lack of heat supply.

In the monitoring period, the observation mission found that 19 electoral competitors were conducting campaigns using a variety of methods. On the other hand, the other 20 electoral competitors were very limited in their campaign activity. This period abounds in violent incidents of an electoral nature, abusive influence on voters and offering of electoral gifts. In addition, attempts to involve the Church in the campaign intensified.

Another characteristic of this monitoring period is the lack of financial transparency of the electoral competitors with regard to their travel and printing expenses, expenses related to organization of meetings with voters (concerts) and staff salaries.

Promo-LEX is conducting a long-term monitoring of the electoral period preceding the 28 November 2010 preterm parliamentary elections, within the framework of the Civic Coalition for Free and Fair Elections. Promo-LEX has deployed 42 long-term observers covering all the territorial units of the country. The Promo-LEX observers received training in the field of electoral procedures and instructions regarding the impartial and independent nature of the monitoring effort. The recommendations of the monitoring mission are formulated in good faith and aim to contribute to the improvement of the electoral process.

II. PROMO-LEX MONITORING EFFORT

The monitoring of the early parliamentary elections, scheduled for 28 November 2010, is a project implemented by the Promo-LEX Association within the framework of the Civic Coalition for Free and Fair Elections. "Coalition 2009" is a voluntary union of non-governmental organizations whose mission is to enhance and raise public confidence in the electoral process. The various programs of election monitoring within the framework of the "Coalition 2009" are implemented both by Promo-LEX and other member organizations.

The monitoring effort by Promo-LEX involves 42 long-term observers, who monitor the electoral process in all the electoral constituencies in Moldova in the period from 6 October to 6 December 2010. The observers will report their findings using standardized forms; the findings are based on direct observations, meetings with interlocutors and analysis of official documents.

The Promo-LEX monitoring effort is not an investigation body and has no intention of documenting with hard evidence the observed findings. The biweekly reports developed by the

Promo-LEX monitoring effort are exclusively based on the standardized reports which are filled in by the observers immediately after events of an electoral nature occur. These reports are submitted for analysis to the central team. Before starting their activity, the observers involved in the monitoring process signed a Code of Conduct of the Promo-LEX Independent Observer. The key obligations set out in this Code are good faith, political nonpartisanship and promptness. The text of the Code is available on the Association's website at www.promolex.md.

The Promo-LEX monitoring effort is not an electoral contender, nor is it a political rival to any party or organization involved in the early parliamentary elections. The monitoring effort assigned a stakeholders liaison officer to serve as a contact for the central election bodies and the candidates. The officer attends all the CEC's meetings and is open to collaboration (within the limits of the Code of Conduct and the existing legislation) with all the candidates standing for election in the Parliament. The statements and remarks of the electoral competitors are included in the monitoring reports only if independently confirmed by the observers' reports filed after interviews with the other parties involved and the witnesses of the event in question.

On election day, Promo-LEX will deploy short-term observers to all the polling stations opened across Moldova. Promo-LEX will conduct a Parallel Vote Tabulation (PVT), a Quick Count, using a representative sample, and will observe the quality of the voting process in every polling station. The activity of all the observers is coordinated by the central team responsible for Analysis, Network, Logistics, Communication and General Management.

This project is implemented with technical and financial assistance from the United States Embassy in Moldova, the National Endowment for Democracy (NED), and the National Democratic Institute for International Affairs (NDI). The opinions expressed in the report belong to the authors and do not necessarily reflect the opinions of the donors.

III. FINDINGS

A. Legal framework

The national legal framework that covers the organization and running of parliamentary elections includes the Election Code and regulations by the Central Election Commission enforcing this Code.

In June and September 2010 the Election Code saw essential amendments, which need to be implemented in practice. In the reporting period, the CEC adopted decisions, which both supplemented the corresponding legal framework and, in certain cases, transgressed the provisions of the Election Code. At the same time, the CEC failed to follow the prescriptions of the Election Code concerning the clarification of the voting procedures for certain categories of voters.

Organization of the voting process

In the reporting period, the CEC adopted five decisions related to the organization of the voting process, whereby it facilitated the participation in the elections for some categories of voters and created limitations for other categories. The CEC allowed people to vote with expired identity documents; it also permitted – contrary to the Election Code – requests for mobile voting to be made orally by persons with vision impairments; it allowed, as an exception, the voters domiciled in the Transnistrian region to vote at 21 polling stations without any geographical designation. Also, the CEC specified easier ways to vote for students in an effort to ensure that the respective provisions of the Election Code are applied evenly. In addition, the CEC decided to relocate the polling station from the village of Corjova to Cocieri village, even if it was done in the absence of a formal request from the local authorities required by the law.

Printing of ballot papers

In line with the Timetable for upcoming elections, the CEC adopted two decisions concerning the printing and distribution by the DEC's of the ballot papers. Later, the CEC modified one of its decisions to increase the number of ballot papers by 3,935. This happened despite the fact that, as of November 25, about 400 out of 1,962 polling stations didn't submit the corrections they were expected to make to the primary electoral rolls to the CEC.

Organization of the observation process

The CEC issued decisions covering election observation activities to facilitate the work of international observers and allow for the prediction of the election results based on exit-polling. To these effects, the CEC established a Protocol Office for International Observers, authorized representatives of foreign media, permitted and clarified the rules for holding two exit-polls (Publika TV in partnership with Romania-based IRES; and Prime TV in partnership with CBS-AXA).

Establishment of election bodies

In the reporting period, the CEC modified the structure of two Electoral Constituency Councils (Stefan Voda and Taraclia) by adding two District Council members to each, members who hadn't been delegated earlier.

Complaints submitted to the CEC

In the monitoring period, the CEC received 19 complaints from the representatives of the electoral competitors concerning allegedly unlawful actions of other electoral competitors in their campaigns. In response, the CEC adopted 15 decisions to address the complaints submitted by 5 electoral competitors. PCRM filed 10 complaints, 5 of which were accepted and 5 rejected; PPCD filed 5 complaints, 4 of which were accepted and 1 rejected; PL filed 2 complaints, and both were accepted; PDM filed 1 accepted complaint; PpNT filed 1 accepted complaint. The electoral competitors accused in the filed complaints were: PLDM (11 complaints, of which 6 were rejected and 5 accepted); PDM (3 complaints, all accepted); PPCD (2 complaints, both accepted); PUM (2 complaints, both accepted), and PL (1 accepted complaint). The complaints were related in particular to campaign posters, promotional handbills and alleged use of administrative resources for campaigning purposes.

B. ELECTORAL ROLLS

Good quality electoral rolls are key in holding truly democratic elections in line with international practice and standards. In Moldova, the voters are listed in three types of rolls: primary electoral rolls, additional electoral rolls, and electoral rolls for voting outside the polling station. The upcoming poll is the last in which, under the current legislation, the voter rolls are compiled by the local authorities, or more exactly, by 901 mayor's offices. The additional rolls and those for voting outside of the polling station are drawn up by election officials on election day, according to certain criteria, like the voter's location of domicile/residence within the range of authority of the respective polling station, the impossibility to travel or walk to the polling station, or the lack of an entry on the primary electoral rolls. The voters are handed ballots only upon putting their signatures on the primary rolls, the additional rolls or those outside the polling station, depending on the case.

In the reporting period, the Promo-LEX observers found that standardized voter invitation cards issued by the CEC were distributed in all the electoral constituencies, except for the Transnistrian region and Bender municipality, with information on the electoral rolls and the voting procedures. However, the CEC failed to meet the deadline for posting the electoral rolls from all the polling stations on its web site and didn't arrange for a uniform method for accessing the electoral rolls.

Access to voter rolls

Under the Timetable for the organization of the November 28 elections, the electoral rolls were to be posted for public access 20 days before the date of the poll, that is, on November 8. But the CEC Regulation on the electoral rolls does not explicitly state how to ensure access to the voter rolls. This is left to the discretion of the PEBs.

According to the amended provision of Art.40(1) of the Election Code, in effect from 29 June 2010, the CEC was to post on its website all the electoral rolls for information and verification purposes. The observation mission found that, as of November 25, there were no electoral rolls displayed on the CEC's website.

At the same time, the Promo-LEX observers noted the following forms of access to the electoral rolls: display on billboards; availability at the PEBs and upon request; access via the Internet for the voters in Chisinau municipality.

The observation mission found the access to electoral rolls to be limited in at least 15 polling stations in 7 electoral constituencies.

Quality of electoral rolls

Our observers revealed deficiencies in the electoral rolls both with regard to voter information and the proper use of standardized forms in at least a half of the country's electoral constituencies. Observers in at least 3 electoral constituencies reported cases of eligible voters being stricken off the voter lists, inclusion of names of dead people on the rolls (cases revealed by PEB members), inclusion of students with a valid residence visa on primary electoral rolls at the place of domicile, and inclusion of persons from neighboring communities on the rolls. Observations and interviews with PEB members revealed that the voters show a lack of initiative when it comes to verifying the accuracy of their entries on the electoral rolls.

Voter invitations

Under Art.40(1) of the Election Code, voters shall be informed by all available means about the location of the polling place where they can vote. The CEC chose a large-scale solution and printed out voter invitation cards which are to be distributed by the PEB members to each household. These invitations are superior in quality and quantity to those used in the previous polls. The distributed invitations contain information about the number of the respective voter in the electoral roll, the number, location and program of the respective polling station on election day, and the voting procedure. The invitation cards also contain information on how to apply for mobile voting and the possibility to check one's entry on the electoral rolls.

The Promo-LEX observers reported that such invitation cards were disseminated on a large scale in all the electoral constituencies, except for the Transnistrian region and Bender municipality.

C. PERFORMANCE OF ELECTION AUTHORITIES E

The Promo-LEX observation mission has noted the active involvement of the CEC in mediating conflicts occurring within the election bodies and in facilitating the observers' access to electoral proceedings. However, our observers recorded situations of overt bias shown by some election bodies' members, and disrespect for the principle of visibility of the polling stations and for the work schedule of the PEBs. Particularly alarming is the situation related to the technical conditions in the polling stations, especially the lack of heat supply.

Conflict mediation among election officials

In the previous reports the Promo-LEX observers registered cases of conflict and tense situations at the Balti Municipal Electoral Council and at DEC Taraclia. After the CEC members

responsible for these constituencies traveled to the respective sites to offer their mediation, the conflict situations were overcome for now.

PEB members' bias

According to Art.32(7) of the Election Code, PEB members shall not campaign for or against candidates running for elective public position; shall not engage in any political activity of support of any electoral contestant; shall not be affiliated with any of them; shall not provide any financial support or other contribution, directly or indirectly, to any electoral competitor. According to Art.29 of the Election Code, the PEB members may not be local councilmen and party members.

However, the Promo-LEX observers recorded numerous cases of overt bias of some PEB members, manifested in: conflict of status with PEB membership (Causeni and Anenii Noi); and campaigning activities (Cantemir, Chisinau, Anenii Noi, Falesti, Taraclia).

Lack of heat supply in polling stations

According to Art.52(5) of the Election Code, the PEBs are responsible for the provision of the polling stations with everything needed. Under Art.29(9) of the Election Code, the mayor's offices shall offer the PEBs the required support, but according to Art.31(1) the local authorities' support is provided only upon request.

On November 25, the Promo-LEX observers reported that heat supply was provided to most polling stations in district capitals and in Chisinau municipality. In rural areas, only those polling stations which are hosted by schools and mayor's offices are provided with heat, as the great majority of polling stations located in rural Culture Halls are not warmed up. A positive example in this connection was registered in the village of Sanatauca in Criuleni district, where the local authorities decided to relocate the polling station from the Culture Hall to the festivity hall of the local lyceum.

Polling stations' visibility and working hours

According to Art.29(7) of the Election Code, the constituency election councils are responsible for informing voters about the location of and contacts for the precinct electoral bureaus.

The Promo-LEX observers found deficiencies related to activity, supply and equipment, and visibility requirements in at least 13 electoral constituencies. As an example, 47 polling stations in 8 electoral constituencies carried no identification signage; the working hours were not displayed or were disrespected at 53 polling stations in 10 electoral constituencies; and 27 polling stations in 6 electoral constituencies are accommodated by structures which are in an unsatisfactory or very poor condition.

Training of election officials

According to Art.26 (1) k), 28, of the Election Code, the DEC's are responsible for the organization of training seminars for the chairs and secretaries of the precinct electoral bureaus, mayors and local council secretaries. In the Timetable for the organization of the November 28 elections, the period allotted for such seminars was November 8-19.

According to our observers, training seminars were held in all the electoral constituencies. These were mainly in the form of showing instructive films. In addition, the Promo-LEX observers noticed the presence of some guidebooks destined for election officials, although they were not observed in all the polling stations in the reporting period.

Access to the printing process of the ballot papers

On November 20, the CEC announced that later that day the Commission members would kick off the printing of the ballot papers, inviting the representatives of the electoral

competitors, authorized observers and media organizations to attend. According to Art.63(5) of the Election Code, observers are authorized to attend all the electoral operations.

On November 21, the Promo-LEX observers traveled to the Central Publishing House and the Printing Works to observe the printing process of the ballot papers.

The employees at the Central Publishing House did not create impediments to the observers in the monitoring process. However, the employees at the Printing Works, being consulted over the phone by a CEC official, denied access to the observers twice during that day. Only after alerting the CEC about those incidents were Promo-LEX observers given access to the printing facility.

D. Electoral competitors

In the reporting period, the monitoring mission found that 19 electoral competitors conducted their campaigning using diverse methods. On the other hand, the other 20 electoral competitors had very limited campaigning activity. This period abounds in violent incidents of an electoral nature, abusive influence of voters and offering of electoral gifts. In addition, the attempts to involve the Church in the campaign intensified.

On November 12, the CEC received the notification of independent candidate Leonid Volneanski about his withdrawal from the race. This left the ballot paper with 39 names, instead of the initially registered 40.

The Promo-LEX observers noted the following types of campaigning activity: electoral concerts (offered by 6 electoral competitors in 43 locations across the country); door-to-door canvassing (carried out by 8 electoral competitors in 6 electoral constituencies); vehicles carrying billboards and playing audio advertising (used by 5 competitors in 5 electoral constituencies); outdoor advertising (used by 16 electoral competitors with a varying intensity in all the electoral constituencies); parties for the youth (thrown by 3 competitors in 5 constituencies), promotional tents (installed in 6 towns by at least 7 competitors), dissemination of handbills and other promotional products (used by 3 competitors in 6 electoral constituencies) and nationwide motorcades (used by 3 competitors). Meetings with voters and displays of campaign posters were observed, with varying intensity, in all the electoral constituencies.

Violent incidents

In the monitoring period, a number of violent incidents in the election campaign were observed. Most of them occurred in the context of or during campaigning activities.

In the monitoring period, in the village of Costesti, Ialoveni district, a PCRМ activist named Tudor Ciorba threw a stone at the Romanian singer Irina Loghin during a concert organized by PLDM. The perpetrator was arrested by the police.

In Razeni village, Ialoveni district, there was an exchange of strong-worded remarks between the people in the entourage of PCRМ candidate Maria Postoico, on one side, and PLDM activists in the village, on the other. As a result of the incident, the PCRМ activists cancelled an election meeting in that village.

On November 10, PCRМ candidate Zinaida Chistruga approached Sava Rusuleac, the director of "Ion Creanga" Lyceum in Borceag village, with the abusive request to arrange a meeting with the lyceum's teachers. The director refused to grant the request, citing legal provisions, and as a result was verbally insulted by the PCRМ candidate.

On November 15, observers in Stefan Voda town registered a conflict involving verbal attacks between the activists of PLDM, PPCD, PL, and MAE, over the limited space of the display of campaign posters.

On November 19, in Chisinau's suburban village of Tohatin, a PL activist insulted verbally a number of PUM activists for pasting campaign posters over PL's posters.

On November 22, PCR candidate Artur Resetnicov claimed he had been abducted by strangers, held captive and tortured for several hours to give information that would incriminate PCR candidate Vladimir Voronin. The PCR candidate declared that the incident is of electoral nature. The case is being handled by the law enforcement bodies, who are investigating this version, among others.

On November 24, in the village of Holercani, Dubasari district, three young men wearing PCR candidate-tagged red jackets were verbally attacked by a voter from the village as they were distributing handbills with PCR candidate's electoral message. Eventually, the voter also physically attacked the three men. The Promo-LEX observer reported that PL candidate Vitalie Marinuta, who has temporarily suspended his duties as Minister of Defense for the duration of the campaign, was involved in the brawl. The case is being investigated by the Dubasari police.

Use of hate speech in campaigning

During the election campaign, in particular at election meetings and in propaganda films, some electoral competitors (PCR candidate, PL, PpNT, PUM) engaged in personal attacks and instigation to hatred against other competitors.

Intimidation of voters

In the reporting period, there were isolated cases where voters were intimidated.

On November 11, in Serpeni village, Anenii Noi district, a PCR candidate intimidated a female teacher. According to the Promo-LEX observers, the principal of the school requested the teachers and the non-teaching personnel to stay after the working hours and attend an election meeting featuring the respective PCR candidate.

On November 13, in Holercani village, Dubasari, voters were ordered by Dubasari District Head Grigorie Policinschi to attend a meeting with a PCR candidate.

The PLDM representative in the Gagauz Autonomy, who is also the manager of the market Budjac in Comrat town, ordered the vendors to use exclusively bags carrying PLDM symbols.

On November 14, a PCR candidate activist in Cahul verbally insulted a voter who tried to stop him from tearing down a PLDM campaign poster.

On November 16, at a meeting organized by PCR candidate with the students of the Physical Education University in Chisinau, the doors of the assembly hall were locked to prevent the students from leaving.

On November 19, at a meeting held by PCR candidate in the Gagauz Autonomy, PCR candidate Vladimir Voronin incited the audience to violence, calling on them to force out a voter who asked inconvenient questions.

On November 22, Nicolae Josan, the Deputy Head of the Rezina District Council, convened a meeting of the staff of District Head's Office, and in the presence of District Head Valeriu Ciorici, who is also a PCR candidate, ordered all the staff to take unpaid leaves of absence during November 22-27 and travel across the district to campaign for PCR candidate. Those who refused to take such a leave were threatened with dismissal after November 29.

“Electoral gifts”

According to article 38(7) of the Election Code, electoral competitors may not offer voters money or gifts, may not distribute free goods, including humanitarian aid or other charity.

On November 14, at the inauguration of the new building of the school in Mereseuca village, Ocnita district, the mayor of the village, a candidate representing PCR candidate and a candidate representing PDM, each offered a computer to the school.

On November 14, our observers reported that PDM activists were distributing clothing, body care products and canned food to the elderly in Hlina village, Briceni district.

On November 14, at a festivity dedicated to the Youth Day, the Mayor of Saiti village, Causeni district, Valeriu Musteata presented a fire engine, which he described as a gift to the

village. He also congratulated the families where children were born in 2010, offering them gifts in PLDM-tagged bags. Bags, calendars and pens carrying PLDM symbols and 50 lei sums were also offered by the mayors to those who have turned or will turn 18 ahead of the November 28 elections. An amount of money was also presented in a PLDM bag to a young family. Mayor Valeriu Musteata stated explicitly that the gifts were being offered by the mayor's office and PLDM.

On November 16, PLDM distributed 500 packages with food to poor people, mainly pensioners, in Bulboaca village, Anenii Noi district. The packages were distributed directly by local PLDM activists.

On November 17, the CEC issued a cease-and-desist order commanding PDM to stop handing out carrot and parsley seeds in packets carrying the party's logo to voters. PDM representative to the CEC Andrei Volentir argued that the seed packets distributed by his party should not be considered electoral gifts since the PLDM-marked air-fresheners weren't.

On November 17, PL organized a dance party at Saigon Club in Cahul. Admission to the party was on a ticket basis. At the end of the program, the PL held a lottery to award a 4Gb USB Flash Drive device. Another lottery was held by PL on November 8 in Flocoasa village, Cantemir, where voters drew lots for prizes. The prizes included gum footwear and boots, sparkling wine, spades and hoes. The first prize of the lottery was a lamb.

On November 18, at a meeting with the representatives of the Agroindustrial College in Ungheni, AMN offered a tractor, a plow and a sowing machine to the institution.

On November 19, in Chisinau's Great National Assembly Square, PDM activists handed out free tickets to a game in the Moldovan football premierships at Zimbru Venue.

On November 19, in-kind charity in the name of the Moldovan Government, but in PLDM-marked bags, was distributed in Cantemir town.

On November 21, at a wedding in Hirbovat village, Calarasi district, guests representing PLDM offered a TV set to the newlyweds.

On November 21, at an election meeting organized by PLDM in Floresti town, a businessman named Valica Darie handed out socks, gowns, tracking suits and toys, all in PLDM bags.

In the reporting period, PSD organized a lottery hosted by the Patria movie theater chain, where visitors can win various prizes, including one-year tickets granting admission to all the presentations. The winners will be determined on December 4.

In the monitoring period, PCRM offered a computer to the Professional School in Ciurari village, Taraclia district.

PL donated to the schools in the villages of Bulboci and Schineni, Soroca district, a set of furniture for one classroom for each of them. PL is also working to erect 20 crucifixes in different parts of the country in remembrance of the victims of communist repressions. The first crucifixes were installed in the districts of Floresti, Donduseni and Singerei.

In the monitoring period, our observers registered donations being made by PCRM in the villages of Jora de Jos and Teleșeu, Orhei district. Local kindergartens received TV sets and DVD players, with two discs with films, one of which focused on the PCRM and the other on the floods in the Prut lowlands.

The Promo-LEX observers in Anenii Noi district reported that PLDM's district organization was offering 5 buses to people willing to visit the country's monasteries; trips to Saharna and Tipova monasteries have been organized so far.

Church involvement in the campaign

In the monitoring period, Promo-LEX observers noted several cases of indirect involvement of clergy in the electoral campaign by the electoral competitors.

On November 12, the election meeting organized by PUM in Drochia town was attended by 20 priests. PUM candidate Valeriu Pasat gave the floor to the priest of Cotova village,

Drochia, Ioan Grigoras, who agitated in favor of PUM. The organizers also distributed leaflets and church calendars containing PUM's electoral message.

On November 21, a number of electoral competitors profited from patron saint celebrations in different parts of the country, traditionally held in Moldova in this period, to engage in campaigning. PLDM candidate Vlad Filat visited St. Archangels Michael and Gabriel Church in Dubasarii Vechi village, Criuleni district, where he met with the parish members. On this occasion, the church's senior priest received assurances from Vlad Filat that sound amplifying equipment would be donated to the church. On the same day, when Cahul town was also celebrating its patron saints, a church service was held in Cahul's Cathedral, where three PCRМ representatives engaged in campaigning. On patron saint celebrations in Manta village, Cahul district, at a service in the local church, PLDM representative Ion Butmalai mentioned that the party contributed to the building of the church. In Dubasarii Vechi village, Criuleni, PCRМ representative Vitalie Verebcean donated an icon to the local church on behalf of PCRМ candidate Vladimir Voronin. On the same day, an icon was donated to the church in Hirtopul Mic village on behalf of PCRМ. According to our observers, donations in the form of icons were made by PCRМ to a number of churches in the districts of Criuleni and Calarasi, with the Holy Trinity Church in Calarasi town refusing to accept the gift.

Our observers also reported that leaflets were handed out by PCRМ activists to the members of the parish of Carpineni village, Hincesti district, in which PLDM, PD and PL were described as “enemies of the Moldovan Orthodox Church”.

Use of administrative resources

The Promo-LEX observers registered cases of use of administrative resources by, or in favor of electoral competitors in at least 7 electoral constituencies; this was the case of three competitors: PCRМ, PLDM, and PL.

Damage to campaign advertising

In the reporting period, there were at least 12 cases where the campaign billboards of 7 electoral competitors (PLDM, PL, AMN, PDM, PNL, PMUEM) were destroyed in 10 districts.

Unauthorized display of campaign advertising

Pasting of campaign posters elsewhere than on specially designated boards, in particular on poles and fences, was found to be the case for 19 electoral competitors in all the electoral constituencies. In Nisporeni town non-erasable paint was used to make PDM markings on poles; the same practice was used for PCRМ markings on poles in Chisinau and Stefan Voda.

According to art.11 of the Regulation on campaign advertising, transit advertising on the exterior of vehicles may be posted only with the prior authorization of the Traffic Police territorial subdivisions. Advertising of 4 electoral competitors was observed on public conveyance vehicles.

D. Public administration

In the monitoring period, Promo-LEX monitors found that the local authorities have shown an unbiased attitude and tended to provide equal conditions for all electoral competitors.

However, the monitoring effort revealed a significant number of cases where authorities misused their offices for the purposes of the electoral campaign.

Utilization of public offices for electoral purposes

Observers reported some alarming trends in utilization of public offices for electoral purposes by PCRМ, PLDM, PDM and PL in 12 electoral districts.

On 11 November, during a parent-teacher conference in the “M. Eminescu” Theoretic Lyceum in Cimislia, the mayor called upon the participants to vote for PLDM.

On 12 November, in Gradiste, Cimisia, the mayor of the village was observed distributing compensations to pensioners together with fliers supporting PLDM.

On 14 November, as part of the opening ceremony of the new building of the Mereseuca gymnasium in Ocnita District, the mayor openly campaigned for PCRM.

On 15 November, PLDM representatives held a meeting with voters in Verejeni, Telenesti. With the participation of the president of Telenesti district and the mayor of Verejeni, who called on the audience to vote for PLDM.

The leadership of the Ciadar-Lunga and Vulcanesti district administrations is campaigning for PLDM and PDM.

The mayor of Nisporeni, although he is not suspended from office, carries out electoral advertising activities, including placing PDM posters in the town.

In Floresti district, the mayor of Radulenii-Vechi is campaigning for PCRM. The personal car of the Floresti mayor bears electoral advertising of PCRM.

The mayor of Ocnita, a PCRM sympathizer, was found to exert pressure and intimidate voters.

The Comrat mayor, N. Dudoglo is participating in electoral campaigning for PSD, through the “ Столица” newspaper and the website www.comrat.md.

Discrimination of electoral competitors by the public administration

During the monitoring period, observers noted a series of discriminatory behaviour towards election competitors.

On 17 November, PDM Ocnita submitted a statement to Ocnita Mayor's office, requesting that the mayor, a PCRM member, authorize a meeting with voters on 19 November, on the square in front of the Ocnita District Council. The mayor refused to issue the authorization for the requested location, proposing instead the building of the town's Culture Hall. PDM Ocnita has challenged the decision in Ocnita District Court and the District Electoral Commission.

The administration of Cantemir was also suspected of discriminating against PCRM, after refusing to provide the party with a venue for its meeting with the voters, saying that there were no available places. Moreover, the town's administration did not allow the placement of PCRM's electoral advertising on a board located near the Mayor's Office, while the advertising of other parties was permitted (PL, PDM, PLDM). The administration of Stefan Voda, led by a mayor representing PCRM, has also imposed certain interdictions on placing street advertising.

In the same period, the Ialoveni Mayor's Office refused to authorize the meeting of the independent candidate Victor Stepaniuc with voters in the building of the local kindergarten claiming that such public events are not allowed in places with children. However, the mayor's office did not receive any similar requests from other electoral competitors.

The manager of the Culture Hall in Costesti, Ialoveni, who is also the chairman of the local PL organization, did not allow PLDM to install their equipment and hold a concert in the square of the Culture Hall, despite the authorization issued by the mayor's office.

Electoral litigations

In the monitoring period, the electoral campaign resulted in several court litigations.

Promo-LEX registered three electoral litigations on defending honor and dignity of the person, heard by three different judges. On each of these cases a different judgment was issued. Thus, a candidate representing AMN submitted a complaint to the Centru District Court concerning the inclusion of his name in the “black list” of candidates who discredited themselves in the past, published by the NGO Civic Initiative for a Clean Parliament (ICPC). On 22 November the Court issued an interdiction on further dissemination of materials that mention the plaintiff's name in this “black list”. The same publication led to two other court litigations, initiated by PDM and PCRM candidates who claimed being offended by the “list”. In their

judgments, the courts satisfied the requests of the plaintiffs by applying other preliminary measures than those in the AMN litigation.

F. Financial reporting by electoral competitors

Under Article 38(8) of the Election Code and the Regulation on the financing of election campaigns and political parties, adopted by CEC Decision no.3336 of 16 July 2010, once in two weeks from the moment of their registration, the electoral competitors shall submit their financial reports on revenues and expenses in the election campaign to the CEC.

Within the present monitoring effort, Promo-LEX aims to compare the extent of the electoral competitors' campaigning efforts with the financial reports submitted to the CEC and to assess the accuracy of information on the incurred expenses.

Weekly statements

Under Article 38(1) a) of the Election Code, the registered electoral competitors are required to publish in a nationwide publication weekly reports accounting for the financial or other forms of support they receive.

The analysis of the following national newspapers: Timpul, Flux, Ziarul de Garda, Moldova Suverana, Evenimentul Zilei, Saptamana, Молдавские Ведомости, Аргументы и Факты, Logos Press and Комсомольская Правда, showed that none of the mentioned electoral competitors published the required information in time.

Biweekly financial reporting

The following electoral competitors and independent candidates submitted financial statements to the CEC: PNL, PDM, PL, PMUEM, PPCD, MAE, PPM, PpNT, PRM, AMN, PUM, PCRM, PPR, MR, PSD, Stepaniuc Victor and MRRM – on 8 November; PLDM, Nazarenco Evghenii, Russu Gheorghe, PM, PEMAVE and Tambalist Tatiana – on 12 November; PC, Plesca Valeriu, Cereteu Romeo, Bolotnicov Oleg, Cazac Oleg, Taulean Vitalie, Burghila-Leonte Elena, Volneanschi Leonid (withdrawn from the campaign), Cusnir Valentina, Demian Alexandru, Iachim Sergiu and Lupascu Vasile – on 16 November; Banari Sergiu, Barladeanu Afanasie and Stati Gabriel – on 19 November; PNL, PDM, PL, PMUEM, PPCD, MAE, PPPM, PpNT, PRM, AMN, PUM, PCRM, PPR, PSD, Stepaniuc Victor and MRRM – 23 November.

Maia Laguta and MR, who had to submit reports on 16 and 23 November respectively, failed to do so.

Following a financial analysis of the reports submitted by the electoral competitors until November 25, a number of findings were made as to the objectiveness of the information on the expenses incurred by the electoral competitors, in particular spending on transportation, electoral concerts and promotional products.

Transportation

The electoral contenders held election meetings in various parts of the country, and carried out a variety of campaigning activities, both of which imply certain expenses related to transportation. Of all the electoral competitors registered in the period after October 11, only PCRM accounted for transportation expenses in its financial report submitted to the CEC.

Electoral concerts

A number of electoral competitors organized concerts featuring popular singers and bands. Such events were held by: PDM (24 concerts), PL (3 concerts), PMUEM (2 concerts), PLDM (45 concerts).

However, the financial reports submitted earlier by PL, PDM, PLDM and PMUEM did not reflect the expenses for the organization of concerts.

Meeting halls renting

The local authorities are the bodies to decide how spaces are offered to the electoral contenders for election meetings, for a fee or free of charge.

On 28 October, PCRМ paid 100 lei for holding a meeting with the voters in the Town Hall of Cimisia. PDM rented the following facilities during the reporting period: the Culture Palace Hall in Cahul, for a sum of 538.09 lei, the hall of the Culture House in Tvardita village, Taraclia for 1200 lei, the hall of the Magdacesti lyceum in Criuleni District for 500 lei.

PPR and PMUEM rented the hall of the Culture House in Drochia, on 7 November and 13 November respectively, for 420 lei. PSD and PRM rented a hall in Coteala, Briceni for 250 lei in order to hold meetings on 16 and 17 November. PLDM rented the following locations for meetings with voters: the hall of the Culture House in Glodeni on 4 November, for 600 lei; the hall of the gymnasium in Porumbeni, Cimisia for 30 lei. PL paid 200 lei for holding a meeting in the Culture House of Edinet on 14 November.

Outdoor advertising/electoral campaigning

Up until the present moment, none of the financial reports submitted by electoral contenders reflected expenses for the remuneration of staff.

From discussions with the personnel of parties involved in outdoor campaigning, Promo-LEX found the following patterns of remuneration for their services:

PCRМ – Orhei district, Braviceni – 150 lei per night for putting up posters; Drochia district - between 3000 and 5000 lei per person for the entire campaign; Edinet district - 130 lei per day for putting up posters, 500 lei for putting up posters by owners on their properties.

PLDM – Sangerei district, Radoaia – 50 lei per day for putting up posters; Hancesti – 350 lei per person during the electoral campaign for distributing advertising materials; Drochia district – 100 lei for each person per day for outdoor promotional activities.

PDM –Cimisia – 25 lei per hour for distributing promotional materials.

AMN – Drochia district – 200 lei per person for promotional activities during the entire campaign.

Promotional printed materials with incomplete information

Under article 64ⁱ(6) of the Election Code, every printed advertising material shall read the name of the electoral competitor, the publication date, the number of copies and the name of the publishing company that printed it.

The following electoral competitors admitted to distributing promotional materials with incomplete information: AMN, PL, PDM, PLDM, PPPM, PPCD, PNL, PCRМ, PRM, PMUEM and PUM.

H. National and international observers

In the monitoring period, restrictive measures were imposed on national observers. The CEC announced that, in order to avoid the crowding that might be caused by the large number of representatives of competitors (39,) it would be possible for only one observer to operate in each polling station in the country. At the same time, the CEC spokesperson, Mihai Busuleac, pointed out that in the previous polls, there were only 2 or 3 representatives, but they were still obstructing the normal activity of EBPS chairpersons. The list of all national and international observers is available on the CEC webpage.

By 25 November 2010, three entities announced their intention to carry out parallel vote tabulations (PVT) - Promo-LEX, PCRМ and the “Civic Control” Coalition. With the exception of Promo-LEX, which accredited 2992 observers for election day, the other two organizations do not have the necessary number of accredited observers to cover 100% of the polling stations, which is mandatory condition for carrying out a PVT when other methodologies are not announced.

Civil society

On 19 November, the Civic Initiative for a Clean Parliament (ICPC) launched the results of the monitoring of candidates in the parliamentary elections of 28 November. The list of candidates who do not meet the registration conditions includes representatives of PLDM, PL, PDM, and AMN, with the largest group representing PCRM. AMN and PCRM challenged the results of this monitoring. The AMN candidate, Alexandru Oleinic sued the representatives of the Initiative, claiming a remedy in the amount of 2 million lei.

Civic education activities were registered in most electoral districts.

I. Transnistria region

During the monitoring period, the constitutional authorities, electoral bodies and competitors, civil society and mass media continued to treat the voters from the Transnistria region of Moldova in a discriminatory way. However, Promo-LEX noted some efforts made by the CEC to facilitate the participation in the elections and the exercise of the right to vote of the region's citizens by increasing the number of polling stations (from 11 to 21) where they can vote. Also, this time the CEC authorized the voters from Transnistria to cast their vote in any of the 21 polling stations. The list of stations is available on the CEC website.

Although the number of polling stations open for Transnistria voters has increased, the number of ballots printed for this category went down to 13,800, compared to 14,500 in the parliamentary elections of 5 April 2009 and 14,100 in the constitutional referendum of 5 September 2010. According to the data of the Ministry of Technologies and Communications, more than 223 thousand citizens with the right to vote are currently residing in Transnistria. Despite this, the authorities failed, once again, to draft electoral rolls for the voters from the Transnistrian region.

Electoral contenders avoided organizing meetings or open information and voters' education campaigns in the region. Only in Bender observers noted several electoral posters of PCRM and PDM, which were soon torn down or painted over.

In the monitoring period, a number of regional mass-media institutions covered the electoral process from the right bank of Nistru from several points of view. However, their messages were found to be unprofessional, going against the principles of unbiased, objective journalism informed from more than one source. The Transnistrian media launched misleading messages, claiming that the military structures on the right bank are preparing from the military point of view, in the context of the early parliamentary elections.

Of the 21 polling stations open for the region's voters, 17 are "mixed", meaning that voters from the respective community inscribed in the main electoral rolls also vote there. "Mixed" stations do not comply with the criteria established through the electoral legislation in terms of space and capacity of stations, employ an insufficient number of EBPS members and lack electoral rolls for the region's voters.

IV. CONCERNS

The following aspects continue to raise concerns regarding the electoral process:

1. Lack of financial transparency in the activities of the electoral participants regarding the expenses incurred for traveling in the regions, publishing advertising, organizing electoral meetings, concerts and the remuneration of staff;
2. The intention to open mixed polling stations with separate ballot boxes for the voters from the Transnistrian region;
3. Intensification of forced advertising on behalf of decision makers within educational institutions and local public administration;

4. Insufficiency of electoral advertising space;
5. Excessive electoral advertising in unauthorized places;
6. Utilization of administrative resources for electoral purposes, including by candidates who suspended their activities in public offices.
7. Potential difficulties in voting for those who hold their domicile and residence simultaneously in different electoral districts.

Special attention should be paid to the following alarming aspects:

8. Utilization of the public office and administrative resources for favouring certain electoral contenders by the local public administration;
9. Sporadic activity of a large number of EBPS;
10. Poor maintenance and equipment of the EBPS offices and voting facilities;
11. Intensification of electoral campaigning in educational institutions, including during classes;
12. Shortage of invitations targeting voters sent by the CEC to DEC;
13. Poor, uneven information provided to voters by the local administration on the possibility to verify the accuracy of voters' rolls;
14. The increasing mutual aggressiveness and violence in the relations between election competitors;
15. The increasing number of incidents of voter intimidation by electoral contenders and their supporters;
16. Diversification of aggressive methods to influence voters, employed by electoral contenders and their supporters;
17. Lack of a mechanism for declaring other forms of support of electoral campaigns by other persons;
18. Lack of a well-defined upper limit on the material goods and services that can be used by electoral competitors in their campaigns.

V. RECOMMENDATIONS

To the Central Electoral Commission:

1. Improve the monitoring system of the expenses made by electoral competitors, by introducing a detailed template which would include different types of expenses (the one that is currently applied is too general);
2. Mediate conflicts between electoral contenders and ensure a peaceful environment in the election campaign and the day of the elections;
3. Monitor the preparation and arrangement of EBPS and polling stations;
4. Intensify information and education campaigns to ensure higher participation in the elections;
5. Initiate campaigns to raise awareness of electoral competitors about the necessity of a peaceful and civilized behavior in the relations with the opponents and the voters;
6. Work out a list of institutions, in which electoral campaigning is prohibited (schools, universities etc.).

To the public administration:

1. Provide technical and financial support for dealing with the lack of space for electoral advertising and the difficult situation within EBPS and polling stations;
2. Prevent and penalize cases of unauthorized campaigning;
3. Introduce an efficient control mechanisms of the use of administrative resources;

4. Design and implement measures to ensure and facilitate the enjoyment of the right to vote by the citizens from the left bank of the Nistru River;
5. Prevent cases of voters' intimidation by electoral contenders.

Police:

1. Investigate and prevent cases of voters' intimidation by electoral contenders.

To electoral competitors:

1. Report in detail all the income obtained and expenses made during the election campaign, both to the CEC and to the civil society;
2. Only use sites provided by local public administration for advertising, and work together with these authorities to identify additional space for this purpose;
3. Respect standards of conduct during the campaign and ensure a peaceful electoral environment;

To mass-media:

1. Monitor the financial activity of election competitors;
2. Support and facilitate information and civic education campaigns, including for the verification of the accuracy of voters' rolls;
3. Support campaigns to raise awareness of electoral participants about the necessity for peaceful and civilized behavior toward opponents and voters.