

## THE EFFECTS OF THE MIXED-MEMBER ELECTORAL SYSTEM CASE STUDY

### STUDENTS' AND PUPILS' VOTE CAN BE FATE-CHANGING AT THE ELECTIONS IN SOME SINGLE-MEMBER CONSTITUENCIES

The votes cast by students and pupils eligible to vote at the elections in the Republic of Moldova has always been a matter for public discussions. The Promo-LEX election observation missions recommended the authorities more than once to give up the special voting regime for students and pupils whenever there are parliamentary elections, and make them abide by the same rules as the ones imposed for the other categories of voters. The new amendments to the Electoral Code still left the special provisions for students and pupils in place. Should these provisions be applied in bad faith, this might serve as an entry point for the results in single-member constituencies formed in settlements where there is a big number of voters to be tampered with.

#### Preferential Voting Conditions for Students and Pupils, Compared with Other Voter Categories

Article 87(2) of the Electoral Code provides that **students and pupils eligible to vote may cast their vote in any polling station from the settlement that they study in**. To exercise this right, they must meet the following requirements:

1. a) show their ID card and the loose leaf;
2. b) show their student/pupil card of the educational institution **from that particular settlement that they study in**;
3. c) fill in and sign a sole responsibility declaration not to cast multiple votes, the criminal liability in case this obligation is violated being explained to them.

The Electoral Code does not provide, however, for rules to ensure the direct connection between the place where the educational institution is and the single-member constituencies where that institution is located, the connection existing only between the institution and the settlement. Thus, in big cities, such as Chisinau, where there will be certainly several single-member constituencies, students or pupils might vote in the polling stations opened around the educational institution, student dormitories, in the area where they are renting an apartment or in any other part of the city.

#### The Electoral Potential of Students and Pupils Eligible to Vote

At the parliamentary election of 30 November 2014, a total number of 390 985 voters out of the 618 176 voters on the main lists of voters, which is about 63.25%<sup>[1]</sup>, cast their vote in Chisinau constituency (not counting the extraterritorial polling stations).

Article 74(4)(a) provides that the number of voters assigned to the single-member constituencies on the territory of Moldova shall be relatively the same – somewhere between 55 000 and 60 000 eligible voters. Thus, Chisinau Municipality is expected to have about 10 single-member constituencies.

The official statistics show that in Chisinau Municipality, during 2016-2017, there were 66 691 students in universities<sup>[2]</sup> and 18 190 students in vocational education training schools.<sup>[3]</sup>

## Risks

Considering the aforementioned, the more than 80 000 students and pupils eligible to vote represent a major electoral potential which, by casting their vote in a compact fashion, could play a fateful role in single-member constituency elections.

In this situation and at this moment in time, there are legal grounds for some political forces to be tempted to tap this electoral potential by incentivising and controlling the migration of students and pupils from one single-member constituency to another one located in the same settlement. Students and pupils could be persuaded to migrate within Chisinau Municipality on Election Day in two ways:

1. Voluntarily, based on preferences. One could make a candidate, who – for different reasons – is attractive for students and pupils, run in the electoral race. Accordingly, to help this person win the election, the students from Chisinau Municipality could go and vote voluntarily on the territory of the single-member constituency concerned.
2. Involuntarily, being determined to do so by external factors. Calculating the odds of winning and attracting an additional number of students and pupils eligible to vote by bribery (providing organised transportation to travel to some particular polling stations in different constituencies, giving electoral gifts and organizing concerts, etc.), are major risk factors that could lead to the results in those particular single-member constituencies being influenced.

**Thus, the uncontrolled or purposefully directed student and pupil migration on Election Day in Chisinau Municipality could influence significantly the election results in single-member constituencies.**

## Recommendations

1. Amend Article 87(2) of the Electoral Code by leaving out the preferential right granted to students and pupils to vote in any polling station in the settlement where they study and return, thus, to the general voting rules for them to vote in the constituency that they would be assigned to according to domicile;
2. Amend Article 87(2) of the Electoral Code by ensuring there is a link between the educational institution and the single-member constituency;
3. Hold the election on a Saturday to allow, thus, students travel to where their domicile is to exercise their right to vote and have enough time to come back to Chisinau to go to classes;
4. Grant facilities in terms of public transportation tickets to make it, thus, easier for the students and pupils to travel to where their domicile is and exercise their right to vote.

[1]<http://cec.md/index.php?pag=news&id=1548&rid=12866&l=ro>

[2][http://www.statistica.md/public/files/publicatii\\_electronice/Educatia/Educatia\\_RM\\_2017.pdf](http://www.statistica.md/public/files/publicatii_electronice/Educatia/Educatia_RM_2017.pdf)

[3][http://statbank.statistica.md/pxweb/pxweb/ro/60%20Statistica%20regionala/60%20Statistica%20regionala\\_\\_07%20INV/INV050600reg.px/table/tableViewLayout1/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774](http://statbank.statistica.md/pxweb/pxweb/ro/60%20Statistica%20regionala/60%20Statistica%20regionala__07%20INV/INV050600reg.px/table/tableViewLayout1/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774)

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