



Promo - LEX

Promovarea democrației și a drepturilor omului

PROMO-LEX ANALYSIS

**of geographic location and number of polling
stations established outside the territory of the
Republic of Moldova**

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I. Context

As the parliamentary elections scheduled for 24 February 2018 are approaching, the public agenda is continuously supplemented with entries related to certain issues and uncertainties about the implementation of electoral legislation. One of the major social concerns is the degree, to which the citizens of the Republic of Moldova, who will be abroad on the election day, are ensured with the right to vote.

The importance of the issue in question is determined by a number of factors. Firstly, according to the official data (which will be discussed in the following chapters of the analysis), the exodus of Moldovan citizens is a continuous process, i.e. the number of persons based abroad is constantly increasing, even if the official statistics show different figures. Secondly, voters based abroad have demonstrated that they can play an important role in the elections. Contextually, it should be mentioned that in the second round of the presidential elections of 2016, about 9% of the voters that participated in the elections were those from abroad. Thirdly, Promo-LEX considers that the Moldovan state must continuously persevere with electoral inclusion policies in relation to the diaspora citizens, ensuring an active involvement of Moldovan citizens that are abroad on the election day¹.

The geographic location and the number of polling stations (PSs) is a key issue in ensuring the right to vote of the citizens residing abroad. According to the legislation in force, the Government of the Republic of Moldova, in particular the Ministry of Foreign Affairs and European Integration (MFAEI), and the Central Election Commission (CEC) are to determine the number of polling stations that will be established outside the country. The Promo-LEX Association urges the respective authorities to address this issue with maximum professionalism and responsibility to avoid the situation that occurred in the presidential elections of 2016, when in our opinion, the respective public authorities could have avoided the problems that appeared at the PSs from abroad².

In the present analysis, Promo-LEX starts with the presumption that once the legislator, approving the criteria for the establishment of polling stations abroad, has not expressly given priority to any of them, they technically are on an equal footing, having about the same weight in the calculations presented by Promo-LEX. It has also been taken into account that in the latest national ballot (the second round, where two candidates were included in one ballot paper), at least 10 polling stations ran out of ballot papers. At the same time, more than 2500 voters voted in the other 17 polling stations (which according to the law constitutes 50% of the maximum number of ballot papers currently made available to a polling station abroad).

In the context of the above, taking into account the fact that the parliamentary elections will be held based on the mixed voting system, a new one for Moldova, in which the voters will receive two ballot papers, the Promo-LEX Association considers it necessary that at least one additional polling station be opened along with the 27 polling stations based abroad, even if the Parliament did not give priority to this criterion.

On the other hand, Promo-LEX is aware that the opening of polling stations abroad is a sensitive issue, entailing considerable financial expenses. To exclude partisan allegations in favor of voters from certain constituencies, we must start from the number of polling stations we can open abroad considering the financial aspect, then based on this information, we could distribute the polling stations on the criteria

¹ <https://promolex.md/12871-opinia-promo-lex-asupra-proiectului-de-lege-pentru-modificarea-si-completarea-unor-acte-legislative-drepturile-speciale-ale-alegatorilor-din-diaspora-nr-217-din-26-06-2018/?lang=ro>

² <https://promolex.md/3534-raportul-nr-3-misiunea-de-observare-a-alegerilor-pentru-functia-de-presedinte-al-republicii-moldova-din-30-octombrie-2016-2/?lang=ro>

set out by the Parliament. In this analysis, the reference point is 150 polling stations to be opened abroad, as the expenses for them have already been planned by the CEC in the preliminary budget for holding of parliamentary elections³. Through this analysis, the Promo-LEX Association presents its own point of view on the issue, based on quantitative analysis of the criteria, established by the Electoral Code to be taken into account when setting up polling stations abroad. The method of qualitative analysis has been used for the synthesis of conclusions and recommendations.

II. Legal framework

Article 80, paragraph (1) of the Electoral Code provides for the holding of parliamentary elections based on one national constituency, covering the entire territory of the Republic of Moldova and the polling stations based abroad, as well as on the basis of 51 uninominal constituencies, including those set up for the settlements in Transnistria and abroad. The same article, in paragraph (2) stipulates that the uninominal constituencies are approved by the Government on the basis of the decision of an independent commission. For this purpose, by Government Decision no. 708 of 6 September 2017⁴, *the National Commission for the Establishment of Permanent Uninominal Constituencies* was established.

Article 80, paragraph (5), clause f) of the Electoral Code stipulates that when establishing the boundaries of constituencies set up abroad, the Commission will act in accordance with the regulation, approved by the Government and will take into account the relevant geographic areas such as:

- the Member States of the European Union, Norway, Iceland, Switzerland, Liechtenstein, San Marino, the countries of South Eastern Europe that are not members of the European Union, Turkey, Israel;
- the countries of the Commonwealth of Independent States, Ukraine, Georgia, Asia, the Middle East;
- North America, South America, Africa, Australia, New Zealand.

The National Commission for the Establishment of Permanent Uninominal Constituencies worked from 12 September to 30 October 2017⁵. As a result of its activity, it decided to create 3 uninominal constituencies (UCs) out of the Republic of Moldova⁶, as follows:

- 1) UC no. 49, based on the states located to the east of the Republic of Moldova;
- 2) UC no. 50, based on the states located to the west of the Republic of Moldova;
- 3) UC no. 51, based on two states: the US and Canada.

It should be noted that the constituencies were created on the basis of the three "relevant geographic areas," established by the Electoral Code, art. 80, par. (5), clause f). However, we point out that in the case of the UC no. 51 only the US and Canada are included, totally omitting South America, Africa, Australia, New Zealand. This format of uninominal constituencies was approved by the Government Decision no. 970 of 15 November 2017⁷. In our view, although there are no diplomatic missions opened

³ <http://cec.md/index.php?pag=news&id=1001&rid=20807&l=ro>

⁴ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=371300>

⁵ <https://cancelaria.gov.md/ro/apc/activitatea-comisiei-nationale-pentru-constituirea-circumscripțiilor-uninominal-permanente>

⁶ https://cancelaria.gov.md/sites/default/files/p-v_nr_9_nou.pdf

⁷ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=372540>

in the given geographic areas, given the criteria listed in the Electoral Code, the state of Moldova should consider the possibility of establishing polling stations in these areas.

According to the provisions of art. 30, par. (1) and (2) of the Electoral Code, to perform the voting and counting of the votes cast, constituencies are divided into polling stations, which shall be constituted at least 35 days before the election day. The peculiarities of establishing of the polling stations outside the Republic of Moldova, stipulated in art. 31 of the Electoral Code provide that:

1) Clause (2): *polling stations abroad are established under the diplomatic missions and consular offices of the Republic of Moldova.*

Currently, the Republic of Moldova has 30 embassies and 11 missions / representations / consulates⁸. Based on the data analyzed by Promo-LEX, it was found that in at least 36 states, where international migrants, whose country of origin is the Republic of Moldova (26.6 thousand people) were registered or, where pre-registration applications were filed (341 applications for prior registration), there is no diplomatic mission, consulate or representation of the Republic of Moldova.

2) Clause (3): *polling stations may be also organized by the CEC in other settlements, with the consent of the competent authorities of the host state and at the proposal of the Government in cooperation with the Ministry of Foreign Affairs and European Integration (MFAEI) and other central public administration authorities;*

3) Clause (4): *the criteria to be taken into account when setting up polling stations abroad are:*

- a) information held by diplomatic missions and consular offices of the Republic of Moldova in the countries of residence;*
- b) information held by the central public authorities, including relevant official statistical data;*
- c) information obtained following prior registration of citizens based abroad, in accordance with the procedure laid down in the regulation, approved by the Central Election Commission;*
- d) the number of voters who participated in the previous elections;*
- e) other relevant data obtained by the central public authorities, upon request, from the authorities of the country of residence in the manner provided by the law.*

On the approval of the budget of the Central Election Commission for 2018, by CEC Decision no. 1174 of 13 October 2017⁹, the electoral authority planned financial expenses for a **total of 150 polling stations** to be established abroad for the parliamentary elections of 2019. Evolutionally, it should be mentioned that 95 polling stations were set up abroad for the parliamentary elections of 2014, and for the presidential elections of 2016 - 100 PSs.

⁸ <http://www.mfa.gov.md/misiuni-ale-rm/>

⁹ <http://cec.md/index.php?pag=news&id=1001&rid=20807&l=ro>

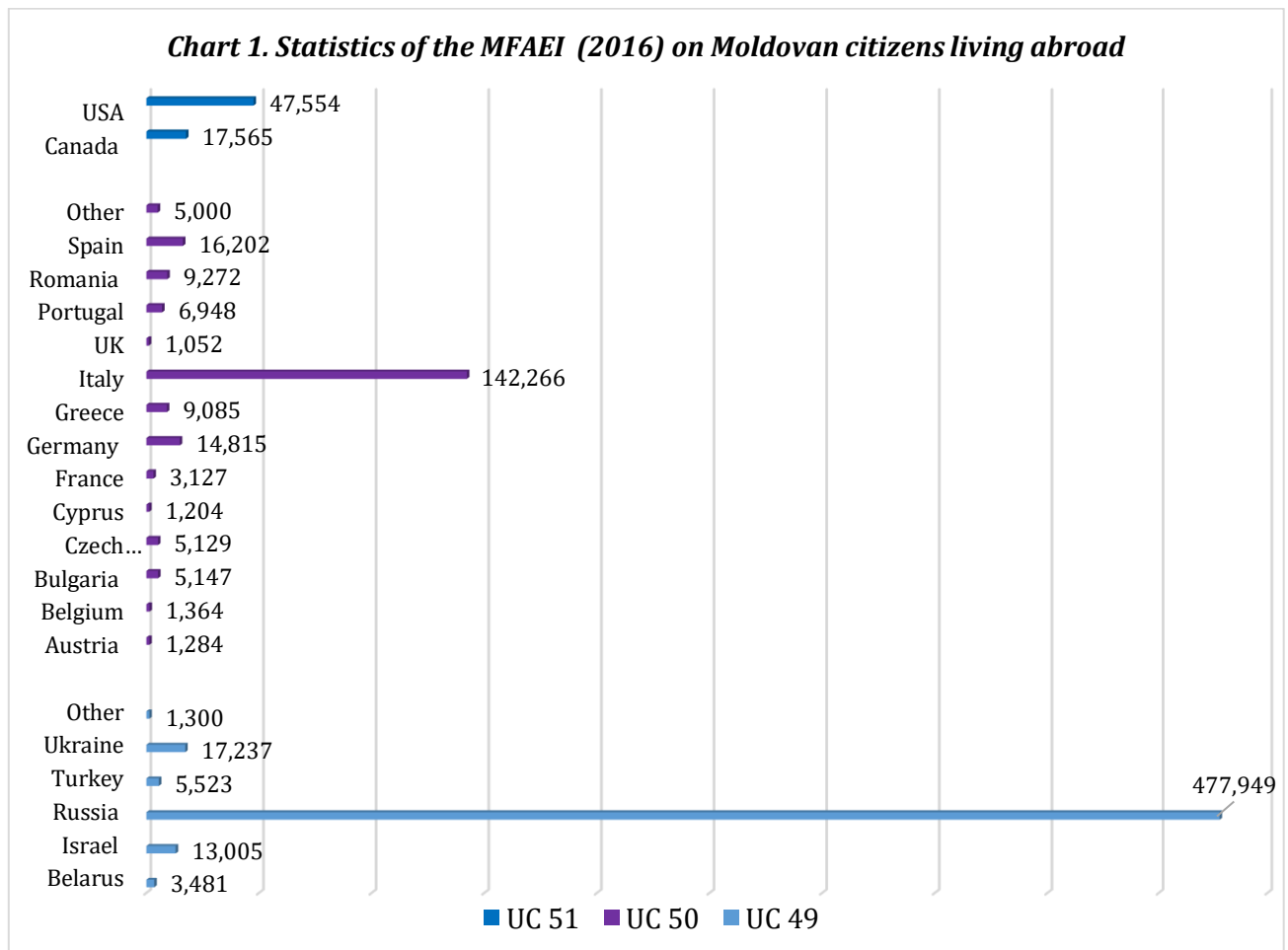
III. Analysis of criteria for setting up polling stations abroad

a) Information held by the diplomatic missions and consular offices of the Republic of Moldova in the countries of residence.

According to the data available to the MFAEI in 2016¹⁰, collected from the diplomatic missions and consular offices, including with the perspective of the presidential elections of 30 October 2016, 805 509 Moldovan citizens lived abroad. Chart no. 1 shows the states that accommodated the most Moldovan citizens in 2016.

According to the statistics of the MFAEI, the states with the biggest share of Moldovan citizens of the total number of Moldovan citizens living abroad are:

- 59.34% - Russian Federation;
- 17.66% - Italy;
- 5.90% - USA;
- 2.18% - Canada.

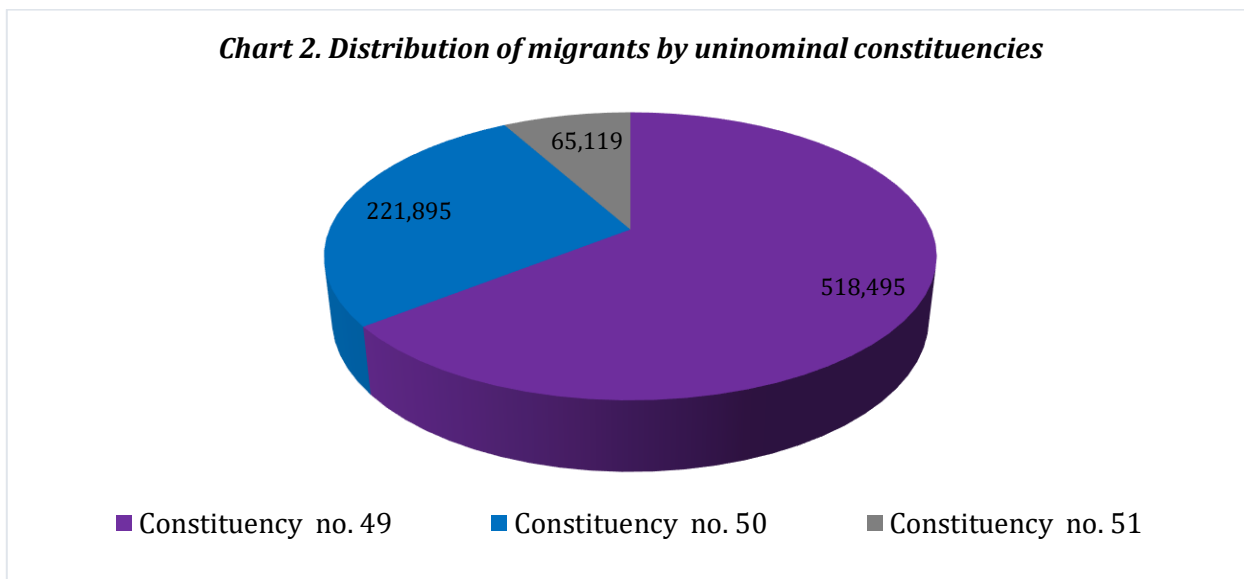


* **Other** in the composition of the UCs in the Chart refers to other states attributed to the respective uninominal constituency, registering less than 1000 Moldovans.

¹⁰ <http://socialistii.md/igor-dodon-cere-deschiderea-a-159-sectii-de-votare-in-rusia/>

When distributing these data by the three uninominal constituencies created for Moldovan citizens abroad, we found the following situation (according to Chart no.2):

- 64,37% (518,495) of citizens belong to UC no.49;
- 27,55% (221,895) of citizens belong to UC no.50;
- 8,08% (65,119) of citizens belong to UC no.51.



b) Information held by the central public authorities, including relevant official statistical data.

According to the provisions of the *Regulation on the State Register of Population (SRP)*, approved by the Government Decision no. 333 of 18 March 2002, the SRP is a unique integrated system of keeping automated evidence of Moldovan citizens, foreigners with the right of residence on the territory of the Republic of Moldova, as well as of citizens, who have left abroad to settle permanently or for a term longer than three months¹¹. The SRP is managed by the Public Services Agency (PSA).

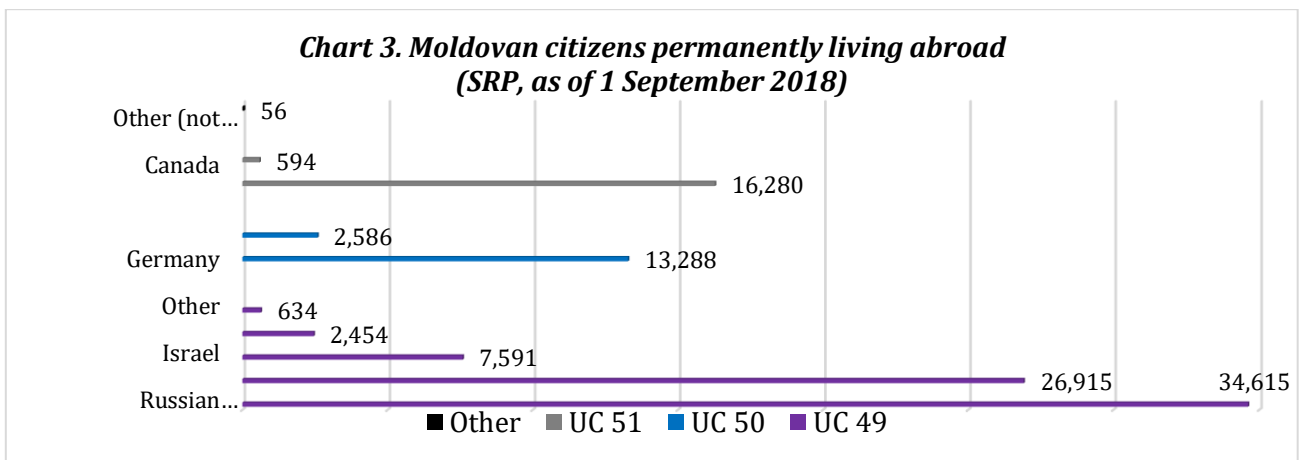
With regard to the Moldovan citizens who went abroad, the SRP data is updated by systematical introduction of changes in the personal data of the individual, based on the information presented by:

- the Ministry of Economy and Infrastructure: identifying citizens of the Republic of Moldova domiciled abroad;
- the Border Police: crossing the state border by individuals;
- the Ministry of Foreign Affairs and European Integration: consular records of citizens of the Republic of Moldova with permanent or temporary residence abroad.

Currently, the webpage of the SRP presents only the data on Moldovan citizens, who have a permanent domicile abroad (domiciled abroad). Thus, according to the data provided by the SRP¹², as of 1 September 2018, there were 105 013 Moldovan citizens, who are permanently residing abroad. Most Moldovan citizens went to Russia, Ukraine, the USA and Germany (see Chart no.3).

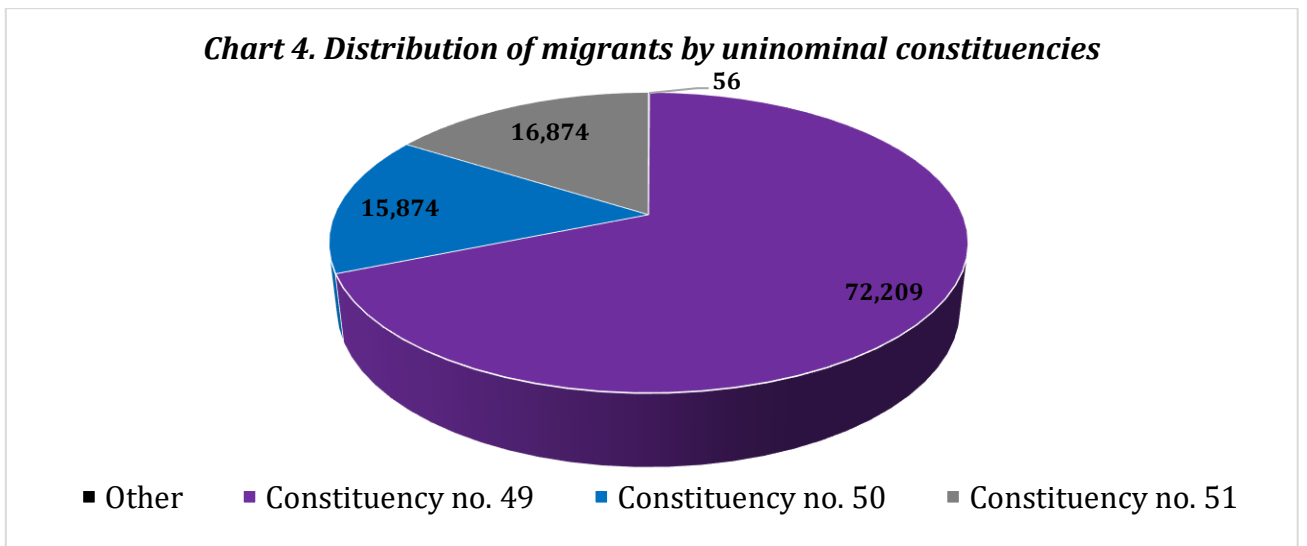
¹¹ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=296142>

¹² <http://www.asp.gov.md/ro/date-statistic>



When distributing the respective information by the three uninominal constituencies created for Moldovan voters based abroad, we found the following data (according to Chart no. 4):

- 68,76% (72 209) of citizens belong to UC no. 49;
- 15,12% (15,874) of citizens belong to UC no. 50;
- 16,07% (16,874) of citizens belong to UC no.51;
- 0.05% (56) are citizens, who have left for countries that have not been included in any uninominal constituency.



c) Information obtained following the prior registration of citizens based abroad.

By 26.09.2018, 2 448 pre-registration applications have been filed by Moldovan citizens living abroad in the context of the parliamentary elections of 24 February 2019¹³. Table no. 1 presents the top 15 states with the most pre-registration applications filed (2 266 - 92.6%). We remind you that according to art. 30 par. (2) of the Electoral Code, a polling station shall have a minimum of 30 voters.

¹³ <https://inregistrare.cec.md/Statistics>

Table no. 1:
Top 15 states with the most pre-registration applications filed

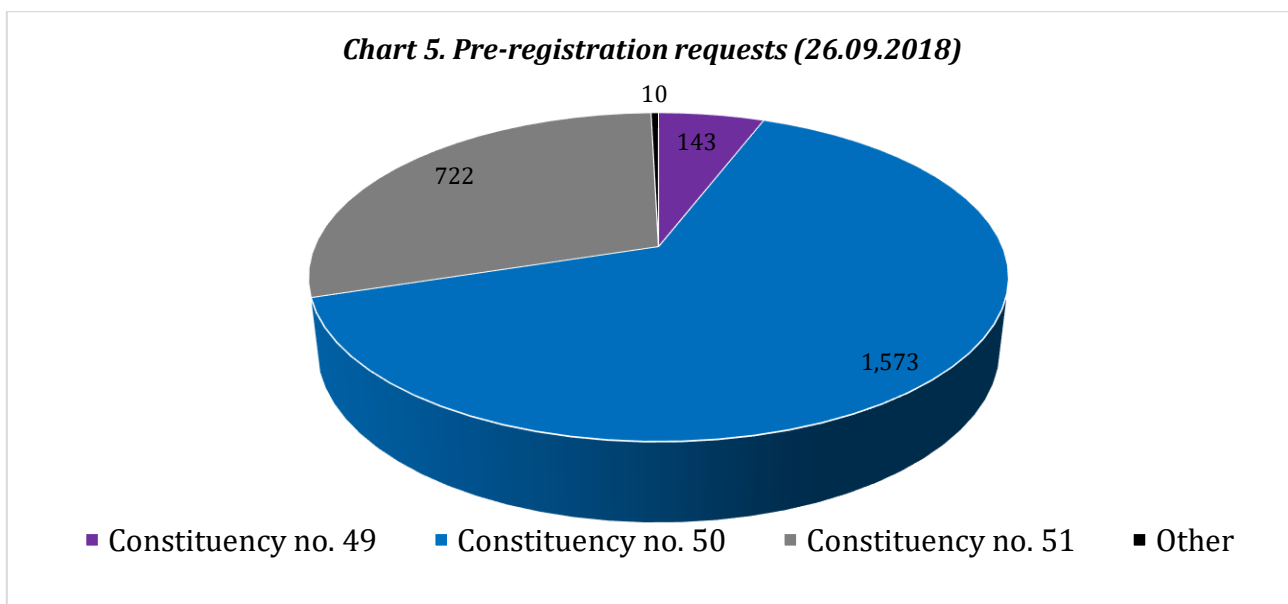
No.	States of residence	Pre-registrations	Settlements	Uninominal constituency
1	Canada	472	11	UC no. 51
2	US	250	57	UC no. 51
3	Italy	233	65	UC no. 50
4	Romania	216	18	UC no. 50
5	Germany	195	67	UC no. 50
6	UK	187	35	UC no. 50
7	France	144	27	UC no. 50
8	Ireland	137	8	UC no. 50
9	Denmark	109	14	UC no. 50
10	Russia	58	13	UC no. 49
11	Belgium	47	3	UC no. 50
12	Norway	47	7	UC no. 50
13	Netherlands	46	11	UC no. 50
14	Spain	43	14	UC no. 50
15	United Arab Emirates	42	4	UC no. 49

	- uninominal constituency no.49
	- uninominal constituency no.50
	- uninominal constituency no.51

Based on these data, we find that, in the case of some states, Moldovan citizens based abroad have a compact geographically location (United Arab Emirates - 42 requests from 4 settlements, Belgium - 47 requests from 3 settlements, Canada - 472 requests from 11 settlements), while in other cases, we have a very dispersed geographic location (Germany - 195 requests from 67 settlements, the UK - 187 requests from 35 settlements, etc.). According to Promo-LEX, this situation will pose a challenge, when the decision on the geographic location of polling stations is adopted.

When distributing the respective information by the three uninominal constituencies, we found the following data (according to Chart no. 5):

- 5.84% (143) of the pre-registrations were from UC no.49;
- 64.26% (1 573) of the pre- registrations were from UC no.50;
- 24.49% (722) of the pre-registrations were from UC no.51;
- 0.41% (10) are pre-registrations from countries that are not included in any uninominal constituency.



d) Number of voters, who participated in the previous elections

The previous national ballot was held to elect the President of the Republic of Moldova (30 October 2016). To ensure the possibility to vote, including for the Moldovan citizens based abroad, by the Decision no. 307 of 27 September 2016, the CEC, on the proposal of the Government, only 100 polling stations were constituted (Decision No. 1080 of 26 September 2016 on the setting up of polling stations abroad, approving the list of polling stations to be opened).

Promo-LEX notes that the number of polling stations opened abroad for the presidential elections of 2016 corresponds to the number of cross-border polling stations planned to be opened by the CEC in the election budget, approved by the electoral authority for 2016 by the Decision no. 4077 of 29 September 2015 (Annex 3)¹⁴ in the event of the Republican referendum on the amendment of the Constitution"¹⁵ (but it was rejected by the CEC due to an insufficient number of signatures on the subscription lists¹⁶, the decision being maintained by the Supreme Court of Justice¹⁷.

We remind you that when approving the Commission's budget for 2018 by the CEC Decision no. 1174 of 13 October 2017¹⁸, the electoral authority planned financial expenses for a **total of 150 polling stations** to be set up abroad for the parliamentary elections of 2019.

It should be mentioned that in the distribution of 100 polling stations created abroad in 2016 on the basis of the three uninominal constituencies, the following situation was found (see Chart no.6): 20% - UC no.49; 70% - UC no.50; 30% - UC no.51.

¹⁴ <http://cec.md/index.php?pag=news&id=1001&rid=13898&l=ro>

¹⁵ <https://argumentul.info/2015/12/15/oamenii-da-au-anuntat-marea-operatiune-contra-sistemului/>

¹⁶ <http://cec.md/index.php?pag=news&id=1001&rid=14668&l=ro>

¹⁷ http://jurisprudenta.csj.md/search_col_civil.php?id=27794

¹⁸ <http://cec.md/index.php?pag=news&id=1001&rid=20807&l=ro>

Chart 6. Establishment of polling stations out of the Republic of Moldova

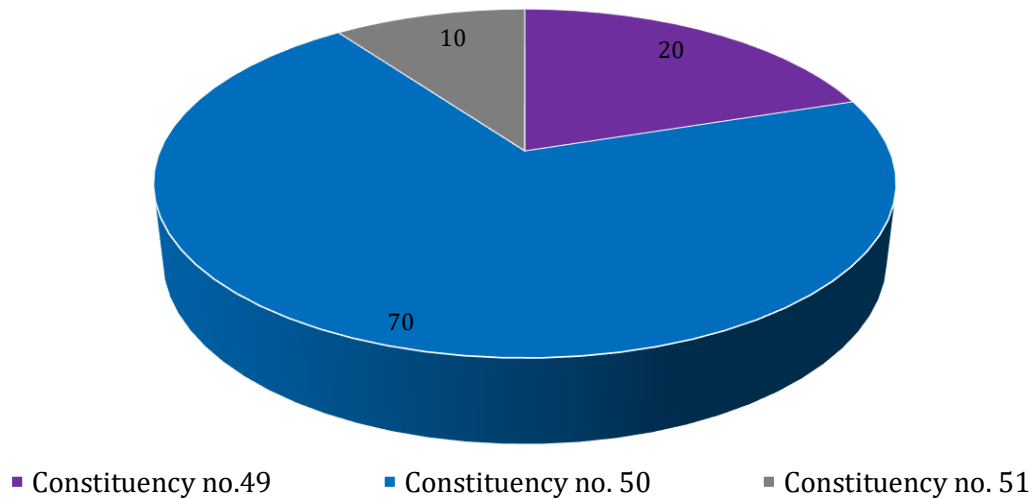
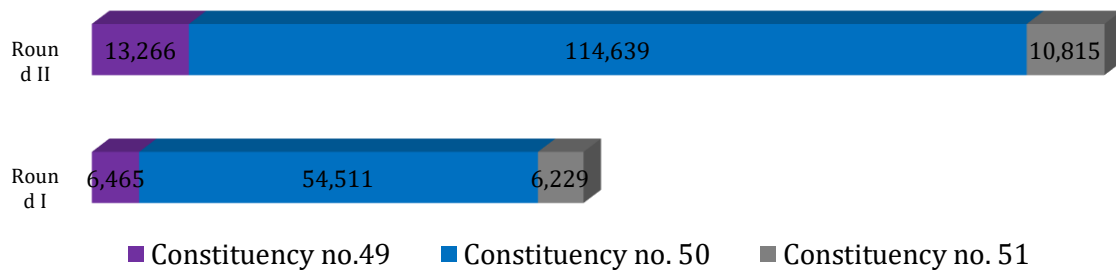


Chart no. 7 presents data on voters from abroad, who participated in the two rounds of the presidential elections in the Republic of Moldova.

Chart 7. Number of voters in the presidential election of 2016



Thus, it was found that 67 205 voters based abroad took part in round I, and 138 720 voters - in round II (by 71 515 more than in the first round), as follows:

Uninominal constituency	Presidential Elections, 2016			
	Voters, Round I	% in Round I	Voters, Round II	% in Round II
Constituency no. 49	6 465	9.62%	13 266	9.56%
Constituency no. 50	54 511	81.11%	114 639	82.64%
Constituency no. 51	6 229	9.27%	10 815	7.80%
TOTAL	67 205	100%	138 720	100%

Table no. 2 displays data on the number of voters, who participated in the elections abroad, for each state in which polling stations were set up. Most voters voted in Italy, Romania, France, Russia, the United Kingdom and the US (both in round I and round II).

Table no. 2 - Moldovan citizens from abroad, who participated in the last ballot

UC	State	PS	Round I	Round II
50	Italy	25	21 920	51 738
50	Romania	11	9,447	16 028
50	France	6	5 144	11 185
49	Russia	8	4 583	8 758
50	UK	2	4 008	6,000
51	US	7	3,743	6 815
50	Germany	2	2 569	5,717
51	Canada	3	2 486	4 000
50	Spain	4	2 234	5 050
50	Ireland	1	2 079	3,000
50	Portugal	4	1 720	4 101
50	Belgium	1	1 419	2 995
50	Greece	2	1 118	2 103
49	Israel	2	1 041	2 348
50	Czech Republic	1	622	1 762
50	Austria	1	460	839
49	Turkey	3	441	1 283

UC	State	PS	Round I	Round II
50	Switzerland	1	406	841
50	Monaco	1	399	1 130
50	Netherlands	1	297	953
49	Ukraine	2	223	576
50	Bulgaria	1	150	188
50	Sweden	1	143	332
50	Poland	1	121	228
50	Hungary	1	87	186
50	Estonia	1	74	111
49	Belarus	1	71	116
50	Latvia	1	57	88
50	Lithuania	1	37	64
49	Qatar	1	34	61
49	Azerbaijan	1	28	51
49	Japan	1	25	46
49	China	1	19	27
TOTAL		100	67 205	138 720

	- uninominal constituency no.49
	- uninominal constituency no.50
	- uninominal constituency no.51

e) Other relevant data obtained by the central public authorities, upon request, from the authorities of the country of residence in the manner provided by the law

According to Promo-LEX, the information provided by the authority of the state of residence on the number of Moldovan citizens living in that country is attributed to this data category.

Systematic and merged information from each UN member state on international migrant statistics¹⁹ (including Moldovan citizens) living in countries other than their home country was published by the Department of Economic and Social Affairs (DESA) of the UN Secretariat²⁰, which includes a subdivision responsible for the demographic analysis of the population of the Member States (fertility and family planning, population policies and population migration)²¹.

The information on international migration statistics was updated and published by the DESA of the UN Secretariat in December 2017²². Most of the statistics used to estimate international migrants were obtained by the international institution through censuses, population registers and national representative surveys on households²³.

According to the statistical data published in the DESA Migration Reports for 2017, there are **973 618 international migrants** living abroad, whose state of origin is the Republic of Moldova (see Table no.3).

¹⁹ The UN specifies that an *international migrant* is the person, who changes his / her country of residence, irrespective of the reason for his / her migration or legal status. Migration is divided into: short or temporary (3-12 months) and long-term (over 12 months) -<https://refugeesmigrants.un.org/definitions>

²⁰ <http://www.un.org/en/sections/about-un/secretariat/index.html>

²¹ <http://www.un.org/en/development/desa/population/index.shtml>

²² <http://www.un.org/en/development/desa/population/migration/index.shtml>

²³ <http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017.pdf#page=7>, pag. 11

The countries with the largest share of international migrants originating from the Republic of Moldova out of the total number of those, who left abroad are:

- 30.25% in the Russian Federation;
- 17.44% in Italy;
- 15.53% in Romania;
- 15.53 in Ukraine;
- 4.44% in the US;
- 2.39 in Germany.

Table no. 3 - No. of international migrants, whose state of origin is the Republic of Moldova

UC	State	Migrants	UC	State	Migrants	UC	State	Migrants	UC	State	Migrants
49	Russia	294 522	49	Belarus	7 578	50	Sweden	845	50	Finland	180
50	Italy	169 753	50	France	6 658	50	Norway	828	50	Slovakia	116
50	Romania	151 249	50	Ireland	4 072	49	Tajikistan	808	50	Croatia	110
49	Ukraine	151 242	50	Bulgaria	3 162	50	Estonia	782	50	Slovenia	69
51	US	43 219	50	UK	2 801	50	Poland	581	Other	Egypt	59
50	Germany	23 273	49	Turkey	2 766	50	Lithuania	551	50	Malta	42
50	Portugal	20 076	49	Kyrgyzstan	2 606	50	Denmark	488	49	Jordan	36
50	Spain	17 246	50	Austria	1 959	50	georgia	477	50	Iceland	28
51	Canada	14 178	50	Latvia	1 655	Other	Argentine	473	Other	Dominican Rep.	12
49	Kazakhstan	12 348	Other	Australia	1 283	49	Azerbaijan	277	Other	Bolivia	8
50	Czech Republic	10 740	50	Switzerland	1 239	50	Hungary	257	Other	Chile	8
49	Israel	10 641	50	Belgium	1 027	50	Serbia	228	Other	Costa Rica	4
50	Greece	9 866	50	Cyprus	1 005	50	Netherlands	185	Other	Guinea	2

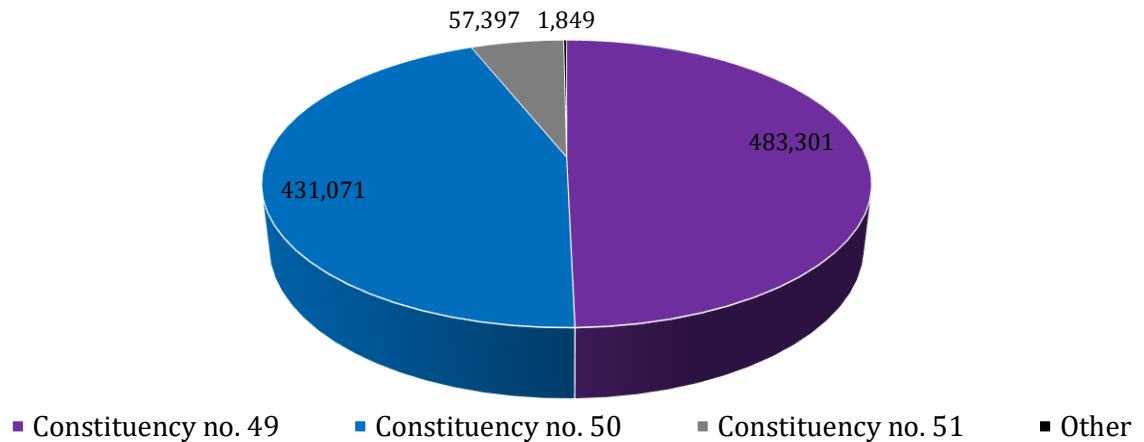
* Other are states that have not been assigned to any uninominal constituency.

- uninominal constituency no.49
- uninominal constituency no.50
- uninominal constituency no.51
- States that have not been allocated to any of the uninominal constituencies

When distributing the respective information by the three uninominal constituencies, the following data was found (according to Chart no. 8):

- 49.64% of the international migrants originating from the Republic of Moldova belong to UC no.49;
- 44.28% of the international migrants originating from the Republic of Moldova belong to UC no.50;
- 5.90% of the international migrants originating from the Republic of Moldova belong to UC no.51;
- 0.19% represent international migrants from the Republic of Moldova, who are in the states that were not included in any uninominal constituency.

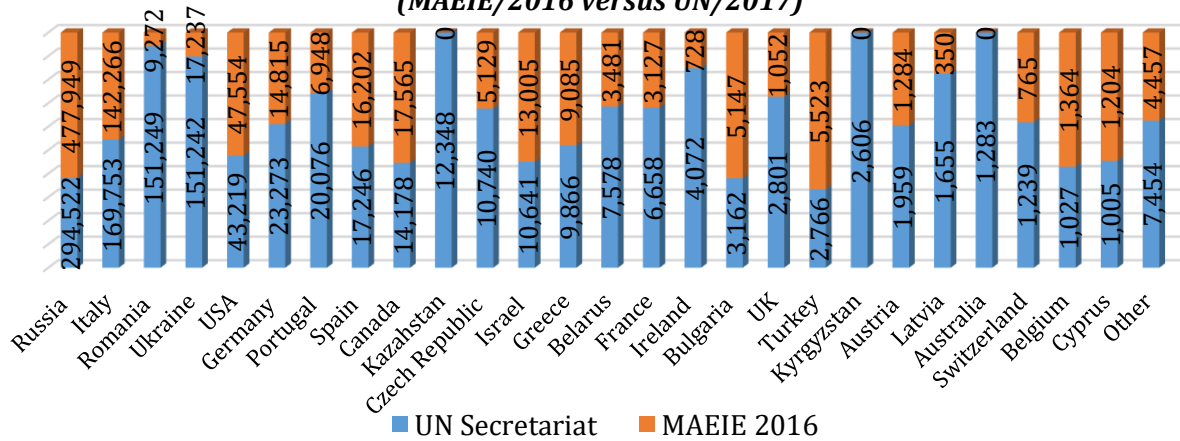
Chart 8. Distribution of Moldovan migrants by uninominal constituencies abroad (UN statistics, 2017)



Having compared the statistical data of the MFAEI and UN, significant divergences (see Chart no. 9) have been revealed:

- The UN reported fewer international migrants from the Republic of Moldova than the MFAEI in the following cases: Russia – by 183 thousand less, US – by 4 thousand less, Canada – by 3 thousand less, Turkey – by 2 700 less;
- The UN reported more international migrants from the Republic of Moldova than the MFAEI in the following cases: Romania – by 142 thousand more, Ukraine – by 134 thousand more, Italy – by 27 thousand more, Portugal - by 13 thousand more, Germany – by 8.4 thousand more, the Czech Republic – by 5.6 thousand more.

Chart 9: Statistics on migrants from the RM (MAEIE/2016 versus UN/2017)



III. Conclusions

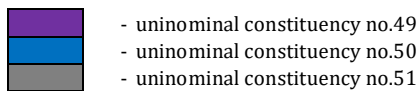
In conclusion, to distribute the 150 polling stations planned by the CEC by the states within each UC and having evaluated each criterion provided in Art. 30, par. (4) of the Electoral Code, Promo-LEX applied the following algorithm:

- 1) identification of the polling stations from abroad where 2 500 and more voters participated in the previous poll in order to open an additional polling station (out of the 150 planned by the CEC) in that uninominal constituency.

Following the presidential elections of 2016, it was found that 27 polling stations from 9 states were attended by 2 500 voters and more (see Table 4), so the number of polling stations per constituency should be supplemented as follows: UC no. 50 -24 PSs, UC no. 49 – 2 PSs; UC no. 51 – 1 PS.

Table no. 4: Polling stations abroad attended by 2500 and more voters

State	No. of PSs	No. of UC	State	No. of PSs	No. of UC
Belgium	1	50	Russia	2	49
Canada	1	51	France	3	50
Ireland	1	50	Romania	3	50
Germany	2	50	Italy	12	50
UK	2	50	TOTAL	27	



- 2) distribution of the remaining polling stations to each state within the UC according to the results obtained on the basis of each analyzed criterion.

Thus, out of the total of **150 PSs** planned by the CEC, we deduce the **27 PSs** attended by 2500 and more voters and we obtain **123 PSs** to be distributed according to the results of the criteria analyzed.

Based on the reported data, according to the criteria set out in art. 31, par. (4) of the Electoral Code, we have found that when establishing polling stations abroad, they are to be distributed as follows: 35% of the PSs should be opened in the uninominal constituency no. 49; 52% - in the uninominal constituency no. 50 and 13 % respectively, in the uninominal constituency no. 51 (see Chart no.10).

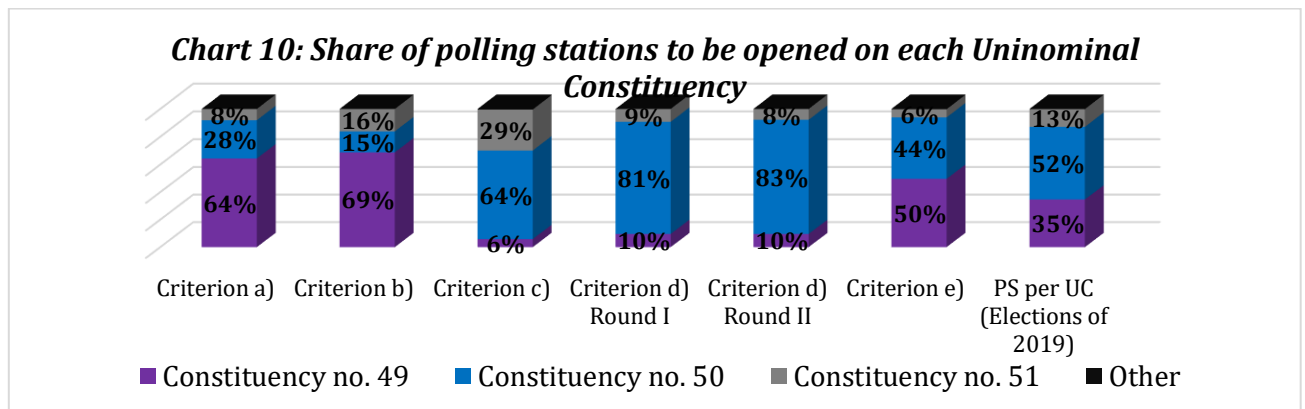


Chart no. 10 systematizes the data obtained through the analysis of the criteria established for the establishment of polling stations abroad, used to calculate the percentage of the polling stations required to be constituted per each uninominal constituency (the name is detailed according to the columns in the Graph):

1. Citizens / migrants from Moldova abroad include the following criteria:
 - a) Information held by the diplomatic missions and consular offices of the Republic of Moldova in the countries of residence
 - b) Information held by central public authorities, including relevant official statistical data
 - e) Other relevant data obtained by the central public authorities, upon request, from the authorities of the country of residence in the manner provided by the law.
2. Pre-registrations include the criterion:
 - c) Information obtained following the prior registration of citizens based abroad.
3. Elections of 2016 includes the criterion:
 - d) Round I - the number of voters, who participated in the first round of the previous elections
 - d) Round II - number of voters, who participated in the second round of the previous elections.
4. PS per UC (Elections of 2019) - the weight of the polling stations per constituency to be opened abroad in the context of the parliamentary elections of 2019.

Table no. 4, in line with the manner described above, shows the distribution of the 150 polling stations planned by the CEC by each State of the 3 UCs, marked by the presence of citizens / migrants from the Republic of Moldova.

Table no. 4: Establishment of polling stations abroad

States of residence	Migrants from the Republic of Moldova abroad		Pre-registrations	Elections 2016		PSs 2016	PSs 2019	2016 versus 2019
	MFAEI	UN		Round I	Round II			
UC no. 49	518 495	483 301	143	6 465	13 266	20	45	25
Azerbaijan	146	277	0	28	51	1	1	0
Belarus	3 481	7 578	1	71	116	1	1	0
China	130		1	19	27	1	1	0
United Arab Emirates			42			0	1	+1
Georgia *		477				0	0	0
Jordan*	71	36				0	0	0
Israel	13 005	10 641	17	1 041	2 348	2	4	2
Japan	40		8	25	46	1	1	0
Kazakhstan *		12 348				0	0	0
Kyrgyzstan *		2 606				0	0	0
Lebanon*	779					0	0	0
Qatar	134			34	61	1	1	0
Russia	477 949	294 522	58	4 583	8 758	8	28	20
Singapore *			1			0	0	0
Tajikistan *		808				0	0	0
Thailand*			1			0	0	0
Turkey	5 523	2 766	7	441	1 283	3	2	-1

Ukraine	17 237	151 242	7	223	576	2	4	2
UC no. 50	221 895	431 071	1 573	54 511	114 639	70	88	18
Austria	1 284	1 959	13	460	839	1	1	0
Albania*	21					0	0	0
Belgium	1 364	1 027	47	1 419	2 995	1	2	+1
Bosnia and Herzegovina.*	64					0	0	0
Bulgaria	5 147	3 162	1	150	188	1	1	0
Czech Republic	5 129	10 740	35	622	1 762	1	1	0
Cyprus *	1 204	1 005	8			0	0	0
Croatia*	37	110				0	0	0
Denmark*	300	488	109			0	1	+1
Switzerland	765	1 239	19	406	841	1	1	0
Estonia	129	782	8	74	111	1	1	0
Finland*	29	180	3			0	0	0
France	3 127	6 658	144	5 144	11 185	6	7	+1
Germany	14 815	23 273	195	2 569	5,717	2	4	2
Greece	9 085	9 866	17	1 118	2 103	2	2	0
Ireland*	728	4 072	137	2 079	3,000	1	2	+1
Iceland*		28	1			0	0	0
Italy	142 266	169 753	233	21 920	51 738	25	29	4
Latvia	350	1 655	1	57	88	1	1	0
Lithuania	250	551	2	37	64	1	1	0
Luxembourg*	75		21			0	0	0
Macedonia*	11					0	0	0
Malta*		42	2			0	0	0
UK	1 052	2 801	187	4 008	6,000	2	4	2
Monaco *			1	399	1 130	1	1	0
Norway*	275	828	47			0	1	+1
Netherlands	324	185	46	297	953	1	1	0
Poland	756	581	6	121	228	1	1	0
Portugal	6,948	20 076	16	1 720	4 101	4	3	-1
Romania	9 272	151 249	216	9,447	16 028	11	13	2
San Marino *			1			0	0	0
Serbia *		228				0	0	0
Slovakia*	114	116				0	0	0
Slovenia*	299	69				0	0	0
Spain	16,202	17 246	43	2 234	5 050	4	4	0
Sweden	243	845	8	143	332	1	1	0
Hungary	230	257	6	87	186	1	1	0
UC no. 51	65 119	57 397	722	6 229	10 815	10	17	+7
Canada	17 565	14 178	472	2 486	4 000	3	7	4
US	47 554	43 219	250	3,743	6 815	7	10	3
Other (without UC)	0	1 849	10			0	0	0
South Africa*			2			0	0	0
Argentine*		473				0	0	0
Australia*		1 283	6			0	0	0
Bolivia*		8				0	0	0
Chile *		8				0	0	0
Costa Rica*		4				0	0	0

Egypt*		59				0	0	0
Gibraltar *			1			0	0	0
Guinea*		2				0	0	0
Mexico*			1			0	0	0
Dominican Rep.*		12				0	0	0
Total	805 509	973 618	2 448	67 205	138 720	100	150	50

* The states where the Republic of Moldova does not have a diplomatic mission, consulate or representation are marked by *.

It should be mentioned that when estimating the number of polling stations required to be opened abroad there are specific cases, which should be addressed individually. For example, in the case of Belarus, only 71 voters participated in the first and 116 voters in the second round of the presidential elections of 2016. However, we found that the number of Moldovan migrants in Belarus is relatively high (3481 - according to the MFAEI and 7578 - according to the UN). Therefore, in the opinion of Promo-LEX, the geographical location of Moldovan citizens in Belarus should be initially estimated in order to decide on the number of polling stations needed to be opened.

IV. Recommendations

To the Government of the Republic of Moldova

- Considering the problems identified in the polling stations abroad during the presidential elections of 2016, as well as the continuous exodus of Moldovan citizens, we **request the establishment of a larger number of polling stations outside the territory of the Republic of Moldova for the elections of 24 February 2019**. We are convinced that increasing the number of ballot papers for each polling station from 3000 to 5000 will not solve the problem, as it requires a systemic approach –expanding the geographic area and the number of polling stations established abroad;
- Commitment of financial liability for a defined number of polling stations to be established outside the Republic of Moldova;
- After the Government and the CEC have assumed the number of polling stations to be opened abroad, **we insist that the distribution of the polling stations per constituency should be strictly based on mathematical calculations and on the criteria defined by the Electoral Code in art. 30, par. 4**, including the model proposed in this analysis;
- Inclusion of states from the geographical areas of Latin America, Africa, Australia into one of the uninominal constituencies, as provided for in the provisions of art. 80, clause f) of the Electoral Code.

To the Parliament of the Republic of Moldova

- Modifying the Electoral Code to ensure that the Government / MFAEI - CEC decision-making direction be a diametrically opposed one. As given the proportional representation of all the political forces in the Central Election Commission, it should ensure a fair, transparent and less politicized process of determining the number of polling stations to be opened abroad. In their turn, the Government and the MFAEI would have an executive role in this process and ensure the good execution of the decisions issued by the CEC, obviously in strict compliance with the criteria laid down in the Electoral Code. In addition, both the Government and the MFAEI will provide the CEC with the requested information relevant to ensuring the electoral processes outside the country.