

	<p><b>Evropská volební studia</b> <b>European electoral studies</b></p>
	<p>Institut pro srovnávací politologický výzkum Institute for Comparative Political Research</p>

**The Politics of Electoral Reforms in Post-Communist Countries**  
**The 6 March 2005 Parliamentary elections in the Republic of Moldova**

**Snejana Sulima** ([snejanasulima@yahoo.com](mailto:snejanasulima@yahoo.com))

Université Montesquieu Bordeaux IV, *Centre d'Etudes et de Recherches sur les Balkans*  
([cereb@u-bordeaux4.fr](mailto:cereb@u-bordeaux4.fr))

**Abstract:**

*The article deals with the March 6<sup>th</sup> 2005 parliamentary election in the Republic of Moldova. It mentions the changes that occurred in the electoral system after the 1991 declaration of independence of the country. The article cites electoral legislation, describes the running of the electoral process and analyses the election results of the 2006 process. It also contains information about the implication of international bodies in the Moldavian elections.*

*Keywords: Republic of Moldova, parliamentary elections, electoral regulations, the running of electoral process, election results.*



Projekt "Evropská volební studia" byl zpracován v rámci Výzkumného záměru Ministerstva školství, mládeže a tělovýchovy České republiky "Politické strany a reprezentace zájmů v soudobých evropských demokraciích" (kód 0021622407).

## **Introduction**

The electoral reform in the Republic of Moldova started in 1993, beginning with the adopting of the Parliamentary election Law. The purpose of this reform was to substitute the majoritarian electoral system with a limited proportional system. Because of the Transdnesteria problem, the Parliament was forced to choose the establishment of only one national constituency<sup>1</sup>, accepting in the end the complete electoral system (one country – one constituency).

After the declaration of independence on the 27<sup>th</sup> of August 1991, in the Republic of Moldova, eight electoral campaigns were carried out based on multi-party principles, of which, four campaigns were for Parliament elections. Although in this period electoral legislation suffered several modifications, the differences that persisted did not permit a simultaneous holding of different types of elections. The adopting of the Electoral Code in 1997 was meant, first and foremost, to standardise all the procedures regarding the elections by codifying them.

On July 5<sup>th</sup> 2000, the Parliament adopted a series of constitutional changes, which reduced the power of the President in certain areas, while strengthening those of Parliament and Government instead. Most importantly, the President was to be elected by the Parliament with a three-fifths majority in the future (Law of Republic of Moldova No.1115-XIV of 05.07.2000).

In the opinion of the international observers (OSCE/ODIHR Election Observation Mission Final Report 2005: 4) between 2001 and 2005, Moldova enjoyed institutional stability and witnessed noticeable changes, characterized by the readiness of political parties to achieve a degree of social accord and consolidation of centrist political forces. At the same time, particularly as the elections approached, there was a growing acrimony between the ruling party and the opposition. The situation was aggravated by the resurgence of national cleavages around linguistic and cultural issues, and the country's geopolitical orientation.

The March 6<sup>th</sup> 2005 elections constituted the fourth competitive election of the Moldavian Parliament since the country's independence in August 1991. These elections came by the end of the regular mandate of the Parliament elected in 2001,

---

<sup>1</sup> In this way the citizens living in Transdnesteria region were given the possibility to vote in the polling stations opened especially for them on the right shore of the Dnester River, responding in this way to the challenges regarding the impossibility of opening polling stations on the left Dnester shore.

in which the Communist Party of the Republic of Moldova (PCRM) held a comfortable majority of 71 seats. Only two other political formations were represented in the outgoing Parliament: the Braghiş Alliance, which held 19 mandates, and the Christian Democratic People's Party (PPCD) with 11 seats.

### **1. Electoral Regulations**

The main legal basis for the conduct of elections and referenda in the Republic of Moldova is the Electoral Code, adopted in November 1997 and amended several times since. The Electoral Code is a comprehensive, largely cohesive body of regulations that covers all elections and referenda taking place in the Republic of Moldova. It can provide an adequate basis for a democratic election, if there is the political will to implement it in good faith. In addition to the Electoral Code, the legal framework for elections also includes the Constitution of the Republic of Moldova, the Law on Political Parties and Socio-Political Organizations, the Law on the Organization and Running of Assemblies, CEC regulations and other legislation.

Overall, campaign activities as regulated by the Electoral Code (Article 47) provide a legal framework that is consistent with internationally recognized standards, ensuring the observance of fundamental human rights and freedoms. The Moldavian electoral system and its Electoral Code have been subject to a number of recommendations for improvement, by the OSCE/ODIHR and the Venice Commission of the Council of Europe over the past years.

In July 2004, the Council of Europe's Venice Commission and the OSCE/ODIHR issued Joint Recommendations aimed at improving election legislation and administration. The recommendations highlighted issues such as: the need to lower the representation threshold; the registration criteria for political parties; the secrecy of the vote; the scrutiny of voter lists; more transparent counting procedures; and more detailed rules for the use of public infrastructure during election campaigns. None of these recommendations have been addressed so far, although most had been made by the OSCE/ODIHR or the Council of Europe as early as 2001, and have been repeated since.

Parliamentary elections in the Republic of Moldova are held according to a complete proportional electoral system: one country – one constituency. The

distribution of the deputies' mandates is made on the grounds of Victor d'Hondt's formula. The independent candidates registered by the Central Electoral Commission appear on the same ballot as the political parties and with the electoral blocks that have registered lists of the candidates. The electorate has only one option for an electoral candidate: either a party, an electoral block or an independent candidate.

## **2. The running of the electoral process**

The March 6<sup>th</sup> 2005 Parliamentary elections were the 4<sup>th</sup> electoral contest of this kind after electoral reform had been made. In order to organize the poll, 1,970 polling stations had been opened on the entire territory of the Republic of Moldova and abroad, as parts of the 37 second level constituencies<sup>2</sup>.

### *2.1. Electoral bodies*

Parliamentary elections in Moldova are organized and conducted by the Central Electoral Commission (CEC), 37 District Electoral Commissions (DEC), one for each second-level administrative territorial unit, and 1,970 Polling Station Election Bureaus (PSEBs). The CEC is an independent, permanent body of nine members. Three of these members are appointed by the President, three by the Parliament and three by the Supreme Council of Magistracy, for a six year mandate.

DECs and PSEBs are temporary bodies appointed for each election by the CEC and the competent DEC respectively. DECs have between 7 and 11 members, and PSEBs between 5 and 11 members. Each election contestant is entitled to appoint one non-voting member to the CEC and DECs, and representatives to PSEBs. The law requires that members of election commissions should not be members of parties or other socio-political organizations and should not be members of local councils (Article 19, Electoral Code).

The Electoral Code does not regulate in detail several areas of election administration, leaving a wide margin of discretion for the CEC to address them<sup>3</sup>.

---

<sup>2</sup> Of the entire number of polling stations, 9 of them were opened for the Moldavian citizens of the Transdnestria region, in towns administrated by Chisinau's authorities, and 23 polling stations in Moldavian diplomatic missions and consular offices abroad.

<sup>3</sup> The CEC issued a large number of decisions. These concerned the right of students to vote in their place of temporary residence; the Concept for the Reflection of the Election Campaign for Parliamentary Elections in the Broadcasting Institutions; the validation of expired identification

During the pre-election period, election commissions at all levels generally functioned efficiently. The level of engagement, however, varied from one DEC to another, with some needing more guidance from the CEC than others. Many contestants professed a lack of confidence in the impartiality and professionalism of certain DECs. Furthermore, DECs and PSEBs work was, at times, hampered by the CEC's failure to provide detailed and clear instructions in a timely manner (OSCE/ODIHR Election Observation Mission Final Report 2006:7).

Regrettably, not all CEC decisions were published in the Official Gazette, a fact that restricted public access to its work and its commitment to transparency. Although the CEC published its decisions on its official website, the website was updated with delays, and not all CEC decisions were posted before Election Day. After Election Day, only limited information was to be found on the website, and again, with a considerable delay. Decisions deemed important by the CEC were published in the state-owned newspapers *Moldova Suverană* and *Nezavisimaia Moldova*.

## *2.2. Election contestants*

Political parties registered with the Ministry of Justice, electoral blocks of such parties, and independent candidates can run in parliamentary elections. Independent candidates must submit between 2,000 and 2,500 support signatures to be registered. The threshold for parliamentary representation is six percent for parties running individually, nine percent for electoral blocks of two parties, 12 percent for coalitions of three or more parties, and three percent for independent candidates. For a parliamentary election to be valid there must be at least a 50 percent voter turnout.

The Law on Political Parties and Socio-Political Organizations prohibits foreign funding of political parties. Violations of this rule could result in the deregistration of a party. Under the Electoral Code, electoral competitors are obliged to open a bank account specified as "Electoral Account", to which funds granted by natural and legal persons shall be transferred. The CEC should establish a ceiling for such grants. For

---

documents for voting purposes; the assignment of polling stations for Moldovan citizens residing in Transdnistria; and the accreditation of observers.

the March 6<sup>th</sup> elections, the ceiling was set at 2.5 million lei (approximately 150,000 Euro) for parties and electoral blocks, and at 100,000 lei (around 6,000 Euro) for independent candidates. All electoral campaign expenses must be paid from the Electoral Account, and regular bi-weekly reports have to be sent by electoral competitors to the CEC (Article 38, Electoral Code). These disclosure reports were public. As reported by the CEC, none of the electoral candidates exceeded the ceiling established for campaign financing. Nevertheless, both the CEC and some parties expressed concerns with regard to the lack of provisions requiring the disclosure of funding sources, as well as the actual level of campaign expenditures. Addressing these issues has the potential to significantly enhance transparency on the issue of campaign finance.

In the Parliamentary poll of 2005, 23 electoral candidates participated, of whom, 2 electoral blocks: "Moldova Democrată"/"The Democratic Moldova" (BMD) which comprised three more political parties and "Patria-Родина"/"The country" (BEPR); nine parties: the Communist Party of the Republic of Moldova (PCRM), the Christian Democratic Popular Party (PPCD), the Social-Democrat Party of Moldova (PSMD), the Social-Political Republican Movement "Ravnopravie" (MSPRR), the Central Union of Moldova (UCM), the Workers' Unity Party "Patria-Родина" (PUMPR) /"The Country", the Peasants' Christian Democratic Party of Moldova (PȚCDM), the Republican Party of Moldova (PRM), the Party of Social-Economic Justice of Moldova (PDSEM); and 12 independent candidates.

### *2.3. Electoral campaign*

The ruling Party of Communists of the Republic of Moldova (PCRM), which won the election in 2001 on a communist platform, asserted to have evolved into a European, pro-market and social-democratic orientation. The Christian Democratic People's Party (PPCD), popular among part of the Romanian-speaking electorate, was strongly advocating the integration of Moldova into the European Union. PPCD had based its electoral campaign on the declaration of a close relations with the pro-European parties from Ukraine, Georgia and Romania who had won elections in campaigns previous to the one in Moldova. The Electoral Block "Moldova Democrată" (BMD), which was the result of a consolidation process in the political centre, called

for the restoration of close relations with the Russian Federation and the Commonwealth of Independent States, while at the same time professing to be in favour of Moldova's entry into the European Union. The Social Democratic Party of Moldova (PSDM) focused its electoral program on small entrepreneurs and on an increased participation of citizens in public affairs. Finally, the Electoral Block "Patria-Rodina" had a strongly pro-Russian and far-left orientation.

#### *2.4. Voters*

The 64.84% of the voters registered on the electoral lists participated in the poll. The highest rate was found in the Basarabeasca town, while the lowest participation rate – in Chisinau city.

Voter education provided by the CEC was limited, and local efforts were generally restricted to the distribution of voter notifications. Given the fact that voting procedures were subject to changes up until a very late stage of the pre-election period, and those new procedures were introduced compared to previous polls, it is likely that voters lacked a clear understanding of the process.

Student voting became politically charged during the pre-election period<sup>4</sup>. The CEC addressed the issue, on 8 February, by permitting full time students to vote at their places of temporary residence (places of study), even if not registered, and disseminated its decision through state media. Students were allowed to obtain an AVC from the CEC or from the respective DEC, rather than at their places of permanent residence. However, the estimated number of students possibly affected by the issuance of AVCs proved to be exaggerated (OSCE/ODIHR Election Observation Mission Final Report 2006: 8).

---

<sup>4</sup> The Federation of Students and Youth Organizations of Moldova, supported mainly by BMD, requested that polling stations be established in educational institutions and that students be allowed to vote there. Several public gatherings of limited numbers were held to support this request. Student activists maintained that it would be too expensive and time consuming for most students to travel to their place of permanent residence to obtain a regular AVCs before election day or to vote there, despite the fact that students are entitled to free transport at regular intervals and that the elections were held on a long weekend with four non-working days (OSCE/ODIHR Election Observation Mission Final Report 2006: 8).

#### 2.4.1. Electoral participation of women

The Constitution of Republic of Moldova (Article 16) as well as the Moldavian Electoral Code (Article 3), provides the equal participation of men and women in elections. Still women are under-represented in the Legislative body of the country and in political life in general. In the 2001 Parliament women represented only 9.8% of members (10 of 101 seats).

For the 2005 parliamentary elections, the share of women running for eligible positions increased and the number of women elected more than doubled, from ten to 21 (20,8%). Of these, 11 were elected from the list of the PCRM, 19.6% of the 56 member PCRM parliamentary group. Five women were elected from each the BMD and the PPCD lists, 14.7% and 45.4% of elected MPs, respectively. The PPCD participated in the elections with a balanced list in which men and women were ranked in alternation (OSCE/ODIHR Election Observation Mission Final Report 2006: 18).

On the other hand, international observers noted that women were well represented in the election administration and many women were also acting as election observers for political parties and non-partisan domestic organizations. IEOM observers reported that on Election Day, around three quarters of PSEB members in visited polling stations were women. In the DEC's visited on election night, 42% of members were women.

#### 2.4.2. Electoral participation of national minorities

The largest minorities of Republic of Moldova are the Ukrainians, Russians, Roma, Gagauz, Bulgarians and Jews.

In the joint opinion of the Electoral Code of Republic of Moldova, made by the Venice Commission and the OSCE/ODIHR, it is specified that: "Consideration could be paid to electoral systems meeting the distinct objectives of ensuring further consolidation of the political system and permitting an adequate participation in public life of national minorities and mainstream interests at regional level, as described in the OSCE-ODIHR Guidelines to Assist National Minority Participation in

the Electoral process”<sup>5</sup>. While the Election Code does not impede on the participation in elections of minority candidates or voters, registration requirements in the Law on Political Parties and Socio-Political Organizations, combined with legal thresholds for eligibility to participate in the allocation of parliamentary seats, have proven disadvantageous for the formation of parties representing minority communities and regionally based parties.

Minority related issues were not a very important topic for discussion during the course of the 2005 elections. Some parties and independent candidates, including the PCRM and PPCD, addressed such issues in a general manner. BMD broadcasted a spot on the main TV channels, where minority representatives voiced support for the bloc’s electoral platform. The PPCD translated its electoral platform into five languages, in a specific effort to target minority voters. Some contestants were perceived as representing the Russian minority’s interests. The issues of the Ukrainian minority, the largest one according to the 1989 census, were not part of the public debate, apart from the right to use the Ukrainian language in education and public administration.

---

<sup>5</sup> European Commission for Democracy through Law (Venice Commission), *Joint opinion on the Electoral Code of Moldova as amended on 22 July, 4 and 17 November 2005 by The Venice Commission and OSCE/ODIHR*, CDL-AD(2006)001, Strasbourg/Warsaw, 20<sup>th</sup> March, 2006, p. 25.

**Table 1.** Voter turnout in parliamentary elections of 6 March, 2005

District	Voters	%
<b>Total per country</b>	<b>2,430,537</b>	<b>64.84</b>
Chişinău	618,075	55.03
Bălţi	92,415	57.45
Anenii Noi	59,722	68.37
Basarabeasca	16,215	82.01
Briceni	54,052	71.8
Cahul	77,905	69.04
Cantemir	35,494	78.4
Călăraşi	49,357	71.55
Căuşeni	60,895	65.81
Cimişlia	34,557	75.49
Criuleni	50,453	67.31
Donduşeni	33,569	68.43
Drochia	62,864	67.87
Dubăsari	25,344	66.56
Edineţ	60,701	67.89
Făleşti	59,675	73.82
Floresti	62,297	73.91
Glodeni	43,729	65.36
Hânceşti	77,798	65.69
Ialoveni	68,512	62.73
Leova	32,558	74.49
Nisporeni	40,477	68.71
Ocniţa	36,631	76.42
Orhei	86,273	64.31
Rezina	33,857	74.65
Râşcani	49,146	71.01
Sângerei	57,492	69.97
Soroca	67,677	68.47
Străşeni	62,440	65.96
Şoldăneşti	29,051	71.55
Ştefan Vodă	49,030	65.67
Taraclia	30,074	71.7
Teleneşti	47,930	71.96
Ungheni	72,179	66.54
U.T.A. Găgăuzia	92,057	60.64

Source: <http://www.alegeri2005.md/results/activity/>

### 2.5. Mass media

In addition to Article 47 of the Electoral Code, two CEC decisions, the “Concept for the Reflection of the Election Campaign for the Parliamentary Elections in the Broadcasting Institutions” (CEC Decision No. 608 of 6 January 2005) (the Concept), and the “Regulation on the Coverage of the Election Campaign for the

Parliamentary Elections in the Mass Media" (CEC Decision No 613) (the Regulation), had relevance to the campaign in the media.

The Audiovisual Coordinating Council (*Consiliul Coordonator al Audiovizualului*, CCA) is the body in charge of overseeing broadcast media, but according to the president of the CCA, during the election campaign, the CEC was the only body which could sanction broadcasters. No sanctions were imposed during the campaign period.

According to the legal framework, private broadcasters may decide not to cover the election campaign; a choice made by most private channels. In contrast, all public broadcasters were obliged to offer free prime-time coverage for the electoral campaign and debates, distributed equally among all registered contestants (CEC Regulation No.613 of 8 January 2005). Additionally, every party or block could buy airtime.

Legal provisions limited the possibilities for parties and candidates to present themselves outside electoral programs, and for the media to cover campaign events. The ambiguous language of Article 47 of the Electoral Code, advising TV and radio news programs to cover the campaign activities of electoral contestants, combined with Item 46 of the Concept, that electoral issues could be reflected in the news bulletins only as press news, appeared to generate confusion as to what news bulletins could cover.

The result was disadvantageous for opposition parties since the coverage of governmental and presidential activities was still possible, although such coverage was to be limited to official activities. In order to mitigate this imbalance, the CEC adopted a decision on February 10<sup>th</sup> which prohibited the physical appearance of government officials running as candidates on TV news, except for special cases. This decision was widely interpreted as applying to all candidates and not only to those holding public office, and did not result in a more balanced coverage of contestants' activities, but further reduced the amount of political information made available to the electorate (OSCE/ODIHR Election Observation Mission Final Report 2006: 12).

The amount of time dedicated to voter information on television was limited during the first two weeks of February, and on February 18<sup>th</sup>, the CCA obliged public broadcasters to transmit more information on voting procedures, and recommended

that private broadcasters do the same. Following this request, the time dedicated to voter education in the monitored TV channels increased substantially (Civic Coalition for Free and Fair Elections "The Coalition 2005", Election process monitoring, Report No.5, pg.6).

## *2.6. Observers*

The Electoral Code (Article 63) provides a general framework for election observation by representatives of election contestants, non-partisan domestic observers, as well as by international organizations, foreign governments and NGOs. Accreditation is provided upon request. For domestic partisan and non-partisan observers, accreditation is granted by the election administration. For observers who are foreign citizens, accreditation is granted by the Ministry for Foreign Affairs.

The polling was monitored by 817 international observers, 158 foreign journalists, as well as over 2300 independent local observers. The International Election Observation Mission (MIOA), which gathered together BIDD/OSCE observers, OSCE Parliamentary Assembly, European Council Parliamentary Assembly and European Parliament, concluded that the 6 March 2005 parliamentary elections were held in compliance with international standards.

### 2.6.1. Internal observers

The main domestic non-partisan organization to observe the 2005 elections was the Civic Coalition for Free and Fair Elections "The Coalition 2005", which was created on May 12<sup>th</sup> 2004 and included almost 200 civil society groups which undertook a comprehensive monitoring of the electoral process, deploying 39 long-term and 2,184 short-term observers who monitored around 94 percent of polling stations throughout Moldova on election day. The coalition published five reports on its findings during the campaign period, as well as a number of reports on Election Day and a preliminary statement on the day after the elections. On Election Day, the Coalition conducted a parallel vote tabulation and a quick count, both of which proved to be very close to the official results.

Within the framework of the Coalition, the Independent Journalism Centre (IJC) together with the Centre for Sociological, Political, and Psychological

Investigations (CIVIS) and the Association of Independent Press (API) carried out a media monitoring project and issued three reports before Election Day. A similar exercise was conducted by the Association of Electronic Press in Moldova (APEL), which monitored the public broadcast media.

### 2.6.2. International Observers

Following an invitation by the Ministry of Foreign Affairs (MFA) of the Republic of Moldova to observe the March 6<sup>th</sup> parliamentary elections, the OSCE/ODIHR deployed an Election Observation Mission (EOM) in January, 2005. On election day, the OSCE/ODIHR EOM joined efforts with delegations from the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament (EP) to form an International Election Observation Mission (IEOM), in order to assess the compliance of election day procedures with OSCE Commitments, Council of Europe and other international standards for democratic elections.

Four foreign organizations<sup>6</sup> intended to observe the March 6<sup>th</sup> election and appeared to have contacted the Ministry for Foreign Affairs with requests for accreditation. It seems that all four were unable to receive accreditation to observe. Nevertheless, the International Assembly for Human Rights Protection (IAHRP) and the CIS Elections Monitoring Organization (CIS-EMO) attempted to arrive in Moldova ahead of receiving assurances that they would be accredited. As a result, the IAHRP were deported, while the CIS-EMO was not allowed entry in Moldova (The OSCE/ODIHR Election Observation Mission Final Report 2006: 17).

---

<sup>6</sup> The „Asar” party from Kazakhstan, Parliamentary Assembly of the Russian-Belarusian Union, and two NGOs based in the Russian Federation, International Assembly for Human Rights Protection (IAHRP) and the CIS Elections Monitoring Organization (CIS-EMO). The first two organizations were seeking to accredit some 10 observers each; the latter two intended to accredit more than 200 observers, in OSCE/ODIHR Election Observation Mission Final Report 2006, page 17.

### **3. Election results**

Following the elections, only the Communist Party of the Republic of Moldova (PCRM), the "Moldova Democrata" Electoral Block (BMD), made up of the "Moldova Noastra" Alliance (AMN), the Democratic Party of Moldova (PDM), the Social-Liberal Party (PSL) and the Christian Democratic People's Party (PPCD) succeeded in accumulating sufficient votes to exceed the representation threshold. Thus, PCRM obtained 45.98% of the valid votes, BMD – 28.53%, while PPCD – 9.07%. As a consequence, after the proportional distribution of the 16.42% of the votes expressed for the other 20 electoral contestants, PCRM obtained 56 parliamentary mandates, BMD -34 mandates, and PPCD – 11 mandates.

**Table 2.** Election Results

Number of voters included on permanent voter lists		2,270,668
Number of voters included on supplementary voter lists		159,869
Number of voters who received ballots		1,576,203
Number of voters who turned out to vote	1,576,079	64.8% of all registered voters
Number of invalid votes	18,251	1.16% of all votes cast
Number of valid votes		1,557,828
Number of ballots received by Polling Boards		2,451,157
Number of unused and cancelled ballots		874,992

Party/Electoral Bloc/Independent Candidate	Votes	Percent of valid votes	Mandates
Communist Party of the Republic of Moldova (PCRM)	716,336	45.98	56
Christian Democratic People's Party (PPCD)	141,341	9.07	11
Electoral Bloc .Moldova Democrată. (BMD)	444,377	28.53	34
Social Democratic Party of Moldova (PSDM)	45,551	2.92	0
Electoral Bloc .Patria.Rodina.	77,490	4.97	0
Silvia Chirilov (independent candidate)	3,145	0.20	0
Socio-Political Republican Movement .Ravnopravie.	44,129	2.83	0
Centrist Union of Moldova	11,702	0.75	0
Alexandru Bușmachi (independent candidate)	747	0.05	0
Labour Union .Patria.Rodina.	14,399	0.92	0
Maia Laguta (independent candidate)	1,011	0.06	0
Ștefan Matei (independent candidate)	1,934	0.12	0
Christian Democratic Peasants' Party of Moldova	21,365	1.37	0
Andrei Ivățoc (independent candidate)	1,678	0.11	0
Alexandru Arsenii (independent candidate)	572	0.04	0
Alexei Busuioc (independent candidate)	983	0.06	0
Tudor Tătaru (independent candidate)	2,273	0.15	0
Fiodor Ghelici (independent candidate)	1,102	0.07	0
Victor Slivinschi (independent candidate)	495	0.03	0
Anatolii Soloviov (independent candidate)	452	0.03	0
Republican Party of Moldova	592	0.04	0
Mircea Tiron (independent candidate)	284	0.02	0
Party of Social-Economic Justice of Moldova	25,870	1.66	0
<b>Total</b>	<b>1,557,828</b>	<b>100,00</b>	<b>101</b>

Source: Decision of the Central Election Commission No 981 of March 11, 2005.

Analysing the latest parliamentary elections in the Republic of Moldova (Boțan 2005) reveals the following:

The Communist Party (PC) accumulated, according to the data published by the Central Electoral Commission (CEC), 716 336 votes, which represents 45.98%.

The redistribution of the 16.42% votes accumulated by the contestants who could not exceed the electoral threshold brought the PC 10 more mandates. In the new Parliament the PC have 56 mandates out of 101. On the PC lists there have been elected 15 deputies who are not party members. This way PC was able to elect the leading bodies of the Parliament and make the Government on its own.

However, if we compare the PC's recent victory with the one in the 2001 elections when it accumulated 50.07% of the mandates, we can see that the PC has 15 mandates less in the new Parliament. This means that the PC will not be able to modify the RM constitution by itself, as it would need 68 mandates (2/3 of the elected deputies' votes). At the same time, the PC could not elect, all alone, the Chief of State either, as it would need 61 votes (3/5 of the elected deputies' votes). These two factors, especially the latter, imply the necessity of co-operating with the other parliamentary factions.

The "Moldova Democrata" Block (BMD) accumulated, according to the same CEC data, 444 377 votes, or 28.53%. After redistributing the votes using the d'Hondt formula, the BMD received 34 mandates. Although certain voices in the BMD expressed their dissatisfaction, the result can be considered an indisputable success for this coalition. The very fact that the BMD could be made out of three different partners ( the "Moldova Noastra " Alliance, the Democratic Party and the Social-Liberal Party), which after the 2001 elections, in their turn, gathered nearly 15 small formations, is due to the dramatic losses suffered by the formations that could not exceed the electoral threshold: 28% in 2001, but 16.42% in 2005.

The Christian Democratic People's Party (PPCD) accumulated 141 341 votes, which represents 9.07%. This way, the PPCD obtained the in last election approximately 10,000 votes more than in the previous election, which is the equivalent of an increase by 0.8%. After the proportional redistribution of the votes to the formations that could not exceed the electoral threshold, the PPCD obtained 11 mandates, just like in the previous election.

The PPCD leaders voiced their discontent with the score- especially motivated by the fact that their party had to carry out their campaign under unequal, and sometimes hostile, conditions imposed by the governing party- however, this only confirmed the steadily ascending trend.

The political formation which did not exceed the electoral threshold accumulated together approximately 15.5% of votes.

The independent candidates gathered 14 676 votes, i.e. 0.94% of the total number of votes. For comparison, let us mention that in 2001 the independent candidates put together 2.29%; in 1998 – 5.63%; in 1994 – 2.54%. It is obvious that the “useful vote” of the voters diminishes dramatically the independent candidates’ chances, especially so when the electoral threshold of 4% was introduced for them in 1997, which decreased afterwards to 3%.

The independent candidates’ performance is getting weaker. During the recent campaign, four of them, instead of using the free TV air to try and present themselves, preferred to use that time to attack the other contestants.

### **Conclusions**

Although according to the opinion of the Civic Coalition for Free and Fair Elections “The Coalition 2005” the recent electoral campaign for the parliamentary elections of the Republic of Moldova were held with violations of the international standards, the International Election Observation Mission of Parliamentary Elections (MIOA), a common mission in which the OSCE/BIDD0 participated, the Parliamentary Assembly of the OSCE (PA OSCE), the Parliamentary Assembly of the European Commission (PACE) and the European Parliament (EP), established that “the March 6<sup>th</sup> 2005 parliamentary elections in the Republic of Moldova were carried out, generally, in compliance with most of the OSCE regulations , the European Council standards and with other such standards. Even so, they did not succeed in fulfilling certain indispensable commitments and standards specific to a really competitive electoral process. In particular, the election running conditions and access to mass-media were not sufficiently equitable; in this respect, the negative tendencies noticed even in the local 2003 elections were confirmed.”

This conclusion was made by the State department of the United States and finally the national observers meeting in “The Coalition 2005” had to accept this idea.

In this context, it is worth mentioning the comment of the Intelligence Bureau of the Russian federation Ministry for Foreign Affairs, in which they say, “ If we estimate the elections in the Republic of Moldova in terms of their transparency,

then there are doubts in this respect." During the election campaign the international community noticed that the Moldavian authorities made use of administrative resources, partial reflections on the electoral process, especially so in state mass-media. These conclusions could have been confirmed or invalidated by the CSI observers, Russia included, whose participation in the election monitoring was not wanted in Chisinau. It might be that the Moldavian authorities had something to hide, judging from their attitude, as they even retained and deported from the Republic of Moldova NGOs and human rights organizations (especially Russian) representatives, which by virtue of the same legal grounds were entitled to participate in observing these elections.

Certain violations were ascertained in the election process. Thus, a significant number of Moldavian citizens who were abroad were, in fact, deprived of their right to vote, as consecrated in the Moldova's Constitution. Out of the odd hundred thousand Moldavians found in Russia, only 3 000 were able to vote.

Unfortunately, such facts were left out of the monitoring angle of the international observers who were present in the Republic of Moldova. It is, once again, the same practice of double standards that we need to put an end to by elaborating a single criteria for the electoral process, wherever it might be held.

Though the legislative framework was not revised according to the joint recommendations of the European Council and OSCE as approved by the Venice Commission, on the whole the parliamentary elections on March 6<sup>th</sup> 2005 respected OSCE standards based on the Copenhagen document adopted in 1990 and the engagements and obligations undertaken by the Republic of Moldova as a member state of the Council of Europe.

There is no doubt that all comentaries made by the electoral players and the internal or international observers have a considerable impact on the future political stability in Moldova. The manner in which the electoral campaign was conducted could generate hostilities in the election for the Parliamentry governing bodies, in the election of the President by the Parliament and in the appointment of the Government.

## **Bibliography**

### Articles

Boțan, I. (2005a): *Post – election reflections*, 14 March 2005, ([www.elections2005.md/comments/](http://www.elections2005.md/comments/)).

Boțan, I (2005b): *Chance of democratisation of the Republic of Moldova*, 23 March, 2005, ([www.elections2005.md/comments/20050323/](http://www.elections2005.md/comments/20050323/)).

### Legislation

*The Constitution of the Republic of Moldova*, of 29.07.1994, The Official Gazette of the Republic of Moldova No. 1 of 18.08.1994.

*Electoral Code*, Law of the Republic of Moldova, No. 1381-XIII of 21.11.97.

*Law of the Republic of Moldova on the Procedure of Electing the President of Republic of Moldova*, No.1234-XIV of 22.09.2000.

*Law of the Republic of Moldova on Parties and other Socio-Political Organizations*, No. 718-XII of 17.09.91, Vestile No. 11-12/106, 1991.

*The Regulation on the Activity of the Central Electoral Commition*, No. 735 of 01.02.2005.

"*The Concept for the Reflection of the Election Campaign for the Parliamentary Elections in the Broadcasting Institutions*", CEC Decision No. 608 of 06.01.2005.

"*The Regulation on the Coverage of the Election Campaign for the Parliamentary Elections in the Mass Media*", CEC Decision No. 613 of 08.01.2005.

*Regulation of the Central Electoral Commition on the Observers Activities*, No. 590 of 30.12.2004.

### Opinions, Reports

European Commission for Democracy through Law (Venice Commission), *Joint opinion on the Electoral Code of Moldova as amended on 22 July, 4 and 17 November 2005 by The Venice Commission and OSCE/ODIHR*, CDL-AD(2006)001, Strasbourg/Warsaw, 20 March, 2006.

Office for Democratic Institutions and Human Rights, *Republic of Moldova Parliamentary Elections, 6 March 2005, OSCE/ODIHR Election Observation Mission Final Report*, Warsaw, 3 June 2005.

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Election Process Monitoring report No.1* of 06.12.2004, ([www.e-democracy.md/files/2005monitoringreport01en.pdf](http://www.e-democracy.md/files/2005monitoringreport01en.pdf))

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Election process Monitoring report No.2* of 15.01.2005; ([www.e-democracy.md/files/2005monitoringreport02en.pdf](http://www.e-democracy.md/files/2005monitoringreport02en.pdf)).

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Election process Monitoring report No.3* of 31.01.2005; ([www.e-democracy.md/files/2005monitoringreport03en.pdf](http://www.e-democracy.md/files/2005monitoringreport03en.pdf))

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Election process Monitoring report No.4* of 15.02.2005; ([www.e-democracy.md/files/2005monitoringreport04en.pdf](http://www.e-democracy.md/files/2005monitoringreport04en.pdf)).

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Election process Monitoring report No.5* of 02.03.2005; ([www.e-democracy.md/files/2005monitoringreport05en.pdf](http://www.e-democracy.md/files/2005monitoringreport05en.pdf)).

Civic Coalition for Free and Fair Elections "The Coalition 2005", *Preliminary Report* of 07.03.2005; ([www.e-democracy.md/files/2005monitoringreport06en.pdf](http://www.e-democracy.md/files/2005monitoringreport06en.pdf)).

Useful web sites

Parlamentul Republicii Moldova ([www.parlament.md](http://www.parlament.md)).

Pagina Oficială a Președintelui Republicii Moldova ([www.presidente.md](http://www.presidente.md)).

Comisia Electorală Centrală a Republicii Moldova ([www.cec.md](http://www.cec.md)).

Partidul Comuniștilor din Republica Moldova ([www.pcrm.md](http://www.pcrm.md)).

Blocul Electoral Moldova Democrată ([www.bemd.md](http://www.bemd.md)).

Partidul Popular Crestin Democrat ([www.ppcd.md](http://www.ppcd.md)).