

The Congress of Local and Regional Authorities



Chamber of Local Authorities

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Local elections in Moldova (5 June 2011)

Rapporteur: Hannes WENINGER, Austria (L, SOC)¹

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Summary

Following the official invitation from the Chairman of the Central Election Commission of Moldova to observe the local elections on 5 June 2011,² the Congress appointed a delegation of 18 observers.³

The delegation concluded, after the pre-election mission and actual observation of the first round of votes, that local elections in Moldova were calm, orderly and well organised.

From a Congress perspective, the local vote of 5 June 2011 marked a further step in the right direction. It showed that progress was made in respect of the organisational framework of election management. There was a vibrant campaign, contestants behaved – mostly – in a responsible manner and there was improvement in respect of the media coverage of the campaign.

However, it is the Congress' opinion that Moldova is not at the end of the reform process and there is room for improvement, in particular in respect of: accuracy of the voters' lists; campaign and party financing and clarity of electoral competences between different levels of administration in Moldova.

The Congress delegation pointed to the need for clearer legislation for local authorities who are in charge of important areas of election administration in Moldova. The transfer of powers and resources must also be assured.

The Congress delegation called on the responsible Moldovan authorities to continue dialogue with the Council of Europe, particularly the Venice Commission, and to pursue further reforms to improve election administration and the situation of territorial democracy in Moldova.

¹ L: Chamber of Local Authorities / R: Chamber of Regions
ILDG: Independent and Liberal Democrat Group of the Congress
EPP/CD: European People's Party – Christian Democrats of the Congress
SOC: Socialist Group of the Congress
NR: Members not belonging to a political group of the Congress

² The Congress observed neither the mayoral run-off contests on 19 June, nor the 3rd round of elections which took place in three locations on 17 July 2011 (Cârpești (Cantemir), Popeasca (Stefan Voda) and Cotovskaia (Gagauzia)).

³ See full list of delegation members at Appendix I



DRAFT RESOLUTION⁴

1. Free and fair elections, at national but also at territorial level, constitute an integral part of democratic processes in Council of Europe member states.
2. The Congress of Local and Regional Authorities welcomes the fact that, since its accession to the Council of Europe in 1995, Moldova has been committed to strengthening local and regional democracy.
3. The Congress also acknowledges the ambitious reform programmes undertaken by the Moldovan authorities to strengthen democracy, human rights and the rule of law and to boost decentralisation and European integration.
4. The Congress takes note of the draft recommendation regarding the findings of the mission to observe the local elections in Moldova on 5 June 2011.
5. Given the above, and in conformity with its Resolution 306(2010) on strategy and rules for the observation of local and regional elections, the Congress,
 - a. asks its Monitoring Committee to take note of this draft recommendation and to take it into account in the framework of its mission to assess the progress made by the country in honouring its commitments to the European Charter of Local Self-Government;
 - b. decides to examine, in co-ordination with the relevant Council of Europe bodies, ways of supporting Moldova in pursuing reforms for the further improvement of election administration and the strengthening of territorial democracy.

DRAFT RECOMMENDATION⁵

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:
 - a. the Committee of Ministers' Statutory Resolution (2000)1 on the Congress of Local and Regional Authorities of the Council of Europe;
 - b. the principles laid down in the European Charter of Local Self-Government (ECLSG) which was ratified by Moldova on 2 October 1997.
2. The Congress points to the importance of genuinely democratic elections and to its specific mandate and role in the observation of local and regional elections in Council of Europe member countries.
3. It stresses that the Congress observes elections only upon invitation by the countries. Similar to the monitoring process of the European Charter of Local Self-Government, election observation missions are conceived as co-operation activities.

⁴ Preliminary draft resolution and preliminary draft recommendation approved by the Bureau of the Congress on 16 September 2011.

Bureau members:

K. Whitmore, President of the Congress, *H. Van Staa*, President of the Chamber of Regions, *J-C. Frécon*, President of the Chamber of Local Authorities, *W. Carey*, *H. Skard*, *N. Romanova*, *G. Doganoglu*, *L. Sfirloaga*, *B. Collin-Langen*, *J. Fischerova*, *A. Knape*, *H. Pihlajasaari*, *O. Van Veldhuizen*, *S. Orlova*, *D. Suica*, *I. Sanchez Amor*, *F. Pellegrini*.

N.B : The names of members who took part in the vote are in italics

Bureau Secretariat: *D. Rios*, *L. Taesch*

⁵ See footnote 3.

4. It expresses its will and availability to participate in activities aimed at strengthening local democracy as well as electoral processes in Moldova, through continued political dialogue with the authorities, in particular in respect of the ongoing decentralisation process, and through intensified co-operation with the local self-government associations.

5. The Congress notes with satisfaction that the local elections of 5 June 2011 largely met European standards, were well organised and conducted in an overall calm, orderly, transparent and professional manner.

6. It is pleased to note that this vote marked a further step in the right direction, in particular in comparison with the last elections observed by the Congress in June 2007.

7. Furthermore, the Congress points to the vibrant and competitive campaign, during which contestants behaved – mostly – in a responsible manner, and to improvements in respect of the media coverage and electoral information.

8. At the same time, it stresses that in order to ensure continued forward progress, there is room for improvement in respect of legal, administrative and regulatory issues.

9. More specifically, the Congress has identified three major fields for improvement which include:

- accuracy of the voters' lists
- campaign and party financing
- clarity of electoral competences between different levels of administration in Moldova.

10. On a general note, the Congress is of the opinion that political culture and social cohesion are still development areas in Moldova.

11. Taking into account the previous comments, the Congress invites the Moldovan authorities to take all necessary steps:

a. to accelerate the introduction of a centralised electronic voter register which was postponed until 2015 and which is a prerequisite to further improve the process and the accuracy of voters' lists;

b. to clarify residency provisions in the law, in order to avoid confusion as to whether permanent or temporary residency is the criteria entitling a voter to cast the ballot in a specific precinct bureau;

c. to improve transparency in respect of campaign and party financing, in particular to introduce more precise mechanisms allowing for effective oversight and enforcement of legal provisions;

d. to introduce measures for increased transparency in respect of the electoral complaint system and the follow-up of alleged infringements of the electoral law and regulations;

e. to clarify the competences of local authorities in election administration and avoid too much leeway in decision-making;

f. in the framework of the new National Strategy on Decentralisation for Moldova, to make sure that local self-government and decentralisation of public services are duly pursued in compliance with the Congress' European Charter of Local Self-Government, allowing for the necessary transfer of powers and resources thus enabling the territorial bodies to take full responsibility for the management of the resources;

g. to abide by Council of Europe regulations for election administration, in particular by the recommendation of the Venice Commission which foresees that members of the opposition of a given country should also be represented in the leadership ranks of the Central Election Commission;

h. to reconsider the location of some of the polling stations because of their difficult accessibility, in particular for voters with physical disabilities.

12. Overall, the Congress recommends the Moldovan authorities to adopt confidence-building measures between parties and political forces in the interest of developing a climate of mutual trust, consolidation and stability.

EXPLANATORY MEMORANDUM

I. Introduction

1. Following the official invitation from the Chairman of the Central Election Commission of the Republic of Moldova to observe the local elections on Sunday 5 June 2011, the Bureau of the Congress of Local and Regional Authorities responded positively and deployed both a pre-election mission (17 to 20 May 2011) and an observation mission (1 to 7 June 2011).

2. The Congress delegation was headed by Britt-Marie Lövgren, Sweden (L, ILDG) and was composed of twelve members of the Congress, four members of the Committee of the Regions of the European Union and two members of the Congress secretariat. Hannes Weninger, Austria (L, SOC) was appointed Rapporteur.

3. There was a pre-election visit to Chisinau by three members of the Congress and two members of the secretariat from 17 to 20 May 2011. The full delegation travelled to Chisinau for meetings on 2, 3 and 4 June, before being deployed throughout Moldova for the actual observation of elections on 5 June 2011. A press conference was held jointly with the Limited Election Observation Mission (LEOM) of OSCE/ODIHR in Chisinau on 6 June. The Head of Delegation and the Speaker for the Committee of the Regions took part in this press event on behalf of the entire Congress delegation.

4. The Congress wishes to express its thanks to Mr Ulvi Akhundlu, Head of the Council of Europe Office in Chisinau, and his colleagues in the Chisinau outpost for their valuable assistance.

II. Pre-election mission⁶

5. A pre-election delegation of the Congress visited Moldova from 17 to 20 May 2011 to assess the political situation in the country prior to the local elections of 5 June, in particular against a background of persisting political stalemate which has caused a cycle of elections at different levels since 2009. The aim of the mission was to get a general idea of the state of affairs during the electoral campaign and to obtain more specific information in respect of the legislative framework and election administration, the situation of territorial democracy, media pluralism and the pre-electoral climate in the capital city Chisinau.

6. The delegation met with representatives of the Government, the Parliament and territorial bodies, the Central Election Commission (CEC), members of the diplomatic community in Chisinau, with party representatives, including members of the opposition, with mayoral candidates, with NGOs, domestic and international observers and the media. Also, briefings with Owen Masters, expert of the Council of Europe Venice Commission, and with the Head of the OSCE/ODIHR LEOM, Mr Gerald Mitchell, were arranged. The detailed programme of this mission is provided in appendix I.

7. Inaccuracy of voters' lists, the lack of a central electronic register (which was foreseen by the Election Code and had to be postponed to 2015 due to technical problems) and the need for clarity of competences on election administration between different levels and bodies of government, in particular the issue of transferring the necessary powers and resources to the local authorities in charge of the compilation of voters' lists in Moldova, were amongst the concerns brought to the attention of the Congress delegation by different interlocutors.

8. The Congress delegation was also informed about shortcomings in respect of campaign and party financing. According to the Electoral Code of Moldova, political parties are obliged to submit bi-weekly reports to the Central Election Commission detailing campaign-related expenditures. In practice, this regulation was lacking in precision and adequate implementation.

⁶ See the list of delegation members at Appendix I.

9. In addition, the Congress delegation was informed about the special situation prior to these elections in Transnistria. As during previous elections, voting was not expected to take place on the territory controlled by the Transnistrian *de facto* authorities, with the exception of the small area around the city of Dubasari where the Central Election Commission of the Republic of Moldova usually opens some polling stations (eg. in Corjova and neighbouring villages). The climate in these areas prior to the vote on 5 June was described as tense. The Congress delegation was informed that the Mayor of Corjova had been temporarily arrested.

III. Election observation mission⁷

10. The actual election observation mission of the Congress of Local and Regional Authorities was carried out from 1 to 7 June 2011. The Congress delegation comprised 16 local elected representatives of 14 European countries, including four members of the EU Committee of the Regions.

11. In the days preceding the elections, the Congress delegation met with representatives of the Moldovan government, opposition, election administration bodies, international organisations, the diplomatic community of Chisinau, NGOs, domestic observer organisations, the media and with representatives of associations of local and regional authorities of Moldova. Also, the delegation held continuous talks with members of the Limited Election Observation Mission (LEOM) of OSCE/ODIHR. A joint press conference concluded the programme on 6 June 2011. The full programme of this mission is provided in Appendix I.

12. On Sunday, 5 June 2011, the Congress delegation was divided into nine teams and deployed to eight different regions in Moldova to observe the local elections. (Chisinau and its environs, eg Durllesti, Vatra, Straseni, Codru; Cocieri plus the South-East of Moldova, including Stefan-Voda and Causeni; Orhei and its environs; Balti; Edinet and its environs; Calarasi and its environs; Gagauzia and the South-West of Moldova, including Prutul De Jos, Colibasi, Vadul Lui Isac, Cahul and Cantemir).

IV. Historical background and current political context

13. In 1918, following the Bolshevik Revolution in Russia, the area of Moldova between the river Prut and the west bank of the river Dniester (Bessarabia, which formed previously part of the Russian Empire) declares independence. Its Parliament calls for a union with Romania. Several European states recognise, in 1920, the union of Bessarabia with Romania; the Bolsheviks do not. In 1924, the Moldovan Autonomous Soviet Socialist Republic is established east of the river Dniester within Ukraine.

14. During World War II, in 1940, Russia annexes Bessarabia and combines it with most of the Moldovan Autonomous Soviet Socialist Republic to form the Moldovan Soviet Socialist Republic (Moldovan SSR). By joining with Germany in the 1941 attack on Russia, Romania seeks to regain the territory. The present boundary between Moldova and Romania was established in 1947.

15. In 1990, Moldova declares its sovereignty from both Romanian and Russian (subsequently Soviet) historic claims. This encourages both the Gagauz people and the region of Trans-Dniester to declare their independence too. Although the declarations were annulled by the central authorities in Moldova, local elections were held nonetheless. Gagauzia declared itself independent in 1991. On 23 December 1994 the Parliament of Moldova awarded to "the people of Gagauzia" the right of "external self-determination" thus resolving the dispute peacefully.

16. Transnistria, located within Moldova, mostly between the river Dniester and the border with Ukraine, declared independence in September 1991. This situation led to the war with Moldova that started in March 1992 and was concluded by the ceasefire in July 1992. As part of this agreement, a three-party (Russia, Moldova, PMR⁸) Joint Control Commission supervises the security arrangements in the de-militarised zone, comprising 20 localities on both sides of the river. The territory's political status remains unresolved and Transnistria has been *de facto* independent since that time with Igor Smirnov as "elected President" for the 4th time in a row.

⁷ See the list of delegation members at Appendix I.

⁸ Pridnestrovian Moldavian Republic.

17. One of the poorest nations in Europe, Moldova became the first former Soviet state to elect a Communist, Vladimir Voronin, as its President in 2001. Voronin served as Moldova's President until he resigned in September 2009, following the opposition's gain of a narrow majority in the July Parliamentary elections and the Communist Party's (PCRM) subsequent inability to attract the three-fifths of Parliamentary votes required to elect a President.

18. Moldova experienced significant political uncertainty in 2009, holding two general elections (in April and July) and four Presidential ballots in Parliament, all of which failed to secure a President. In the wake of these events, on 8 August 2009, four Moldovan parties (Liberal Democratic Party, Liberal Party, Democratic Party and Our Moldova Alliance) agreed to create a governing coalition (Alliance for European Integration, AEI) and thus push the Communist party into opposition. The western orientated AEI acted as Moldova's governing coalition until new elections were held in autumn of last year.

19. In an attempt to overcome the political deadlock, the Parliament voted on 7 July 2010 to conduct a referendum on amending the Constitution of Moldova to provide for direct elections of a President. The 5 September referendum failed to meet the 33% turnout required to validate the results. As a consequence, the Constitutional Court ruled that the acting President of Moldova had to dissolve the Parliament and hold new elections on 28 November 2010. These elections maintained the constitutional deadlock: the Alliance for European Integration now holds 59 seats in Parliament, 2 short of the 61 needed to elect a President. Since 30 December 2010 Marian Lupu (Chairperson of the Democratic Party and Speaker of Parliament) has been acting President, until a decisive presidential election can be held. He replaced Mihai Ghimpu (Chairperson of the Liberal Party), former Speaker of Parliament and former President ad-interim. Vlad Filat, Chairperson of the Liberal Democratic Party, is Prime Minister.

20. Politics in Moldova takes place in a framework of a Parliamentary representative democratic Republic, whereby the Prime Minister is the Head of Government, and of a multi-party system. Executive power is exercised by the government. Federal legislative power is vested in both the government and Parliament. The judiciary is independent of the executive and the legislature. The position of the break-away Republic of Transnistria and the relations with Romania define the political agenda of the country.

V. Territorial organisation and local self-government

21. The Republic of Moldova became a member of the Council of Europe on 13 July 1995. It ratified the European Charter of Local Self-Government in 1997 as part of its commitments to the Council of Europe; the Charter entered into force on 1 February 1998. Since then, the situation of local and regional democracy has been the object of several monitoring reports and recommendations prepared by the Congress⁹. Taking into account such recommendations, a significant number of legislative changes relating to local and regional democracy have been introduced already under previous governments.

22. In 2009, the Republic of Moldova launched an ambitious programme of reforms to strengthen democracy, human rights and the rule of law. Decentralisation of power and guarantee of local self-government is one of the five strategic priorities of the Moldovan Government's Action Plan on European integration: freedom, democracy and well-being for 2009-2013. In May 2010, a special Parliamentary Committee was set up to amend and complete the legislative framework concerning the process to decentralise and strengthen local self-government, with the specific remit of furthering measures to implement the constitutional principles of local self-government and the decentralisation of public services, in strict compliance with the Congress' Charter of Local Self-Government.

23. The draft National Strategy on Decentralisation for Moldova and the Action Plan regarding the Implementation of the Decentralisation Strategy - which was at the center of a meeting of the Congress pre-election mission in the State Chancellery of the Government of Moldova on

⁹ Explanatory Memorandum CPL (12)9 Part II, Recommendation 179 (2005), CG/BUR(10)103, CG/BUR(10)89, CG/BUR(10)19, CG/BUR(9)29rev, CG/BUR(8)95 Explanatory Memorandum CG(9)6 Part II, Resolution 132 (2002), Recommendation 110 (2002), Explanatory Memorandum CPR(7)4 Part II, Resolution 103 (2000) Recommendation 84 (2000), Explanatory Memorandum CG(4)20 Part II, Resolution 59 (1998), Recommendation 38 (1998), CG/BUR(2)35

19 May 2011 - includes measures to improve the accountability of local authorities in the decision-making process, training of local and regional officials, strengthening of the human rights aspect in the public service sector as well as measures to increase women's participation at local and regional level. The draft National Decentralisation Strategy is currently the main policy document in the field of local government in Moldova. It was developed within the Working Groups of the Parity Commission on Decentralisation, with the support of representatives of central and local government, civil society, academia, scientific society and international organisations including the Council of Europe. The draft Strategy sets the national mechanisms of the decentralisation process with the aim to ensure a genuine local self-government in Moldova. Thus, the Strategy includes seven intervention areas: decentralisation of services and competences, financial decentralisation, patrimonial decentralisation, local development, administrative capacity, institutional capacity, democracy, ethics, human rights and gender equality. The Strategy is to be implemented in 2 phases: during stage I specific actions will be developed and approved for the efficient implementation of the decentralisation process and achievement of the objectives outlined in the Strategy. The second stage envisages the implementation of the sectoral actions.

24. A Congress delegation to assess the implementation of the provisions of the European Charter of Local Self-Government will continue discussions on the draft National Decentralisation Strategy for Moldova during a monitoring visit scheduled for autumn 2011.

25. This will be also the opportunity to intensify the talks with CALM (the Congress of Local Authorities from Moldova), currently the largest platform in the country which unites the local and regional authorities of Moldova in one single apolitical national association. Only recently CALM called for a revitalisation and consolidation of local governance in Moldova and pointed to major shortcomings, notably the lack of discretionary powers for local public administration and autonomous management of local finances which inevitably reduces local and regional authorities' ability to take full responsibility for managing resources, including European funds.

26. From an administrative point of view Moldova is divided into 898 first-level administrative units (towns, villages, communes) and 38 second-level administrative units. The latter consist of 32 districts (rayons) and five municipalities plus the Autonomous Territorial Unit of Gagauzia. The local vote of 5 June 2011 was thus held to elect 898 mayors of towns, villages and communes, as well as 11,744 local councillors, out of which 1,118 representatives to second-level units and 10,626 to first-level ones. Members of local councils are elected under a proportional representation system without a threshold. Mayors are elected directly by the citizens under majoritarian system. Councils and mayors are elected for a 4-year term.

VI. Legal framework, electoral rules and administration

27. While the local elections on 5 June 2011 took place following a two-year period of electoral turbulence for Moldova (making it the fifth electoral event,¹⁰ nevertheless they were held at the statutory four-year interval.¹¹

28. Elections in Moldova are regulated by a range of laws - principally the Constitution, the Election Code and regulations issued by the Central Election Commission (CEC). The Election Code has been amended several times in recent years, most recently on 1 April this year. In addition, on 8 April 2011, the CEC issued a « Media Regulation for Local Elections 2011 » (see further details in the section on "media coverage").

29. While the Council of Europe Venice Commission recommends not to alter election legislation up to 12 months before a vote, it is recognised that the exceptional cycle of elections in Moldova over the last 2 years has not allowed for this 12-month consultation period. The Venice Commission has concluded that the Election Code of Moldova provides a sound basis for conducting democratic elections and that election organisation and administration, over the years, has changed for the better.

¹⁰ April and July 2009: early Parliamentary elections failed to reach the necessary majorities to elect a President; the Constitution requires dissolution of parliament and fresh parliamentary elections to be held. September 2010: a constitutional referendum for direct election of the president failed due to insufficient voter turnout. November 2010: early Parliamentary elections left a governing alliance in place which has yet to hold a further Presidential election (although the July 2009 elections had failed to elect a Head of state, Parliament remained in place until November 2010 as the constitution permits only 1 Parliamentary dissolution per year).

¹¹ June 2007: Congress Report CG(14)23.

30. The Venice Commission noted that certain amendments to the Election Code were unavoidable – the provision to allow one minute per day free airtime by public broadcasters for each candidate was impossible to honour for local elections in view of the approximately 60,000 candidates. A further amendment postponed to 2015 the introduction of a centralised electronic voter register - which the Election Code required to be fully operational for these local elections but which is not yet ready. The resulting locally-compiled voter lists continued to cause dissatisfaction during these elections. On a more positive note, a late amendment also accorded all prisoners the right to vote.

31. Local elections were held for 898 mayors of municipalities, towns, communes and villages. In addition, 11,744 members of rayon (district), municipal, town, commune and village councils were elected. Mayors are elected according to the majority representation system (50% plus 1 vote), members of territorial councils are elected according to the proportional representation system. Due to the important number of candidates for mayoral positions,¹² over 50%¹³ went to second round (a run-off between the top two candidates) on 19 June 2011. At first round the minimum turnout required is 25% of registered voters. There is no minimum required at second round.

32. There is a four-tier system of election administration in Moldova:

- The Central Election Commission¹⁴ – CEC: consisting of 9 members, 1 appointed by the President of the Republic of Moldova, 8 by Parliament, observing the proportional representation of the majority and the opposition, the current CEC was appointed in February 2011. The Chairman is Dr. Iurie Ciocan.¹⁵

- The District Electoral Council – Level 2 (DEC2): to administer the vote at level of the rayon (district). There were 37 such Councils in place.

- The District Electoral Council – Level 1 (DEC 1): if there is more than one Precinct Electoral Bureau in a municipality, town, commune or a village, a District Election Commission (Level 1) has to be established; there were 896 level 1 DEC's operational in towns, communes and villages.

- Precinct Electoral Bureaus (PEB) consist of between 7 (minimum) and 11 (maximum) members: three leaders of the Bureau (Chairman, Deputy Chairman plus Secretary), three local council representatives plus 1 (or more) members appointed by the political parties. On Election Day 1,955 PEBs (polling stations) opened throughout the country.

33. There were 2,646,279 voters announced by the CEC to be included in the regular voters' lists. This figure was updated and the number of voters entitled announced by the CEC on Election Day was 2,653,921: The voters' lists contained information about the locality and the number of the polling station, the voter's name and year of birth, the voter's (permanent) domicile/(temporary) residence, the personal numeric code and the series and number of the voter's identity act. Amendments to the voters' lists could be made at the request of voters, at the latest, one day before the elections. Special voters' lists were drawn up for people who voted in their homes (mobile voting). Voters who were not included in the basic voters' list but could confirm their residence in the respective precinct upon presentation of the ID were added to supplementary voters' lists. Voters confirmed the receipt of the ballot by signing the voters' list next to their names. A stamp confirming the vote was applied on the slip of the identity card, or on the document used as a basis for identifying the voter.

34. Inaccuracy of voters' lists is a persisting problem for elections in Moldova. The fact that the local authorities are obliged by law to compile the voters' lists – without having adequate resources to carry out this work – was described as a major problem by many Congress interlocutors. On the basis of past lists and by means of extracts of the State Register on the population (which is held by the Ministry of Information Technology and Communication) the local authorities should check the data (name, address etc) and report back on changes to the Ministry (via the CEC). According to representatives of IFES (International Foundation for Electoral Systems, NGO) and UNDP (United Nations Development Programme), the problem of voters' lists is a structural one: as nobody has the responsibility for these lists, nobody takes the responsibility. Also, the State Register on the population is not very accurate either – registration is a passive system in Moldova, even if people live abroad,

¹² 4,312 nationwide. In the capital, Chisinau, 15 candidates were registered, but 2 withdrew.

¹³ There were run-offs in 512 out of 898 mayoral positions.

¹⁴ Regulated by Article 16 of the Election Code.

¹⁵ The Communists claimed that – contrary to the recommendation of the Council of Europe Venice Commission which foresees that key positions of the CEC should be in hands of the opposition – they were not represented in the leadership ranks of the Commission.

they stay on the register. During the pre-election mission, the Congress delegation was informed about some 150,000 corrections which had been made in the weeks prior to these elections.

VII. Election environment, campaign financing and media coverage

35. In general, the campaign was described by Congress interlocutors as less aggressive and violent (with some isolated cases of intimidation, offence and physical assault) than during previous elections. In some regions (eg Balti, Edinet, Orehi), political contestants undertook unofficial agreements of mutual respect during the campaign.

36. Content-wise, the campaign tended to focus on personalities rather than on politics. The political problems during the campaign were mainly of local relevance. Door-to-door campaigning, small gatherings, meetings at workplaces, posters and leaflets were primary means to reach out to voters. The Communist Party and the parties of the Alliance for European Integration also organised large-scale events. In general, the electoral contestants agreed that they had equitable campaign opportunities.

37. The Electoral Code obliges electoral contestants in Moldova to open a special bank account for all campaign-related transactions and to submit bi-weekly financial reports to the CEC. In practice, however, many contestants did not open accounts (which was tolerated by the election administration, if duly notified, on the grounds that campaigning could take place without any incomes or expenditures incurred). Also, the election administration interpreted the provisions for reporting as only applying to contestants who had opened such accounts.

38. Even those contestants who had opened special bank accounts did not always comply with the legal requirement to submit bi-weekly reports. Furthermore, the comprehensiveness of reporting was questioned by many Congress interlocutors. The mechanisms for the oversight of campaign financing were described as underdeveloped, lacking precision and enforcement. The Congress delegation was also informed about the lack of transparency in regard to party financing in general (there is too much money coming from too few donors in Moldova).

39. The unsettled political situation since 2009 has led to a diversification of media sources and this together with the adoption of laws more favourable to freedom of expression¹⁶ has led experts to praise the more pluralist offering now available. The Constitution of Moldova also guarantees freedom of expression, editorial independence and forbids censorship. The 2006 Broadcasting Code regulates the audiovisual sector and the Law on Print Media (amended 2006) regulates the press.

40. The conduct of the media during a electoral campaign is regulated by chapter 11 of the Electoral Code and by a specific « Media Regulation for Local Elections 2011 » issued by the CEC on 8 April 2011. The latter obliges public broadcasters to maintain balance, fairness and impartiality while covering elections and makes provision for coverage of debates by public broadcasters. In addition, it sets out rules for advertising in both print and electronic media, as well as the declaration of advertising paid from campaign funds. It allows for opinion polls to be published at the latest up to 5 days before Election Day.

41. Television (TV) provides the main source of information (71%) in Moldova, followed by internet (12%),¹⁷ radio (8%) and print media (2%). Moldova has three TV stations broadcasting nationwide and 41 local and regional stations, the majority of programmes are re-broadcast from Romanian and Russian TV stations. There is 1 public TV channel broadcasting nationwide (Moldova1) and one regional channel in the Autonomous Region of Gagauzia. Of private TV stations, NIT and Prime TV broadcast nationally while Pro TV is the most popular TV channel in Chisinau. Two new regional stations were launched in 2010: Jurnal TV and Publika TV - the only news channels in Moldova. The radio sector focusses mainly on entertainment and whilst there are four main newspapers in the State language and three in the Russian language, readership is low.

42. The meetings the Congress observation delegations held with political groups and the media identified, early in the electoral campaign, fake editions of two popular newspapers, as well as mock posters, aimed at causing instability in the Alliance and discrediting the PLDM and the Mayor of Chisinau. These cases were under investigation.

¹⁶ A Law on Freedom of Expression was adopted in April 2010.

¹⁷ Access to the internet has grown from 0,6% to 30% in the period 2000 – 2010.

43. In addition, the Audio-Visual Co-ordinating Council (CCA), registered only one complaint against a broadcaster during the pre-electoral campaign alleging unbalanced electoral coverage against a private TV station, *Eni Ai TV*, in Gagauzia. A public warning was issued. The CCA also sanctioned NIT (a private, national channel) for unbalanced coverage of the campaign and repeated violations of legal provisions¹⁸. During the pre-election campaign the CCA also publically reminded¹⁹ *Jurnal TV* and *Publika TV* of their obligation to cover the electoral campaign equitably, and to grant access to extra-parliamentary contestants.

44. Although certain media outlets were identifiable with political parties, it was considered overall that the variety of views available to the public generally allowed for informed choice.²⁰

VIII. Congress deployment on election day

45. The Congress delegation was divided into nine teams which covered eight different regions observing 148 different polling stations in different constituencies. The teams were deployed as follows:

Team 1/ Chisinau 1 (Chisinau):

Ms Britt-Marie LÖVGREN, Sweden (L, ILDG) Head of Congress Delegation
Ms Ursula MÄNNLE, Germany (EPP) EU Committee of the Regions

Team 2/ Chisinau 2 (Chisinau/environment, Durllesti, Vatra, Straseni, Codru, etc):

Mr Francis LEC, France (L, SOC) Congress Country Rapporteur
Ms Jane DUTTON-EARLY, Congress secretariat

Team 3/ Cocieri plus South-East (Stefan-Voda, Causeni etc):

Mr Hannes WENINGER, Austria (L, SOC) Congress Rapporteur for the Congress EOM to Moldova
Ms Renate ZIKMUND, Congress secretariat

Team 4/ Orhei and environment (Ivancea, Cricova, Vadul Lui Voda etc):

Ms Irmeli HENTTONEN, Finland (L, ILDG)
Mr Petros FILLIPPOU, Greece (L, ILDG)

Team 5/ Balti:

Ms Sevdia UGREKHELIDZE, Georgia (R, EPP/CD)
Mr Uno SILBERG, Estonia (EA), EU Committee of the Regions

Team 6/ Edinet and environment:

Mr Mihkel JUHKAMI, Estonia (L, EPP/CD)
Mr Väino HALLIKMÄGI, Estonia (ALDE), Speaker of the EU Committee of the Regions

Team 7/ Calarasi and environment (Tuzara, Selistea Noua, Temeleuti, Bahmut, Hirjauca, Mindra, Raciula etc):

Mr Anthony MIFSUD, Malta (R, EPP/CD)
Mr Mihaj NJILAS, Serbia (L, EPP/CD)

Team 8/ Gagauzia (Comrat/ environment, Ferapontievca, Tomai, Ceadir-Lunga etc):

Ms Sarita BUSH, United Kingdom (R, ILDG)
Mr Jerzy ZAJAKALA, Poland (EA) EU Committee of the Regions

Team 9/ South-West (Prutul De Jos, Brinza, Colibasi, Vadul Lui Isac, Cahul, Cantemir etc):

Ms Valentina ROSSI, San Marino (R, SOC)
Mr Enzo BROGI, Italy (R, SOC)

¹⁸ Articles 7 and 10 of the Broadcasting Code and point 17 of CEC Media Regulations.

¹⁹ CCA meeting held on 27 May 2011.

²⁰ OSCE/ODIHR-Congress of the Council of Europe « Statement of Preliminary Findings and Conclusions » relating to the 5 June local elections.

46. The polling stations were open from 7 am until 9 pm. The Congress teams observed opening procedures as well as closing and counting sessions in different polling stations.

IX. Observations on Election Day

47. Overall, Election Day was described by the Congress observers as calm, orderly and well organised. The observers obtained the required information, the electoral officials were in general well prepared and briefed. The necessary materials (voters' lists, ballot papers, protocols etc) were laid out properly in polling stations. The CEC posters containing practical information on the vote were visible even in remote villages. The majority of voters seemed to understand sufficiently well the procedures.

48. Domestic observers from the different political parties and independent candidates were present in all polling stations, whereas, NGO representatives were not present everywhere to observe the elections.

49. In some polling stations, Congress observers were informed about a considerably high number of voters on supplementary lists (due to incorrect addresses and other incorrect ID details) – whereas in other polling stations the number of such voters was quite normal. Also, Congress observers were not confronted with problems or allegations of possible fraud with regard to the so-called Form F9 (a temporary passport for voters who lost their ID-card).

50. There were some incidents of persons "assisting" other voters or voters arriving in groups; but such irregularities did not hamper the procedures seriously. The same can be said about some overcrowded polling stations. In addition, Congress observers noted some confusion in respect of the CEC recommendation just before election day, no longer to use curtains for polling booths (without such curtains the secrecy of the vote was not always ensured).

51. In respect of reports about unusual or illegal electoral gifts prior to Election Day (food parcels etc), some Congress observers asked detailed questions to voters present in the polling stations. There were no consistent replies with regard to this issue.

52. With regard to the vote counting, some Congress observers concluded that the electoral officials were very well trained and the procedures required by the Electoral Code were accurately followed. However, other observers witnessed shortcomings and even – occasionally - chaotic situations.

53. In general, it was observed that the counting of the ballots dragged on for hours and was tedious, in particular due to the fact that unused ballots had to be stamped out. In addition, it took more than two days to announce preliminary final results (also due to the quality of the data acquisition system). Exit-polls published on Monday, 6 June, were inexact, even misleading (at least, in respect of the situation of the Mayor of Chisinau).

54. The issue of ensuring the right to decide on their local representatives for voters from Corjova (Transnistria) was also a matter of concern for the Congress. The Congress team that observed the vote in this region, was informed by the Chair of the Precinct Bureau of Cocieri (where Moldovan authorities opened a polling station for voters coming from Corjova) that the road between Corjova and Cocieri had been blocked in the early morning. Whereas, a team of OSCE/ODIHR, visiting the same area, did not observe any obstacles for voters to cast their ballots.

X. Counting process and election results

55. According to the Electoral Code, all unused ballots have to be counted and cancelled by the Precinct Electoral Bureau, by applying the stamp "cancelled" ("anulat"). Following that, the unused ballots have to be tied and sealed. The ballots taken out of mobile ballot boxes have first to be counted separately and then reconciled with the number of ballots issued for mobile voting.

56. Members of the Precinct Electoral Bureau have to count the ballots for each candidate and pack them separately; the results of the counting must be entered on a special counting sheet. Before the number of votes cast for each candidate is entered on the result protocol, representatives of electoral contestants and other persons authorized to observe the electoral procedure are provided an opportunity to recheck the figures entered on the special counting sheet.

57. Several copies of the signed result protocol are prepared in the presence of the Precinct Electoral Bureau members, representatives of electoral contestants and other authorised persons. One copy is kept at the polling station; a second copy is submitted to the District Electoral Council and a third copy has to be immediately posted at the entrance of the polling station. The Chairperson of the Precinct Electoral Bureau has to hand over as soon as possible, but in no event later than 18 hours after the announcement of the closing of the polling station, to the district electoral council, the valid ballots sealed separately for each candidate, results protocol; report; invalid, unused or contested ballots as well as statements and complaints in a sealed box. This box is transported under police guard, with the Chairperson and at least two members of the Precinct Electoral Bureau in attendance at all times.

58. The preliminary results of the first round of local elections were announced by the Central Election Commission (CEC) on 6 June 2011 as follows:

- For Mayor of Chisinau, Igor Dodon from the Party of Communists of the Republic of Moldova gathered 48.1 percent of the votes whereas Dorin Chirtoaca from the Moldova Liberal Party obtained 46.5 percent of the votes. Valentina Buliga gathered 2.6 percent of the votes and the other electoral candidates won less than one percent of the votes.
- As for the Municipal Council of Chisinau, the distribution of votes was: 46.1 percent for the Party of Communists of the Republic of Moldova, followed by 31.8 percent for the Liberal Party and almost 14 percent for the Liberal Democratic Party of Moldova, the Democratic Party of Moldova gathered 3.1 percent of the votes and the other electoral candidates won less than one percent of the votes.
- Turnout at national level, as announced by the media on 20 June 2011, reached 54.6% in the first round and 53.7% in the second.

59. A controversy affected the first days of the campaign between the two rounds, as media initially reported that one of the two candidates had won the first round. These reports were based on unofficial data provided by the Chisinau District Electoral Council (DEC) which did not take into account results in Chisinau suburbs. Complete preliminary results announced by the CEC confirmed that no candidate gathered more than 50% of the vote plus one, and therefore the need to hold a run-off election.

60. Mayoral run-offs took place in 512 of 898 locations, (including the capital city). However, the Congress delegation did not observe these second rounds on 19 June 2011, neither the third round organised in three locations on 17 July 2011. In Chisinau, after the second round, Dorin Chirtoaca from the Liberal Party was re-elected as Chisinau mayor by a narrow margin - 50.6% to 49.4% - against the Communist Party candidate Igor Dodon. Voter turnout was reported by the media at more than 59%²¹

61. According to OSCE/ODIHR,²² most post-election complaints were requests for recounts; based on allegations of irregularities. Overall, recounts confirmed initial results. In Chisinau, the Liberal Party requested a recount for the vote of the Chisinau Municipal Council. The territorial court rejected the complaint; however, upon appeal, the last instance court ruled that a recount was to be conducted after the mayoral run-offs. This recount confirmed the distribution of seats in the Chisinau Municipal Council: 26 seats for the PCRM²³, 25 seats for the Alliance for European Integration.

62. The nationwide results were as follows.²⁴

- District and municipal councils (seats): PCRM 434 , LDPM 300, DPM 227, LP 130,
- City and village councils (seats): PCRM 3,440 , LDPM 3,040, DPM 2,263 , LP 1,162
- Mayors (seats) : LDPM 286, DPM 220, PCRM 203, LP 97

²¹ Unofficial data in English : <http://www.e-democracy.md/en/elections/local/2011>

²² OSCE/ODIHR, Limited Election Observation Mission, Republic of Moldova, Mayoral, Run-Off Contests, 19 June 2011 , Statement of preliminary Findings and Conclusions.

²³ The political parties are:

PCRM Party of Communists of the Republic of Moldova, LDPM Liberal Democratic Party of Moldova, DPM Democratic Party of Moldova, LP Liberal Party

²⁴ Unofficial data in English : <http://www.e-democracy.md/en/elections/local/2011>

63. The results of the local elections held in Chisinau on 5 June 2011, taking into account the run-off between mayoral contestants on 19 June 2011 and the third round organised in three locations on 17 July 2011, can be retrieved on the CEC website at <http://www.cec.md/>²⁵

XI. Conclusion

64. Based on insights gained during the pre-election mission and the actual election observation mission, as well as on the observations made on Election Day, the Congress delegation is pleased to see that the local elections of 5 June 2011 marked for Moldova a further step in the right direction. The Congress' assessment of the organisational framework refers in particular to progress made in comparison to the last local elections of June 2007.

65. The Congress delegation is also satisfied with a vibrant and – with the exception of some incidents fair campaign, more equitable opportunities for the electoral participants and with media coverage broadly in line with professional standards in Europe.

66. Furthermore, the Congress delegation acknowledges the determination of the Moldovan government to strengthen territorial democracy, demonstrated by a new national strategy for decentralisation, which also implies measures to ensure genuinely democratic elections at local and regional level.

67. Although, there is still room for improvement for the Moldovan authorities, in particular in respect of the accuracy of the voters' lists, transparency of campaign and party financing and concerning the lack of clarity over the division of competences among different levels and bodies of government.

68. In Moldova the local authorities are in charge of important aspects of election administration, notably for the up-dating of the voters' lists; therefore, the law must be clear and the territorial bodies must be given the necessary resources to carry out their respective tasks.

69. In the light of the above, the Congress encourages the Moldovan authorities to pursue reforms, in particular in respect of improved election administration allowing for the clarity of tasks of the different stakeholders in the electoral process, in order to strengthen territorial democracy, to enforce measures for transparent funding of electoral campaigns and parties, and to introduce programmes to maintain and further the political culture in the country.

²⁵ Data and comprehensive non official information can be also retrieved on domestic observer's website : <http://www.e-democracy.md/en/elections/local/2011>

Appendix I – Members of the Congress observation delegation

Members of the pre-electoral mission: 17 – 20 May 2011

1. Britt- Marie LÖVGREN, Sweden (ILDG) Head of delegation
Councillor, Umea
3. Enzo BROGI, Italy (SOC)
Councillor, Tuscany Region
4. Sevdia UGREKHELIDZE, Georgia (EPP/CD)
Member of Tbilissi Assembly

Congress Secretariat

Renate ZIKMUND
Head of Division of Communications and Election Observation, the Congress of the
Council of Europe

Jane DUTTON-EARLY
Assistant, Election Observation Mission to Moldova

Members of the Electoral Mission: 1- 6 June 2011

1. Britt- Marie LÖVGREN, Sweden (ILDG) Head of delegation
Councillor, Umea
2. Hannes WENINGER, Austria (SOC) Rapporteur
Member Municipal Council, Giesshübl, Lower Austria, Member of Parliament
3. Francis LEC, France (SOC) country Rapporteur and member of the delegation "ex officio"
1st Vice-President, Conseil Général, Somme, Municipal Councillor, Amiens
4. Enzo BROGI, Italy (SOC)
Councillor, Tuscany Region
5. Sarita BUSH, United Kingdom (ILDG)
Former Councillor, Kingston-upon-Hull
6. Petros FILIPPOU, Greece (ILDG)
Mayor of Kalyvion Thorikou, Attiki
7. Irmeli HENTTONEN, Finland (ILDG)
Member City Council Lappeenranta
Member of the Board, Regional Council, South Carelia
8. Mihkel JUHKAMI, Estonia (EPP/CD)
Chair, Rakvere City Council
9. Anthony MIFSUD, Malta (EPP/CD)
Mayor of Mtarfa Local Council
10. Mihalj NJILAS, Serbia (EPP/CD)
President of the Municipality of Kanjiza
11. Valentina ROSSI, San Marino (SOC)
Councillor, Municipality of Castello Acquaviva
12. Sevdia UGREKHELIDZE, Georgia (EPP/CD)
Member of Tbilissi Assembly

Committee of the Regions

1. Ursula MÄNNLE, Germany (DE/EPP)
Member of the Bavarian State Assembly
2. Väino HALLIKMÄGI, Estonia (EE/ALDE)
Member of Pärnu City Council
3. Jerzy ZAJAKALA, Poland (PL/EA)
Mayor of Lubianka
4. Uno SILBERG, Estonia (EE/EA)
Member of Kose Rural Municipality Council

Congress Secretariat

- Renate ZIKMUND
Head of Division of Communications and Election Observation, the Congress of the
Council of Europe
- Jane DUTTON-EARLY
Assistant , Election Observation Mission to Moldova

Appendix II - Programmes

Programme of the pre-election observation mission of the Congress of the Council of Europe to Moldova, 17 to 19 May 2011

Tuesday, 17 May

- 15.50 Arrival of the delegation
International Chisinau Airport (Flight no. OS 7041 from Vienna)
- 17.30 – 18.15 Meeting with **Mr Owen MASTERS**, Venice Commission Expert, CoE office
Venue: CoE office (4 Puskin str.)

Wednesday, 18 May

- 09.00 - 09.50 Meeting with **Mr. Iurie CIOCAN**, Chairman of the Central Election Commission of Moldova
Venue: Central Election Commission
- 10.00 -10.50 Meeting with **Mr. Gerald MITCHELL**, head of ODIHR LEOM and the mission representatives
Venue: ODIHR (Stefan cel Mare 171/1, business centre, III Floor)
- 11.00 – 11.50 Meeting with **Mr. Mihai CAPATINA**, Secretary General of the MFAEI
Venue: MFAEI
- 12:00 - 12:50 Meeting with IFES and UNDP
Venue: CoE Office
- 13:00 – 14:00 Lunch
- 14:00 – 14:50 Meeting with the Parliamentary inter-faction working group on amendments to the Electoral Code
Venue: Moldovan Parliament (Ministry of Agriculture building, conference room, 1 floor)
- 15:00 - 15:50 Meeting with representatives of the diplomatic community of Chisinau and international organisations

Venue: CoE Office
- 17:00 -18:00 Joint meeting with domestic observers
- Promo Lex – **Mr. Pavel POSTICA**, Monitoring and observing general local elections
 - ADEPT - **Mr Corneliu GURIN** (election legislation, campaign monitoring)
 - IDOM – **Mrs. Stela LIVADARU** (observing elections in psychiatric institutions)
 - Coalition for Free and Fair Elections – **Mr. Nicolae PANFIL**
 - APEL - **Mr. Ion BUNDUCHI** (monitoring Teleradio Moldova)
 - CIJ/ API – **Mrs. Nadine GOGU / Mr. Petru MACOVEI** (media monitoring during elections)
- Venue: CoE Office*

Thursday, 19 May

- 09:00 -09:50 Meeting with **Mr. Marcel RADUCAN**, Minister of Regional Development and Construction
Venue: MRDC
- 10:00 – 10:50 Meeting with **Mrs. Zinaida GRECEANÎ** and **Mr. Ion CEBAN**, Representatives of the Party of Communists
Venue: PCRM headquarters (Nicolae Iorga 11)
- 11:00 – 11:50 Meeting with **Mrs. Victoria CUJBA**, State Chancellery
Venue: Government building
- 12:00 - 12:50 Meeting with **Mr. Vadim PISTRINCIUC**, PLDM Deputy Chief of Staff
- 13:30 – 14:30 Meeting with representatives of the RD and LA NGOs
- CALM – **Mr. Viorel FURDUI**
 - Regional development Agency of Moldova – **Mr. Tudor MEȘINĂ**
 - Association of Mayors and Local Communities in Moldova - **Mr. Mihai PEREBINOS**
 - National League of Mayors Associations – Mr. Vasile BALAN
- Venue: CoE Office*
- 15:00 – 15:50 Meeting with **Mrs Mihaela IACOB**, Deputy Minister of Information Technologies and Communications
Venue: MTIC
- 16:00 – 16:50 Meeting with **Mrs. Valentina BULIGA**, Candidate of the Democratic Party
Venue: PD headquarters (32 Tighina str.)
- 17:30 - 18:20 Meeting with **Mr. Dorin CHIRTOACĂ**, Candidate of the Liberal Party, Current Mayor of Chișinău municipality
Venue: PL headquarters (București 88)

Friday, 20 May

- 16.50** Departure of the Delegation

**Programme for the Congress delegation for the observation
of local elections in Moldova on 5 June 2011
1 – 6 June 2011**

Wednesday, 1 June

Arrival of delegation in Chisinau

Thursday, 2 June

- 08.30 - 09.30 General Congress briefing
(*Venue: Le Roi, business center*)
- 10.00 -10.50 Meeting with **Mr. Iurie CIOCAN**, Chairman of the Central Election
Commission of Moldova
Venue: Le Roi, business center
- 11.20 – 12.00 Meeting with **Mrs. Valentina BULIGA**, PD (Democratic Party) candidate for
Chisinau and **Mrs. Zinaida IVANSCHI**, PD electoral staff member
*Venue: Headquarters of the Democratic Party, MD 2001, Chisinau, str.
Tighina 32*
- 12:30 - 13:20 Meeting with **Mr. Igor DODON**, PCRM (Party of Communists) candidate for
Chisinau
Venue: Le Roi, business center
- 13:30 – 15:00 Lunch
- 16:00 - 16:50 Meeting with **Mr. Vadim PISTRINCIUC**, PLDM (Liberal Democrats) Deputy
Chief of Staff
Venue: Le Roi, business center
- 17:00 -18:00 Meeting with the CALM (Congress of Local Authorities of Moldova) members
(**Mssrs. FURDIU and BESCHIERU** from CALM + 4 mayors and the
Chairman of Dubasari rayon,
Venue: Le Roi, business center)

Friday 3 June

- 08:00– 08:50 Meeting with **Mr. Ion APOSTOL**, Head of PL (Liberal Party) electoral staff
Venue: Jolly Alon, hotel
- 10:00 – 11:30 Meeting with representatives of IFES, UNDP and domestic observers:
- Promo Lex – **Mr. Pavel POSTICA**, Monitoring and observing general
local elections ADEPT - Mr Corneliu GURIN (election legislation,
campaign monitoring)
 - IDOM – **Mrs. Stela LIVADARU** (observing elections in psychiatric
institutions)
 - Contact Centre – **Mr. Serghei NEICOVCEN**
 - **Mr. Nicolae PANFIL**, Coalition for Free and Fair Elections
- Venue: Jolly Alon, hotel*

Note: 11:00	Briefing of the CEC (Central Election Committee of Moldova) with election observers <i>Venue: CEC, Vasile Alecsandri, 119, Chisinau</i>
Attended by :	<i>Mr. FRANCIS LEC – Monitoring Committee rapporteur for Moldova</i>

12:00 - 13:30	Lunch
14:00 – 15:20	Meeting with representatives of the diplomatic community of Chisinau and international organisations <i>Venue: Jolly Alon, hotel</i>
15:30 – 16:30	Meeting with Media representatives <ul style="list-style-type: none"> • APEL - Mr. Ion BUNDUCHI (monitoring Teleradio Moldova) • CIJ– Mrs. Nadine GOGU (media monitoring during elections) • API – Mr. Petru MACOVEI <i>Venue: Jolly Alon, hotel</i>
17:00 – 18:30	Meeting with ODIHR LEOM and the mission analysts <i>Venue: Jolly Alon, hotel</i>

Saturday, 4 June

16.00 – 17.30	2nd meeting with ODIHR LEOM - Gerald Mitchell – Head of Mission, Claudia Vollmer - Deputy Head of Mission, 2 Representatives from ODIHR in Warsaw <i>Venue: Jolly Alon, hotel</i>
17.30 – 18.30	Briefing with the interpreters and drivers for the entire delegation, practical information, distribution of materials, deployment plan etc

Sunday, 5 June LOCAL ELECTION DAY

06.45	Deployment of the teams
00.00	Debriefing of the teams

Monday, 6 June

09.30	Finalisation of the preliminary conclusions, preparation of the press conference with ODIHR
15.00 – 16.00	Joint press Conference with OSCE/ODIHR

Tuesday, 7 June – Wednesday 8 June

Departure of the Delegation

Appendix III – Press releases

Press Release -CG002 (2011)

Local elections in Moldova: Council of Europe Congress carries out a pre-electoral visit in Chisinau

Date: 18 - 19 May 2011

Location: Chisinau (Moldova)

A delegation of the Congress of Local and Regional Authorities of the Council of Europe, headed by Britt-Marie Lövgren, Sweden (ILDG), will carry out a pre-electoral mission to Moldova, in view of the upcoming local elections scheduled for 5 June 2011.

The delegation will meet notably: Mr. Marcel Raducan, Minister of Regional Development and Construction; Mr. Pavel Filip, Minister of Information Technologies and Communications, Mrs. Victoria Cujba of the State Chancellery as well as the inter-parliamentary working group on amendments to the Electoral Code. Meetings with Mr Iurie Ciocan, Chairman of the Central Election Commission and Mr. Dorin Chirtoaca, Mayor of Chisinau municipality are also scheduled.

In addition, the pre-election delegation will meet representatives of political parties, members of the Moldovan delegation to the Congress as well as representatives of international organisations, NGOs and media.

A larger Congress delegation – including members of the EU-Committee of the Regions – will be in the country from 1 to 6 June to observe the elections.

Members of the Congress pre-election delegation:

Mrs Britt-Marie Lövgren, Sweden (ILDG) (Head of delegation)
Mr Enzo Brogi, Italy (SOC)
Mrs Sevdia Ugrekhelidze, Georgia (EPP/CD).

Contacts in Chisinau (Moldova) :

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Renate Zikmund, Tel.: + 33 659 786 455

Contacts in Strasbourg (France):

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Congress of Local and Regional Authorities
Council of Europe
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congress.com@coe.int

Press Release – CG004(2011)

Council of Europe Congress to observe local elections in Moldova

Strasbourg, 01.06.2011 - A delegation from the Congress of Local and Regional Authorities of the Council of Europe will observe the local elections in Moldova on 5 June 2011.

On 2, 3 and 4 June the delegation will hold meetings in Chisinau with representatives of government, the opposition, electoral bodies and political parties, notably with the Minister of Labour, Social Protection and Family, Valentina BULIGA, candidate for the Democratic Party, and Igor DODON, candidate for the Party of Communists, for the Mayor of Chisinau, as well as with electoral staff of other candidates.

The delegation is due to meet with Iurie CIOCAN, Chair of the Central Election Commission (CEC), and with representatives of associations of local and regional authorities in Moldova.

Views will be exchanged with representatives of the diplomatic community, international organisations, including OSCE-ODIHR, NGOs and domestic observers as well as the media.

On 5 June, nine Congress delegations will be deployed to several regions of the country to observe the elections.

A pre-election mission was carried out mid-May to assess the political situation, the campaign and the preparations for the organisation of this vote. The three-member delegation of the Congress met, amongst others, with the Minister of Regional Development and Construction Marcel RADUCAN, with Deputy Minister of Information Technologies and Communications Mihaela IACOB and with the Mayor of Chisinau Dorin CHIRTOACA from the Liberal Party.

The Congress delegation will present its preliminary findings at a joint press conference with the ODIHR delegation, scheduled for Monday 6 June 2011 (time to be confirmed), at the Hotel Leograd, Chisinau.

The Congress delegation

Britt Marie LÖVGREN, Sweden (ILDG), Head of delegation
Hannes WENINGER, Austria (SOC), Rapporteur for the election observation mission to Moldova
Francis LEC, France (SOC), Congress country Rapporteur
Enzo BROGI, Italy (SOC)
Sarita BUSH, United Kingdom (ILDG)
Petros FILIPPOU, Greece (ILDG)
Irmeli HENTTONEN, Finland (ILDG)
Mihkel JUHKAMI, Estonia (EPP/CD)
Anthony MIFSUD, Malta (EPP/CD)
Mihalj NJILAS, Serbia (EPP/CD)
Valentina ROSSI, San Marino (SOC)
Sevdia UGREKHELIDZE, Georgia (EPP/CD)

Members of the EU Committee of the Regions

Väino HALLIKMÄGI, Estonia (ALDE), Speaker of the CoR members
Ursula MÄNNLE, Germany (EPP)
Uno SILBERG, Estonia, (EA)
Jerzy ZAJAKALA, Poland, (EA)

Contacts on the spot:

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Web : [File "Observation of elections"](#)

Press release - CG005(2011)

Moldova's local elections largely met international standards, but remaining legal and regulatory issues need to be considered, observers say

Chisinau, 6 June 2011 –Moldova's local elections largely met OSCE and Council of Europe election-related commitments, in conditions conducive to a competitive campaign and offering voters a genuine choice, international observers from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Council of Europe's Congress of Local and Regional Authorities concluded in a statement issued today.

However, the observers noted that remaining legal, administrative and regulatory issues need to be further considered in order to ensure continued forward progress.

"Electoral participants noted much more equitable opportunities to reach voters as part of a competitive campaign, but improvements in the regulation of political financing would further benefit the electoral process," said Gerald Mitchell, the Head of the OSCE/ODIHR Limited Election Observation Mission. "A more concerted effort to introduce a centralized electronic voter register would also further improve the process."

“Voters in this election clearly benefitted from a wide range of options,” said Britt Marie Lövgren, the Head of the Congress of Local and Regional Authorities delegation. “But the competencies of local authorities in election administration need to be clearer. If they are in charge of important aspects of election administration, this must be clear in law and they must be given the necessary resources.”

The observers found that the candidate registration process was inclusive and provided voters with a genuine choice. Media covered the election campaign through a variety of formats, including editorial broadcasts, debates and paid advertising, offering voters a broad range of information about contestants and their programmes.

The legal framework provides a sound basis for the conduct of democratic elections, and the election administration performed in a transparent and professional manner overall, perceived as impartial by the majority of stakeholders.

However, the postponement of the introduction of a centralized electronic voter register meant that voter lists were again prepared by local authorities. As in previous elections, this resulted in concerns over their accuracy. The ongoing problem of unclear residency provisions to designate proper place of voting underscored these difficulties.

Also, mechanisms for the oversight of political financing are insufficiently developed and lacking in precision and adequate enforcement. A lack of clarity over the division of competencies among different levels and bodies of government also raised concerns over the provision of clear and sufficient funding to allow them to carry out their respective tasks.

Election day procedures, including voting and counting, proceeded calmly and were conducted in a generally orderly and transparent manner.

For further information, contact:

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**Statement by the Head of the delegation, Ms Britt-Marie Loevgren, Sweden, at the joint
Congress/ODIHR press conference on 6 June 2011, 17.00, Hotel Leogrand, Chisinau.**

Good afternoon, ladies and gentlemen.

Thank you for giving me the opportunity to present the preliminary findings, from the angle of the Congress of Local and Regional Authorities of the Council of Europe. Before doing so, I would like to say a few words on the specific role of the Congress. Why we observed these elections and how we did it.

The Congress consists of more than 600 elected representatives of territorial bodies in the 47 member countries of the Council of Europe. This is greater Europe – and comprises EU members and also non-member states. Moldova is member of our Congress - this is one reasons why we were here to observe these elections.

Now to the question regarding how we observe elections. Congress members are mayors, municipal councillors or regional elected representatives of 47 member states. We are all politicians and therefore do not carry out a technical assessment of the electoral process, as our colleagues from

ODIHR do – let me thank them at this stage for the great job they did, as usual, and for the fruitful and inspiring co-operation we had.

Congress election observation is carried out on a peer-to-peer basis with a focus on a political assessment of the whole electoral process as well as of conditions which are key for the functioning of democracy and for genuinely democratic elections, for example: the political system, the election campaign, the role of the media and the financing of parties and campaigns. I will speak about his later.

The Congress delegation comprised 16 local elected representatives of 14 European countries, including 4 members of the EU Committee of the Regions (my colleague Vainno is the speaker of this group). Teams of our delegation were deployed to 9 different regions throughout the country (Chisinau, the environment of Chisinau, Cocieri and the South-East of Moldova, Orhei and the environment, Balti, Edinet and the environment, Calarasi and the environment, Gagauzia and the South-West of Moldova). In total, approximately 150 polling stations were visited by the Congress teams.

With regard to general assessment, I would like to underline what Gerald said before and confirm that – from Congress and EU Committee of the Regions perspective – these elections marked a further step in the right direction. In particular, if we compare the organisational framework of yesterday's elections with what we had observed at the local elections four years ago.

We were also satisfied to see a vibrant campaign and we believe that contestants mostly behaved in a responsible manner – although there were some incidents that were not so positive. Also, we were pleased to hear that media acted, in general, more professionally than in the past.

So, if you ask me if there was progress, we can say, yes, there was indeed. If you ask if everything was satisfactory, I must say, no, it was not.

In respect of challenges for the Moldovan authorities, I would like to highlight three points:

- the accuracy of the voters' lists (our colleague from ODIHR has mentioned the shortcomings in detail);
- the issue of campaign and party financing (definitely, there is a need for transparency in this respect)
- and thirdly, and this is connected with the verification of voters' lists: the role of local authorities in the electoral process. If local authorities are in charge of important parts of election administration, then legislation has to be clear about all of the details. If local authorities are in charge for the up-dating of the voters' lists, then they should be given the necessary resources.

Local democracy as enshrined in the Congress Charter of Local Self-Government needs transfer of powers and transfer of resources. Moldova has to do a lot in this respect in the future. The Council of Europe Congress is ready to assist – and will carry out already in September a monitoring mission to follow-up on this issue.

I thank you for your attention.