

REPORT on the monitoring of new local elections – 16 May 2010

Promo-LEX salutes the special attention paid by the electoral administration (CEC) to the elections in Singera through the organization of massive voter education activities, intensive cooperation with national media and observers, direct monitoring of the elections organization by the CEC members and the use of the new technologies for the organization of the electoral process. At the same time, Promo-LEX is concerned by the reduced level of attention paid by the electoral administration to the rest of the locations, while some polling stations had inadequate infrastructure; the observers reported failures of power and telephone lines.

Promo-LEX found multiple deviations from the electoral legislation and other deficiencies related to the good organization of elections. At the same time, although this report includes a critical approach towards some of the problems in the organization of elections, Promo-LEX is conscious that the electoral administration (CEC) is making considerable efforts to establish the practices of good organization of the polls. Promo-LEX proposes a constructive collaboration between the monitors and the electoral administration towards strengthening both the good practices and the citizens' trust in the electoral process.

The observers found shortcomings pertaining to the interpretation of the current legislation. Promo-LEX observers reported that some polling stations were formed for more than 3000 voters, which is above the maximum size for a polling station permitted by the law. While the Electoral Code leaves room for interpretation in terms of exact definition of the term "party represented in the Parliament," at least two

political formations that are currently part of Parliament (MAE and MU-EM) were not represented in the electoral bodies for the polls of May 16, 2010.

Additionally, some electoral bodies performed their duties in a less accurate manner. Because the voters' lists were kept inside the offices of the authorities, voters had a partially limited access to verify them. With some exceptions, electoral authorities failed to organize voter education campaigns explaining the voting procedures, electoral education materials never reached some district electoral councils. Contrary to the actual legislation provisions, the operators in charge of testing the electronic register were present during the entire day in the polling station. Some members of the polling bureaus allowed voters to cast their votes in the absence of their identification documents. The quality of the voters' lists continues to be a problem, with voters failing to find themselves on the lists or finding registration inaccuracies. Some polling stations received an insufficient number of ballot papers in comparison to the number of voters included in the voters' lists.

Electoral contenders continue the placement of electoral posters in restricted areas, as well as during the "electoral silence" period. Some political parties failed to use their right to delegate members to the electoral bureaus.

Voters continue to take advantage massively of the voting at home option, without a suitably justified reason for making such requests. In the meantime voters in Singera proved skeptical towards the Internet voting option.

Promo-LEX put forward a list of concerns based on its findings. Promo-LEX expresses its concern towards the interpretation of legal provisions with regard to the forming of the district electoral councils and polling electoral bureaus, as well as towards the involvement of unauthorized persons in the electoral procedures and the quality of the

voters' lists. The Association is doubtful of the bona fidae of the electoral contenders regarding the placement of electoral advertisement, and is concerned with parties represented in Parliament not using their right and moral obligation to delegate members to the electoral bodies.

Promo-LEX observed local by-elections in 5 out of the 15 locations where the elections have been carried out during May 10-15, 2010. The locations were selected based on the criteria of size and diversity, as follows: town of Singera, Chisinau mun; Rusestii Noi village, Ialoveni rayon; Carpineni village, Hancesti rayon; Congaz and Copceac villages in Gagauzia. Additionally, Promo-LEX deployed mobile teams to monitor elections in all the polling stations where local by-elections have been carried out.

Promo-LEX findings reflect the situation in the monitored locations and cannot be indicative for the entire country area, although the concerns are formulated in such a manner as to be relevant for the electoral process at the national level.

In the electoral constituency of Singera, the CEC conducted the testing of the electronic voter register for the second time in the history of Moldovan elections. Internet voting test has been implemented for the first time, in Singera. Promo-LEX has monitored the first testing of the electronic register on November 15, 2009. In this regard a report with the main concerns and findings has been developed.

The report is available [here](#).

Note: For further information contact the Legal Department Promo-LEX, Pavel Postica, tel. 211 622.