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## Observation of the parliamentary elections in the Republic of Moldova (30 November 2014)

### Election observation report

Ad hoc Committee of the Bureau

Rapporteur: Mr Jean-Claude MIGNON, France, Group of the European People's Party

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### 1. Introduction

1. The Bureau of the Parliamentary Assembly decided, at its meeting on 23 June 2014, to set up an ad hoc committee of 30 members, plus the two co-rapporteurs of the Monitoring Committee, to observe the parliamentary elections of 30 November 2014, subject to receiving an invitation from the authorities of the Republic of Moldova. The Bureau also authorised a pre-electoral visit by a five-member delegation – one member for each political group represented on the ad hoc committee plus the two co-rapporteurs of the Monitoring Committee. On 28 July 2014, the Chair of the Central Election Commission (CEC) of the Republic of Moldova sent the Parliamentary Assembly a letter of invitation to observe the parliamentary elections of 30 November. On 2 September 2014, the Bureau approved the composition of the ad hoc committee (see Appendix 1) and appointed Mr Jean-Claude Mignon (France, EPP/CD) as its Chair.

2. On 4 October 2004, a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law (“Venice Commission”). Under Article 15 of this agreement, “[w]hen the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser”. The Bureau invited a member of the Venice Commission to join the ad hoc committee as an adviser.

3. The ad hoc committee operated in the framework of an International Election Observation Mission (IEOM), which also included delegations from the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), the European Parliament and the Election Observation Mission of the Office for Democratic Institutions and Human Rights of the OSCE (OSCE/ODIHR).

4. The Bureau had authorised a pre-electoral visit to the Republic of Moldova from 4 to 7 November 2014 to assess the organisation of the election campaign and the political climate prevailing in the run-up to the election. The cross-party delegation consisted of Jean-Claude Mignon (France, EPP/CD), head of delegation, Stefan Schennach (Austria, SOC), Reha Denemeç (Turkey, EC), Ionut-Marian Stroe (Romania, ALDE), Nazmi Gür (Turkey, UEL) and the co-rapporteurs of the Monitoring Committee responsible for monitoring the Republic of Moldova (*ex officio*) – Lise Christoffersen (Norway, SOC) and Piotr Wach (Poland, EPP/CD). The statement issued by the pre-electoral delegation following its visit appears in Appendix 2.

5. The ad hoc committee met from 28 November to 1 December 2014 in Chisinau, where it met with leaders and representatives of the parties contesting this election, the Chair of the CEC, the head of the OSCE/ODIHR Election Observation Mission and his staff, the heads of the Council of Europe Office in the Republic of Moldova, the OSCE Mission in the Republic of Moldova and the European Union delegation, and representatives of civil society and the media. The programme of the ad hoc committee's meetings is set out in Appendix 3.

6. On polling day, the ad hoc committee split into 16 teams which observed the election in the cities and regions of Chisinau, Comrat, Balti, Gagauzia, Orhei and Bender.

7. The IEOM concluded that the citizens of the Republic of Moldova had been able to vote in a free and dignified manner. The 30 November parliamentary elections were characterised by a wide choice of political alternatives and were generally well administered, although the deregistration of one electoral contestant shortly before election day raised questions about the timing and circumstances. The newly elected parliament should immediately begin implementing long-awaited reforms in order to resolve socio-economic issues, tackle corruption, and adopt laws on electoral campaign and party financing, in particular to ensure transparency of sources of funding. The application of the law should be fair and justice should never be selective. The press release issued by the IEOM after the elections appears in Appendix 4.

8. The ad hoc committee wishes to thank the OSCE/ODIHR Election Observation Mission and the Council of Europe Office in Chisinau for their co-operation and support.

## **2. Political context and legal framework**

9. The parliamentary elections of 30 November 2014 were the ninth since the accession of the Republic of Moldova to the Council of Europe in 1995. The Parliamentary Assembly has observed all parliamentary and presidential elections in the Republic of Moldova since 1994.

10. The political scene in the Republic of Moldova changed considerably in the period preceding the election campaign. In early 2013, the governing coalition, the Alliance for European Integration – consisting of the Liberal Democratic Party (PLDM), the Democratic Party (PDM) and the Liberal Party (PL) –, was dissolved because of an internal conflict over problems of corruption. On 5 March 2013, the Communist Party of the Republic of Moldova (PCRM) launched a vote of no confidence against the government of Prime Minister Vlad Filat, leader of the PLDM. Other parties belonging to the Alliance for European Integration supported this initiative and the government was forced to resign. Seven members (out of 12) of the Liberal Party left the group in 2013, but remained in the coalition under the name "Liberal Reformist Party", while Mr Mihai Ghimpu's historic liberal party joined the opposition.

11. Following a decision by the Constitutional Court stipulating that the mandate of Prime Minister Filat could not be renewed, Mr Iurie Leanca, a representative of the same party, the PLDM, was appointed acting Prime Minister on 25 April 2013. This appointment gave rise to the formation of a pro-European Union coalition of three parties, the PLDM, the Liberal Reformist Party (PLR) and the PDM. The new coalition was elected by a small majority (53 votes out of 101) and was weakened following a number of defections, but it remained united and enabled the parliament to complete its term of office.

12. Parliamentary elections in the Republic of Moldova are governed by the Constitution, the Electoral Code, the Law on Political Parties and the regulations and decisions of the CEC. The election system was a subject of debate. Legislation adopted on 17 April 2013 changed the election system from proportional representation to a mixed system. In view of the reaction from various stakeholders, the legislation was repealed on 3 May 2013 and proportional representation was reinstated. Subsequently, in early 2014, the ODIHR and the Venice Commission adopted a joint opinion on a new draft law aimed at replacing the existing proportional electoral system with a mixed system.<sup>1</sup> These amendments have never been submitted to Parliament.

13. In its opinion adopted on 22 March 2014, the Venice Commission said that “[t]he Election Code currently in force provides a good basis for the conduct of democratic elections in the country, although it could be improved, in particular concerning the seat allocation methodology and the thresholds established in the last reform. Nevertheless, the key challenge for the conduct of genuinely democratic elections remains the exercise of political will by all stakeholders, to uphold the letter and the spirit of the law, and to implement it fully and effectively”.<sup>2</sup>

14. The 101 members of the unicameral parliament are elected for four years under a voting system based on proportional representation in one single nationwide constituency. For an election to be valid, the legislation requires the participation of at least one third of the registered voters. If this is not the case, new elections are held within two weeks without any minimum participation requirement. In the previous parliamentary elections held on 28 November 2010, the PCRM obtained 39.32% of the votes and 42 seats, the PLDM 29.42% and 32 seats, the PDM 12.72% and 15 seats and the PL 9.96% and 12 seats.

15. In May 2013, the minimum thresholds for representation in parliament were raised to 6% (from 4%) for political parties, to 9% (from 7%) for electoral blocs composed of two parties, and to 11% (from 9%) for blocs composed of three parties or more. For independent candidates, the threshold was kept at 2%. These thresholds had already been changed several times in the past. The OSCE/ODIHR and the Venice Commission have repeatedly recommended lowering them.<sup>3</sup>

16. The Parliamentary Assembly emphasised in its [Resolution 1955 \(2013\)](#) on the honouring of obligations and commitments by the Republic of Moldova that “[e]lectoral processes have been a continuous bone of contention between the majority and the opposition. Completion of the electoral reforms should therefore be considered as a priority area for the authorities. The Assembly stresses the need for the Moldovan authorities to respect international standards in electoral matters, particularly the ‘Code of good practice in electoral matters’ of the Venice Commission”.<sup>4</sup>

17. Several additional proposals for amendments to the electoral framework were before the outgoing parliament, including proposals for the introduction of a gender quota for party lists, lengthening of the period for voting abroad and revision of the rules on financing of political parties and election campaigns.<sup>5</sup> The Parliamentary Assembly’s ad hoc committee regrets that the outgoing parliament did not adopt, before the 30 November elections, the legislative amendments concerning, in particular, the financing of political parties and election campaigns and the draft law on the introduction of temporary quotas to promote the participation of representatives of the under-represented sex in public life, including on election lists.

### 3. Electoral administration, registration of candidates and voters

18. Parliamentary elections in the Republic of Moldova are administered by a three-tier electoral administration comprising the Central Election Commission (CEC), district electoral councils (DECs) and precinct electoral bureaus (PEBs). The CEC is a permanent body consisting of nine members appointed for a five-year term of office.

19. The CEC informed the members of the ad hoc committee that 35 DECs and 2 073 PEBs had been established for the 30 November 2014 elections. As in previous elections, no polling took place in Transnistria, which since 1992 is *de facto* not under the Moldovan Government’s control. Moldovan voters in the Transnistria region were able to vote in one of the 26 polling stations designated for this purpose.

20. In April 2014, the Electoral Code was amended and a central register of voters was introduced. On election day, polling stations were supposed to identify and record voters on line to guard against the possibility of double voting. According to the observations of members of the ad hoc committee, the electronic system for identifying and recording voters broke down about an hour after the polling stations visited had opened. This technical problem had no impact on the proper conduct of the election, but led to long queues at a great many polling stations.

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1. See joint opinion of the Venice Commission and OSCE/ODIHR on the draft law amending the electoral legislation of the Republic of Moldova, 24 March 2014, CDL-AD(2014)003.

2. Opinion of the Venice Commission, CDL-AD(2014)003

3. Ibid.

4. See also [Doc. 13303](#), report of the Monitoring Committee (co-rapporteurs: Ms Christoffersen and Mr Wach).

5. See joint opinion of the Venice Commission and OSCE/ODIHR on draft legislation of the Republic of Moldova pertaining to financing political parties and election campaigns, 11 March 2013, CDL-AD(2013)002.

21. The electoral rolls were compiled on the basis of the Central Register of Voters. According to figures provided by the CEC, 3 226 446 voters in all were registered on the electoral rolls, compared with 2 734 000 in the 2010 elections. According to the CEC, this increase was due to the inclusion on the electoral rolls of Moldovan voters resident in the Transnistria region. For the first time, voters with former Soviet Union passports were not to be allowed to use them as ID on polling day. On 18 November, the CEC took the decision to authorise the use of expired identity cards and passports, except for former Soviet Union passports. In this connection, some of the ad hoc committee's interlocutors voiced concern over the lack of a uniform approach regarding the use of identity documents. The ad hoc committee wishes to stress, however, that the CEC made a great effort to ensure that the persons concerned were able to obtain new identity documents before the date of the election.

22. As in previous elections, one of the main challenges for the CEC was the very large number of Moldovan citizens in other countries. Different sources put the figure at between 700 000 and 900 000 out of a total of 3.2 million registered voters. The decision on the number of PEBs in foreign countries was taken by the Moldovan Government on 20 October on the basis of proposals from the Ministry of Foreign Affairs, taking due account of the security and logistical requirements that needed to be met in order to ensure the smooth running of the electoral process and the ballot itself. The government decided to open 95 polling stations in foreign countries, the largest number being in Italy (25).

23. A number of interlocutors drew the ad hoc committee's attention to the fact that the geographical distribution of these polling stations in various foreign countries was motivated more by political than by logistical considerations and did not correspond to the number of Moldovan citizens living in the countries concerned. Preference was allegedly given to the countries of Western Europe, although the largest Moldovan community was in Russia, where only five polling stations were opened. The Socialist Party of the Republic of Moldova (PSRM) challenged this decision of the CEC three times, but its applications were dismissed by the court. In its statement of 7 November 2014, the Assembly's pre-electoral delegation expressed concern at the unbalanced distribution of the 95 polling stations abroad.

24. At the request of the leaders of the PSRM, which was campaigning for Moldova's accession to the Eurasian Customs Union, the Russian Federal Migration Department changed the rules at the beginning of November to allow Moldovan citizens illegally present in Russia to leave Russian territory between 5 and 30 November to take part in the elections in Moldova and return to Russia without hindrance.

25. The CEC registered 26 lists, including 21 political parties, one bloc of political parties and 4 independent candidates. The total number of candidates registered was 1 885, around 31% of whom were women. Individual candidates were required to collect at least 2 000 signatures of support from eligible voters. Political parties are allowed to change their list of candidates up to one week before polling day. Belated changes in the list of candidates may adversely affect the ability of voters to familiarise themselves with the names appearing on party lists.

26. At an extraordinary session held on 26 November, the CEC decided by seven votes to two to ask the Court of Appeal to cancel the registration of the Parti Patria (PP). The request was based on a police investigation showing that the PP had violated the legislation on the financing of election campaigns by receiving money from abroad.<sup>6</sup> The PP appealed to the Supreme Court of the Republic of Moldova, which upheld the decision of the Court of Appeal on 29 November.

27. In this connection, the IEOM declared after the elections that "[t]he 30 November parliamentary elections were characterised by a wide choice of political alternatives and were generally well administered, although the de-registration of one electoral contestant shortly before election day raised questions about the timing and circumstances".<sup>7</sup>

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6. According to the Venice Commission's joint opinion on the subject, sanctions should be proportionate, and the possibility of cancelling the registration of electoral contestants due to the acceptance or use of funds in violation of the provisions of the law should either be removed or replaced with a less draconian sanction, CDL-AD(2013)002, paragraph 80.

7. The press release issued by the IEOM after the elections appears in Appendix 4.

#### 4. Election campaign, campaign funding and media coverage

28. During its visit to the Republic of Moldova from 4 to 7 November, the Assembly's pre-electoral delegation met the President of the Republic of Moldova, the Prime Minister, the Speaker of Parliament, the leaders of the main political parties standing in the elections, the Chair of the Central Election Commission, the Chair of the Audiovisual Co-ordination Council and representatives of the international community, NGOs and the media.

29. The delegation found that the election campaign was open and conducted in a calm atmosphere and that the political parties and candidates were able to conduct their campaign freely. The major political issues focused on matters to do with European integration or closer relations with the Eurasian Customs Union and the Russian Federation as well as on anti-corruption issues, unemployment, retirement pensions, the public health-care system and the education system. The delegation was also informed about a small number of cases of religious representatives participating in the election campaign in support of certain political parties. In this connection, the delegation issued a reminder in its pre-election statement of the principle of the separation of Church and State in a democracy.

30. The political landscape in the Republic of Moldova has undergone constant change. Some communist MPs have left the PCRM. Mr Igor Dodon founded the PSRM, which conducted an open campaign in favour of the Eurasian Customs Union and closer relations with Russia and against the policy of European integration. The PSRM called for a referendum for the Republic of Moldova to join the Eurasian Customs Union. A new face has appeared on the political scene: the businessman Renato Usatii, who joined the Patria Party, which conducted a campaign in favour of the Eurasian Customs Union and fiercely criticised the pro-European coalition government.

31. Some influential members of the PCRM left the party and decided to set up the "Antifa" movement, the alleged objective of which is to combat fascist demonstrations and which is in favour of the Republic of Moldova joining the Eurasian Customs Union. During the election campaign, the PCRM opted for an approach advocating a "third way" to enable a strategic partnership to be maintained both with the Eurasian Union and with Russia.

32. According to PLDM representatives, the election campaign was calm and peaceful, although the military conflict in the neighbouring country of Ukraine was on Moldovan citizens' minds. After the elections, the PLDM indicated its intention to implement the association agreement with the European Union. Party leaders mentioned the Russian influence on the election campaign, especially the Russian-language media, and the fact that certain political parties, especially the PSRM and the PP, set up in 2014, were allegedly supported by and received funding from Russia.

33. The leader of the PDM said that the results of the 30 November elections would clarify the strategic orientation of the Republic of Moldova's foreign policy – was it going to continue to consolidate its European integration policy or not? According to the PDM, the major concerns of the Moldovan electorate were unemployment, salary levels, the social security system, the education system, the consequences of the Russian embargo and security worries. The two latter issues were said to have influenced public opinion on the ideas of European integration. After the elections, the PDM said it would not be able to join the government coalition with the political forces that were against the implementation of the association agreement with the European Union and were in favour of the Eurasian Customs Union.

34. The representatives of the PL stressed their party's attachment to European values. The PL criticised the media coverage of the election campaign since many media belong to the oligarchs who appeared on the lists of some political parties. Another problem concerning the media was the very high rates for television election advertising, which not all political parties could afford.

35. The leader of the PSRM criticised the pro-European government coalition and supported close and strategic relations with the Russian Federation. One major problem was the insufficient number of polling stations opened in various countries, especially Russia, where there were only five for hundreds of thousands of Moldovan voters. The PSRM mentioned the risk of election fraud in polling stations situated in foreign countries as there were not enough observers. The party intended to send observers to all 95 polling stations abroad.

36. The leader of the PCRM said he was concerned about the lack of transparency regarding the sources of funding of political parties and the media, stressing that his party had advocated adopting draft laws in that area before the elections. According to the PCRM, the television channels were controlled by oligarchs close to the parties of the pro-European coalition. He also criticised the lack of transparency regarding media

ownership. According to him, some so-called left-wing parties especially Mr Dodon's PSRM and Mr Usatyi's Patria, mainly focused their attacks on the communist party, and those parties were funded from abroad, which was a danger to the security of the Republic of Moldova.

37. As far as campaign and party funding is concerned, despite the recommendations of the Venice Commission and the Group of States against Corruption (GRECO), the legal framework remains inadequate because the outgoing parliament did not amend the legislation before the elections.<sup>8</sup> The CEC's terms of reference and its abilities to audit political parties' reports on their campaign accounts are limited. On 7 October, the CEC imposed on political parties an election campaign expenditure ceiling of 55 million lei (approximately 3 million euros) and on individual candidates a ceiling of 2 million lei. This ceiling was more than double that of the 2010 parliamentary elections but without any strengthening of the legal control mechanisms or increase in the penalties applicable.

38. Several interlocutors, including representatives of the country's authorities, informed the Assembly's pre-electoral delegation during its visit to Chisinau about a lack of transparency in the sources of political party funding. A considerable proportion of the general public is convinced that corruption is common in the Republic of Moldova. The delegation was also informed about the alleged use of "dirty money" from abroad during the election campaign.

39. The Assembly delegation expressed its deep concern about the high level of campaign expenditure and the role played by oligarchs in the country's political life, especially the electoral process. This aspect is particularly worrying in a country that faces serious economic and social problems and a high level of poverty. The delegation also disapproved of the involvement of local businessmen in the indirect funding of the election campaign. The ad hoc committee also wishes to stress that the application of the law on campaign and political party funding must be fair and equitable and that justice must on no account be selective.

40. As far as media coverage of the election campaign is concerned, various interlocutors said there had been improvements in the coverage provided by public service broadcasters and that a wide range of opinions had been expressed in the different media. According to the ODIHR media monitoring report, the television channel Moldova 1, Radio Moldova and Pro TV Chisinau provided coverage that was generally balanced. However, serious concerns remain: the opaque sources of funding of some media outlets whose holding companies are allegedly registered offshore, the lack of transparency concerning media ownership, the control of the media by various oligarchs and their close relationship with the political parties. The delegation also noted that the majority of the media remain divided along political and linguistic lines. It also regretted the influence on the election campaign of media established abroad and the impact of news programmes from these media on the electorate's choice.

## 5. Polling day

41. Polling day was calm and peaceful and voting was well organised. Voting operations and vote counting generally took place in a professional manner and in a calm atmosphere. Polling station staff fully co-operated with the observers. The members of the ad hoc committee noted the presence of a large number of women among the polling station staff, as well as of representatives of various political parties in all the polling stations visited.

42. The ad hoc committee identified a number of technical issues in the polling stations visited:

- about an hour after the polling stations opened, the electronic voter identification and registration system failed in virtually all the polling stations visited. This technical fault created long queues but had no adverse impact on the voting process;
- in some polling stations, this situation created some operational disorder, but the observers noted no tensions or attempts at manipulation;
- polling stations were poorly equipped for the organisation of the vote;
- overall, for people with reduced mobility the polling stations were either inaccessible or difficult to access;
- difficulties in finding some polling stations in rural localities as the addresses were not clearly posted;

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8. See, in particular, the joint opinion of the Venice Commission on the subject, CDL-AD(2013)002.

- in one polling station visited, in the Dubasari area, voters were taken by bus to vote mainly on additional lists;
- cases were noted of unintended non-compliance with vote counting procedures in some polling stations;
- cases were noted of unintended non-compliance with procedures for drawing up protocols and the failure to declare this fact after the count.

43. On 4 December 2014, the CEC announced the results of the parliamentary elections of 30 November 2014. The turnout was 55.86%. Five parties passed the threshold of 6%: the PSRM with 20.51%, obtaining 25 seats; the PLDM with 20.16% and 23 seats; the PCRM with 17.48% and 21 seats; the PDM with 15.91% and 19 seats; and the PL with 9.67% and 13 seats.

## 6. Conclusions and recommendations

44. The Assembly's ad hoc committee concluded that on 30 November 2014 the citizens of the Republic of Moldova were able to make their choice freely. The parliamentary elections were characterised by a wide choice of political alternatives and were generally well organised.

45. The ad hoc committee noted that the electoral code currently in force is a good basis for the organisation of democratic elections in the country, even though there is room for improvement, especially as regards the formula for the allocation of seats and the thresholds laid down at the time of the last reform. The ad hoc committee considers that belated changes in the list of candidates, up to one week before polling day, may adversely affect the ability of voters to familiarise themselves with the names appearing on party lists. The ad hoc committee is convinced that holding really democratic elections mainly depends on the political will, which must be demonstrated by all concerned, to observe both the letter and spirit of the law. The ad hoc committee regrets that, contrary to the Venice Commission's recommendations, the electoral law was recently amended to raise the election threshold. An electoral reform should be carried out well ahead of elections on the basis of a broad consensus between the main political parties.

46. The ad hoc committee noted that the election campaign generally took place in a calm atmosphere. It was dominated by debates on European integration or on closer relations with the Eurasian Customs Union. The ad hoc committee is pleased to emphasise that, unlike in previous election campaigns, the Assembly delegation's interlocutors mentioned no cases of the abuse of administrative resources or of problems with the accuracy of voter lists.

47. As far as the funding of the campaign and political parties is concerned, the ad hoc committee regrets that the outgoing parliament did not amend the legislation on the subject before the 30 November elections despite Assembly Resolution 1955 (2013) calling for the implementation of effective reforms.

48. The Assembly delegation expresses its concern about the high level of campaign expenditure and the role played by oligarchs in the country's political life, especially the electoral process. This aspect is particularly worrying in a country that faces serious economic and social problems and a high level of poverty. A considerable proportion of the general public is convinced that corruption is common in the Republic of Moldova. The delegation was also informed about the use during the election campaign of money from abroad. The ad hoc committee also wishes to stress that the application of the law on campaign and political party funding must be fair and equitable and on no account be selective.

49. The ad hoc committee noted improvements in the coverage of the election campaign by public service broadcasters, especially the television channel Moldova 1 and Radio Moldova, as well as the fact that a wide range of opinions were expressed in the different media. However, serious concerns remain: the opaque sources of funding of some media outlets whose holding companies are allegedly registered offshore; the lack of transparency concerning media ownership; the control of the media by various businessmen and oligarchs and their close relationship with political parties. The delegation also noted that the majority of the media remain divided along political and linguistic lines. It also regretted the influence on the election campaign of media established abroad and the impact of news programmes from these media on the electorate's choice.

50. The election administration was professional and transparent and generally enjoyed the confidence of the main political players. Nonetheless, some interlocutors wondered about the timing and circumstances of the deregistration of one of the candidates three days before polling day and about the unbalanced distribution

of the 95 polling stations set up abroad. The Assembly's delegation expressed concern at the unbalanced distribution of the polling stations abroad which did not correspond to the number of Moldovan citizens living in the countries concerned.

51. The ad hoc committee believes that the Parliamentary Assembly should continue its close co-operation with the newly elected parliament of the Republic of Moldova, through its monitoring procedure, and with the Venice Commission, in order to resolve the issues raised during the 30 November 2014 parliamentary elections and to further consolidate the entire election process. The Council of Europe and its Parliamentary Assembly should, through their various co-operation programmes, continue to help the Republic of Moldova to implement these important reforms.



## Appendix 1 – Composition of the ad hoc committee

Based on the proposals by the political groups of the Assembly, the ad hoc committee was composed as follows:

- Jean-Claude MIGNON (France, EPP/CD), Chairperson of the ad hoc committee
- **Socialist Group (SOC)**
  - Stefan SCHENNACH,\* Austria
  - Andreas GROSS, Switzerland
  - Paolo CORSINI, Italy
  - Luc RECORDON, Switzerland
  - Florin IORDACHE, Romania
  - Predrag SEKULIĆ, Montenegro
  - Maria GIANNAKAKI, Greece
- **Group of the European People's Party (EPP/CD)**
  - David BAKRADZE, Georgia
  - Hans FRANKEN, Netherlands
  - Thierry MARIANI, France
  - Jean-Claude MIGNON,\* France
  - Marcel OBERWEIS, Luxembourg
  - Anne-Mari VIROLAINEN, Finland
  - Emanuelis ZINGERIS, Lithuania
  - Volodymyr ARIEV, Ukraine
  - Bernd FABRITIUS, Germany
- **Alliance of Liberals and Democrats for Europe (ALDE)**
  - Corneliu Mugurel COZMANCIUC, Romania
  - Ionut-Marian STROE,\* Romania
  - Luis Alberto ORELLANA, Italy
- **European Conservatives Group (EC)**
  - Reha DENEMEÇ,\* Turkey
  - Ingebjørg GODSKESEN, Norway
- **Group of the Unified European Left (UEL)**
  - Nazmi GÜR,\* Turkey
- **Co-rapporteurs of the Monitoring Committee (ex officio)**
  - Lise CHRISTOFFERSEN,\* Norway
  - Piotr WACH,\* Poland
- **Venice Commission**
  - Manuel GONZALEZ OROPEZA, Mexico
- **Secretariat**
  - Chemavon CHAHBAZIAN, Head of Secretariat, Interparliamentary Co-operation and Election Observation Division
  - Danièle GASTL, Assistant
  - Anne GODFREY, Assistant
  - Amaya UBEDA DE TORRES, Administrator, Venice Commission
  - Grégoire DEVICTOR, Interpreter

\* members of the pre-electoral delegation

## **Appendix 2 – Statement by the pre-electoral delegation**

Strasbourg, 07.11.2014 – “European integration or closer relations with the Customs’ Union – this is the key issue of the election campaign,” declared a delegation of the Parliamentary Assembly of the Council of Europe (PACE) at the end of a pre-electoral mission to the Republic of Moldova to assess the campaign and political climate prior to the 30 November parliamentary elections.

The delegation, which visited the country from 5 to 6 November, notes that, in general, the election campaign is calm and political parties and candidates have the opportunity to campaign freely. A number of interlocutors expressed voters’ concerns with regard to unemployment, pensions, the healthcare system and education. Some interlocutors described cases of misuse of administrative resources and vote-buying. The delegation was also informed of limited cases of religious representatives becoming involved in the election campaign in support of certain political parties. In this regard, the delegation recalls the principle of respect for the separation between church and state in a democracy.

The Electoral Code of the Republic of Moldova provides a good basis for the conduct of democratic elections. The delegation underlines that the key challenge for the conduct of genuinely democratic elections remains the willingness of political parties to exercise the political will to uphold both the letter and the spirit of the law, and to implement it fully and effectively. Recent amendments to the electoral legislation increased the electoral threshold, contrary to Venice Commission recommendations. The PACE delegation recalls that discussions about electoral reform were to be expected. The electoral reform should be conducted on the basis of a wide consensus among the main political parties, and well in advance of the election.

Various interlocutors, including representatives of the authorities, informed the delegation about a lack of transparency of the sources of financing of political parties. The perception of corruption in the Republic of Moldova is widespread in public opinion. The delegation was also informed about the use of “dirty money” during election campaigns, coming from abroad.

The Assembly delegation expresses its deep concern with regard to the significant campaign expenditure as well as the role played by businessmen and oligarchs in the political life of the Republic of Moldova, especially in the electoral process. This is of particular concern in a country facing serious social and economic problems and high level of poverty. The delegation also questions the interference of businessmen at local level in the indirect financing of the election campaign.

The rules governing the funding of political parties and election campaigns remain inadequate. In this regard, the Assembly delegation recalls that the Venice Commission recommended the adoption of a law on the financing of political parties and election campaigns, and regrets that the Parliament has not adopted such a law.

Some interlocutors pointed out improvements in media coverage by public broadcasters and a wide range of opinions appearing in different media. Nevertheless, several issues of serious concern remain: the opacity of the sources of financing of some media outlets, whose holding companies are allegedly registered off-shore, a lack of transparency concerning their ownership, the control of media by a number of businessmen and oligarchs, and their close ties to political parties. The delegation also noted that the majority of media remain divided along political and linguistic lines. It also noted the influence on the election campaign of media established abroad and the negative impact of news programmes from these media on the informed choice of the electorate.

The delegation noted that the Central Election Commission, in general, enjoys the confidence of the main political stakeholders. The creation of an electronic electoral register should limit the need for supplementary voters’ lists. The delegation is concerned about the unbalanced distribution of the 95 polling stations abroad. The delegation calls upon Moldovan voters to take an active part in these crucially important elections for the future of their country.

The Assembly delegation invites the authorities to take speedy and efficient measures to ensure the conditions are in place for all Moldovans to express their will freely during the campaign and on election day.

In Chisinau, the delegation met the President of the Republic, the Prime Minister, the Speaker of Parliament, leaders of political parties participating in the elections, the Chairman of the Central Electoral Commission, the Chairman of the Audiovisual Co-ordinating Council, representatives of the international community, NGOs and the media.

A full 32-member delegation from the Assembly will return to the country to observe the elections.

Members of the delegation: Jean-Claude Mignon (France, EPP/CD), head of the delegation, Stefan Schennach (Austria, SOC), Reha Denemeç (Turkey, EC), Ionut-Marian Stroe (Romania, ALDE), Nazmi Gür (Turkey, UEL)

Co-rapporteurs for the monitoring of the Republic of Moldova: Lise Christoffersen (Norway, SOC), Piotr Wach (Poland, EPP/CD)

### **Appendix 3 – Programme of the election observation mission (28 November-1 December 2014)**

#### **Friday 28 November 2014**

- 09:00-10:00 Meeting of the PACE ad hoc committee:
- Briefing regarding the pre-electoral mission by Mr Jean-Claude Mignon, Chairperson
  - Briefing by the members of the pre-electoral mission
  - Briefing by Mr José-Luis Herrero, Head of the Council of Europe Office in the Republic of Moldova
  - Briefing on recent changes in electoral legislation, by Mr Manuel Gonzalez Oropeza, Venice Commission
  - Practical and logistical arrangements, Secretariat

#### **Joint parliamentary briefings:**

#### **Friday 28 November 2014**

- 10:30-11:00 Opening by the Heads of parliamentary delegations
- Mr Emin Onen, Special Co-ordinator and Leader of the OSCE short-term observers
  - Mr Jean-Claude Mignon, Head of the PACE delegation
  - Mr Igor Šoltes, Head of Delegation, European Parliament
- 11:00-11:30 Introduction by Heads of Local Offices:
- Mr Jan Plesinger, Assistant to the Head of the OSCE Mission to the Republic of Moldova
  - Mr José-Luis Herrero, Head of the Council of Europe Office in the Republic of Moldova
  - Ambassador Pikka Tapiola, Head of the EU delegation in the Republic of Moldova
- 11:30-12:15 Election administration:
- Mr Iurie Ciocan, Chairperson of the Central Election Commission (CEC)
- 13:45-15:15 Briefing by Ambassador Jan Petersen, Head of the OSCE/ODIHR election observation mission and members of his team
- 15:15-19:00 Meetings with representatives of the political parties:
- Mr Valeriu Ghiletschi, member Liberal Democrat Party of Moldova (LDPM)
  - Mr Sergiu Sirbu, member of the Democratic Party (PDM)
  - Mr Artur Resetnicov, Election Campaign Manager of the Communist Party of the Republic of Moldova (PCRM)
  - Mr Ion Ceban, member of the Socialist Party of the Republic of Moldova (PSRM)
  - Ms Corina Fusu, First Vice-President of the Liberal Party (LP)
  - Mr Ion Hadirca, President of the Liberal Reformist Party (PLR)
  - Mr Grigore Petrenco, member of the Patria Party

#### **Saturday 29 November 2014**

- 09:00-10:15 Meetings with representatives of NGOs:
- Mr Pavel Postica, Promolex, Head of the Monitoring Section
  - Mr Igor Botan, Association for participative democracy (ADEPT)
  - Mr Nicolae Pamfil, Coalition for free and fair elections
  - Mr Petru Macovei, Association of independent press
  - Mr Cristian Ciobanu, Association partnership for development
- 10:15-11:45 Meetings with representatives of the media:
- Ms Julia Gutuleac, Audiovisual Council
  - Mr Constantin Vulpe, TV Channel Moldova 1

- Mr Tudor Darie, Unimedia.info, Co-founder and Director
- Mr Roman Malinowski, Director, Accent TV
- Ms Eugenia Nastase, Editor-in-Chief, Jurnal TV
- Ms Alina Radu, Director, Ziarul de Garda newspaper

11:45-12:15 Meeting with the OSCE/ODIHR election observation mission

12:15 Distribution of observation questionnaires, information on statistical analysis and security issues

Meeting with Long Term Observers for Chisinau followed by the meeting with drivers and interpreters

### **Sunday 30 November 2014**

07:00-21:00 Observation in polling stations

After 21:00 Observation of closing and counting

### **Monday 1 December 2014**

08:00-09:00 Debriefing meeting of the PACE ad hoc committee for members deployed in Chisinau and in the regions

15:00 Press conference

#### **Appendix 4 – Press release of the International Election Observation Mission (IEOM)**

##### **Elections in Moldova were generally well administered, in a campaign influenced by geopolitical aspirations, say international observers**

Strasbourg, 01.12.2014 – The 30 November parliamentary elections in Moldova were characterised by a wide choice of political alternatives and were generally well administered, although the de-registration of one electoral contestant shortly before election day raised questions about the timing and circumstances, international election observers said in a statement issued today. While contestants enjoyed unimpeded access to the media, political influence in broadcast media led to partisan reporting.

“A largely well-run election offered voters the opportunity to choose their preferred candidates and even geopolitical aspirations, which was at the heart of the campaign,” said Emin Önen, Special Co-ordinator and leader of the short-term OSCE observer mission. “That said, the late removal of a highly visible party from the ballot cast a shadow over the final days.”

Against the backdrop of the country’s geopolitical aspirations, candidates were able to compete in a peaceful campaign and fundamental freedoms were generally respected, the statement said. Changes made to candidate lists up to a week before the elections meant that some potential candidates continued working in official government capacities throughout the campaign, thus blurring the distinction between public office and campaign activities. Observers noted a limited number of campaign violations, mostly related to unequal access to public venues.

“Yesterday the citizens of Moldova voted in a free and dignified manner. The newly elected parliament should immediately begin implementing long-awaited reforms in order to resolve socio-economic issues, tackle corruption, and adopt laws on electoral campaign and party financing, in particular to ensure transparency of sources of funding. The application of the law should be fair and justice should never be selective,” said Jean-Claude Mignon, head of the PACE delegation. “The Parliamentary Assembly of the Council of Europe, its monitoring mechanisms, the Venice Commission and the Group of States against Corruption (GRECO) stand ready to assist the Moldovan authorities in carrying out reforms.”

The election administration was generally professional and transparent and enjoyed the confidence of most stakeholders. In particular, the new electronic system for voter registration marked a positive development, although its introduction faced challenges related to procedures and infrastructure, while the processing of voters’ data on election day experienced technical deficiencies.

Arta Dade, Head of the OSCE PA delegation, said: “Thousands of people worked hard to make yesterday’s election come together, and I applaud the efforts of the polling station workers. The failure for several hours yesterday of the electronic voter’s register was an unfortunate glitch to an otherwise smoothly run election day. The effective work particularly by women in running the elections yesterday is a sign that women can play a larger role in parliament and governing.”

“Within the context of a divided political environment, the elections were competently and professionally administered,” said Ambassador Jan Petersen, Head of the OSCE/ODIHR long-term election observation mission. “Nevertheless, there is still room for improvement, such as with regards to the legal framework, to ensure that future election campaigns create an equitable environment for all contestants.”

While the legal framework is generally adequate for the conduct of democratic elections, ambiguities and vague provisions undermined the consistent application of the law. In particular, issues remain concerning the transparency, oversight and enforcement of campaign finance regulations. In addition, the legal framework lacks measures to promote the participation of women and minorities, who were placed in generally unwinnable positions on candidate lists.

Media coverage of the campaign presented voters with a diverse range of views. Media independence remained a problem, however, and the concentration of media ownership and political influence affected editorial freedom and investigative reporting. With a few notable exceptions including the public broadcaster, balanced campaign coverage was limited. Nevertheless, national broadcasters complied with their obligations to provide free airtime and organise debates.

Election day generally proceeded in an orderly manner, despite considerable technical difficulties in processing voter data, affecting the voting and counting processes, and one fifth of precinct commissions had difficulties in processing the results electronically. Contestant and citizen group observers were present in almost all polling stations and tabulation centres observed.

“We took note of the progress that has been made, but also of observed shortcomings, including those already highlighted in the European Parliament resolution on Moldova of 13 November. In particular, we stressed the importance of adopting effective legislation on party financing and media freedom and plurality, with a particular emphasis on transparency of media ownership,” said Igor Šoltes, Head of the EP delegation. “Let me reiterate that the European Parliament looks forward to working together with the new Moldovan Parliament, and will follow closely the swift implementation of the new Association Agreement,” he added.