



**Report of the Canadian Parliamentary Delegation
respecting its participation at the Election Observation Mission of
the OSCE Parliamentary Assembly**

**Canadian Delegation to the Organization for Security and
Co-operation in Europe Parliamentary Assembly (OSCE PA)**

**Chisinau, Moldova
November 30, 2014**

Report

On Sunday, November 30, 2014, a Canadian delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly (OSCE PA), composed of the Honourable Senator Ghislain Maltais, Mr. Harold Albrecht, M.P. and Mr. Peter Stoffer, M.P., participated in an election observation mission that monitored the parliamentary elections held in Moldova.

A. The Election Observation Mission in Moldova

A key element of the OSCE's mandate is the promotion of democratic elections. To this end, the Canadian delegation to OSCE PA has participated in numerous international election observation missions. As a community of countries committed to democracy, the OSCE has placed great emphasis on promoting democratic elections as a key pillar of stability. All OSCE participating States have committed themselves to invite international observers to their elections, in recognition that election observation can play an important role in enhancing confidence in the electoral process. Deploying election observers offers demonstrable support to a democratic process and can assist OSCE participating States in their objective to conduct genuine elections in line with OSCE commitments.

The OSCE election observation mission in Moldova was a common endeavour, involving the Office for Democratic Institutions and Human Rights (ODIHR), the OSCE PA, the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP). The mission was deployed at the invitation of the Moldovan authorities and based on the recommendation of a Needs and Assessment Mission (NAM) conducted from September 2 to 5, 2014.

On election day, over 400 observers from 43 countries were deployed, including 307 long-term and short-term observers deployed by the OSCE/ODIHR, a 63-member delegation from the OSCE PA, a 30-member delegation from PACE, and a 13-member delegation from the EP.

Activities of the Canadian Delegation

Canadian delegates attended briefing sessions provided by the OSCE for parliamentarians on November 28-29, 2014, in Chisinau, Moldova. Over the course of the two days, delegates were provided with an overview of the political background to the elections. They were also briefed on the administration of the elections, as well as the process for election-day reporting and statistical analysis.

On Sunday, November 30, 2014, the delegates were deployed across Chisinau to observe the elections. The delegates observed several aspects of the election process and they reported regularly on their observations throughout the day by completing observation report forms at each polling station visited and submitting them to their assigned long-term observers.

B. Preliminary Findings and Conclusions

The Statement of Preliminary Findings and Conclusions issued by the International Election Observation Mission (IEOM) on December 1st 2014 concluded that “the 30 November elections offered voters a wide choice of political alternatives. The campaign was influenced by the country’s geopolitical aspirations and the late deregistration of one electoral contestant raised questions about timing and circumstances. Contestants enjoyed unimpeded access to the media; however, most outlets, with notable exceptions including the public broadcaster, were subject to political interference. The election administration enjoyed the confidence of most stakeholders and the process was generally well administered, with the exception of the functioning of the new electronic system for the processing of voters on election day.”¹

The Central Election Commission (CEC) registered 26 contestants (21 political parties, 1 electoral bloc and 4 independent candidates), resulting in a diverse choice of political alternatives for voters. Legal provisions allowing for the staggered start of campaigning, based on the date of their registration, negatively affected the equality of campaign opportunities of different contestants. Parties and blocs could change their candidate lists up until November 22 and all but five did so. Prior to inclusion on the lists, some prospective candidates took advantage of this provision and continued working in their capacities as senior government officials, blurring the distinction between public office and campaigning.

The campaign was broadly focused on geopolitical issues such as engagement with the European Union and the Eurasian Customs Union, as well as on individual political figures. The number and locations of polling stations abroad were widely discussed during the campaign, as was the ongoing conflict in and around Ukraine. A number of contestants spoke about the importance of an inter-ethnic dialogue. Candidates generally campaigned both in the state language and in Russian.

Two key cases influenced the campaign and raised concerns over the perceived selective use of the justice system, the effect the decisions had on the choice available to voters, and the lack of effective legal remedies for the affected contestants. The first case related to the deregistration of one contestant a day before elections. The second was the extension into the campaign period of a legal challenge aimed at stopping a party with a logo and name similar to those of another contestant from running in the elections.

The media enabled contestants to convey messages to the electorate overall, and offered voters diverse campaign information. Nevertheless, significant ownership concentration of broadcast media and their association with political actors influenced editorial freedom and resulted for some in self-censorship and limited analytical reporting. The national media oversight body failed to apply effective sanctions to the outlets for repeated unbalanced coverage, as required by law.

Election day generally proceeded in an orderly manner, but considerable technical deficiencies were noted throughout the voting and counting processes related to the

¹ The complete statement is available at : <http://www.e-democracy.md/files/elections/parliamentary2014/preliminary-statementent-osce-elections-2014-en.pdf>

functioning of the electronic system for processing voters' data. Despite this, the Precinct Electoral Bureaus (PEBs) generally respected the procedures. The counting process slightly deteriorated, as some of the Precinct Electoral Bureau (PEB) members were lacking knowledge of counting procedures and/or were not implementing them correctly. One fifth of PEBs observed could not process the results electronically, which affected the tabulation at the district level. PEB results protocols were published on the CEC website in real time. The turnout announced by the CEC was 57.28 per cent. On 9 December, the Constitutional Court validated the results.

The electoral dispute resolution mechanism was used robustly by contestants. Complaints were generally handled satisfactorily by the Central Election Commission (CEC) and the courts. However, complaints from parties other than electoral contestants were not addressed pursuant to the Election Code's procedure and were instead addressed informally or by a longer procedure of the Law on Petitions, de facto not providing for effective remedy. Additionally, transparency of the complaints process would have been enhanced if the CEC posted all complaints and appeals and the subsequent decisions online.

The Election Code provides for observation by international and citizen organizations, as well as representatives of contestants. A significant number of citizens and international observers were accredited for the elections. Contestant and citizen group observers were present in almost all of the polling stations and tabulation centres. Promo-LEX, a citizen observer group undertook comprehensive observation of the election process, which consisted of monitoring campaign finance, producing voter information and education spots, and long-term and short-term observation of the elections, including through parallel vote tabulation.

The amendments to the Election Code in April 2014, which included the increase of thresholds to enter the parliament and the implementation of a centralized State Register of Voter (SRV), partly addressed previous OSCE/ODIHR recommendations but the Election Code continues to contain vague and inconsistent provisions that pose challenges in terms of effective application of the law. Several of significant changes to the Election Code failed to be adopted and remain pending in parliament. Among them are inclusion of gender quotas for party lists and modifications to party and campaign finance regulations.

The full report, prepared jointly by the OSCE PA, ODIHR, PACE and EP missions, is available in English at the following site:
<http://www.osce.org/odihr/elections/moldova/144196?download=true>

Respectfully submitted,

Mr. Dean Allison, M.P.
Director

Canadian Delegation to the Organization for Security and Co-operation
in Europe Parliamentary Assembly (OSCE PA)

Travel Costs

ASSOCIATION	Canadian Delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly (OSCE PA)
ACTIVITY	Election Observation Mission of the Parliamentary Assembly of the Organization for Security and Co- operation in Europe (OSCE PA)
DESTINATION	Chisinau, Moldova
DATES	November 30, 2014
DELEGATION	
SENATE	The Hon. Ghislain Maltais, Senator
HOUSE OF COMMONS	Mr. Harold Albrecht, M.P. Mr. Peter Stoffer, M.P
TRANSPORTATION	\$ 28,321.89
ACCOMMODATION	\$ 3,924.43
PER DIEMS	\$ 1,135.38
INTERPRETATION	\$ 284.26
TOTAL	\$ 33,665.96 (this amount was funded by the Department of Foreign Affairs, Trade and Development)