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BUREAU OF THE CONGRESS

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REPORT
ON THE ELECTION OF THE BASHKAN (GOVERNOR) OF GAGAUZIA (MOLDOVA)
observed on 3 and 17 December 2006

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on 15 February 2007*

EXECUTIVE SUMMARY

Following an invitation by the Moldovan authorities, the Congress monitored the election of the Bashkan of Gagauzia (Moldova) held on 3 and 17 December 2006.

While recognising the improvement made in the administration of the election of the Bashkan since the previous election, Congress observers concluded that the conduct of this election was not completely in accordance with international standards. The delegation therefore emphasized that significant shortcomings need to be urgently addressed in particular in view of the upcoming local elections. In its report, the Congress addresses several issues of concern.

The report underlines that progress is needed to ensure consistency between the Gagauzian electoral legislation and the Moldovan Electoral Code as well as to ensure the impartiality of Central Election Commission of Gagauzia if Moldova is to fully meet its commitments regarding international and Council of Europe election principles and standards.

In addition, Congress observers express particular concern about the lack of equal conditions for all contestants and the unclear use of administrative resources during the electoral campaign. They also report about serious irregularities such as type and handwritten lists, pre-marked and pre-stamped ballot papers, family voting and undue pressure on voters and on polling station commission members in a few polling stations.

The Congress finally encourages the new Bashkan and the Central Government of Moldova to work constructively together for the benefits of both the region and the whole country and it invites the Moldovan Authorities to take full account of its present recommendations.

In its Recommendation XXX (2007), the Congress invites the Moldovan Authorities to take a number of measures aiming at:

- ensuring the consistency between the electoral legislation of Moldova and the laws applicable to electoral procedures in Gagauzia (Moldova) and guaranteeing that, in future, amendments to the election code are adopted well before the election and submitted to the evaluation of the Venice Commission before adoption;
- improving election administration in particular by guaranteeing the impartiality of the Central Election Commission and providing adequate training to commissions members;
- taking appropriate measures to avoid misuse of administrative resources and to ensure equal campaign conditions for all candidates;
- improving the accuracy of the voters' register in time for the forthcoming local elections and at guaranteeing an appropriate use of supplementary and mobile voting lists;
- ensuring that polling stations are adapted to the needs of the voters and are adequate and suggests.

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1. Introduction

1. Following an invitation by Mr Eugeniu Știrbu, President of the Central Electoral Commission of Moldova¹, the Bureau of the Congress of Local and Regional Authorities of the Council of Europe decided to send a delegation to observe the election of the Bashkan (Governor) of the Administrative-Territorial Unit Gagauz-Yeri (Gagauzia)², scheduled on 3 December 2006.
2. The delegation, headed by Mrs Susan Bolam (UK, EPP/CD, R), was composed of Mr Lorenc Luka (Albania, NR, R), Mr Albert Moens (The Netherlands, SOC, R), Mr Petru Radu Paun Jura (Romania, ILDG, L), Mr Paolo Rondelli (San Marino, SOC, R) and Mr Emin Yeritsyan (Armenia, EPP, L). The delegation was accompanied by Mrs Pilar Morales and Ms Elena Piscopo of the Congress Secretariat. On election day, four teams were deployed in all the districts of Gagauzia and visited over ninety per cent of the polling stations. A smaller delegation, composed of Mrs Susan Bolam, Mr Petru Radu Paun Jura, Mr Paolo Rondelli and accompanied by Ms Elena Piscopo, observed the second round of the election held on 17 December. The press statements issued by the delegation are set out in Appendix I and II.
3. The Congress wishes to thank Ambassador Louis O'Neill, Head of the OSCE Mission to Moldova, as well as all representatives of the International Community met in Chisinau at the invitation of Ambassador John Beyer, Ambassador of the United Kingdom to Moldova, for the excellent cooperation. The Congress is convinced that the pooling of efforts in the monitoring of the election has been beneficial for all the observers present in Moldova in terms of enhanced co-ordination and consistency of findings.
4. The Congress also wishes to express its thanks to Mr Vladimir Ristovski, Special Representative of the Secretary General to Moldova as well as to Mrs Lilia Snegureac, Director of the Information Office of the Council of Europe in Moldova, and their staff for the support provided during the preparation and the whole duration of the observation mission.
5. On the days preceding the first round of the election, Congress members attended several briefings as shown in Appendix III. The Congress extends its thanks to all those included in the programme who facilitated the observers' task on 3 December, by providing very useful information.

2. Background

2.1. The Republic of Moldova

6. The Republic of Moldova became a member of the Council of Europe on 13 July 1995 and ratified the European Charter of Local Self-Government (ECLSG) on 2 October 1997 as part of its commitments to the Council of Europe. Since Moldova endorsed the ECLSG, the Congress has been monitoring local democracy and has observed several elections, including in the region of Gagauzia³. In this framework, the Congress has invited the Moldovan authorities to address a number of key issues aiming at improving the situation of local and regional democracy⁴ in the country. Taking into account Congress Recommendations, various legislative changes relating to local democracy have been introduced. However, significant steps are still needed to ensure full compliance with the ECLSG and Council of Europe standards on elections matters as well as to reduce the discrepancy between the legislation and its effective implementation.

¹ Letter addressed by Mr. Eugeniu Știrbu, President of the Central Electoral Commission of Moldova, to Mr Halvdan Skard, President of the Congress of Local and Regional Authorities of the Council of Europe, on 25 October 2006.

² CG BUR (13) DEC 3.

³ Report on the local by-elections in Moldova (27 November and 11 December 2005), CG/Bur (12) 98; Report on the local by-elections in Moldova (10 and 24 July 2005), CG/Bur (12) 34; Report on the regional elections in Gagauzia, Moldova (16 and 30 November 2003), CG/Bur (10) 89; Report on the local elections observation mission to Moldova (25 May and 8 June 2003), CG/BUR (10) 19 and Report on the regional elections in Gagauzia, Moldova (6 and 22 October 2002), CG/BUR (9) 59.

⁴ Recommendations 38 (1998), 84 (2000), 110 (2002) and 179 (2005) on the situation of local and/or regional democracy in the Republic of Moldova.

2.2. The Administrative-Territorial Unit of Gagauz-Yeri

7. The Administrative-Territorial Unit of Gagauz-Yeri was established by the Law on the Special Status of Gagauzia No.344-XIII of 23 December 1994. This Law provides that Gagauzia, as an autonomous territorial unit, is part of Moldova administered according to its Constitution and to normative acts adopted by the People's Assembly of Gagauzia. Constitutional amendments passed by the national parliament of Moldova in March 2002 stipulates that Gagauzia is a territorial autonomy enjoying special status within the Republic of Moldova. Notwithstanding various shortcomings, these constitutional amendments were assessed as a positive development by the Venice Commission since they recognise the existence of the autonomy and better determine the competences at the level of the Constitution of the Republic of Moldova⁵.
8. As far as the territorial organisation is concerned, according to Annex 4 of Organic Law No. 292-XIV of the Republic of Moldova of 19 February 1999, Gagauzia is composed of 1 municipality, 2 cities, and 23 communes, including a total of 32 localities. The Administrative Territorial Unit is structured into three districts ("dolay"): Comrat, Ceadir-Lunga and Vulcanesti.
9. Gagauzia has a population of 155,700 people of which 58,300 reside in cities and 97,500 in rural communities. Taking into consideration the ethnic composition of the population⁶, Gagauzia has three official languages: Gagauz, Moldovan and Russian.

2.3. Legal background

10. As referred above, Law No.344-XII on the Special Status of Gagauzia provides for the establishment of an executive power embodied in the Executive Committee, which is chaired by the Bashkan (Governor) of Gagauzia. According to this Law, the Bashkan is elected by universal, equal, direct, secret and free expressed vote for a mandate of four years. He is also a member of the Government of the Republic of Moldova.
11. Law No.344-XIII also provides that the People's Assembly of Gagauzia adopts normative acts in certain areas, including election administration. Thus, the election of the Bashkan is conducted on the basis of the Law of the Autonomous Territorial Unit of Gagauzia No. 32-XXXIII/I on election of the Governor of Gagauzia, adopted on 11 September 1998 and amended on 8 August 2006. It should be noted that the amendments recently brought to this Law were not submitted to the Venice Commission's assessment before adoption.
12. The inconsistency between the Gagauzian laws and the Electoral Code of Moldova⁷ was one of the major causes of concern for the Congress delegation. Though the Electoral Code of Moldova is in principle not applicable to Gagauzia, on polling day it was unclear which legislation (and to what extent) was to be applied.
13. In order to be valid, the election of the Governor requires a minimum turnout of 50 % of the electorate during the first round and of 33% during the second round. One candidate is considered elected on the first round if he/she receives more than half of the valid vote casts. Otherwise, within two weeks from polling day, a second round of election is organised between the two candidates who have obtained the higher number of votes. In the runoff, the relative majority suffices in order to be elected. Should both candidates gain exactly the same number of votes (which seems to be only possible in theory), the candidate with the higher number of votes in the first round is elected.

⁵ CDL-AD(2002)20.

⁶ Gagauz (82.0%), Moldovans (7.8%), Bulgarians (4.8%), Russians (2.4%) and Ukrainians (2.3%).

⁷ The Electoral Code of Moldova was adopted on 21 November 1997 and amended on 22 July, 4 and 17 November 2005. A joint opinion by the Venice Commission and OSCE/ODIHR on the amended Code was adopted in March 2006.

3. The elections

14. On 3 December 2006, over 84.000⁸ Gagauzian citizens were invited to directly elect the Bashkan (Governor) of Gagauzia among the following four competitors registered by the Central Electoral Commission of Gagauzia:
Mr Gheorghe Tabunscic – incumbent Governor,
Mr Nicolai Dudoglou - Mayor of Comrat,
Mr Mihail Formuzal - Mayor of Ciadir-Lunga and
Mr Alexandru Stoianoglu - Vice General Prosecutor of Moldova.
15. All contestants were registered as independent even though three of them were clearly supported by political parties. The reason behind this remained unclear to the delegation, given in particular that by law individual candidatures must be supported by at least 5000 signatures. Such a high number of signatures required is in contradiction with the Code of Good Practice in Electoral Matters which stipulates that this number should not exceed 1% of the registered voters of the constituency concerned⁹.
16. Out of the seven initial candidates, three were denied registration allegedly due to some irregularities noticed during the verification of signatures by the Central Electoral Commission (CEC) of Gagauzia. The Congress delegation was reported that this verification procedure was unclear and not transparent. Mr Valerii Ianioglu, one of the competitors who were refused registration, appealed the CEC's decision. The Court's hearing was not held within the legal deadline and on the eve of election day Mr. Ianioglu withdrew his appeal's procedure. According to information received by the delegation, Mr. Ianioglu's candidature was a sort of "safeguard" for Formuzal. It should be recalled that Formuzal has nine pending cases at the Court, which were delayed for the whole duration of the electoral campaign thanks to international pressure.

3.1. Electoral Administration

17. The body responsible for the administration of the election of the Bashkan is the Central Electoral Commission (CEC) of Gagauzia. By law, the CEC is composed of nine members appointed by the People's Assembly of Gagauzia not later than sixty days before election day. Out of these nine members, one third is proposed by the People's Assembly, one third by the Executive Committee and one third by the Court of Gagauzia. In performing its duties, the CEC is assisted by electoral constituency councils, made up of 7 to 11 members and set-up not later than 50 days prior the election as well as by precinct electoral commissions, composed of 5 to 11 members appointed by the electoral constituency councils within 25 days prior to election day. The Gagauzian legislation makes no reference to the Central Election Commission of Moldova which, as also realised by the Congress delegation during the briefings with both CECs, played only a consultative role on methodological and technical issues related to the conduct of this election.
18. Congress considered that this composition does not ensure the impartiality of the CEC of Gagauzia. Moreover, the fact that the CEC is set-up on ad hoc basis is not in conformity with the provision of the Code of Good practice on electoral matters.

⁸ No official figures concerning registered voters were given to the delegation during the briefings. The final number of voters, including those registered in the supplementary list, was of 92.108 out of an overall population of 155.646 gagauzian residents (approximately 4.6 % of Moldovan Population) – www.e-democracy.md.

⁹ CDL-AD(2002)23 rev, Art.1.3

3.2 Electoral campaign

19. The electoral campaign started on 4 October 2006. According to the information received, the electoral campaign was overall characterised by the lack of equal conditions for all contestants. Domestic observers basically denounced that the incumbent Bashkan received huge media support and was largely promoted by the publicly owned TV. They also underlined that often TV did not work out at the timeslots allocated to opposition candidates. According to the Gagauzian authorities, the low-key media coverage was due to the poor broadcast capabilities of Gagauzia. However, as emphasized by the Turkish Ambassador during a meeting with the delegation, official records showed that in October 2006 the TV coverage was guaranteed in over 88% of the Gagauzian territory and radio exceeding 100 %¹⁰. Taking these issues into account, the Congress delegation concluded that the media campaign coverage appeared not to be sufficiently balanced.
20. The financing of the electoral campaign was also assessed as problematic. This issue was twofold. Observers denounced on the one hand the unclear use made of administrative resources for electoral purposes; and on the other hand, the absence of accountability for campaigning material produced by all the candidates. The Congress considered that both issues potentially undermined the electoral process' transparency.
21. Notwithstanding these issues, the Congress delegation welcomed the efforts made by the Gagauzian Authorities to produce information leaflets, posters and video-clips on voting procedures in three languages: Gagauzian, Moldovan and Russian.
22. During its visits the delegation noted few signs of an electoral campaign which confirmed that, like as during the previous elections, candidates opted for the traditional main house-to-house canvassing.

3.3 Voters' Register and Identification procedures

23. The accuracy of the voters' register was one of the main problems observed on election day. According to the CEC of Gagauzia, in order to improve the quality of the electoral roll, the lists were checked via a "door-to-door" system before the beginning of the electoral campaign. The voters' lists were thus updated and displayed outside polling stations in order to be checked by voters and corrected before polling day if necessary. Based on election day observation, Congress members considered that the quality of voters' register was quite poor, with some examples of typewritten and even handwritten lists, which may have lead to abuses in particular through the many amendments possible.
24. Besides the official lists, the Gagauzian law also provides for the possibility to register on election day. Therefore, voters who did not appear in their residence polling station's list were eligible to be included in a supplementary list on polling day by producing their permanent residence permit duly stamped by the Regional Authorities. As pointed out by domestic observers during the briefings, the delegation noticed a large number of voters, including Gagauzian citizens residing either in Gagauzia or elsewhere, who requested and obtained to be registered on the supplementary voters' list. Albeit in accordance with law, the delegation regretted that a high number of voters (between 10 and 25 per cent of the total electorate) registered on election day without, in many cases, adequate checks. The delegation was particularly surprised at the high number of voters registering for the first time during the second round. The Congress underlined that such a practice may have led to multiple voting.
25. Special lists of voters requesting mobile voting were also compiled on election days as provided by the law. Despite some practical problems posed during the second round, the delegation particularly welcomed the efforts made by the Gagauzian authorities to improve the mobile voting lists by introducing the requirement for requests in writing for mobile vote.

¹⁰ A project to expand the broadcast TV and Radio capabilities of Gagauzia has been supported by the Turkish authorities since 1993. Within this framework, the latest achievement was the installation of a transmitter and other technical equipment aiming at providing TV and Radio coverage in most of the territory. An official document confirming that such equipment was delivered in perfect running order was signed by the Gagauzian authorities and the service provider on 14 November 2006.

26. Concerning identification, the Chairman of the CEC recalled that, as a general rule, Soviet passports were no longer accepted as identification documents on election day, with the exception of elderly persons who could not afford the cost of a new Moldovan passport. In this case, elderly persons were entitled to vote by presenting the old Soviet passport indicating - by stamp - the Moldovan Citizenship and the Moldovan ID number. To be eligible to vote, all voters were requested to present their identification papers as well as their residence permit duly stamped by the relevant authorities. On election day, the delegation expressed concern about the fact that certain voters were authorized to vote by showing a temporary identification certificate; no reference to this paper was made during the briefing with the CEC.

3.4. Election day

3.4.1 First Round

27. On election day, sixty-four polling stations opened from 7am to 9pm and PECs seemed to be composed in accordance to the law. The Congress delegation welcomed the presence of domestic observers in every polling station though they did not seem to be fully aware of their role. The delegation also regretted that in some cases domestic observers were not be given full access to the precincts by PEC members. The delegation positively assessed the large number of women sitting in precinct electoral commissions¹¹. The significant number of procedural shortcomings observed on polling day showed that not all election commission members had received adequate training.
28. Albeit in accordance with law¹², the high number of voters (above 2000) listed in certain polling stations led to serious overcrowding at peak hours. Congress observers considered that, in order to avoid confusion and to conform to the Code of Good Practice in electoral matters, this issue should be addressed and the maximum number of voters per polling station reduced.
29. The Congress delegation appreciated that information posters for voters were available in three languages in every polling station. Nevertheless, voters did not seem to be fully informed about voting procedures.
30. Observers considered in particular that the secrecy of the vote was undermined. In many cases voters did not fold the ballot paper after leaving the polling booth. The fact that the ballot paper was not put in a closed envelope, or folded in any other way, allowed seeing to whom the voter had voted for. In certain polling stations, the secrecy of the vote was also undermined by evidence of pre-marked and pre-stamped ballots as well as by significant shortcomings related to the stamping of ballot papers after the ballot had been handed over to the voter. The Congress regretted that neither PEC's nor CEC members seemed to pay particular attention to such practices.
31. The delegation also observed that on election day the electors were requested to apply the stamp "Voted" in order to express their vote. It should be noted that this procedure is prescribed by article 54 of the Moldovan Electoral Code whilst Article 61 of Gagauzian Law 32-XXXIII/I states that "the elector must vote by means of a cross inside the circle of one quadrilateral". As already mentioned, the existence of this dual regulation lead to a sort of legislative vacuum and ambiguity on election day since, as far as the Congress delegation was informed, the Gagauzian laws does not provide for any circumstances under which the Electoral Code of Moldova may be applied in Gagauzia¹³.
32. In few cases, observers reported about people, in particular elderly persons leaving in remote and rural areas, transported in to vote and about forms of intimidation. Moreover few examples of family voting were also encountered, though the latter was somewhat less widespread than in previous elections.

¹¹ According to to the CEC of Gagauzia, approximately 60% of PEC members were women.

¹² Art.33.2 of the Law of the Autonomous Territorial Unit of Gagauzia No. 32-XXXIII/I on election of the Governor of Gagauzia stipulates that "Polling stations include at least 30 voters and maximum 3000 voters"

¹³ It is worth noting that the amendments recently brought (8 August 2006) to the Gagauzian Law 32-XXXIII/I - did not concern voting procedures which are explicitly not conforming to the Electoral Code of the Republic of Moldova.

33. The presence of police forces was largely observed nearby, and in few cases within, the polling stations. Though policemen mainly did not interfere in the conduct of the election, observers thought that their simple presence could have intimidated voters.
34. Most polling stations were inaccessible for people with disabilities and presented accessibility difficulties for elderly persons. This issue, combined to the fact that some voters requesting mobile voting were not served, may have undermined the right to vote for many persons in a vulnerable situation.
35. With very few exceptions, the counting of votes appears to have been carried out in accordance with the rules and in an overall satisfactory manner. There was no evidence of intimidation or tensions during the counting of ballots. The results of the counting were communicated to the CEC headquarters by telephone.
36. The Congress delegation concluded that the first round of the election was carried out in a quite disorderly manner. It also emphasized evidence of undue pressure and tentative of influence on voters and on polling station commission members, in particular outside the capital.

3.4.2 Second Round

37. The runoff election, which took place on 17 December, marked an improvement over the first round. Election day was carried out in a calm and better organised manner and Congress noted less pressure and influence on commission members and voters.
38. The Congress positively assessed the efforts made by the Gagauzian authorities to address some critical issues noted during the first round, such as the requirement for requests in writing for mobile voting as well as the withdrawal, between the two rounds, of the second stamping procedure of the ballot paper (after the ballot had been filled out by the voter).
39. However, a certain number of irregularities remain to be addressed. The major shortcomings observed were similar to those observed during the first round. Once again, the Congress delegation reported in particular on cases where voters did not fold the ballot paper after leaving the polling booth which, in most cases, undermined the secrecy of the vote. Finally, the delegation noted a high number of supplementary voters registering for the first time during the second round of the election which makes of the voter register one of the key issues to be urgently addressed. According to domestic observers¹⁴, 5.96 % of Gagauzian voters were registered on voting rolls on 17 December.

3.5. Results

40. According to the official results announced by the Central Electoral Commission of Gagauzia after the first round, the average turnout of the election in the whole Region was of 62.6 % and the breakdown of votes was the following: Mihail Formuzal (33.89%), Nicolai Dudoglo (31.40%), Gheorghe Tabunscic (24.14%) and Alexandr Stoianoglo (10.58%). According to the electoral law, the CEC of Gagauzia announced a second round of the election between the first two candidates who obtained the highest scores — Mihail Formuzal and Nicolai Dudoglo, which took place on 17 December.
41. On 18 December the CEC announced that 59220 voters, out of 92108 included in the lists, participated in the second round and that the final results are as follows: Mihail Formuzal (56.23%) and Nicolai Dudoglu (43.76%). The results of parallel vote tabulation, unveiled by election watchdogs, comply with the official data.
42. On 19 December, the newly elected Bashkan of Gagauzia, Mihail Formuzal, announced his willingness to cooperate in a constructive manner with the central government, smoothening down the negative attitude showed during the election campaign.

¹⁴ LADOM, Electoral News, 2006 ATU Gagauzia Elections, 18 December 2006

43. This result shows that, despite the unbalanced campaign conditions and the important number of irregularities, the free will of those who voted prevailed.

4. Conclusions

44. While recognising the improvement made in the administration of the election of the Bashkan of Gagauzia since the previous election, the Congress considers that a certain number of shortcomings need urgently to be addressed. It also believes that significant progress is needed to ensure consistency of law on electoral matters if Moldova is to fully meet its commitments regarding international and Council of Europe election principles and standards.
45. The Congress is convinced that the relatively high turnout is a positive sign and gives a clear indication of continuing faith and support of the Gagauzian people for local and regional democracy. It therefore wishes to renew its readiness to support and assist Moldova in its intention to strengthen democracy.
46. The Congress strongly encourages the new Bashkan and the Central Government of Moldova to work constructively together for the benefits of both the region and the whole country and it invites the Moldovan Authorities to take full account of its present recommendations in order to address a number of problematic issues in particular in view of the upcoming local elections.

The recommendations of the Congress to the Moldovan authorities based on the observation of the local elections are presented in document CG/BUR (13) 76, Recommendation.

APPENDIX I

PRESS STATEMENT ISSUED BY THE CONGRESS DELEGATION ON 4 DECEMBER 2006



First round of the election of the Bashkan (Governor) of Gagauzia: not completely in accordance with international electoral standards

Chisinau, 04.12.2006- A delegation of the Congress of Local and Regional Authorities of the Council of Europe monitored the election of the Bashkan of Gagauzia on 3 December, covering the whole area and visiting over 90 per cent of the polling stations. The Congress delegation concluded that the large number of irregularities on polling day and the activities leading up to the election were not completely in accordance with international electoral standards. Furthermore, the law on the election of the Bashkan of Gagauzia and its inconsistency with the Electoral Code of Moldova and international electoral standards contributed significantly to these irregularities.

Despite the improvements appreciated regarding election administration, the Congress delegation expressed particular concern about:

- The lack of impartiality of the Central Election Commission of Gagauzia, as well as of electoral councils and offices;
- the inconsistency and confusion surrounding the registration of candidates- noting in particular that though all candidates had registered as independent, three of them were clearly supported by political parties;
- the lack of equal access to the media, in particular to television time, the use of administrative resources during the campaign and the absence of candidates' accountability for printed publicity material;
- the quality of the voters' lists (some handwritten), open to abuse through the many amendments made on election day;
- the fact that a large number of voters (between 10 and 25 per cent) were registered on election day with, in many cases, inadequate checks which may have led to multiple voting;
- the fact that the secrecy of the vote was seriously compromised in most areas by voting procedures, family voting and, in certain cases, pre-marked and pre-stamped ballots;
- the undue pressure and influence on voters, especially on elderly persons, and on polling station commission members in a few polling stations;
- the inadequate training of polling station commission members which led to procedures not always being followed;
- the overcrowding at a number of polling stations;
- the lack of accessibility for people with disabilities to polling stations.

However, the Congress welcomes the improvements that have been made since the previous election and that results have demonstrated that the people continue to have faith in local democracy.

The Congress intends to continue to monitor the situation during the second round of the elections and will adopt a full report following the end of the election process. The Congress is convinced that the recommendations it will make will be of positive benefit to the Moldovan authorities to comply with international standards in the forthcoming local elections.

APPENDIX II

PRESS STATEMENT ISSUED BY THE CONGRESS DELEGATION ON 4 DECEMBER 2006



Second round of the election of the Governor of Gagauzia: better organised but significant shortcomings urgently to be addressed

Chisinau, 18.12.2006 – Following the observation of the first round of the election of the Bashkan of Gagauzia, a delegation of the Congress of Local and Regional Authorities of the Council of Europe monitored the second round of the election held on 17 December.

The Congress delegation welcomed the fact that the election was conducted in a calm manner and was better organised than the first round. However, some irregularities noticed in a number of polling stations as well as the lack of impartiality and competence of the Central Electoral Commission of Gagauzia are issues that urgently need to be addressed.

The delegation observed less pressure and influence on commission members and voters. Yet, the secrecy of the vote continues to be seriously compromised by voting procedures and, in certain cases, pre-stamped ballots.

The supplementary voters' list, compiled on election day in accordance with Gagauzian electoral law, gives the Congress particular cause of concerns. The delegation was surprised at the number of supplementary voters registering for the first time during the second round of the election.

The delegation welcomed the efforts made by the Gagauzian authorities to address critical issues noted during the first round, such as the requirement for requests in writing for mobile vote.

The Congress delegation is encouraged by the high turnout indicating continuing faith and support of the people for local democracy. It strongly encourages the new Bashkan and the Central Government to work constructively together for the benefits of both the region and the whole country.

The Congress will continue monitoring the developments of Moldovan local and regional democracy. It is convinced that the recommendations it will make following its observation of this election will certainly contribute to this aim and help the Moldovan authorities take further steps to comply with international electoral standards in particular in view of the forthcoming local elections.

APPENDIX III

PROGRAMME OF MEETINGS AND BRIEFINGS ATTENDED BY THE CONGRESS DELEGATION ON 30 NOVEMBER, 1 & 2 DECEMBER 2006

Thursday 30 November

8:00 - 8:30	Delegation de-briefing
9.00 - 10.00	Meeting with H.E. Mr. Vladimir VORONIN , President of the Republic of Moldova
10.00 -10.50	Meeting with the H.E. Mr Andrei STRATAN , Minister of Foreign Affairs and European Integration
11.00 - 12.15	Meeting with Mr. Vitalie VRABIE , Vice Prime-minister of the Republic of Moldova, Minister of Local Public Administration
	<i>Lunch</i>
16:00 - 17:45	deployment to Gagauzia
18:00 - 20:30	Meeting with Mr Victor COLOSIN , Chairman of the Electoral Commission of Gagauzia
	Meeting with Mr. Gheorghe TABUNTSCHIK , Bashkan of Gagauzia Venue: Popular Assembly of Gagauzia, Protocol Room
20:30 - 21.45	Return back to Chisinau

Friday 1 December

8:30 - 9:15	Ms Maria POSTOICO : President of the Legal Commission of the Parliament Venue: Moldovan Parliament	Moldovan
9:30 - 10.30	Joint meeting with national NGO's: <ul style="list-style-type: none">• Mr. Radivoje GRUJIC, Eurasia-Moldova Fund• Mr Petru MACOVEI, Director of Association of Independent Press (API)• Mr Igor BOTAN, Director of Association for Participatory Democracy (ADEPT)• Mr. Paul STRUTZESCU, League for Human Rights Protection (LADOM) Venue: Eurasia-Moldova Fund	
11:00 -12:00	Meeting with Mr. Eugen STIRBU , Chairman of the Central Electoral Commission of Moldova and Mr. Iurie CIOCAN , Secretary of the Central Electoral Commission of Moldova Venue: Central Electoral Commission	
12:15 -13:00	Mrs Fatma FIRAT TOPCUOGLU , Ambassador of Turkey to Moldova Venue: Embassy of Turkey	
13:15 - 14:15	OSCE mission to Moldova ODIHR election support team Venue: OSCE	

Lunch

- 15:00 -16:00 **H.E. Mr Marian LUPU**, President of the Moldovan Parliament
Venue: Moldovan Parliament
- 16:15 - 17:30 **Mr. Vladimir RISTOVSKI**, Special Representative of the Secretary General of the Council of Europe to Moldova
Venue: SRSG Office (meeting room)

Saturday 2 December

- 7:30 - 9:00 deployment of teams to Gagauzia
- 9:00 - 10:00 **Mr. Mihail FORMUZAL**, Mayor of Ciadir Lunga, Electoral candidate
Venue: Astoria (Hall, 1st floor)
- 10:00 -11:00 LADOM training for domestic observers
- 11:00 -12:00 **Mr. Nicolai DUDOGLO**, Mayor of Comrat, Electoral Candidate
Venue: 315 Lenin str.
- 15:00 - 16:00 **Mr. Alexandru STOIANOGLO**, Vice-prosecutor General of the Republic of Moldova, Electoral candidate
Venue: Astoria hotel (1st floor, Hall)
- 16:00 -16:50 Meeting with **Mr. Valerii IANIOGLO** (Candidate who was denied registration)
Venue: Astoria hotel (1st floor, Hall)
- 17:00 -18:30 **Mrs. Natalia SPATARENCO**, Head of the Regional Election Monitoring Office
Venue: Hotel Astoria (1st floor, Glass windows room)
- 21:15 - 21:45 Meeting of teams with interpreters and drivers

Sunday 3 December

Election day

Monday 4 December

- 7:00- 11:00 de-briefing and preparation of press release
Venue: Flowers Hotel, 7 Anestiade str., Chisinau, Moldova
- 12.00- 13.30 Meeting with OSCE and International Community in Chisinau
Venue: British Embassy

APPENDIX IV

**DEPLOYMENT AREAS on 1st Round
3 December 2006**

Team	Deployment Areas	Team Composition
1	Comrat	Mr Albert MOENS Ms Elena PISCOPO
2	Cadir Lunga	Mrs Susan BOLAM Mrs Pilar MORALES
3	Vulcanesti	Mr Lorena LUKA Mr Paolo RONDELLI
4	Rural areas	Mr Petru Radu PAUN JURA Mr Emin YERITSYAN

**DEPLOYMENT AREAS on 2nd Round
17 December 2006**

Team	Deployment Areas	Team Composition
1	Comrat, Cadir Lunga	Mrs Susan BOLAM Ms Elena PISCOPO
2	Vulcanesti, Rural areas	Mr Petru Radu PAUN JURA Mr Paolo RONDELLI