



Fundamental rights generally respected in competitive Moldovan elections, though campaign tainted by violations, international observers say

CHISINAU, 25 February 2019 – Moldova’s 24 February parliamentary elections were competitive and fundamental rights were generally respected, but the campaign took place against the backdrop of disaffection with public institutions and was tainted by allegations of pressure on public employees, strong indications of vote buying and the misuse of state resources, the international observers concluded in a preliminary statement released today.

Control and ownership of the media by political actors limited the range of viewpoints presented to voters, the observers said. Most aspects of the elections were administered in a professional and transparent manner, and the observers assessed the voting positively, despite difficulties and confusion caused by the introduction of a new electoral system and the concurrent holding of a referendum, which caused problems in counting procedures.

“This was an active, hard-fought and polarized campaign in generally well-run elections. It is no secret that there is overall disappointment among citizens in political processes and institutions here,” said George Tsereteli, Special Co-ordinator and leader of the short-term OSCE observer mission. “I call on my newly elected parliamentary colleagues to now deliver on promises, address the problems we identified, and meet the expectations of the people.”

These were the first elections held under the new mixed electoral system, which was adopted without inclusive public debate and consultation. Under the new system, 50 members of parliament are elected through proportional representation from national party lists and 51 in single-member constituencies.

“The changes to the electoral system and the concurrent holding of the referendum clearly led to confusion, both on the part of voters and some polling station workers,” said Rebecca Harms, Head of the EP delegation. “The decision by the Central Election Commission that only holders of valid passports could vote abroad came just six weeks before election day, and departed from practice in past elections, where holders of national ID cards could also vote. There were concerns about the motives behind this decision.”

The legal framework generally provides an adequate basis for conducting democratic elections, and recent amendments partially addressed some previous recommendations by the OSCE Office for Democratic Institutions and Human Rights and the Council of Europe’s Venice Commission. These elections demonstrated, however, that important issues remain to be addressed, including the application of provisions against the misuse of state resources, loopholes concerning the use of charities to finance campaigns, and the concentration of media ownership.

Substantial recent amendments to party and campaign finance regulations addressed some previous recommendations, but other key recommendations remain unaddressed, particularly those to enhance the supervision and enforcement of party and campaign finance rules and strengthening sanctions. According to the CEC, it lacks sufficient human resources to monitor campaign finance effectively, and it conducted inquiries only in response to complaints.

Claude Kern, Head of the PACE delegation, said: “Election day was generally well organized. As demonstrated by the campaign, the new electoral system regrettably confirmed the main concerns raised

by the Council of Europe's Venice Commission, in particular the lack of effective mechanisms to prevent undue influence by wealthy businesspeople, combined with a poor system of supervision of party and candidate funding, and inadequate penalties.”

The media landscape is diverse, with television as the main source of political information, followed by online media. Media monitoring showed that some national TV channels did not comply with the legal requirement to provide fair, balanced and impartial campaign coverage.

Most technical aspects of the election were managed professionally at all levels, and election commission sessions were open to observers and media. Women were well represented at all levels of election administration. The lack of clarity over jurisdiction to hear complaints and the CEC's view that it could not overrule district committee decisions on candidate registration resulted in the denial of the right to an effective remedy in a number of cases.

“The prominent role that women play in running elections was on display yesterday in polling stations across the country,” said Kari Henriksen, Head of the OSCE PA delegation. “Considering that women are the majority of the population, political leaders must assume their responsibility to step up and effectively translate this into equal political power and representation.”

In an inclusive process, the CEC registered all 14 parties and one bloc that submitted national lists. Of the 632 candidates on national lists, 264 are women, but only 49 were in top 10 positions. There were 325 candidates registered in single member constituencies, of whom 70 are women and 58 ran as independents.

“The elections offered voters a wide choice of political alternatives, the campaign was competitive and fundamental rights were respected, but reports of pressure on public employees, vote-buying and the misuse of state resources have to be addressed to increase public confidence in elections,” said Matyas Eörsi, Head of the ODIHR election observation mission. “We hope the authorities will follow up on the recommendations contained in our final report on these elections to address these issues.”

Citing security considerations, the CEC changed the locations of 31 of 47 polling stations opened for the first time specifically for voters residing in Transnistria. One major contesting party alleged this was a government attempt to reduce the number of votes from Transnistria. The CEC established 123 polling stations in 37 countries for out-of-country voting, an increase from previous elections. The lack of transparency in how these polling stations were allocated contributed to a perception that the decision was made for political reasons.

Candidate, citizen and international observers have broad rights, including the right to attend sessions of all election commissions and to receive results protocols, and contributed to transparency. Citizen observers conducted long-term observation, deployed short-term observers on election day and conducted a parallel vote tabulation.

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