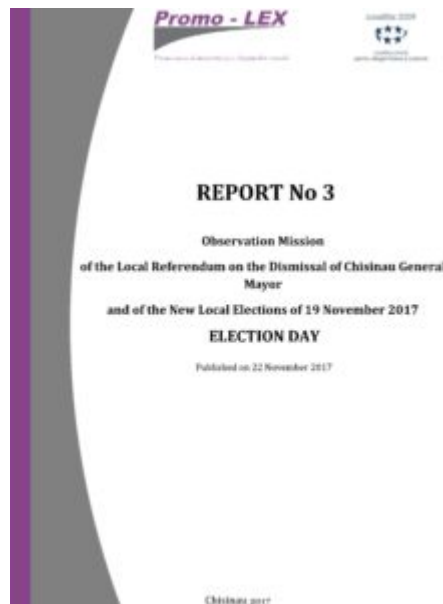
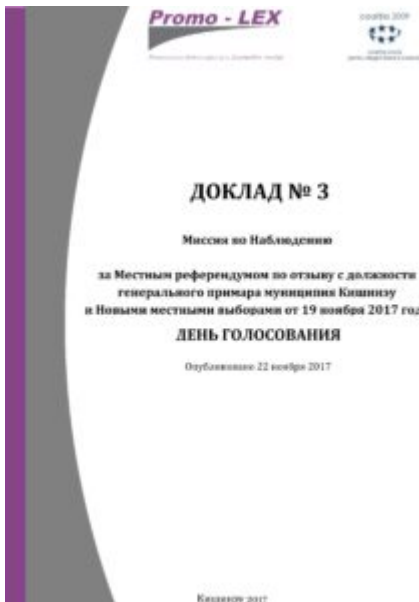


Final Report on the Local Referendum on the Dismissal of the General Mayor of Chisinau Municipality and on the New Local Elections of 19 November 2017



Report no. 3 – Observation Mission of the Local Referendum on the Dismissal of Chisinau General Mayor and of the New Local Elections of 29 November 2017





Promo-LEX: Preliminary Results of the Parallel Vote Counting for the Referendum on the dismissal of Chișinău Mayor

Chișinău, 20 November 2017 – Promo-LEX published the parallel vote counting preliminary data from the Referendum on the dismissal of General Chișinău Mayor.

Comparative analysis of the vote counting preliminary data provided by Promo-LEX and the Central Electoral Commission

The preliminary data of the Referendum for the dismissal of the General Chișinău Mayor were calculated on the basis of the data from the vote counting report by 307 observers and were sent to the central team through electronic communication means (SMS). It should be mentioned that the information from

8 vote counting reports contains errors in the calculation of the verification formulas and the final results will be announced after the central team receives the relevant original minutes and checks them.

Option	Preliminary data, Promo-LEX	Preliminary data, CEC
<i>'Pro' dismissal</i>	96,644	93,720
<i>'Against' dismissal</i>	11,095	13,857
TOTAL	107,739	107,577

Accuracy of the vote counting reports

When monitoring the Referendum for the dismissal of the General Chişinău Mayor, Promo-LEX also analysed the accuracy of vote counting reports. Subsequently, it analysed the information from the 307 reports that were submitted to Promo-LEX observers by the EOPS chairpersons. Since the preliminary information is sent by electronic communication means, there is a probability of human error (errors of observers or electoral officials). The causes of errors mentioned below will be established and communicated after the original reports are analysed.

Eight reports contain errors in at least one verification formula or missing data. The accuracy was checked by examining the formulae inserted into the reports: $c \leq a + b$; $c \geq d$; $d=f+h$; $e=c-d$; $f=d-h$; $h=g_1+g_2+g_3+g_4+\dots+g_n$; $i=c+j$; $j=i-c$. The statistic results are the following:

Formula	Number of errors in the protocols with deficiencies (on the basis of 8 reports with errors)

$c \leq a + b$	No errors
$c \geq d$	(102 – Buiucani), (133 – Center)
$d=f+h$	(107 – Buiucani), (180 – Ciocana), (199 – Ciocana)
$e=c-d$	(102 – Buiucani), (133 – Center)
$f=d-h$	(107 – Buiucani), (180 – Ciocana), (199 – Ciocana)
$h=g_1+g_2+g_3+g_4+\dots+g_n$	No errors
$i=c+j$	(133 – Center), (149 – Center), (180 – Ciocana), (199 – Ciocana), (273 – Botanica), (311 – Buiucani)
$j=i-c$	(133 – Center), (149 – Center), (180 – Ciocana), (199 – Ciocana), (273 – Botanica), (311 – Buiucani)

The formula $c \geq d$ implies that the number of voters who were issued ballot papers (established on the basis of the signatures from the lists of voters) must be equal to or greater than the number of ballot papers taken out of the ballot boxes. Two reports out of 307 were found where this formula is not correct, which means that they took out of the ballot boxes more ballot papers than they actually issued.

The formula $d=f+h$ was applied incorrectly in 3 reports. In these cases, it was not proved that the number of ballot papers taken out of the boxes coincides with the total number of invalidated and valid ballot papers. There may be doubts regarding the accuracy of valid vote counting, thus – regarding the results obtained by the candidates.

The formula $e=c-d$ was applied incorrectly in 2 reports. Thus, in 2 polling stations the number of signatures on the lists of voters did not match the number of ballot papers in the ballot boxes.

The formula $f=d-h$ is meant to check the number of invalidated

ballots by deducting the valid ones from the total number of ballot papers. This verification formula was applied incorrectly in 3 reports. The conclusions regarding the verification of the formula $d=f+h$ are valid.

The formula $i=c+j$ could not be applied correctly in 6 reports, the same being true for the formula $j=i-c$. Thus, either the unused and cancelled ballots or the signatures in the lists of voters were not counted correctly. Actually, we found that the words 'unused and cancelled' may mislead EOPS members, as they might regard them as two separate categories.

During 4 October – 20 November 2017, the Promo-LEX Observation Mission for the local referendum on the dismissal of Chişinău General Mayor is monitoring the electoral process in the Chişinău constituency with the help of five long-term observers, one medium-term observer and one regional coordinator. On the election day, Promo-LEX delegated a short-term observer in each polling station of the constituency. The observers involved in the monitoring process signed the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. The activity of all the observers is coordinated by the central team of the Association.

The activity of Promo-LEX OM is funded by the United States Agency for International Development (USAID). The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donor's view.

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The latest data in the evening of the Referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements were made public by Promo-LEX Association

19 November 2017

8:00 p.m.

In the evening of 19 November 2017, Promo-LEX Association Observation Mission for the local referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements throughout the country published the most recent data on the conduct of these democratic processes.

The Association's findings were made on the basis of the information communicated, from 3.00 pm to 8.00 pm, by observers from the polling stations (PS) who were accredited by electoral bodies.

Restricted access or preventing the free observation process at the polling station – 2 new cases

PS 65, Botanica, Chişinău. The Deputy Chairwoman of the Electoral Office of the Polling Station (EOPS) restricted the free movement of Promo-LEX observer in the room.

PS 260, Cricova, Chişinău. The Promo-LEX observer was intimidated by voters. After the EOPS chairperson intervened and called the police, the said persons left the premises.

Ballot boxes were not sealed according to the legal procedures – 4 new cases

PS 206, Râşcani, Chişinău. Two stationary ballot boxes were sealed with only 2 seals each. The chairperson claimed that there were no more seals.

PS 242, Râşcani, Chişinău. There were three ballot boxes in the PS, of which two stationary ballot boxes were sealed with 2 seals each. The EOPS chairperson explained that the seals were missing, as he had not received more.

PS 233, Râşcani, Chişinău. There were three ballot boxes in the PS, of which two stationary ballot boxes were sealed with 2 seals each. The mobile ballot box was sealed with one seal only. The PS chairperson explained that the seals were missing, as he had not received more.

PS 90, Buiucani, Chişinău. One ballot box was found to have only two seals. The PS chairperson however did not do anything in this regard.

Unauthorized persons inside or within 50m from the polling station – 4 cases

PS 186, Ciocana, Chişinău. Two persons entered the PS, and had discussed for a while among themselves before voting. After being warned by EOPS members, they voted and left the PS. However, one of those persons returned in a while, videotaped for a couple of seconds the inside of the PS and, after being repeatedly warned by the PS chairperson, left the PS.

PS 205, Râşcani, Chişinău. Driving courses are being held in the same building, where the PS is located, and unauthorised persons pass through the PS.

PS 100, Buiucani, Chişinău. A police officer had stayed at the

entry in the PS until 3.00 pm. He did not hinder the access to anyone. Nonetheless, no one told him anything.

PS 270, Sângera, Chişinău. Representatives from the central party organisations of two election candidates were in the vicinity of the EOPS at 6.00 pm. They had stayed around the PS for about 30 minutes. They had discussed with voters during this period of time. The EOPS chairperson reacted and warned them.

Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 3 new cases

PS 105, Buiucani, Chişinău. A person entered the PS and started yelling 'Down with Chirtoacă', then he voted, but kept on yelling. The EOPS chairperson warned him, called the police and the respective person left the PS.

PS 248, Râşcani, Chişinău. A voter, while inserting the ballot paper in the stationary box, yelled hate statements against the mayor targeted by the question subject to referendum, and left the polling station afterwards.

PS 220, Râşcani, Chişinău. An observer from a referendum participant, upon a voter's request, told the latter where to apply the 'voted' stamp – 'for Mayor's dismissal'. As a result, the EOPS chairperson drew up a protocol on this case, and the said observer was later excluded from the PS.

Organised transportation of voters – 1 case

PS 269, Sângera, Chişinău. Organised transportation of voters was found. A black Skoda Superb car, license plate GAS 257, repeatedly transported persons to EOPS.

Deficient operation of 'Elections' SAIS – 3 cases

PS 101, Buiucani, Chişinău. A voter asked the 'Elections' SAIS operator to help him find his name in the voter lists. However, he did not find himself in the hard copy lists. The

EOPS chairperson referred the voter to the PS at 30 Ion Pelivan street, Vocational School No 9.

PS 190. Ciocana, Chişinău. The voter's residence in the ID card loose leaf had expired in 2009. In 'Elections' SAIS, however, the voter was found as belonging to the said PS. The voter acknowledged that he had changed the place of residence. He was not allowed to vote and left.

PS 227, Râşcani, Chişinău. When operators were checking the IDs in the 'Elections' SAIS, one voter was found to be voting at another PS at that very moment. The operator called CEC and was told that a technical error has occurred. Thus the voter was allowed to vote.

Errors in the lists of voters – 5 new cases

PS 99, Buiucani, Chişinău. One voter found the name of his son, who had died in Russia several years ago, in the lists of voters.

PS 110, Buiucani, Chişinău. One voter noticed that an unknown person has been listed at his apartment's address.

PS 101, Buiucani, Chişinău. A voter asked the 'Elections' SAIS operator to help him find his name in the voter lists. However, he didn't find himself in the hard copy lists. The EOPS chairperson referred the voter to the PS at 30 Ion Pelivan street, Vocational School No 9.

PS 191, Ciocana, Chişinău. A voter found the name of his deceased mother in the voter lists. He brought the death certificate to confirm it, but did not leave the copy. Thus the person has not been excluded from the list.

PS 139, Centru, Chişinău. A voter did not find himself in the main lists of voters. The previous owners were registered at his place of residence. He was allowed to vote on the

additional voter list

Taking pictures of the ballot papers – 4 new cases

PS 105, Buiucani, Chişinău. A voter took a picture of his ballot paper. The EOPS members told him that it was forbidden. However, the photo was not deleted and the voter left.

PS 86, Buiucani, Chişinău. A voter took a picture of his ballot paper after voting. The photo was not deleted at the request of EOPS chairperson.

PS 33, Botanica, Chişinău. A voter took a picture of his ballot paper. The EOPS chairperson took measures and called the police officer. At the request of the latter the photo was deleted. The voter managed to vote, after all.

PS 231, Râşcani, Chişinău. A voter took a picture of his ballot paper. He deleted the photo at the request of EOPS chairperson.

Voters' failure to understand the content of the question subjected to referendum – 6 new cases

PS 248, Râşcani, Chişinău. After taking the ballot paper for applying the 'voted' stamp, a voter used the cellphone to call to an unknown person asking where to apply the stamp. Despite the fact that the EOPS members noticed it, nothing was done in this regard.

PS 160, Ciocana, Chişinău. A voter took the ballot paper, read the question and tore it apart, motivating that it was unclear. An observer explained him how to vote. The EOPS chairperson warned the observer. The latter started screaming and calmed down only after repeated claims. The voter was given another ballot paper and voted.

PS 163, Ciocana, Chişinău. After taking the ballot paper a

voter asked what 'pro' and 'against' meant. The commission members did not react. Nevertheless, the EOPS chairperson approached that voter, took his ballot paper and placed it blank in the ballot box. The voter left without voting.

PS 220, Râșcani, Chișinău. A voter was noticed to apply the 'voted' stamp on both ballot paper's options, stating that he did not understand the question. This voter tore the ballot paper and wanted to leave. The chairperson gave him another ballot paper and documented the situation in a protocol. Finally, that person voted.

PS 80, Buiucani, Chișinău. After voting and placing the ballot paper in the ballot box a voter left the polling station. Short after that, that person returned and asked for another ballot paper, because he misunderstood the question and thus failed to vote correctly. The PS chairperson refused to give him another one. No complaints were submitted. The Promo-LEX observer mentions that throughout the day, several other voters from the same polling station had problems with understanding the question in the ballot paper.

PS 203, Râșcani, Chișinău. A voter had questions about the text content in the ballot paper. He did not understand the meaning of the word 'to revoke'. He asked the EOPS members for explanations. Since no one answered him, the voter tore the ballot paper and put it in the ballot box, halfway outside. After that another voter explained him the meaning of that term. As a result, he asked for another ballot paper. The EOPS chairperson decided to give him another one and the torn ballot paper was canceled.

Involvement of EOPS members in the electoral process – 1 case

PS 260, Cricova, Chișinău. The secretary found out that one of the EOPS members had among ballot papers one that had a sign where to vote (in the 'pro' section). According to those present, the lady was allegedly related to a certain participant. The EOPS chairperson pulled out that ballot paper

and canceled it.

Electioneering activities – 3 cases

Around 4:40 p.m. in the apartment block from the 7/2 Aerodromului Street two persons were knocking on residents' doors, introducing themselves as CEC employees and 'officially' inviting people to participate in the referendum. When asked to present a CEC authorisation, one of the young people presented a CEC accreditation issued in the name Zefirov Victor and did not allow taking pictures of it. His other two 'colleagues' were outside the apartment block No 7 from the same street.

Around 4:30 p.m. in the apartment block at 46/5 Gh. Madan Street, Chişinău, two persons were knocking on residents' doors, electioneering and inviting them to vote, saying they were the members an NGO. These neither specified the name of the NGO they were representing, nor introduced themselves, intending just to call the people to vote. They were Russian speakers and were speaking in this language only.

PS 97, Buiucani, Chişinău. An incoming call was registered at the section's phone number at 6:36 p.m. The section chairperson who answered it was invited to participate in the referendum.

Other incidents

PS 84, Buiucani, Chişinău. The members of the PS started to apply the 'Cancelled' stamp on approximately 1/3 of the unused ballot papers.

PS 144, Center, Chişinău. An observer from the part of a participant took pictures of the lists of voters. The EOPS chairperson warned him, yet he did not delete the picture from the device.

PS 217, Râşcani, Chişinău. A voter took a ballot paper from the EOPS members' table not waiting for any member to hand it to him personally.

PS 232, Râșcani, Chișinău. In the day preceding the election a woman submitted 5 requests on mobile ballot box voting. Since the requests belonged to different persons, the chairperson refused to register them and wrote an explanation, stating that the woman did not present any ID and did not want to answer the question about the relations with those persons. In the day of referendum the woman came early in the morning and claimed to see how many requests related to the mobile ballot box were registered. The chairperson replied that no request was registered so far. In the evening this woman came together with a man and insisted on receiving information on the reasons why the voting requests were not registered. The chairperson explained the reason. The woman insulted the chairperson and left the PS; the man stayed for about 10 minutes longer and talked to one of the participants' observer.

Promo-LEX Election Observation Mission

of the new local elections of 19 November 2017 found:

Unauthorized persons inside or within 50m from the polling station – 1 case

PS 6/9, Berlinți village, Briceni. Two unknown persons were present at the PS between 2:15 and 3:00 p.m. During that entire period the persons were talking to the observer from one of the election candidates. The EOPS chairperson, despite being notified by the Promo-LEX observer, did not take any measures. Other EOPS members later asked the said persons to leave the PS.

Errors in the lists of voters – 1 case

PS 6/10, Caracușenii Noi village, Briceni. 3 deceased persons (2 of whom had died in Ukraine) are included in the main lists of voters. The EOPS members and the administration, however, do not have their death certificates. One person had died in the past 14 days.

Unjustified group voting (2 or more persons were in the voting booth) – 1 case

PS 6/9, Berlinți village, Briceni. 2 cases of group voting with spouses were found. In one case the wife applied the 'voted' stamp on the ballot paper, claiming that her husband was drunk.

Promo-LEX Observation Mission for the local referendum on the dismissal of Chișinău General Mayor is conducted during 4 October – 20 November 2017. The referendum is monitored by five long-term observers, one medium-term observer and one regional coordinator, who are monitoring the electoral process in Chișinău constituency during 4 October – 20 November 2017. On the election day, Promo-LEX delegated a short-term observer in each polling station. The observers involved in the monitoring process signed the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. The activity of all the observers is coordinated by the central team of the Association.

The activity of Promo-LEX Observation Mission is funded by the United States Agency for International Development (USAID). The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the donors' view.

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Promo-LEX comes up with new insights on the local referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements

*19 November 2017
3:00 p.m.*

On Sunday, 19 November 2017, Promo-LEX Association issued the intermediary findings on the conduct of the local referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements throughout the country.

The Association's findings were made on the basis of the information communicated by observers from the polling stations (PS) who were accredited by electoral bodies.

Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100m from the PS) – 1 case

PS 232, Râşcani district of Chişinău. The following message was displayed on the panel located inside the PS: 'If you are a patriot, don't vote.'

Ballot boxes were not sealed in line with the legal procedures – 12 cases

PS 108, Buiucani, Chişinău. At 11.10 a.m. the Chairperson of the Electoral Office of the Polling Station (EOPS) brought one more seal (the 4th) for the ballot boxes.

PS 291, Ciorescu, Chişinău. The ballot boxes were sealed by

applying 2 seals on each of the 2 stationary ballot boxes and one seal on the mobile ballot box.

PS 245, Râșcani, Chișinău. Three ballot boxes in the PS had 2 seals each, the mobile ballot box – 2 seals. The chairperson did not do anything in this regard, in spite of the fact that there were still unused seals.

PS 230, Râșcani, Chișinău. There are 3 ballot boxes in the PS with 2 seals each and one ballot box with 3 seals applied.

PS 294, Râșcani, Chișinău. The Association found that both ballot boxes had only two seals each.

PS 297, Râșcani, Chișinău. There are 2 stationary ballot boxes. One of them is sealed with 2 seals, one ballot box is not used. The chairperson of EOPS stated that they received only 5 seals.

PS 252, Râșcani, Chișinău. Three ballot boxes are sealed with two seals each.

PS 253, Râșcani, Chișinău. Initially, the ballot boxes had: one – three seals, the other one – two. At the request of the Promo-LEX observer, one more seal was applied to the second ballot box.

PS 220, Râșcani, Chișinău. There are 4 ballot boxes in the EOPS, 3 – stationary and 1 – mobile. Out of those 3 stationary ballot boxes, one is in reserve and 2 ballot boxes were sealed with two seals each, respectively. The reason is the lack of seals.

PS 231, Râșcani, Chișinău. There were found 3 stationary ballot boxes and one mobile ballot box. All the stationary boxes were sealed only with 3 seals each. The reason invoked by the chairperson of OPS was that the District Mayoralty provided the PS with only 10 seals.

PS 238, Râșcani, Chișinău. Both stationary ballot boxes were

sealed with only 3 seals each.

PS 238, Stauceni, Chişinău. The 2 stationary ballot boxes were sealed with two seals each and that the mobile ballot box had only one seal. The chairperson of the OPS stated that he had only that number of seals.

Unjustified group voting (2 or more persons were in the voting booth) – 1 case

PS 190, Ciocana, Chişinău. Two persons entered in the same voting booth. The members of EOPS intervened, but they already have managed to apply the stamp 'voted'.

Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 2 cases

PS 71, Buiucani, Chişinău. A voter was electioneering in the polling station. The chairperson of the PS was verbally notified and she asked the voter to leave the PS.

PS 132, Center, Chişinău. An observer from the part of a participant in the referendum was discussing, within the PS, with a member of the commission about the achievements and failures of the General Mayor involved in the dismissal procedure.

Deficient operation of Elections Informational System SAIS – 2 cases

PS 168, Ciocana, Chişinău. The internet connection failed between 9.45 a.m. and 10.00 a.m. and as a result, the Elections Informational System SAIS did not function.

PS 168. Ciocana, Chişinău. A voter was registered in the SAIS program as having been voted. The lady insisted to vote and she was allowed to. She mentioned that she had the same problem during the Presidential election, when someone had voted instead of her.

Errors in the lists of voters – 10 cases

PS 276, Ciocana, Chişinău. The voter is indicated in the SAIS

database to have the right to vote, but he is not found in the printed lists of voters. The EOPS chairperson contacted the superior electoral bodies and she was allowed to vote and to be included on the additional list of voters.

PS 108, Buiucani, Chişinău. Two deceased persons were identified on the main lists of voters. Their children brought certificates of death to confirm the data. As a result, those persons were excluded from the lists.

PS 238, Stauceni, Chişinău. A voter with residence within the area of the polling station found that he was included neither on the lists of voters, nor in SAIS program when he wanted to find his name on the list of voters. The EOPS chairperson was notified and he was allowed to vote after being included on the additional voter list.

PS 105, Buiucani, Chişinău. A voter was included in Elections SAIS, but not on the main lists of voters. The chairperson allowed him/her to vote after including the person on the additional lists.

PS103, Buiucani, Chişinău. A citizen holding the residence on 59 Belinschi Street was usually voting at PS 101. He/she was not identified there and, as a result, he was directed to the PS 103, where he also was not found on the lists. The EOPS chairperson called to the District Mayoralty, but the problem was not solved and the citizen did not vote.

PS 248, Râşcani, Chişinău. A voter went to the polling station where she has always voted. She was identified in the Elections SAIS program, but not on the printed lists of voters. Thus, the EOPS chairperson told her to go to another polling station in the vicinity to see if she was registered there. After that she was proposed to vote on the additional voter list. The voter did not want to vote anymore.

PS 20, Botanica, Chişinău. When checking the voter list, a voter found that two unknown persons had their residence in

his apartment and were included on the main voter list.

PS 138, Center, Chişinău. A voter was found missing from the voter lists. He doesn't have his residence on the old address, and doesn't have any new residence/domicile (he is not registered on any address). As the voter insisted to vote, after EOPS chairperson had a discussion with CEC representatives, he was restricted the right to vote.

PS.265, Buiucani, Chişinău. A voter was found in SAIS database, but not on the printed lists of voters. Hence, he was included on the additional lists and voted.

PS.105, Buiucani, Chişinău. About 10 voters, who voted in PS 105 at the previous election, were not on the main lists of voters for the local referendum. These persons are included on the lists in other PS (according to the data provided by operators after checking). They left without voting, stating that they will not vote at all.

Photos of the ballot papers were taken – 2 cases

PS 158, Ciocana, Chişinău. A voter took a picture of his ballot paper after applying the "Voted" seal, the chairperson stopped him, asked to delete the picture, but he refused. They called the police to clarify the situation.

PS 111, Buiucani, Chişinău. A voter made a picture of her ballot paper, after applying the 'voted' stamp. She deleted the picture after the commission members and some observers insisted on it.

Voters' failure to understand the content of the question subjected to referendum – 7 cases

PS 87, Buiucani, Chişinău. A voter, while inside the polling station, was consulted for what option to vote. During the discussion, she shouted that he would vote 'pro'. After asking the commission members if he was voting correctly, they did not want to get involved. After this, he voted.

PS 58, Botanica, Chişinău. An elderly voter was upset for not understanding the question and asked the commission members to help her. She did not get the expected answer and tore the ballot paper. The chairwomen notified the police and prepared a protocol, according to the procedure. The lady did not want to vote any more and was walked out by the police officer.

PS 27, Botanica, Chişinău. A voter asked to he issued another ballot paper, as he had voted wrongly because the failed to understand the question. Because the EOPS chairperson was out, the voter tore the ballot paper. After the chairperson returned, the voter was issued another ballot paper, and a protocol was prepared for the torn ballot paper.

PS 315, Botanica, Chişinău. A voter wanted to get out of the PS with the ballot paper for consultations, because he did not understand the question, but was stopped by EOPS members.

PS 27, Botanica, Chişinău. Two persons entered the voting booth and tried to make a call. After being warned, they left the ballot papers on the table of commission members and stepped outside to make the phone call. After that they returned and voted.

PS 27, Botanica, Chişinău. A voter, after receiving the ballot paper, entered to booth and called someone to help her with selecting the option to vote for. She continues speaking on the phone even after being warned. The lady voted anyway.

PS 131, Center, Chişinău. A voter did not understand the meaning of words 'pro' and 'against'. He asked the EOPS members for an explanation. After their discussion, he voted.

Involvement, during the electoral process, of observers delegated by participants in the referendum – 2 cases

PS 190, Ciocana, Chişinău. A Russian-speaking voter was given a ballot paper in Romanian, but he was not bothered by this. An observer from a participant in the referendum intervened, asking why he was not issued a ballot paper in Russian,

because he might not understand some words.

PS 190, Ciocana, Chişinău. The voter asked where to apply the stamp. The observer of a participant in the referendum showed where to apply the stamp.

Others

PS 252, Râşcani, Chişinău. The observer was preventing other observers from monitoring the ballot box due to the fact that he was staying at approximately 2 meters distance from that ballot box. The Chairperson asked to keep the distance from the ballot box; at some point a conflict broke out.

PS 246, Râşcani, Chişinău. An attempt of voting without the loose leaf was noted. The fact that the loose leaf was missing was detected only after the voter signed in the lists of voters. After a fight with the EOPS members the voting process was restricted and the situation of the voter signing in the list of voters was included in a report.

PS 205, Râşcani, Chişinău. A ballot paper was damaged by a voter after voting. The voter intended to leave the PS with the damaged ballot paper but he was stopped by the EOPS Chairperson, who took that ballot paper and placed it in the ballot box.

PS 118, Center, Chişinău. An observer representing one of the Referendum participants was discussing with the EOPS members, which was disturbing the participants during the electoral process. When the EOPS Chairperson made a remark in that regard, the observer argued that he was not discussing the Referendum.

PS 53. Botanica, Chişinău. A person left the PS with the ballot paper and has never come back. There were too many voters and no measures were taken by anyone.

PS 216. Râşcani, Chişinău. A voter intended to have a look on the lists of voters in order to see if there was any person

with resident visa registered in her apartment. She was not allowed to. The Chairperson explained that this had to be done prior to the start of the elections; the voter raised some objections, which caused some tensions and, finally, left.

Promo-LEX Election Observation Mission

of the new local elections of 19 November 2017 concludes:

Involvement of EOPS members in electoral process – 2 cases

PS 19/24, Fundurii Noi village, Glodeni. The observer and the person with the right to consultative vote, representing one of the election candidates, asked and wrote down the voters' first and last names. When they did not succeed to collect them, they approached the EOPS Chairperson, who provided them this information. The same thing was done by another observer representing another election candidate.

PS 6/9, Berlinți village, Briceni. An EOPS member representing an election candidate together with the observer representing the same election candidate helped a senior to vote. Other EOPS members and observers did not react at all to this situation.

Presence of unauthorized persons inside or within 50m from the polling station – 3 cases

PS 19/24, Fundurii Noi village, Glodeni. Two district representatives of an election candidate entered the PS and had a 10-minute discussion with EOPS members and observers. 'Everything will hopefully be ok' was the main message. An EOPS member asked them to leave the PS. They first claimed to have the right to be inside the PS, but subsequently left and talked to some voters within the area of 50 m outside the PS.

PS 19/24, Fundurii Noi village, Glodeni. The observer saw how EOPS chairman, a EOPS member and a representative of the district authorities, who arrived by a Government vehicle, entered into an adjacent building, located at a distance of less than 50 meters from the PS, where they had discussed for

about 10 minutes.

PS 6/9, Berlinți village, Briceni. A group of 6 persons, together with the observer from a competitor, had some 15-20 minute discussions with voters, who voted in about 10 minutes. After this they left by car.

Errors in the lists of voters – 1 case

PS 7/63, Zârnești village, Cahul. A voter was found in Elections SAIS, but not on the main lists. He was included on the additional list.

Use, in the voting process, of ID cards that do not comply with the legal provisions – 2 cases

PS 20/40, Lăpușna village, Hâncești. A voter voted on the basis of a copy of his ID card, where the 'New Local Elections 19.11.2017' stamp was applied. Though an EOPS member intervened, the chairperson allowed, arguing that the voter was present in Elections SAIS.

Photos of the ballot papers taken – 1 case

PS 30/11, Căpriană village, Strășeni. Two cases of taking pictures of the ballot papers were found; in each case the EOPS chairperson warned the voters that taking pictures was prohibited, but did not use other measures.

Limited access for persons with special needs – 1 case

PS 30/11, Căpriană village, Strășeni. Two persons, representatives of an association for persons with disabilities brought with them about 7 beneficiaries, voters with physical and mental impairments, and helped them vote, including to apply the 'voted' stamp on the ballot papers. The PS is not accessible for persons with disabilities. A voter in a wheelchair had to be carried up about 5 steps, by hands, because there was no ramp.

Promo-LEX Observation Mission for the local referendum on the dismissal of Chișinău General Mayor is conducted during 4 October – 20 November 2017. The referendum is monitored by

five long-term observers, one medium-term observer and one regional coordinator, who are monitoring the electoral process in Chişinău constituency during 4 October – 20 November 2017. On the election day, Promo-LEX delegated a short-term observer in each polling station. The observers involved in the monitoring process signed the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. The activity of all the observers is coordinated by the central team of the Association.

The activity of Promo-LEX Observation Mission is funded by the United States Agency for International Development (USAID). The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the donors' view.

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Promo-LEX Association: The First Findings Related to the Referendum on the Dismissal of Chişinău General Mayor

19 November 2017

Time: 10.00

Until 10 am on 19 November 2017, the day of the Referendum on the dismissal of Chişinău General Mayor, Promo-LEX Observation Mission for the local referendum identified some violations: polling station opened with some delays, unsealed ballot boxes, as well as presence of advertising materials within the area of the polling station.

Restricted access or preventing the free observation process at the polling station – 5 cases.

PS 59, Botanica, Chişinău. Promo-LEX observer was restricted the free observation process in the polling station.

Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100 m from the PS) – 2 cases

PS 304, Truşeni, Chişinău. At 06:40 am, within the area of 50 meters from PS, posters with pro-referendum electoral content were identified on an information panel.

PS 117, Center, Chişinău. Poster within the area of 100 meters from the polling station, with content encouraging voters to vote for dismissal of the Chişinău General Mayor.

Ballot boxes were not sealed according to the legal procedures/tearing/damage or absence of seals on ballot boxes – 7 cases.

PS 278, Vatra, Chişinău. The ballot box was sealed by only 3 seals. The PS chairman explained that the fourth seal was needed for the mobile ballot box (de facto, the mobile ballot box has other seals).

PS 247, Râşcani, Chişinău. The observers found that the PS chairman had broken one seal by mistake when sealing the ballot box, and had not replaced it with another seal.

PS 269, Sângera, Chişinău. The two ballot boxes were found to be sealed with 2 seals each (instead of 4 seals each).

PS 190, Ciocana, Chişinău. Insufficient seals at PS opening (7:00 am), only 5 seals for 3 boxes.

PS 137, Centru, Chişinău. Seals are missing, initially there were 6 seals for 3 ballot boxes: 2 stationary and 1 mobile. Only one ballot box from the polling station and one mobile ballot box are sealed. The EOPS chairman contacted someone to bring in the seals.

PS 180, Ciocana, Chişinău. Stationary ballot boxes sealed with fewer seals, the mobile ballot box sealed with one fastener.

SV.108, Buiucani, Chişinău. Stationary ballot boxes sealed with fewer seals.

Deficient operation of SAIS “Elections” (suspended functionalities; situations when SAIS “Elections” states that the voted had voted, but the latter claims he had not) – 6 cases.

PS 54, Botanica, Chişinău. The operation system failed. They called the technical team and solved the issue.

Errors in the lists of voters – 1 case

PS 260, Cricova, Chişinău. One voter came to the polling station; when signing in the lists of voters he noticed the name of his diseased wife.

Taking a picture of the ballot papers – 1 case

PS 29. Botanica, Chişinău. A voter took the picture of a ballot paper. The police was notified.

During 4 October – 1 November 2017, the Promo-LEX Observation Mission for the local referendum on the dismissal of Chişinău General Mayor is monitoring the electoral process in the Chişinău constituency with the help of five long-term observers, one medium-term observer and one regional coordinator. On the election day, Promo-LEX delegated a short-

term observer in each polling station of the constituency. The observers involved in the monitoring process signed the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. The activity of all the observers is coordinated by the central team of the Association.

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The Promo-LEX Observation Mission's First Findings Related to the Local Referendum from Chisinau Municipality and New Local

Elections of 19 November 2017

Today, 2 November, Promo-LEX Association submitted its first Report on Monitoring the Local Referendum on the Dismissal of Chisinau General Mayor and the New Local Elections of 19 November 2017. Monitoring period: 4 October – 1 November 2017.

As regards the local referendum on the dismissal of Chisinau General Mayor, the first thing found by the Promo-LEX Observation Mission was that the legal framework is underdeveloped. Although the Electoral Code contains a separate chapter on local referenda, Promo-LEX found such gaps as: insufficient regulation of the status of the participant in referendum; restrictive approach on categories of participants in referendum; interpretability of the election campaign concept in the context of referendum; participation of compulsory-duty servicemen, voters holding domicile and residence permit at the same time.

The Chisinau Municipal Electoral Constituency Council (CMECC) registered 2 participants in the local referendum of 19 November 2017 – the Socialist Party of the Republic of Moldova (PSRM) and the Liberal Party (PL). At the same time, given the aforementioned gaps, Promo-LEX found that CMECC rejected Dorin Chirtoaca's application to be registered as a participant in the local referendum for the following reasons: the applicant violated the provisions of Article 41 of the Electoral Code (submission of the registration file in person, by the applicant) and failed to comply with the provisions of CEC Decision No 1145 of 3 October 2017 (lack of individuals in the list of potential participants in the local referendum).

As regards the election campaign, Promo-LEX observers found that at least 58 electioneering activities (50 – PSRM, 8 – PL) were organised during the monitoring period. The most used promotion tools were meetings with voters – 29 cases, outdoor/promotional/online advertising in electioneering

activity – 86 cases (81 – PSRM, 5 – PL). In addition, there was a case which can be regarded as one where administrative resources were used by a PSRM representative.

Starting from the activities carried out by the participants in referendum, in the first campaign week, PSRM reported revenue amounting to MDL 377,000 and expenses amounting to MDL 374,211.77, whereas PL reported MDL 0 (zero). On the other hand, Promo-LEX observers noted that PSRM carried out additional electioneering activities, estimated at no less than MDL 404,117, including MDL 101,861 for outdoor advertising, MDL 260,550 for promotional advertising, MDL 41,706 for volunteers' remuneration and other expenses.

At the same time, **as regards the local elections of 19 November 2017 in 10 level-one constituencies**, Promo-LEX Association found the following:

Constituency Councils registered 29 election candidates, of which 4 were independent candidates, whereas 25 were nominated by 8 political parties, as follows: PDM – 10 candidates, PSRM – 7 candidates, PN – 2 candidates, PPRM – 2 candidates, PCRM – 1 candidate, PL – 1 candidate, PNL – 1 candidate and PPEM – 1 candidate. PDM is the party that nominated its candidates in all constituencies. Most candidates were registered for the position of mayor in Singera t. (Chisinau mun.) – 6 candidates, fewest candidates – Lapusna v. (Hincesti d.) – 1 candidate.

During the monitored period, Promo-LEX noted a low level of activism among the election candidates. According to the information provided by Promo-LEX observers, at least 2 cases of electioneering activities were registered, both of them implied online candidate promotion via social networks (PL and PN). In addition, at least one case, which can be qualified as service provision during election campaign (PL), was reported. All these cases were found in Singera EC.

Promo-LEX OM noted the decrease in the level of financial reporting to CEC and level-one ECC. Thus, of 12 election candidates registered with CEC, only 2 (PDM, PSRM) submitted their financial statements for the first week of election campaign (20-27 October 2017). Only one election candidate (PSRM) reported revenue amounting to MDL 3,000 and expenses of – MDL 2,739.50 respectively, the other candidate reported MDL 0 (zero). On the other hand, none of the candidates submitted their financial statements to the level-one ECC or reports on lack of expenses.

The Monitoring Report No 1 also includes recommendations for the Parliament of the Republic of Moldova, electoral bodies, participants in referendum and for the local public administration.

Under the 'Democracy, Transparency and Accountability' Program, as part of the civic and electoral education component, Promo-LEX Association organises the 'COME TO VOTE' campaign in the settlements where the new local elections will be held. The purpose of the campaign is to encourage people to vote and to promote informed and conscious voting among Moldovan citizens with a right to vote, in the settlements where the new local elections will be held. In the first round of election, public electoral debates will be organised in a few settlements that will be chosen subsequently.

Promo-LEX Observation Mission consists of 5 long-term observers who will monitor the electoral process in all constituencies of the Republic of Moldova during 4 October – 19 November 2017. On the election day, Promo-LEX will delegate a short-term observer to each polling station. The observers involved in the monitoring process sign the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner.

The activity carried out by Promo-LEX EOM and the 'Come to

Vote' campaign is funded by the United States Agency for International Development (USAID). The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donors' view.

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REPORT No 1 – Observation Mission for the local referendum on the dismissal of Chisinau General Mayor and the new local elections of 19 November 2017



REPORT No 1

**Observation Mission
for the local referendum on the dismissal of Chisinau General
Mayor
and the new local elections of 19 November 2017**

Monitored period: 4 October – 1 November 2017

Published on 2 November 2017