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coaliția civică pentru alegeri libere și corecte

CIVIC COALITION FOR FREE AND FAIR ELECTIONS

PROMO-LEX ASSOCIATION

## **Preliminary Report Monitoring of the Election Day for Early Parliamentary Elections**

Published on July 30, 2009

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### **Introduction**

The monitoring of the campaign for early parliamentary elections of 29 July 2009 conducted in 7 electoral districts is a project implemented by the Promo-LEX Association within the framework of the Civic Coalition for Free and Fair Elections "Coalition 2009". „Coalition 2009” is a voluntary association of nongovernmental organizations, which runs projects aimed at improving the election process and enhancing citizens' confidence in that process. Coalition 2009 election monitoring programs are conducted both by Promo-LEX and by other organizations.

This Monitoring Report conducted on Election Day 29 July 2009 covers the monitoring of the campaign for 29 July early elections in the electoral districts of Floresti, Rezina, Dubasari, Anenii Noi, Causeni, Stefan Voda, and the Transnistrian region of Moldova, by over 270 observers. These districts are adjacent to the Transnistrian region and host special polling stations opened for voters residing in that region. The information presented in this Report was collected by Promo-LEX observers in the monitoring districts by direct observation, meetings with interlocutors and consulting official documents.

The findings and recommendations of this Report have been developed with bona fide intentions and are presented in a spirit of professional cooperation between all parties interested in building a transparent and fair electoral process in Moldova. The authors of this Report call all interested persons or institutions to contribute information and criticism and/or rectify any aspects or recommendations included in this and other Monitoring Reports on the electoral process in the mentioned electoral districts. The monitoring effort is governed by the Constitution of the Republic of Moldova, the Elections Code, and international election monitoring standards and principles.

This project is implemented with the financial support of the National Endowment for Democracy.

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### **SUMMARY**

Moldovan citizens residing in the Transnistrian region showed an increased interest for the election. Although the separatist administration posed numerous obstacles, and the Moldovan constitutional authorities made insufficient efforts to provide proper information to the electorate of the region, approximately 1,500 more people voted in the early 29 July 2009 election compared to the previous time.

The constitutional authorities have proven incapable of ensuring the right to vote to the residents of the village Corjova, district Dubasari, on the territory of the respective polling station.

Observers stated multiple cases of presence in an area closer than 100 m to the voting site of representatives of the central and local authorities, as well as police officers wearing uniforms. Of special concern were the worrying trends of hampering observation efforts by intimidating observers.

Voter lists have not been compiled in a qualitative manner. There were many cases noted of presence in the lists of deceased persons, or of non-inclusion in the list of the ID card information.

During the voting process, voting with dubious F-9 form documents was noted: the forms either had the photo attached with scotch tape, the photo was not stamped or the form lacked a proper identification number. At the same time, issuance of voter certificates on the basis of invalid or inexistent ID documents was also noted.

Observers noted a differentiated approach at different EBPSs toward accepting or rejecting requests to vote at home. There were registered cases of negligence and irresponsibility of behalf of election bodies with regard to their attributions.

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## **I. INTIMIDATION OF OBSERVERS AND INFLUENCE OF VOTERS**

In Corjova, Dubasari, at 06.20, when the Promo-LEX observer arrived to the location, the polling station was not properly guarded by the police. By 06.30 approximately 200 persons (including Cossacks in civil and military uniforms) gathered in front of the station to block access to its entrance. People were wearing hand bands and put up the flags of the Transnistrian region and of the Russian Federation. Five persons carried hoes. Soon after the polling station was blocked, the peacekeeping forces arrived to the site, but did not intervene to unblock the facility. At 10.00 it was decided that voters on the lists of the Corjova polling station could vote on supplementary lists in polling stations No. 4 in Cocieri and No. 14 in village Ustia, both in Dubasari.

At the polling station in Molovata Noua, district Dubasari, the mayor of the village stayed for 2 hours inside the station, which is much longer than necessary to exert his right to vote.

Grigore Policinschi, chair of the Dubasari district, and Vasili Sova, PCRM candidate, were observed in all the localities of district Dubasari controlled by the Moldovan authorities. They visited polling stations in villages Molovata Veche, Oxentea, Parata, Pohrebea, Cocieri, Cosnita (twice), Holercani and the justice court in village Ustia.

In the village Gordinesti, district Rezina, Onu Ludmila, vice-chair of the district council, Gobjila Vasile, secretary of the council, and Lonichi Iulia, mayor of Gordinesti, stayed at the entrance to the polling stations for approximately 30 minutes. They arrived to the polling station with the mayor's office vehicle.

In village Piscaresti, district Rezina, when the Promo-LEX observer wanted to submit a contestation regarding the procedure for voting at home with the mobile ballot box, Pasarari Raisa, the chair of the EBPS, threatened her by saying: „... do you want your mother not to find you at home?...”. As a result, the observer decided not to submit the contestation, but instead reported the incident to the long term observer. The LTO reported this as a complaint to the DEC in Rezina. The contestation was examined and was redirected to the law enforcement authorities for further action.

In village Berezchi, district Anenii Noi, two police officers sat on chairs outside the polling station. Answering a remark by a Promo-LEX observer on the case, the EBPS chair said that the Elections Code does not provide for a specific distance from the polling station police should be at.

In village Varnita, district Anenii Noi, Victor Petrov, chair of EBPS No. 41, intimidated the Promo-LEX observer by demanding that he only sit of the chair and not walk around the room.

At the polling station in village Tintareni, district Anenii Noi, the mayor spent approximately 30 minutes in the polling station, which was more than needed to cast one's vote.

Mayor of village Festelita, district Stefan Voda, Tudoreanu Nicolai Gheorghe, stood outside the polling station between 9.30 and 16.00 at a distance of approximately 50 meters, and discussed with voters who were heading to the section to vote. Ceban Liubovi, the chair of the EBPS, ignored the notifications and refused to intervene to stop the irregularity.

Mayor of Festelita also spent two hours inside the polling station. The Promo-LEX observer mentioned that as unacceptable to the chair of the EBPS, but his remark was ignored, and the mayor stayed longer in the room.

At 10.20 in village Grigorievca, district Causeni, a police officer wearing uniform was standing outside the polling station at a distance smaller than 100 m.

In village Chircaiestii Noi, district Causeni, Fiodor, PCRM observer in elections at the polling station No. 16 intimidated the independent observers, telling them they were not allowed to use their cell phones.

At the polling station in Marculesti, district Floresti, Arhip Iurie, a member of PCRM, stood all day outside the polling station and talked to voters.

In village Marculesti and Alexandrova, district Floresti, police officers were closer to the polling stations than allowed by law.

At 10.00 in village Frumusica, district Floresti, Palade Valeriu, a member of the EBPS, intimidated the observer of the PL. At 18.00 on the same day, he broke the observer's watch.

At polling stations No. 16 in Ciobanovca and No. 30 in Merenii Noi, both in district Anenii Noi, police officers were closer to the polling stations than permitted by law.

## **II. VOTER LISTS**

### Main Lists

In village Tareuca, district Rezina, Mosneaga Natalia wanted to vote and saw that she wasn't included in the main list. Instead of voting on a supplementary lists, she went to the mayor's office and returned with two sheets of paper that she tried to give, secretly (hidden in a book), to EBPS chair Corcescu Elena [to be added to the main list]. The Promo-LEX observer submitted a contestation in that sense. After having examined the contestation, Corcescu Elena excluded the two sheets handed to her from the main list, and added the voter to the supplementary list.

In village Slobozia, district Stefan Voda, at 11.30 a sheet from the main lists containing voters under numbers 161 to (57 persons) disappeared. A protocol was written on the incident.

In polling station No. 42 in village Taraclia, district Causeni, voter lists were compiled incorrectly, missing the ID documents' information of all the voters on the list. The EBPS chair said this is how they got the lists from the mayor's office. Members of the EBPS have been including the ID series and number in writing. In the same station the ballot boxes and the curtains in the room were red.

At the polling station No. 2 in Anenii Noi, a Promo-LEX observer found three deceased persons on the list. These were: Ciumacenco Stanislav born 05 Sep 1963, No. 1534 in the voter list, ID number A 25018197, which is listed as invalid in the database of the Ministry of Informational Development; Teslari Andrei born 30 Nov 1959, No. 462 on the list, ID number A 25004732, which is listed as invalid in the database of the Ministry of Informational Development; and Cobuscean Evdochia, born 20 Aug 1930, No. 1957 of the voter list, passport No. IV BM 646800, impossible to check in the MID database.

### Supplementary Lists

In the town of Causeni, polling station No. 2, a person voted with address 44/2 Dimitrie Cantemir St. This address does not exist.

### Mobile Ballot Box

In village Berezchi, district Anenii Noi, at the opening of the polling station, the protocol was not introduced into the mobile ballot box as provided by the procedure.

In village Copanca, district Causeni, at the polling station No. 23, Tihonov Zinaida (PCRM observer) was walking through the village to compile a list of voters who will vote from home. The list was presented to the EBPS chair.

In Causeni, polling station No. 5, Veaceslav Nogai, chair of the *War and Labor Association*, brought a list of 24 persons, requesting the mobile box for them. In the same town, at the polling station No. 3, Veaceslav Nogai brought a list of 25 persons that had, according to him, requested to vote at home; the same person brought a list of other 26 persons to polling station No. 2 in Causeni with the same assertion. Mr. Iurie Arhipov, who was one of the 26 persons included in the last mentioned list, was on the main voter list and had already voted. He told Promo-LEX observers that he had not requested the mobile ballot box for voting at home.

In village Talmaza, district Stefan Voda, at the polling station No. 27, a person came with 14 written requests for the mobile ballot box. All the requests were computer-typed and contained only different ID numbers and signatures. The signatures were made with the same pen.

In village Ciobanovca, Anenii Noi, the polling station did not have signed protocols, thus protocols were not introduced into the two mobile ballot boxes.

Mayor of village Parata, district Dubasari, took the mobile ballot box to the village. The observers had not been informed about that fact. Thus the number of cast ballots and the list of persons he visited remain unknown.

At polling stations No. 15 in village Talmaza, No. 24 in village Antonesti and No. 17 in village Caplani, all in district Stefan Voda, computer-typed mobile ballot box requests were submitted. Observers submitted contestations demanding that the persons requesting the mobile box in this way not be registered in the list of voting at home.

EBPS members of the polling station No. 1 in Causeni took the mobile ballot box to the locality, and took an uncounted number of ballots with them. Moreover, on the way to the voters, they were stopped by a car and were given another list of persons requesting the mobile box. Neither of the lists was presented to the observers, although they requested to see them.

At the polling station No. 8 in Caplani, district Stefan Voda, at 14.00, Calalb Vladimir Ilici requested the mobile ballot box for 17 persons. Upon the observers' request, the EBPS members decided not to register those persons into the list of voters who requested the mobile box.

At the polling station No. 5 in village Antonesti, district Stefan Voda, at 8.30 Zama Veaceslav and Chirilov Vladimir came with collective mobile box requests for 24 persons. As the observers demanded, the requests were rejected.

In village Telita, district Anenii Noi, 23 persons were registered with the list of voters that requested the mobile box. While monitoring the voting process, the observers noted that a majority of the persons included on that list had not in fact requested to vote at home. Thus, of the 23 persons on the list, only 19 cast their votes.

At the polling station No. 1 in Stefan Voda town, Deriughina Galina, secretary of the mayor's office, brought a request soliciting to include 40 persons on the list of voter requesting a mobile box. Two of the persons indicated in that request, namely Tolstova Tatiana and Donii Fiodora, told a Promo-LEX observer that they did not intend to vote at home, and that they had voted at the polling station on the main voter list. They could not explain how they got on the list in the mentioned request.

At the polling station in village Botnaresti, district Anenii Noi, at 15.00 there were 38 voter requests for the mobile box. After 15.00 two more persons phoned to request the mobile box, and their requests were accepted. The group of EBPS members who took the mobile box to these two individuals did not return to the polling station.

At the polling station No. 2 in Stefan Voda there were 125 requests to vote at home. Six persons included on that list had not in fact requested the mobile box. Of them, Niscanean Olga, Dulgner Tatiana and Dulgner Ion told a Promo-LEX observer that they had not requested to vote at home, and subsequently refused to vote. Other three persons, Diulgher Dumitru, Godinciuc Alexandru and Ilicenco Pavel, had voted at the polling stations in their area of residence.

At the polling station No. 27 in village Farladeni, district Causeni, there were 36 submitted requests to vote at home. The EBPS members were provided 40 ballots for the mobile box voting. Upon the return to the polling station of the EBPS members with the mobile box, the following was stated: 40 issued ballots, 31 persons cast their vote; 8 ballots were unused and one ballot was missing.

At the polling station in village Bobulesti, district Floresti, voters that cast their vote at home in the mobile box did not sign the voter lists. Upon the return of the mobile box to the polling station, there was a fight between EBPS members on that issue. The EBPS secretary left the station and went home. The PCRM observer took the list and went to visit the voters to get their signatures.

In Ghindesti, Floresti, members of the EBPS took the mobile box to the locality without announcing or inviting observers.

### **III. VOTING PROCEDURE**

In village Zaim, district Causeni, at least 10 persons cast their votes before the ballot box was sealed. The protocol added to the box is incomplete – it hasn't been signed and stamped, and lacked the ID documents serial numbers.

#### *Voter Ballots*

In village Lalova, district Rezina, there were 6 ballots less than the number of voters included in the main voter list.

In village Slobozia-Horodiste, district Rezina, there were 3 ballots less than the number of voters included in the main voter list.

In village Roscana, district Rezina, there were 123 ballots provided for 141 voters included in the main voter list. Thus, there was a shortage of 18 ballots.

#### *Supplementary Lists*

In the town of Causeni, polling station No. 5, people residing outside the area covered by the polling station were allowed to vote on supplementary lists.

At the polling station in village Telita, the Promo-LEX observer stated that citizen Placinta Valeriu, born in 1965, ID number A 25073291, who did not reside in the area or have a voter certificate, voted on a supplementary list. Placinta Valeriu resides in Speia village. The observer in Speia checked the list and found Mr. Placinta on the main voter list at the respective polling station.

#### *ID Documents*

"In the town of Cainari, district Causeni, Mr. Gangurean Mihail cast his vote, but the stamp „29.07.2009 ALEGRI” was not applied in his ID card annex.

At the polling station No. 2 in Causeni town it was noted that the ID card annex of Mr. Ceban Sergiu, who voted on the main list, was covered with scotch tape. The stamp „29.07.2009 ALEGRI” was applied on the tape, but the soon was deteriorated, as the text was easily wiped off.

At the polling station in village Festelita, district Stefan Voda, Galafton Natalia, a member of the EBPS, provided a voter ballot to Bulhac Ivan although he did not present an ID document.

#### *The „F 9” Form*

In village Tarasova, district Rezina, nine persons voted on the basis of dubious „F 9” ID forms: some had the picture covered with scotch tape, others did not have a serial number or the photo on the form was not stamped.

#### *Voter Certificates*

In village Telita, district Anenii Noi, six persons received voter certificates: Mitreanu Oleg ID No. A 25062688, Ursu Andrei ID No. A 25036719, Nitorean Vitalie ID No. A 25074434, Nitorean Stefan ID No. A 25049165, Clichici Sergiu ID No. A 25067211, and Cheliminciug Serghei ID No. A 25058391. After checking these ID numbers in the MID database, it was stated that numbers A 25036719 (Ursu Andrei) and A 25058391 (Cheliminciug Serghei) were invalid, and ID number A 25049165 (Nitorean Stefan) was not found.

#### **IV. ELECTORAL CONTESTANTS**

##### *Electoral Posters*

In village Dumitreni, district Floresti, electoral posters of PDM and PL had not been removed from pillars and other unauthorized areas.

In the Bender municipality, PCRM materials remained posted on residential buildings and pillars.

In the villages of Palanca and Olanesti, district Stefan Voda, PPCD, PCRM, and PLDM posters remained on pillars and other unauthorized areas; in village Talmază – PCRM posters were still present in unauthorized areas.

In village Dumitreni, district Floresti, PL and PD posters were also found.

The Promo-LEX mobile team found materials by PCRM, PL and AMN posted in the village Slobozia, district Stefan Voda, and PCRM materials in village Farladeni, district of Anenii Noi.

#### **V. PERFORMANCE OF ELECTORAL BODIES**

##### *Operation of EBPSs*

At the opening of the polling station in village Chirilovca, district Floresti, EBPS member Turca Timofei was intoxicated.

In village Rascaieti, district Stefan Voda, the incompetence of a EBPS member who serviced residents from the Transnistrian region caused unnecessary crowding. The Promo-LEX observer intervened and the EBPS chair replaced that person.

In Carahasani, district Stefan Voda, two students who had their temporary residence in other areas were allowed to vote.

In the basement of the Culture Hall in village Malovata Veche, district Dubasari, where the polling station was located, there is also a bar selling alcoholic beverages. Promo-LEX observers submitted a contestation to the chair of the EBPS to suspend alcohol sale on the Election Day. So far no decision was taken in this case.

In village Farladeni, district Causeni, Malli Tamara was noticed signing the voter list for voter Lesan Alexei, who was not present at that moment in the polling station. She explained that Mr. Lesan had been at the station, had cast his vote, and simply forgot to sign the voter list. This case is currently investigated.

In Farladeni, Causeni, a person residing in village Proteagailovca submit a complaint against the refusal of the EBPS to take the mobile box to his home village.

St the polling station in village Mihailovca, district Floresti, a crowd formed because there were people present inside other than EBPS members and observers. They were disturbing the work and causing chaos. The Promo-LEX observer informed the chair of the EBPS about this irregularity.

At the polling station in Marculesti, district Floresti, members of the EBPS were wearing clothes of the colors of some electoral contestants: red and green. After a remark in that regard of the Promo-LEX observer, the EBPS member wearing green changed his clothes, while the one wearing red – the EBPS secretary – refused to change and later insulted and intimidated the observer for his remark.

At the polling station No. 41 in Varnita, district Anenii Noi, the Promo-LEX mobile team stated that the chair of the EBPS decided, at the opening of the station, to allow all students to vote there if they had their permanent residence in the PS coverage area.

At the polling station in village Chirilovca, district Floresti, the site of the polling station (the local Culture Hall), was severely deteriorated.

In village Stefanesti, district Floresti, the site of the polling station was poorly lighted. The minimum conditions for observing the election process had not been met.

The polling station inside the gymnasium in the Parata village, Dubasari, was located in a room which was 10 X 10 m in size.

Members of the EBPS in Farladeni, district Causeni started the procedure of counting of the ballots, and cancelling unused ballots at 20.50, before the official closing of the polling station.

#### Transparency of Election Bodies

The chair of the polling station in village Ustia did not allow the Promo-LEX observer to check the list of voters to cast their votes on the basis of voter certificates.

At the polling station No. 3 in the town of Rezina, the Promo-LEX observer was not allowed to check the list of issued voter certificates and of persons who voted on the basis of such certificates at that polling station.

#### Involvement of Local Government Members in Campaigning Activities

A Promo-LEX observer stated that mayor of village Sanatauca, district Floresti, Gradinaru Xenofon, (non suspended from office) acted as observer on behalf of the PCRM at the local polling station.

In the village Pohrebea, district Dubasari, the windows of the local lyceum were covered with pages from „Comunistul” and „Moldova Suverana” newspapers. The local polling station was located inside the lyceum.

## **VI. CAMPAIGN COVERAGE IN THE TRANSNISTRIAN MEDIA**

News agencies **Regnum** and **Novyi Region**, and news web portal **Lenta PMR** were the most active media outlets from the Transnistrian region that covered the Moldovan early parliamentary election for the duration of this monitoring effort.

On the Election Day July 29, citizens received a rather comprehensive amount of information related to elections. At the same time, a message was covertly conveyed to the public that „*Transnistrian citizens who hold Moldovan citizenship were able to influence the course of history in that country alongside indigenous Moldovans.*” The idea that merely **Transnistrian citizens** voted in the early election was repeatedly broadcast in the newscasts of the regional channel **TV PMR**. A news item by **TV PMR** reported that “*in Copanca, Transnistrian citizens were provided a separate ballot box, so as votes of Transnistrian Moldovans are not mixed with votes of local, indigenous Moldovans.*” One must note that **TV PMR** repeated this wrongful idea in an attempt to deceive the voters on the left bank of Nistru, failing to mention that the separate ballot box for Transnistrian Moldovans was installed to make vote count easier.

The **Regnum news agency posted reports inoculating the idea that** the PCRM is a party that no one needs anymore. The same source published an item announcing that Urechean could form a coalition with the PCRM if Voronin is excluded, and that M. Lupu rules out such a possibility.

**Regnum**, the most prolific news agency on E-Day, posted Voronin’s statement that „*The Americans and Swedish are causing turmoil in the Moldovan society with their wrongful exit-poll results*”, commenting that he had said that after learning that his party garnered 17 votes less than in the previous elections. We must note here that the statement was made after, at 13.00 on 29 July, Romanian newspaper „Cotidianul” published some early exit-poll results.

On July 29, a number of opinion pieces were published and re-posted by several media outlets in Transnistria. Thus **Regnum**, **Olvia Press** and **Lenta PMR** re-posted an opinion piece by political commentator from Nika Pres news agency, Vladimir Tsesliuk, who stated that „during the election campaign, the population saw all kinds of movies about the April 7 and 8 events.” According to the commentator, it was because of the film „The Attack on Moldova”, which divided the society in the good and the evil, that the PCRM garnered fewer votes than in the April 5 election.

On the same day of July 29, **Regnum**, **Olvia Press**, **Lenta PMR**, **Novyi Region** and **TV PMR** regularly provided data on the voter turnout, on the number of polling stations opened in Moldova and on the reasons why the polling station in Corjova was not opened.

On 30 July, the mentioned media outlets posted the reports of the Moldovan media, according to which: „*The PLDM, PL, AMN and PD can form the new Government, according to the latest data of the CEC. After processing 98,3% of the votes, the four parties garner a total of 50,8% of the votes, which is more than the Communists' result of 45,1%. Thus the opposition parties have obtained the following results: PLDM-16,4%, PL-14,4%, AMN-7,4%. Marian Lupu's party, the PD, garnered 12,6%. The remaining votes to be processed are from the polling stations opened at the diplomatic and consular missions of Moldova abroad, as well as from several polling stations in Strasenii and Dubasari districts. The Voter turnout in the early elections amounted to approximately 60%, the total number of valid votes constitutes 1,563,341 votes, while 10,184 votes were invalidated.*”

## VII. CONCERNS

- The continued ignoring of the voter rights and freedoms of the voters from the Transnistrian region.
- The quality of the compilation, and the incomplete data in the voter lists;
- Local government officials and police interference with the electoral process;
- Intimidation of observers and voters;
- The possibility to cast the vote on the basis of “identity documents” which are not strictly verified (F 9 form).
- The imperfections in the legal provisions regarding the participation in elections of voters who have both a permanent and temporary residence included in their IDs;
- Insufficient professional training for members of electoral bodies;
- Inconsistent interpretation of the electoral legislation by members of the electoral bureaus of the polling stations [EBPSs].
- Absence of clear procedures that would provide an exhaustive overview of all possible situations that may occur during the organization and conduct of the voting process on the Election Day.