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Conference

‘THE 2014 PARLIAMENTARY ELECTIONS:
LESSONS LEARNED AND STEPS AHEAD’

*Organised by the Council of Europe and
the Central Election Commission of the Republic of Moldova*

23 – 24 March 2015

Chisinau

Hotel “Codru”

CONCLUSIONS

Participants to the Post-Electoral Conference “2014 Parliamentary Elections: lessons learnt and steps ahead” held in Chisinau on 23 – 24 March 2015:

- *Recalled* the importance to respect the right to free elections as guaranteed by the Article 3 of the Protocol No.1 to the European Convention on Human Rights as a solid foundation of democracy and as a precondition to ensure the legitimacy of the institutions issued from the ballot;
- *Praised* the enhanced role played by the relevant institutions in the organisation of these elections and notably the Central Election Commission of the Republic of Moldova, but
- *Regretted* the insufficient guarantees for the oversight of the campaign finance that marked these elections;
- *Stressed* the contribution by the electoral officials to the conduct of these elections with particular focus on the implementation, for the first time, of the centralised State Registry of Voters *noting*, however, the need to further improve the functioning of the latter in particular by providing sufficient infrastructure, personnel and security guarantees;
- *Called* on the use of the post-election period as an opportunity to conduct the necessary legislative reforms with a view to:
 - Strengthening the capacities of the Coordinating Council of Audiovisual (CCA) to monitor the campaign coverage by the media and to uniformly apply sanctions when findings reveal repeated unbalanced coverage by broadcasters;
 - Facilitating the participation of women and national minorities in public life and the elimination of discrimination in line with principle of equal suffrage of the European electoral heritage;
 - Further improving the resolution of electoral disputes and
 - Ensuring active and passive suffrage for all persons with disabilities, in line with the UN Convention on the Rights of Persons with Disabilities;
- *Welcomed* the adoption of the Law on Financing of Political Parties and Electoral Campaigns by the new parliament, but
- *Deplored* the low level of women participation in politics;
- *Stressed* the contribution by the domestic observers to the election process and *encouraged* continuous dialogue between civil society and electoral stakeholders at all stages of the electoral cycle;
- *Highlighted* the importance by the authorities of considering the report on the observation of elections by the Parliamentary Assembly of the Council of Europe (Doc.13671), of the Council of Europe Venice Commission and OSCE/ODIHR Joint Opinion CDL-A(2014)003 and of the GRECO recommendations following the 2013 Third Evaluation Round Compliance Report;
- *Expressed* gratitude to the Moldovan authorities, the Council of Europe, the United Nations Development Programme in Moldova, donors and civil society organisations for their co-operation in the conduct of the event and for their contribution to its successful completion.

Following discussions in four working groups, participants further agreed on specific recommendations as follows:

1. ROLE OF MEDIA IN ELECTIONS

Actions should be taken with a view to:

- Ensuring independence of press by amending the legislation so as to exclude political control of media institutions and of regulatory and control institutions;
- Introducing provisions in the Audiovisual Code that would allow the CCA to apply gradual sanctions to radio and TV stations;
- Ensuring political pluralism and diversity in news bulletins, broadcasted during election campaigns on radio and TV stations;
- Ensuring that one regulation, common for all radio and TV stations and all kinds of elections/referenda, covers the electoral campaign;
- Encouraging the organisation of thematic debates during the election campaign through recommendations for media during the electoral campaign;
- Ensuring that street billboards provide space for civic and electoral education during electoral campaigns free of charge;
- Guarantee that all categories of voters benefit from civic and electoral awareness raising campaigns between elections including persons with disabilities and belonging to national minorities;
- Ensuring that all persons (including with disabilities) can have access to information (for example by providing sign language interpretation of the electoral debates).

2. ISSUES FOR ELECTIONS LEGISLATIVE FRAMEWORK REVIEW: POLITICAL PARTY AND CAMPAIGN FINANCING, HUMAN RIGHTS AND GENDER EQUALITY

Actions should be taken with a view to implementing the new legislation on campaign financing as following:

- Creating uniform reporting forms on expenditures during electoral campaign with clear instructions on how to fill them in and by which institutions (already for the upcoming local elections);
- Treating all parties equally on reporting requirements and publication of reports;
- Treating all candidates equally when it comes to the misuse of administrative resources in electoral campaigns;
- Establishing a clear mechanism for the registration and submission of the financial reports for the local elections;
- Identifying an independent entity to be responsible for non-declared revenues and payments verification;
- Identifying a mechanism that would allow Moldovan citizens living abroad and those who live in Transnistria region to participate in political life;
- Reviewing the deadlines for the submission of the final campaign reports so as to allow payments to be made after the voting day;

- Clarifying the method of calculation for the average thresholds of the amounts allowed to be transferred into the candidate's electoral fund;
- Organising trainings for the employees of National Anti-Corruption Centre, General Police Inspectorate, State Tax Service and political parties' treasurers.

As concerns the respect of human rights and equal opportunities for women and men, the authorities are encouraged to:

- Look into the possibility for adopting gender quotas to encourage promotion of women in decision making;
- Consider introducing sanctions for parties that have not included women on the candidates' lists;
- Identifying the mechanisms to facilitate political inclusion of young people, minorities and people with disabilities;
- Multiply efforts to diversify voting mechanisms and procedures for voters in Transnistria region and abroad;
- Ensure the right to vote for people in pre-trial detention (in particular when it comes to local elections)

3. INSTITUTIONAL CAPACITY AND INFORMATION TECHNOLOGY DURING ELECTIONS

Actions should be taken with a view to:

- Improving the functioning of the State Voters' Register (create a single system for the whole country, servers by CEC or regions, automate voter's number data entry etc.);
- Clearly defining the status of "Voting day operators" ;
- Rendering the exchange of information regarding electoral rolls more efficient between local public authorities (LPAs) and the centralised State Registry of Voters in order to have more accurate information concerning the deceased;
- Creating an address registry, ensure personal data protection, create additional electoral registers for voters abroad;
- Creating a register of electoral officials abroad;
- Creating a permanent telephone line at CEC that would be used to notify about any technical/voting problems.

4. RESOLUTION OF ELECTORAL DISPUTES

Actions should be taken with a view to:

- Modifying legal framework with a view to provide clear definition of administrative resources and sanctions when they are misused;
- Introducing new provisions on electoral advertising;
- Reviewing the Regulation on the procedure for the electoral bodies to examine and settle contestations;
- Removing ambiguities between the electoral code and the Law on Petitions regarding the settlement of electoral disputes.