

EUROPEAN PARLIAMENT

PARLIAMENTARY ELECTIONS MOLDOVA

AD HOC DELEGATION

Election Observation

4-7 March 2005

REPORT

Annexes: **List of participants**
 Programme
 OSCE/ODIHR Press Release
 Statement Mrs Mikko

21 March
EUR/TB/em

Background

The Moldovan parliamentary elections of 6 March 2005 were conducted to elect a new, unicameral Parliament with a four year mandate, consisting of 101 deputies who are elected by proportional representation in a single nationwide constituency. In order to enter Parliament single parties needed to obtain six per cent of the valid votes cast (the second highest threshold in Europe after Turkey), coalitions of two parties required nine per cent and three or more parties required twelve per cent. A 50 per cent voter turnout was required for the election to be valid.

The newly elected parliament subsequently elects the President, for which 61 votes were necessary. 23 parties or blocs were standing in the elections, however only five were considered to have a realistic chance of obtaining seats in Parliament - the Communist Party (CPM), the centrist Bloc of Moldova Democrats (BMD), the Christian Democrats (PPCD), the pro-business Social Democratic Party of Moldova (PSDM) and the pro-Moscow Patria-Rodina.

The election administration was based on the 1997 Central Electoral Code and had a three tier system; the Central Election Commission (CEC), 37 District Election Commissions (DECs) and 1,967 Polling Station Election Bureaux (PSEBs)

In the previous parliament the Communist Party had 71 seats, the centrist Braghis Alliance 19 seats, and the Christian Democrats 11 seats. No other parties passed the threshold for obtaining seats.

Key issues in the campaign were as follows:

- the possible abuse of administrative resources by the government to favour the Communist party,
- the evidence during the campaign of bias in the electronic media in favour of the Communist party;
- the possible influence of the recent "Orange Revolution" in neighbouring Ukraine
- the extent of interference by Russia in the election in the aftermath of its setbacks in Georgia and Ukraine
- the possibility of residents of the breakaway region of Transnistria with Moldova citizenship (potentially up to 100,000) having the opportunity to vote
- the opportunity for the large Moldovan diaspora being able to vote in their countries of residence
- the rights of students to vote in their place of study
- non-implementation by the Moldovan authorities of the recommendations of the Venice Commission on the Election Code

Introduction

On 17 February 2005 the Conference of Presidents authorised the sending of a seven member delegation to observe the parliamentary elections in Moldova on 6 March 2005. The members of the ad hoc delegation were subsequently nominated by the political groups and the composition was as follows: Mrs Marianne MIKKO, (PES, Estonia), Mr Robert EVANS (PES, United Kingdom), Mr Zdislaw PODKANSKI (EPP-ED, Poland), Mr Tadeusz ZWIEFKA (EPP-ED, Poland), Mrs Laima ANDRIKIENE, (EPP-ED, Lithuania), Mr Jelko KACIN (ALDE, Slovenia), Mr Jiri MASTALKA (EUL/NGL, Czech Republic)

The ad hoc delegation held its first meeting on 23 February 2005 and Mrs MIKKO, (chair of the standing EP delegation to the EU-Moldova Parliamentary Cooperation Committee) was unanimously elected as chair.

The European Parliament election observation delegation was integrated into the international election observation mission (IEOM), together with observation teams from the Parliamentary Assemblies of the Council of Europe (PACE) and the Organisation for Security and Co-operation in Europe (OSCE PA)

ELECTION OBSERVATION AD HOC DELEGATION

4 March 2005

The Heads of the three delegations, Mrs MIKKO, Mr Kimmo KILJUNEN (OSCE PA - Finland) and Mr André KVAKKESTAD (PACE, Norway) took part in the morning programme.

10h00 Meeting with Mr Vladimir VORONIN, President of Moldova
Venue : Presidential Palace

Mr Voronin welcomed the presence of the international observers and pointed first to the recent economic growth in the country with substantial increases in the state budget and average salaries and low inflation.

He stressed that the elections would take place in a democratic manner, although there had been a problem of foreign (i.e. Russian) interference. Transnistria had been used as a conduit for the flow of foreign funds to anti-government forces. In Ukraine, he noted, the CIS observers had carried out their monitoring activities in line with the position of the Kremlin. In contrast, his government wanted the monitoring to take place according to "European standards" and he therefore had decided that there should not be a CIS observer presence for the elections.

He did not expect there to be voting by a significant number of Moldovan citizens who were resident in Transnistria. In the past there had been a maximum of 12,000 who had

been in a position to vote. He therefore considered the nine polling stations that had been established along the Nistru river to be adequate for the likely numbers.

Mr Voronin accepted that it had been a quiet election campaign, explaining that people tended not to gather, as meeting halls did not have any heating. He stressed that citizens living abroad were entitled to vote in embassies of Moldova. However the total number of expatriates was exaggerated, moreover many voters were living abroad illegally and not prepared to come forward to vote.

11h30 Meeting with Mrs Eugenia OSTAPCIUC, Speaker of the Moldovan Parliament
Venue : Parliament

Mrs Ostapciuc also welcomed the presence of international observers as a sign of closer links between Moldova and Europe. She noted that the Central Election Commission (CEC) had declared the previous day that the country was ready for the elections and the conditions for a fair vote were in place. She stressed that those working abroad - totalling some 357,000 - were able to vote. She hoped that there would be a high participation by residents of Transnistria.

In response to observations that the Moldovan government had not implemented the recommendations of the Council of Europe's Venice Commission, especially concerning the composition of the CEC, Mrs Ostapciuc declared that the authorities had decided not to alter anything, as it might appear to be changing the rules of the game after it had started. Had it done so the government might have been accused of seeking to gain an unfair advantage. The rules that applied now, she stressed, were those that were in force before the Communists came to power. The CEC was not biased and would act according to the law. In addition the threshold of 6% in order to enter Parliament had also been in operation before her party had taken power. She pointed out that other countries had a higher threshold than Moldova for parties to enter Parliament.

13h00 Working lunch for Heads of Delegations
Venue : Restaurant Dedeman Hotel

During the lunch ODIHR Ambassador Istvan GYARMATI stressed that the Communists were most likely to win the elections, and that in general there would be no major problems on election day as the government did not need to cheat. Many elderly voters in particular favoured them as their pensions had been paid. The key question was the size of the pro-government majority.

The electronic media tended to be biased in favour of the government but this was fairly unsophisticated and the government had been responsive to pressure from the West. The price of newspapers however was very high in comparison to salaries. In answer to questions about inadequate voting facilities for Moldovans living abroad, he noted that OSCE standards did not cover guidelines for non-embassy voting.

15h00 Joint briefing session
Venue : Dedeman Hotel

The three heads of the parliamentary delegations and Ambassador GYARMATI opened the session for the parliamentarians and gave an overview of the situation. The members then heard from a series of experts - see programme - who gave a summary of the Moldovan political system and the legal provisions concerning elections.

**17h00 Meeting with Central Election Commission Chairman,
Mr Petru RAILEAN
Venue : *Dedeman Hotel***

Mr RAILEAN outlined the activity of the CEC and noted that 2,500 local observers would cover the polling stations. He stressed that the CEC was operating in a completely impartial fashion, although three of its members had been appointed by the President, three by Parliament and three by the Supreme Council of Magistracy.

He underlined that the main legal basis for his work was the 1997 Election Code. He argued that it would be inappropriate to amend this in line with the recommendations of the Venice Commission of 2004 as these had been made less than a year before the parliamentary elections. Members pointed out that the Venice Commission had already made recommendations to this effect as early as 2001.

Mr Railean noted that on 15 February 2005 the CEC had declared that Moldovans who were living permanently or temporarily abroad could vote in one of 23 polling stations located at embassies and consular offices of the Republic of Moldova.

**18h00 Meeting with representatives of NGOs and media
Venue : *Dedeman Hotel***

The members heard a number of complaints about the pro-government bias of the electronic media. The speakers did not consider that this was compensated for by the relative pluralism of the printed media as only a limited number of the population read newspapers.

Saturday 5 March 2005

10h45 Christian Democratic Party of Moldova, Mr. Stefan Secareanu

Mr Secareanu complained of considerable abuse and character assassination of his party. He referred in particular to a nine minute film broadcast by *Moldova 1* entitled "Stop Extremism" which portrayed his party leader Iurie ROSCA in a extremely negative light, comparing him to Osama Bin Laden. He stressed that his party's programme was pro-European and pro-NATO. In his view the Communists lacked credibility when they declared that they wanted to integrate with Europe. In line with many speakers he indicated that most expatriates would not vote as they were working illegally.

11h30 Electoral Block “Moldova Democrata”, Mr. Serafim Urechean

Mr Ureachean complained that the Communists had used their position of power to obtain political advantage and in particular they had deprived the opposition of equal access to the media. Police had pulled down opposition posters. There was a significant risk of "dead souls" voting, as voting registers were inadequate. Many voters, including those overseas and students - had been marginalised. Mr Urechean denied that his party had any special links with Moscow.

Other meetings took place at which the administrator responsible for the report could not be present.

15h00 Meeting with Mr Andrei STRATAN, Minister of Foreign Affairs of Moldova (EP Delegation only)

Mr Stratan expressed his desire that the elections should be free and fair. He condemned the negative pressure that, he stated, had been exerted by Russia and by the authorities in Transnistria. He gave extensive details of the arrival of Russian and Belarusian "observers" and informed members of steps taken by the Moldovan authorities to prevent them from disrupting proceedings, including detaining and expelling numbers of them. Mr Stratan warned that Russia was seeking to strengthen its position in Moldova and reassert itself after its setbacks in Georgia and Ukraine.

He stressed that the Communists would have little interest in disrupting the elections as they were very likely to win them anyway. In his view Moldovans would be voting for the Communists as they had proved to be an effective government, which had ensured the payment of wages and pensions on time.

In answer to criticisms of the election campaign, such as the lack of an equal playing field for the media, he argued that it took time for democratic standards to develop in a country after Soviet rule.

**16h30 Briefing of EP Delegation by the EU Ambassadors
Venue : *British Embassy*
*Nicolai Jorgi Street 18***

The consensus view of the EU ambassadors was that the elections would be "free but not fair" as the campaign had been marred by unequal access to the media and the abuse of administrative resources by the government. They described a low key campaign, marked by the exchange of mutual accusations and an absence of discussion of the issues.

One factor favouring the government was that the authorities had restored the former administrative divisions in which the Communist party retained its old organisational structures. In addition the current government was benefiting from the economic reforms of its predecessor. The ambassadors did not consider that many expatriates would vote as it could be a long distance to travel to embassies and many who were working illegally were reluctant to advertise their presence.

20h00 **Dinner for Heads of Delegations, hosted by Ambassador GYARMATI**
Venue : Old Town Restaurant

Sunday 6 March, 2005

Polling took place from 0700hrs to 2100hrs.

The three observation teams of the European Parliament delegation were as follows;:

Team 1 - Chisinau city and district: MIKKO, EVANS

Team 2 - Chisinau city and district: PODKANSKI, ZWIEFKA

Team 3 - Nistru river district: ANDRIKIENE, KACIN, MASTALKA,

The three teams carried out observations at around 10-12 polling stations in both urban and rural areas. Team 3 visited the polling stations that had been established on the left bank of the Nistru river in order to accommodate voters from Transnistria.

Observation included opening and closure of the polling stations as well as the subsequent vote count. The teams provided the OSCE/ODIHR with the reports of each polling station which were incorporated into the final report of the IEOM.

Monday, 7 March 2005

08h00 **Debriefing EP Delegation and discussion of text of joint statement**
Venue :Dedeman Hotel

The delegation discussed the different teams' experiences and impressions and the results as known to date.

The main conclusions on the election day, were in line with the OSCE/ODIHR report - i.e. that the vote was largely free. Members noted that the voting process was generally calm and peaceful with few incidents. There were reports of overcrowding in some polling stations along the Nistru river which were inadequate for the numbers who came to vote. Concerns were expressed over the lack of a level playing field for the different political parties in the election campaign and in particular the bias in the electronic media.

The main conclusions of the IEOM are attached, the full report of the OSCE/ODIHR mission is available on www.osce.org/odihr.

14h00 **Joint Press Conference**
Venue : Hotel Dedeman

The heads of the three delegations gave a joint press conference - the press release and the statement given by Mrs Mikko are attached.

EUROPEAN PARLIAMENT

AD HOC DELEGATION FOR OBSERVATION OF PARLIAMENTARY ELECTIONS IN MOLDOVA CHISINAU

3-7 MARCH 2005

PARTICIPANTS LIST

Members

Mrs Marianne MIKKO <i>Chairperson</i>	PSE, Estonia
Mrs Laima ANDRIKIENĖ	EPP-ED, Lithuania
Mr Zdzisław Zbigniew PODKANSKI	EPP-ED, Poland
Mr Tadeusz ZWIEFKA	EPP-ED, Poland
Mr Robert EVANS	PSE, United Kingdom
Mr Jelko KACIN	ALDE, Slovenia
Mr Jiri MASTALKA	GUE/NGL, Czech Republic

Member's Assistants/Political Group Staff

Mr Marian APOSTOL	Advisor, EPP-ED
Mr Andrzej DYCHA	Assistant to Mr PODKANSKI
Mr Marcin LITOWCZENKO	Assistant to Mr ZWIEFKA
Mr Rob VAN DE WATER	Advisor, PSE

Secretariat

Mr Tim BODEN, Administrator responsible for the delegation
Ms Emma MOLLET, Assistant/secretary

Interpreters

Ms Anca BUREA	Romanian/English
Mr Alcor CRISAN	Romanian/English
Ms Agnieszka DURLAK	English/Polish
Ms Anna GAZDZINSKA	English/Polish
Ms Maria KOROKNAI	Romanian/English

Abbreviations :

EPP-ED	European People's Party/European Democrats	GUE/NGL	European United Left/Nordic Green Left
PSE	Party of European Socialists	ID	Independence/Democratic Group
ALDE	Alliance of Liberal and Democrats for Europe		

24.2.05/em

EUROPEAN PARLIAMENT

AD HOC DELEGATION FOR OBSERVATION OF PARLIAMENTARY ELECTIONS IN MOLDOVA CHISINAU

3-7 MARCH 2005

FINAL PROGRAMME

Coordination:

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HOTEL ACCOMMODATION:

(arranged by the Tacis Branch Office in Chisinau)

Dedeman Grand Chisinau Hotel
77, Mitropolit Varlaam Street
MD-2012 Chisinau, Moldova
tel. (373) 22 201 201
fax (373) 22 201 222

21.03.05
TB/em

Thursday, 3 March 2005
Friday, 4 March 2005

Individual arrivals of the EP delegation

Friday 4 March 2005

09h00 Secretariat meeting with interpreters
Venue : Lobby Dedeman Hotel

PROGRAMME FOR HEADS OF DELEGATION

09h30 MEET IN LOBBY DEDEMAN HOTEL TO GO TO

10h00 Meeting with Mr Vladimir VORONIN, President of Moldova
Venue : Presidential Palace

11h30 Meeting with Mrs Eugenia OSTAPCIUC, Speaker of the Moldovan Parliament
Venue : Parliament

13h00 Working lunch for Heads of Delegations
Venue : Restaurant Dedeman Hotel

**JOINT PROGRAMME
OSCE-PA/PACE/EP**

15h00 - 15h30	Opening remarks of the Heads of Delegations of PACE , OSCE-PA, and EP	HOTEL DEDEMAN
15h30 - 17h00	Briefing by OSCE/ODIHR EOM Amb. Istvan Gyarmati, Head of the ODIHR EOM Amb. William H. Hill, Head of OSCE Mission to Moldova Mr. Laurent Marion, Political Analyst Ms. Jana Sindelkova, Election Analyst Mr. Yannis Karamitsios, Legal Analyst Mr. Gael Martin-Micallef, CoE Venice Commission Mr. Riccardo Barranca, Media Analyst Ms. Edeltraud Gatterer, Gender Analyst Mr. Ciprian Necula, National Minorities Analyst	HOTEL DEDEMAN
17h00 - 18h00	Meeting with the Central Election Commission Mr. Petru Railean, Chairman	HOTEL DEDEMAN
18h00 - 19h00	Meeting with representatives of NGOs and media Mr. Igor Botan, ADEPT Mr. Stefan Uritu, Moldovan Helsinki Committee for HR Ms. Angela Sirbu, Independent Journalism Center Ms. Liudmila Belicencova, NIT Media Group Mr. Ion Mihailo, Audiovisual Coordinating Council Mr. Petru Clej, Committee for Press Freedom	HOTEL DEDEMAN

	Mr. Mihai Godea, Coalition 2005	
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19h30 Reception/buffet, hosted by the EU Ambassadors in Chisinau, for all participants from EU Member States and the European Parliament, Moldovan parties and civil society.
*Venue : Symposium Restaurant
Str. 31 August no. 78
Chisinau*

Saturday 5 March 2005

JOINT PROGRAMME OSCE-PA/PACE/EP

10h45 - 11h30	Christian Democratic Party of Moldova Mr. Stefan Secareanu	Hotel JOLLY ALON
11h30 - 12h15	Electoral Block "Moldova Democrata" Mr. Serafim Urechean	Hotel JOLLY ALON
12h15 - 13h00	Social Democratic Party of Moldova Mr. Eduard Musuc	Hotel JOLLY ALON
13h00 - 13h45	Party of Communists of the Republic of Moldova Mr. Vadim Misin	Hotel JOLLY ALON
13h45	Bus transfer from Jolly Alon to Dedeman	
14h00- 14h30	Regional briefing for observers in Transnistria	Hotel DEDEMAN

15h00 Meeting with Mr Andrei STRATAN, Minister of Foreign Affairs of Moldova
RO/EN INTERPRETATION FORESEEN BY MINISTRY OF FOREIGN AFFAIRS

16h30 Briefing of EP Delegation by the EU Ambassadors
*Venue : British Embassy
Nicolai Jorgi Street 18*

20h00 Dinner for Heads of Delegations, hosted by Ambassador GYARMATI
Venue : Old Town Restaurant

Sunday 6 March 2005

06h30 ONWARDS DEPARTURE OF EP TEAMS TO POLLING STATIONS

FdR 567363

Observation of Opening, Voting and Vote Count

Deployment EP delegation as follows :

Team 1 - MIKKO - EVANS - VAN DE WATER - BODEN +
interpreter
Team 2 - PODKANSKI - ZWIEFKA - APOSTOL -DYCHA -
LITOWCZENKO + interpreters
Team 3 - MASTALKA - KACIN - ANDRIKIENE - MOLLET
+ interpreter

Monday 7 March 2005

08h00 Debriefing EP Delegation and discussion of text of joint statement
Venue :Dedeman Hotel

**JOINT PROGRAMME
OSCE-PA/PACE/EP**

09h00 - 11h00	Debriefing of delegation (conducted in English)	Hotel DEDEMAN
10h00 - 11h30	Meeting of Heads of Delegation to finalise statement	OSCE/ODIHR Office
14h00	Press Conference	Hotel DEDEMAN

15h00 onwards Individual departures of EP Delegation

**ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE
OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS**

PRESS RELEASE

7 March 2005

**Moldova elections generally complied with international standards but
concerns remain**

CHISINAU, 7 March 2005 - The 6 March parliamentary elections in Moldova were generally in compliance with most OSCE and Council of Europe commitments and other international election standards. They did, however, fall short of some key commitments, particularly regarding campaign conditions and media access, the International Election Observation Mission concluded today in a statement.

The Mission, consisting of some 500 observers, was a joint undertaking of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly, the Council of Europe Parliamentary Assembly (PACE) and the European Parliament.

"The fact that these elections generally complied with OSCE standards was undercut by negative aspects of unequal campaign conditions and constrained media coverage that were already noted in the 2003 election and have no place in a democracy," said Kimmo Kiljunen, Head of Delegation of the OSCE Parliamentary Assembly, who was appointed by the OSCE Chairman in Office to lead the short-term observation.

"We regret that Moldova has not lowered its threshold as the Council of Europe recommended already in 2001. This has influenced the result and the balance of the new Moldovan parliament," said Andre Kvakkestad, who headed the PACE Delegation.

Marianne Mikko, Head of the European Parliament Delegation said: "Although there have been a lot of problems during the election campaign, the people of Moldova have shown that they want to be a part of a democratic Europe. It is the clear wish of the European Parliament to build on this desire and assist Moldovans in the future development of their democracy."

"Restrictive regulations on the campaign and media made it difficult for voters to get basic information about the contestants. The OSCE and the Council of Europe have already suggested changes to the election code to address these and other shortcomings. They should be dealt with without delay," said Istvan Gyarmati, Head of the OSCE/ODIHR Mission.

The Observer Mission noted that a competitive and pluralistic party system gave voters a genuine choice. Print media offered diverse political views and the Central Election Commission sought to increase campaign coverage in broadcast media, albeit somewhat belatedly. Over 2,000 domestic observers followed the elections and there was an increased number of women candidates.

Shortcomings included the obstruction of parties' campaign activities, instances of harassment of candidates and opposition media, reports of pressure on public employees not to campaign in support of opposition parties and instances of abuse of public resources. Furthermore, a number of courts failed to respect the legal deadlines to rule on complaints.

Election day was calm and orderly, with observers making a positive assessment of the polling in 80.4 per cent of the 1,400 polling stations visited. There were some cases of overcrowding and the presence of unauthorized persons during the vote and the count. Observers also noted inconsistency in how rules were applied, for instance regarding supplementary voter lists, stamping of identity documents and control mechanisms during the count.

EUROPEAN PARLIAMENT

AD HOC DELEGATION FOR OBSERVATION OF PARLIAMENTARY ELECTIONS IN MOLDOVA CHISINAU

PRESS STATEMENT BY MRS MARIANNE MIKKO, CHAIR OF THE EUROPEAN PARLIAMENT DELEGATION

I should like to endorse the conclusions of my colleagues on these elections which have been of the utmost importance to Moldova and also for its relationship with the European Union.

In order for future elections in the country to be fully free and fair it is essential that the electors have complete access to information in order that they can make an informed choice. The International Election Observation Mission has concluded that a level playing field did not exist for candidates and parties in the extent of their access to the broadcast media, and in particular that the public television Moldova I was biased in favour of the ruling party. It is imperative that the authorities address these concerns in order to ensure a genuinely competitive election process in the future.

Nevertheless I am encouraged by this clear expression of the wish of the Moldovan people to be part of a democratic Europe. The European Parliament in its resolution of 24 February 2005 endorsed the importance of a further strengthened relationship between the Union and Moldova. In particular it welcomes the fact that a European Union Representative to Moldova will soon be appointed, together with the opening this year of a European Commission Delegation in Chisinau. The European Neighbourhood Policy seeks to promote stability security and prosperity in Europe and to prevent the emergence of new dividing lines. Within this framework the EU will give support to the economy reforms that are necessary for Moldova to take its full place in Europe.

The European Parliament, together with the other parliamentary bodies present here today, offer its full support for the efforts of the Moldovan people to establish a fully functioning democracy, the rule of law and respect for human rights in their country.

We will be with you as you move forward on this road.

7 March 2005