



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**FIFTH EASTERN PARTNERSHIP
FACILITY SEMINAR
ON ELECTION OBSERVATION
AND CENTRAL ELECTORAL COMMISSIONS**

**Council of Europe
Meeting Room No. 8**

**Strasbourg, France
25-26 November 2013**

**ELECTION OBSERVATION
IN THE REPUBLIC OF MOLDOVA**

**by Mr Iurie CIOCAN
President, Central Electoral Commission of Moldova**

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REPUBLIC OF MOLDOVA



CENTRAL ELECTORAL COMMISSION
Elections observation in the Republic of Moldova

**Fifth Eastern Partnership Facility Seminar on “Election Observation”,
25-26 November 2013, Strasbourg (France)**

Strategic plan of the CEC for 2012-2015

◎ **Mission** - *ensure optimal conditions for all citizens of Moldova to freely exercise their constitutional right to vote and to be elected in free and fair elections*

- ◎ **Aims:**
- ✓ A modern, efficient and accessible electoral process
 - ✓ Trustworthy election results
 - ✓ Conscientious and informed voters
 - ✓ Consolidated institutional capacities

Electoral system

- Full proportional: a country – an electoral circumscription
- Hamilton seat distribution for Parliament
- D'Hondt seat distribution for locals
- President elected by 3/5th of the Parliament Members by secret vote
- 2,7 million voters
- 1955 Poling stations
 - One polling station includes not less than 30 and not more than 3000 citizens

Who can be present to all the electoral procedures

- ◎ Members and representatives of Electoral Management Bodies
- ◎ Representatives of the electoral competitors
- ◎ Mass-media representatives
- ◎ National and international observers
- ◎ Interpreters of the international observers

Legal framework for observers

- Electoral Code, Art. 26¹ par. (1), 30 i), 55 par. (8), Art. 58 par (4), Art. 59, par. (3), Art. 60 par. (2) and Art. 63.
- Regulation on status of observers and accreditation procedure

Types of observer

- ◎ **National observer:**
 - ✓ citizen of the Republic of Moldova with the right to vote and be elected.
 - ✓ is submitted for accreditation in accordance with Art. 63, par. (1, 2, 4) from Electoral Code.

- ◎ **International observer:**
 - ✓ foreign citizen, who is 18 years at least.
 - ✓ doesn't have prohibitions to come to Moldova.
 - ✓ his trip to the Republic of Moldova allows to perform civic functions in elections.
 - ✓ is submitted for accreditation in accordance with Art. 63, par. (3) from Electoral Code.
 - ✓ invitation from the CEC.

Who can submit candidates for accreditation

☐ at the Central Electoral Commission:

- ◎ for national observers
- ✓ Electoral competitors (for polling stations opened abroad)
- ✓ Competent NGOs from the Republic of Moldova
- ◎ for international observers
- ✓ international organization
- ✓ governments of foreign states
- ✓ non-governmental organizations from abroad
- ✓ international electoral experts

☐ at the District Electoral Council:

- ◎ for national observers
- ✓ Electoral competitors (for polling stations opened in RM)
- ✓ Competent NGOs from the Republic of Moldova

Which documents have to be submitted for the accreditation of observers

☉ National observers:

- ✓ Official letter
- ✓ ID copy
- ✓ Copy of Statute and Registration Certificate (for NGOs)

☉ International observers:

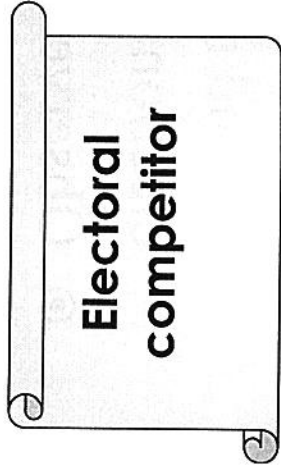
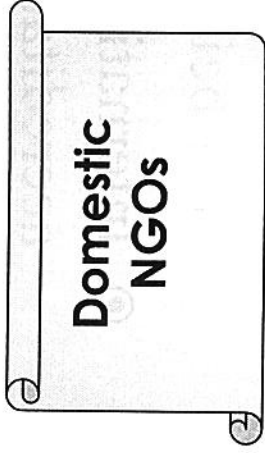
- ✓ Official letter
- ✓ Passport copy
- ✓ Accreditation Form
- ✓ Copy of Statute and Registration Certificate (for NGOs)
- ✓ One photo

☉ Interpreters of international observers:

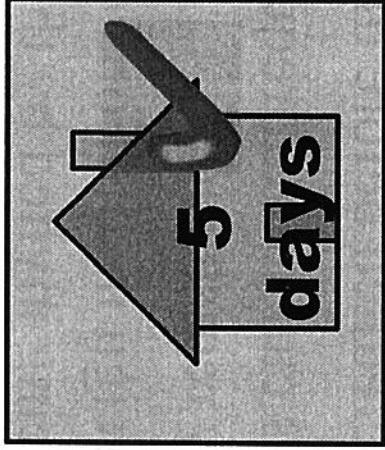
- ✓ Official letter
- ✓ ID copy

Accreditation process

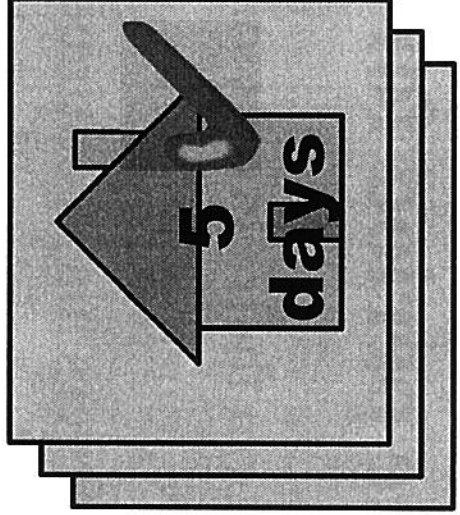
National observers



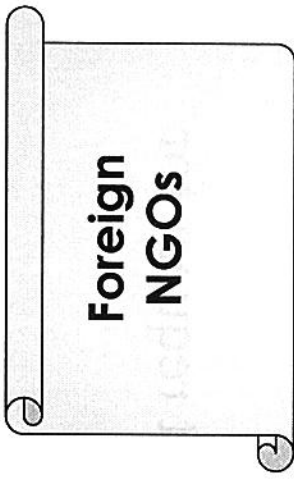
CEC



DECs



International observers



Which is the period for observation

- ⦿ Observers can perform their activity on elections day and also in the periods before, during and after the elections.
- ⦿ The accredited observers may continue their activity in the second round of elections, as well as during the repeated elections/ referendum.
- ⦿ Observers can be accredited before the electoral period.
- ⦿ Electoral competitors can submit request for accreditation after being officially registered.
- ⦿ International and foreign institutions can submit request for accreditation after being invited by the CEC.

Observers rights



- Assist, without interfering in the process, to all electoral procedures.
- Inform the chairman of the PEB about the observed irregularities.
- Obtain copies of protocols/decisions of EMBs.
- After coordination with chairman of the election authority, make video and audio records, take pictures of the ongoing electoral process.
- If necessary, be accompanied by a translator (international observers).
- International observers benefit from the assistance from the protocol office.
- National observers May submit notifications to the chairman of the EMB on the revealed irregularities.

Observers obligations

- ⦿ Be impartial in carrying out their duties.
- ⦿ Fulfill their obligations in a correct manner, not interfere with the election process.
- ⦿ Wear the badge issued by the election authority.
- ⦿ Not wear in visible places symbols, object etc. that belong to election candidates.
- ⦿ Not give instruction or take actions that contradict with decisions of the election authorities.
- ⦿ Fill out the statistical form regarding the polling station that they supervised.
- ⦿ Avoid making any kind of comments in public about their observations until closing of polling stations.
- ⦿ Know and respect the legislation of the Republic of Moldova and provisions of the Regulation.

Cooperation between CEC and observers

- ⦿ Regular meetings at the CEC.
- ⦿ Invitation of the observation missions to the CEC events/activities.
- ⦿ CEC sends regular press releases and other important information regarding the organization of elections.
- ⦿ CEC offers relevant information, materials, consultancy, upon request (by phone, fax, e-mail).
- ⦿ Assistance offered through the International Observers Protocol Office.
- ⦿ Assists other institutions in organizing trainings for the observers (upon request).
- ⦿ Participation of CEC representatives at the briefings organized by observation missions.
- ⦿ CEC receives and analyzes the monitoring reports of the observation missions.



Briefing for observers, CEC, 3rd of June 2011.

NOTE! All the expenses linked to the observation activities are covered by the institution that nominates observers or by the observer himself.

International Observers Protocol Office (1)

Is created by the decision of the CEC and has 9 members.

Includes representatives of:

- Central Electoral Commission
- State Chancellery (Government)
- Ministry of Foreign Affairs and European Integration
- Ministry of Transport and Roads Infrastructure
- Ministry of Culture

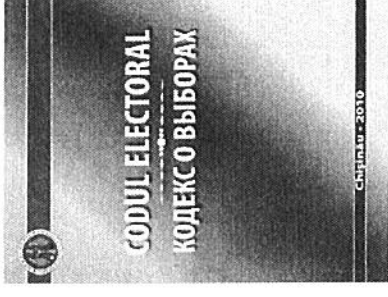
International Observers Protocol Office (2)

Functions:

- ◎ organization of the meeting and lodge for the observers;
- ◎ registration of accreditation documents at the CEC and issuance of the observer's card;
- ◎ coordination of actions with the CEC regarding the assurance of the observer's activity;
- ◎ coordination with CEC the issue of organizing trips and meetings upon request;
- ◎ accumulation of information on elections from international observers and its generalization;
- ◎ arrange briefings with the participation of international observers;
- ◎ other type of assistance.

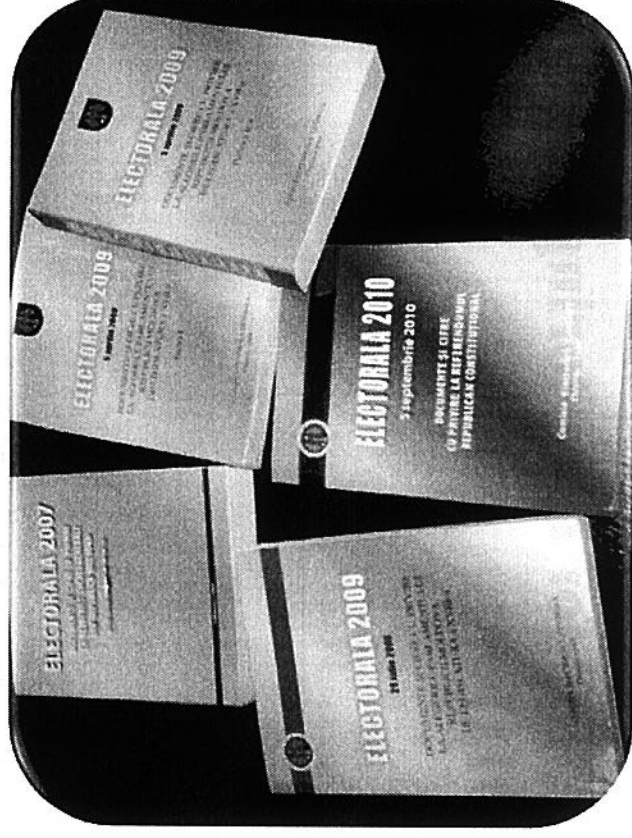
Information/Training materials produced by the CEC (1)

- Electoral Code
- Guide for the international observers
- Manuals for the DEC I members
- Manuals for the DEC II members
- Manuals for the PEB members
- Methodological guides for the chairmen of the DEC
- Training movie for the PEB members and a special guide for it

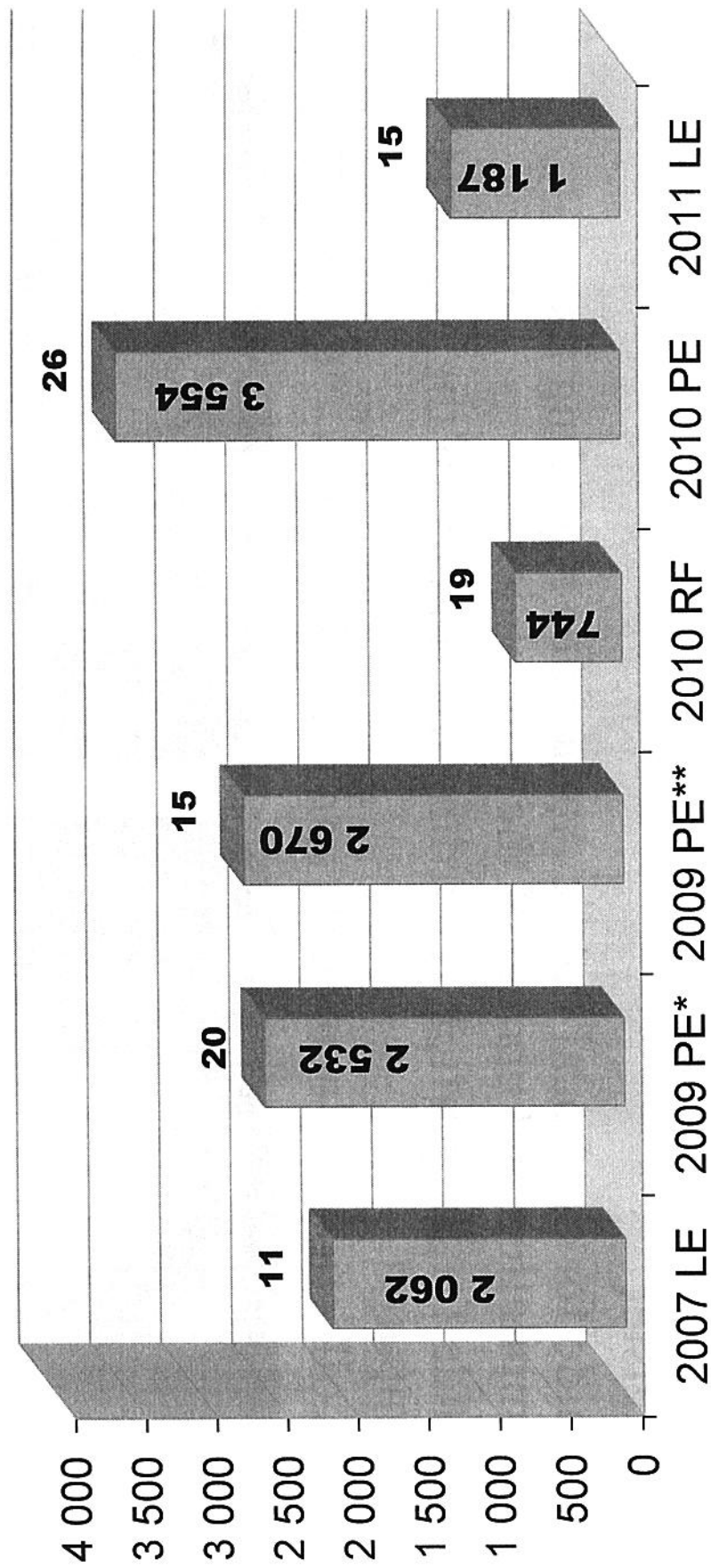


Information/Training materials produced by the CEC (2)

- Guide for the operators of the electronic transmission data system
- Guide for the operators of the pilot-project “Electronic Voters’ Register”
- Guide for the Local Public Authorities regarding the compilation and update of the voters’ list
- Guide for the parties, regarding the finance of the electoral campaign
- A collection of documents and statistical data – “Election”

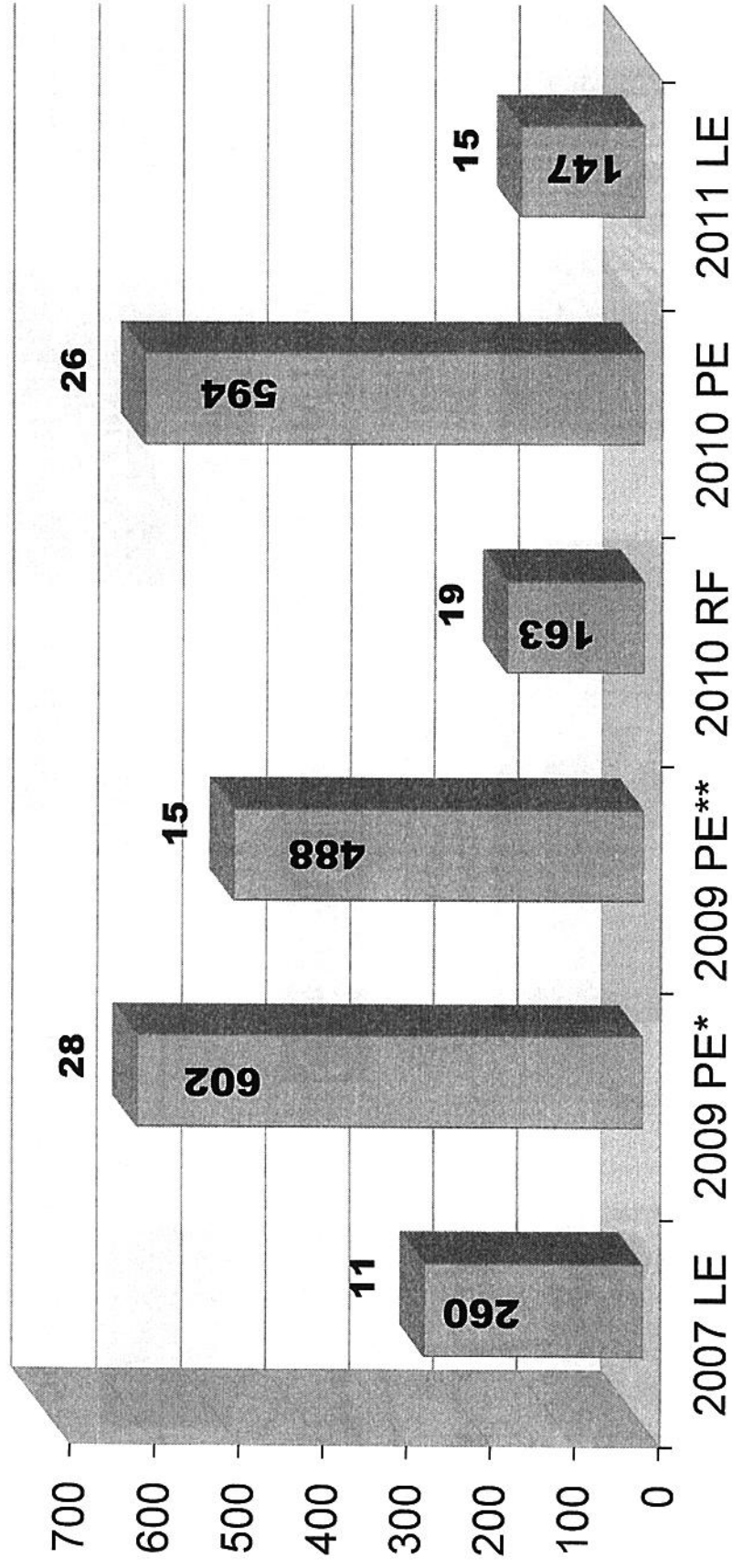


National observers accredited by CEC for monitoring elections (2007-2011)



*Parliamentary elections 5th of April 2009
 ** Early parliamentary elections 29th of July 2009

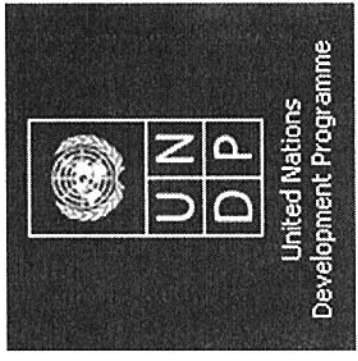
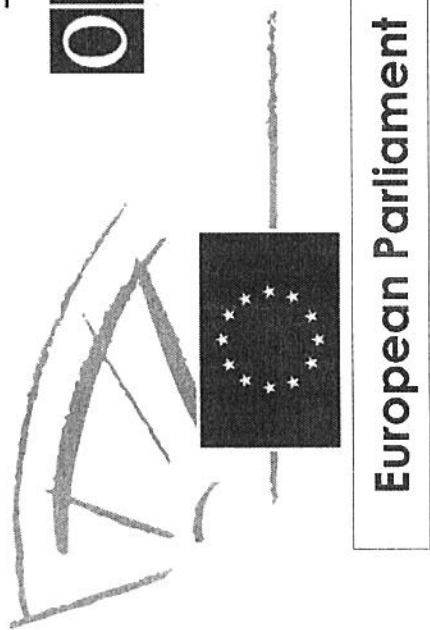
International observers accredited by CEC for monitoring elections (2007-2011)



*Parliamentary elections 5th of April 2009

** Early parliamentary elections 29th of July 2009

Main international organizations that are monitoring elections from the Republic of Moldova



Post-monitoring Collaboration (I)

- **Information Visits** (experts OSCE/ODIHR - to review progress in implementing the State Automated Information System "Elections" (SIAS "Elections") and the Commission's efforts to improve voter registration system, Kishinau, March, 2012)
- **Summit Meetings** (OSCE/SHDM (Supplementary Human Dimension Meeting) - "Democratic elections and election observation.", Vienna, July, 2012)
- **Conferences** (the 10th European Conference of Electoral Management Bodies - "The Code of Good Practice in Electoral Matters: strengths and potential developments", Venice Commission, Central Election Commission of the Republic of Moldova, Kishinau, June, 2013)

Post-monitoring Collaboration (II)

■ Round Tables

- “Promo-LEX” Association, European Exchange (Germany) and Civic Coalition for Free and Fair Elections: “The role of observers in the electoral process. Importance of Codes of Conduct“, Kishinau, June, 2012;
 - CEC and OSCE/ODIHR: presentation of the Report assessing the implementation of the State Automated Information System “Elections” (SIAS “Elections”) and voter registration system in Moldova, Kishinau, July, 2012.
-
- **Joint meetings of the working group** – CEC, Venice Commission and OSCE/ODIHR, Kishinau, January, 2013.

Challenges

- Submission of incomplete documents for accreditation, without respecting the legal term
- Poor preparation of some monitoring institutions
- Not all monitoring missions are presenting reports during and after elections
- Violent, inappropriate, incorrect and unprofessional behavior of some observers
- The Moldavian legislation doesn't stipulates very harsh punishment of these offenses
- Incompatibility of the the status of the observer with other positions



Thank you!

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