



Central Electoral Commission

GUIDELINE FOR OBSERVER

**FOR THE ELECTIONS OF
20 OCTOBER 2019**

Central Electoral Commission of the Republic of Moldova

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FOREWORD

Observing elections plays an important role in supporting the development and consolidation of democracy in our country. Since the proclamation of independency, the electoral events occurring in the Republic of Moldova are subject to constant monitoring from national and international observers.

The observation missions verify if the electoral processes are carried out correctly, transparently, respecting human rights, and contributing, if necessary, to conflict solving. Elections observation aims to increase the integrity and public confidence in electoral processes.

The principle of guaranteeing transparency of electoral process is also ensured through monitoring and observing the respective process.

Namely due to this reason and taking into account that especially during the voting day the observers interact with the members of the electoral bodies and other electoral stakeholders, we consider it important to present the status, rights, and obligations of the observers, as provided in the legislation in force from the Republic of Moldova. As well, this Guideline provides a brief description of the rules related to the organization of the electoral process, which would be useful for observers.

WHO CAN ACT AS AN OBSERVER?

Observers are persons having the right to vote and being duly authorized, who may represent local, foreign or international organizations or institutions and whose mission is to follow the way in which elections are organized and held.

To be able to monitor elections, the persons should be accredited as observer, in line with *art. 68 of the Electoral Code and the Regulation on status of observers and their accreditation procedure*.

Observers may be:

- *national* – citizens of the RM, representatives of NGOs and/or electoral competitor, accredited by the Central Electoral Commission or the District Electoral Council;
- *international* – representatives of international organizations, governments of foreign states and non-governmental organizations from abroad, as well as international experts in the electoral area, accredited by the Central Electoral Commission.



Note

- A NGO is deemed to be qualified, if according to its charter it deals with defending human rights or democratic values.
- The invitation of international organizations, representatives of foreign states' governments and NGOs from abroad as international expert/observers is performed by the Central Electoral Commission directly or through the Ministry of Foreign Affairs and European Integration, upon the request of CEC.

WHO AND IN WHAT CONDITIONS MAY ACCREDIT OBSERVERS?

Bodies responsible for accrediting observers are Central Electoral Commission and District Electoral Councils.

- Central Electoral Commission (CEC) accredits:
 - international observers (and registers for them, upon request, interpreters);
 - national observers from NGOs;
 - one national observer from each electoral competitor, in every polling station opened abroad.

Attention!

For the polling stations opened abroad, for the single members constituency no. 50, West from RM, the observers are accredited separately **ONLY** by the Central Electoral Commission.

- District Electoral Council of second level accredits national observers from NGOs.
- For the **New Parliamentary Elections**, Single Member District Electoral Council (SM DEC) accredits one national observer from each electoral competitor, in every polling station from the respective district.
- For the **General Local Elections**, electoral competitors submit the documents for the accreditation of observers to the District Electoral Council that has registered them:

Attention!

For the **General Local Elections**, political parties, other socio-political organisations, electoral blocs and individual running for the position of Mayor or Councillor **CAN NOT** have more than one observer accredited for one polling station, even if they have candidates/run for more elective positions in one rayon/municipality and/or in one locality from its territory.

- District Electoral Council of first level (DEC I) accredits:
 - national observers from NGOs;
 - one national observer from each electoral competitor, in every polling station from the respective district, regardless of the level of the DEC that has registered it.

Necessary documents for accreditation

The application for accreditation as a national observer shall include:

- an official letter, in original copy, from the institution requesting the accreditation;
- list of persons proposed for accreditation, filled according to the template from the Annex no. 1 from the Regulation on the statute of observers and procedure for their accreditation;
- the copy of valid ID card or the copy of temporary ID card (for RM citizens) or valid passport copy (for foreigners);

Attention!

For accrediting national observers in the polling stations opened abroad, for the single members constituency no. 50, West from RM, the copy of the valid passport of RM citizen shall be presented.

- accreditation form of the international observer, completed by every person nominated by the institution;
- NGOs will present the copy of the charter/statute, as well as the copy of the certificate of registration with the Ministry of Justice or any other competent body (in line with the procedure of the country of origin of the NGO). The national NGOs will present also the copy of the extract from the State Register of Non-commercial Organizations issued at most 6 months prior to the date of presentation.

Attention!

The incomplete requests will be rejected.

Based on the submitted documents, the electoral body shall adopt in a period of 5 days (for national observers) or 10 days (for international observers), as a rule in the presence of the applicant or his/her representative, a decision on accrediting or rejecting the candidate proposed for observing the elections. If the candidate is rejected, the electoral body shall inform the party proposing the candidate about the reasons grounding such a decision.

Note

- Observers may be accredited before the electoral period starts. The deadline for lodging the applications for accreditation as observers is 7 days before the day of elections (16/02/2019).
- A person may be observer only from behalf of one single qualified institution.
- The position of an observer is incompatible with that of electoral competitor, member of an electoral body or the personnel contracted by it, representative of the electoral competitor with the right of consultative vote. Trustworthy persons may be accredited as national observers only if they are proposed by the electoral competitors.

The observer's accreditation cancelling may be requested personally by the observer or the institution requesting the accreditation of the respective person, based on a written request lodged with the corresponding electoral body.

The replacement of the observer with another person may be carried out only by the institution which has requested the accreditation.

WHERE CAN OBSERVERS PERFORM THEIR ACTIVITY AND DURING WHICH PERIOD?

Where can observers perform their activity?

Observers accredited by the Central Electoral Commission may monitor the elections on the entire territory of the Republic of Moldova and in all the polling stations, including those opened for the Moldovan citizens with domicile in the administrative-territorial units from the left bank of the Dniester river (Transnistria), Bender Mun. and some localities from Causeni rayon.

Attention!

The observer accredited by the Central Electoral Commission to monitor the elections from the single member constituency no. 50:

- from NGO – may monitor the elections in any polling station established abroad;
- from electoral competitor – may monitor the elections only in the polling station for which he/she was accredited.

The observer accredited by the District Electoral Council:

- from NGO may monitor the elections on the entire area of the given district and in any polling station established in the respective district;
- from electoral competitor may monitor elections only in the polling station for which he/she was accredited.

Activity period

The observer shall start his/her activity after the adoption of his/her accreditation decision by the respective electoral body and after receiving the observer's badge.

Observers may carry out their activity on the day of election, as well as before, during, and after the electoral campaign. The accredited observers may also continue their activity during the repeated voting.

Attention!

In his/her activity, the observer shall wear/present upon request the badge issued by the electoral body that has accredited him/her and the ID card based on which he/she was accredited (both in original).

RIGHTS AND OBLIGATIONS OF OBSERVERS

During their activity, observers shall be impartial and shall not make any campaigning through the performed actions. They are entitled only to monitor the electoral process without getting involved in its organization and holding.

Observers have the RIGHT:

- to attend, but not interfere with the process, at all the meetings of the electoral bodies, all procedures related to sealing and opening the ballot-boxes, counting and tabulating votes, the operations related to voters' lists, ballots, vote certificates, as well as preparation of protocols for the tabulation of election results;
- to accompany the PEB members with the mobile ballot box;
- to monitor voting activities without compromising the confidentiality of voter's personal data;
- to move inside the polling stations as long as his/her movements does not disturb the voters' flow or the activity of the members of Precinct Electoral Bureau;
- to monitor the filling in of the electoral documents and to obtain copies from the decisions and protocols of the electoral body;
- to monitor the way the security of materials is ensured during their storage and transportation;
- to inform the chair of the bureau about the observed violations;
- to make video/audio recording or to take pictures, only by information the chair of the electoral body, , without endangering the secret and security of voting or the protection of the person data;
- to accompany the groups transporting electoral materials from the Precinct Electoral Bureau to the District Electoral Council, after the end of the votes counting;
- international observers have the right to request, upon need, assistance from the Protocol Office for the International Observers, established under the Central Electoral Commission. The numeric composition and the activity principles of the respective office are set by the CEC Decision;
- national (local) observers may lodge notifications about the observed violations, which shall be examine by the chair of the electoral body, with compulsory information of the notification author about the taken decision.

Observers are OBLIGED:

- to be impartial in carrying out their duties and not express their personal opinions or preferences regarding the electoral competitors;
- to fulfill their obligations in a correct manner, shall not interfere with the election process, and procedures on the Election Day or during the counting of votes process;
- to wear the badge issued by the electoral body and, upon request of all interested persons, shall authenticate themselves and confirm that the accompanying person is an interpreter, and the latter shall

present an ID;

- not to make any campaigning, on the day before the elections and on Elections Day;
- to ensure, in accordance to the provisions of the Law No. 133 of July 8, 2011, the confidentiality and compliance of the personal data processing to which they have access and not to use/process the data for other goals than the established ones, as well as not to reveal the data they have become acquainted with in their work, even after they ceased to be an observer;
- not to handle any voting material in the polling station;
- not to follow the voter whenever he/she votes;
- not to talk to voters and shall not help them to vote;
- not to give any instructions or undertaken any actions contrary to the decisions of the electoral bodies;
- to know and respect the legislation in force of the Republic of Moldova.

Attention!

Observers shall be provided with materials and financial resources by the institutions that have proposed them for accreditation or on their own.

OBSERVERS' LIABILITY

Observers shall be legally liable in compliance with the legislation in force.

Whenever an observer violates the electoral rules in force, the electoral body which has accredited the respective observer is entitled to cancel his/her accreditation by adopting a decision in this respect.

Any campaigning action for or against a political party, a social-political organization or an electoral competitor or any attempt to influence the voter's opinion, as well as any violation of the observer's rights and obligations, of electoral rules into force and the obstruction of electoral bodies' activities, shall lead to cancelation of observer's accreditation by the electoral body that has accredited him/her.

The observers who breach the electoral rules within the premises of the polling station during the Elections Day shall be evacuated immediately after from the respective premises, upon the order of the chair of the electoral body – this fact being documents in a protocol signed by the chair.

Criminal sanctions shall be applied for serious breach of electoral legislation. The following actions are considered to be criminal offences: **impeding** through any means the free exercise of the right to vote and to be elected, the same action accompanied by **causing** of serious body injuries or endangering of human life; **attacking** polling stations' premises; **stealing** ballot boxes or electoral documents; **obstruction** of the activity of the electoral management bodies.

If the observer failures to comply with the provisions on the protection of personal data, he/she is liable under the law in force. Upon the occurrence of the liability, it shall be applied by the competent bodies, within the limit of actions/inactions committed by the observer.

ELECTORAL LEGISLATION

There is a number of national and international acts regulating the electoral process in the Republic of Moldova. At the international level, the most important document with binding provisions for all the UN member states is the **Universal Declaration of Human Rights**.

At the national level, it is to be mentioned the **Constitution of the Republic of Moldova** – representing the supreme law in the state and the **Electoral Code** – the normative act regulating the organization and holding of elections. At the same time, the Central Electoral Commission elaborates **regulations** and **instructions** which are binding for all the citizens and electoral subjects.

Hence, when performing their activity, the observers shall be guided by the Constitution of the Republic of Moldova, the Electoral Code, the Regulation on status of observers and their accreditation procedure, and other normative acts in the area, as well as the international treaties to which the Republic of Moldova is a part.

The hierarchy of law sources in the Republic of Moldova is as follows: *Constitution of RM* → *Electoral Code* → *Regulations* → *Instructions* → *Decisions*.

Whenever the provisions of a lower-level normative act contradicts the provisions of the higher-level normative act, the provisions of the higher-level normative act shall be applied.

Whenever the provisions of another normative act contradicts the provisions of other normative act of the same level, the provisions of the act adopted at a later date shall be applied.

Attention!

The duties of the observers, electoral bodies, electoral competitors, and other electoral subjects are set forth in the above-listed acts and should be fulfilled in strict compliance. No arbitrary interpretations are admitted!

OBSERVERS' INTERACTION WITH OTHER ELECTORAL SUBJECTS

In compliance with art. 60 par. (8) of the Electoral Code, are entitled to be present during the meetings of election administration bodies, votes' counting and tabulation, electoral activities related to voter lists, ballots, Absentee Vote Certificates, and filing the protocols of elections results and tabulation, the following individuals: members/representatives of the superior EMBs; representatives of electoral competitors; accredited national and international observers, their interpreters, if needed; mass-media.

While monitoring elections, the observers may interact with:

- **members/staff from electoral bodies;**
- **observers** accredited from other institutions;
- **representatives of electoral competitors** – persons eligible to vote, representing the interests of the electoral competitors in the electoral bodies and on other bodies involved in the election process;
- **media representatives** – media institutions from the R. Moldova or from abroad that broadcast the organization and holding of elections;

Attention!

No other person, than the above mentioned ones, can stay inside the polling station more time than it is necessary for vote.

- **voters** – citizens of the Republic of Moldova eligible to vote;
- **members of initiative groups** – groups of citizens eligible to vote under this Code and registered by the District Electoral Councils to collect signatures in support of a candidate for the position of MP in single member district or for the Mayor and local councilor position;
- **electoral competitors:**
 - New Parliamentary Elections - candidates registered by the District Electoral Councils in Single Member Constituencies;
 - General Local Elections - political parties, other socio-political organisations, electoral blocs and individual running for the position of Mayor or Councillor in the Local Council registered with the corresponding District Electoral Councils.
- **trustworthy persons of the electoral competitors** – persons eligible to vote who are entitled to make campaigning in favor of the electoral competitor that appointed him/her;
- **representatives of other institutions** (local public administration authorities, police etc.).

MONITORING THE ACTIVITY OF THE ELECTORAL BODIES

Observers monitor the activity of the electoral bodies, being in permanent collaboration relations with them.

Electoral Management Bodies:

Central Electoral Commission (CEC) – independent and permanent state body, established to achieve the election policies' for the proper holding of elections and to supervise and control the respect of the legal provisions on the political parties and electoral campaign financing. The CEC mandate lasts for 5 years, it is set of 9 members and is assisted by an Office.

District Electoral Councils (DEC) are composed from 7-11 members and administrates the electoral process within the territory of the corresponding territorial unit. The candidacy of 2 members of the DEC are proposed by the District Court or, as appropriate, by the Court of Appeal, the other 2 members are nominated by the local councils of the second level or by the People's Assembly of Gagauzia. The candidacies of the other members are proposed by the parties and other social-political organizations represented in the Parliament on the date when the DEC is established, one person each. If the number set for the electoral councils (7, 9 or 11 members) is not achieved, the remaining number of members is filled in by the CEC from the Register of Electoral Officials.

For the **New Parliamentary Elections** of 20 October 2019, CEC established, at least 55 days before the elections, four **Single Member District Electoral Councils** (no. 17, 33, 48 and 50).

Also, for the **General Local Elections**, at least 55 days prior to elections, CEC has created 35 Electoral Districts, corresponding to the borders of the administrative-territorial units of second level of the Republic of Moldova, autonomous territorial unit Gagauzia, Chisinau and Balti Municipalities. At least 50 days before the elections CEC establishes **District Electoral Councils** of second level.

District Electoral Councils of second level (DEC I). At least 45 days before the elections, DEC II established, for the organization of **General Local Elections**, electoral districts that correspond to the borders of the territorial-administrative units of first level of RM (village/city/municipality). At least 40 days before the elections DEC II established DEC I, composed from 7-11 members. DEC I administrates the electoral process within the territory of the corresponding territorial unit. The candidacy of 2 members of the DEC I are proposed by the local councils of the first level, if not, they are nominated by the CEC from the Register of Electoral Officials. The candidacies of the other members are proposed by the parties and other social-political organizations represented in the Parliament on the date when the DEC is established, one person each. If the number of members is not sufficient, it is filled in by the CEC from the Register of Electoral Officials.

Precinct Electoral Bureaus (PEBs). Electoral bodies established by the DEC of second level, at least 25 days before

the elections day, covering 5-11 members. The bureaux manage the electoral process at the polling station level. 3 candidatures of PEB members are nominated by local councils, the other members are nominated by parties and other socio-political organizations represented in the Parliament, one candidate from each party or social-political organization. If this number is not enough, the remaining number of members is filled by the Local Council, if they also don't present candidates, it is completed by the DEC, upon the proposal of the CEC, from the Register of Electoral Officials.

Attention!

For the polling station opened abroad, the PEB Chairperson is nominated by the chief of the diplomatic mission, of the consular office or from the staff from other institutions of the diplomatic service. If the number of persons, proposed by the political parties is insufficient, PEBs are completed by the CEC, from the Register of Electoral Officials, with the consent of the MFA.

Both, the DEC and the PEB are assisted in their activity by an Office.

The duties and the activities of the electoral bodies are described in the following articles of the Electoral Code – 18, 19, 22, 25, 26 (CEC); 29 (DEC), 33 (PEB), as well as in their activity regulations, approved by the Central Electoral Commission.

Note

- ✓ In case of New Parliamentary Elections, for the single member constituencies no. 17, 33, 48, 50, are created DEC's, different from those established for general local elections. Also, Precinct Electoral Bureaus from the single member constituencies no. 17, 33, 48, will have also duties to organize the General Local Elections.
- ✓ Members of DEC's and PEB's work temporarily – from the establishment until their dissolution. These bodies stop their activity and are dissolved, by the decision of the body that established it, immediately after this body announces publically the final results of the elections.
- ✓ Several person that were suspended temporary from their permanent job, work permanently within the DEC and PEB. The other members participate only in the meetings of the electoral bodies and during the elections day.
- ✓ Over a period of 3 days from the date the electoral council was established, its members shall elect, by secret vote the Chair, Deputy Chair and Secretary out of all the members, the same is performed by the electoral bureaux – but just in 2 days from the data the bureau was established (attention! Not via secrete vote). During the first meeting, it is suggested to suspend some members of the respective bodies from the duties they have at their permanent place of work, in the limit set by the hierarchically superior body, which decided upon such suspensions.

Organization of electoral bodies' meetings

The meetings of the electoral bodies are public, the electoral bodies being obliged to inform the public about the date, hour, and issues to be discussed. During the electoral period CEC holds ordinary meetings (every Tuesday and Friday) and extraordinary meetings (upon need). The agenda of the CEC meeting may be consulted on the official page of the Commission – www.cec.md

The meetings of the electoral bodies may be convened by the chair or by at least 1/3 of the number of members. These meetings are deliberative, if more than 1/2 of EMBs members attend them.

Note

The observers attending the meeting should present their badge and get registered in the list of persons attending the meeting that is attached to the protocol of the meeting.

The decisions of the electoral bodies are adopted via open voting, with the vote of the majority of their members and are signed by the chair and secretary of the meeting. In case of parity of votes, the decision is not passed, and the review of the respective aspect is postponed for the immediately subsequent meeting. The members of the electoral body, who do not agree with the passed decisions, can express in writing their opinion, which is annexed to the meeting's protocol.

Attention!

The decisions of the electoral bodies, adopted within their competence, are binding for public authorities, enterprises, institutions and organizations, high-rank personnel, parties, other social-political organizations and their bodies, as well as all the citizens.

The decisions of the Central Electoral Commission are posted, within 24 hours since their adoption, on the CEC web-site (www.cec.md) and the decisions having normative character, decision adopted during the electoral period, decisions on financial reporting are published in the Official Gazette of the Republic of Moldova.

Upon request, observers may receive the copy of the adopted decision.

For a good collaboration, the observers:

- should talk mannerly and adequately with the representatives of the electoral bodies, asking only questions regarding the organization and performance of elections related to the competence of the respective body;
- would request from the representatives of the electoral bodies only the documents/information related to their competence, in line with the legal provisions;
- should NOT make comments and should NOT express their personal opinion regarding their political preferences, actions of the electoral bodies (will not make speculations regarding any aspects related to elections), and should NOT spread rumors, etc.

MONITORING ACTIVITIES RELATED TO VOTERS' LISTS

Legal basis: Art. 33, 42, 44, 45 of the Electoral Code and the Regulation regarding compilation, management, dissemination and update of voters' lists.

During the electoral period, CEC and the PEBs work with voters' lists. Observers will pay attention to how accurately the lists are compiled and how the lists are verified.

In relation to the voters' lists, the electoral bodies are guided by the principle of transparency, but ATTENTION!, within the limits allowed by the Law no. 133 on personal data protection.

Attention!

It is prohibited to take photos of or to copy the voters' lists, or the information included in them.

Basic information:

- Voters' list will include all the citizens entitled to vote, who are registered, as established by the law, according to their domicile or place of residence on the territory of the respective polling station;
- The voter may be registered only in one single voter's list and only at one single polling station.

Attention!

Voter who has a domicile and a place of residence shall be registered, in the period of residence validity, in the voters' list of the polling station under the territorial jurisdiction of which he/she has his/her residence.

The Electoral Code provides **THREE CATEGORIES** of voters' lists:

- *Basic list* – are prepared by CEC, in the basis of the State Voters' Register and are sent to the LPAs, diplomatic missions or consular office, at least 22 days before the elections day, in 3 official copies. 2 copies of the lists are sent immediately to the Precinct Electoral Bureaus. These lists cover all the voters having their domicile or valid residence in the territorial jurisdiction of the polling station for which the list is prepared;
- *supplementary list* – is compiled by the secretary of the Precinct Electoral Bureau and are being included:
 1. voters who due to certain reasons were omitted from the main list;
 2. voters who during the elections day came to vote having the absentee vote certificate;
 3. individuals detained based on an arrest order and those sentenced to prison, which are located in the same administrative-territorial unit as their domicile/place of residence;
 4. voters entitled to vote who during the elections day are in hospitals, resorts and other stationary curative institutions, which are located in the same administrative-territorial unit as their domicile/

place of residence;

5. voters which were not included in the main list because they have no domicile or residence visa and came to vote at the polling station, corresponding to their last domicile or residence visa, only after presenting the confirmative documents;

6. citizens with the voting right from the left bank of the Dniester River (Transnistria) who are registered at their domicile or residence in the localities temporarily beyond the sovereign control of the constitutional authorities of the Republic of Moldova;

7. students and pupils entitled to vote who are admitted to educational institutions in a locality in which they don't have a domicile or residence;

8. militaries from military units, as well as members of their families residing on the territory of military units.

Attention!

In case of General Local Elections:

✓ Will have the right to vote and will be included in suplimentary lists, ONLY voters mentioned in pct. 1-4.

In case of New Parliamentary Elections, will be included in suplimentary list, by all the members of the Precinct Electoral Bureau, voters that will vote in:

✓ polling station opened abroad and won't be included in the basic voters lists (district no. 50);

✓ polling stations organized for the localities situated on the left bank of Dniester river (Transnistria) (district no. 48).

► *for voting at the place of stay* – is compiled by the Precinct Electoral Bureau. Includes voters who due to health reasons or other well-grounded reasons, cannot come to the voting place. The note “voted at the place of stay” will be mentioned in the main voters’ list in the line of the respective voter.

The voters’ lists are made available within the premises of the polling stations and are posted on the web page of the CEC 20 days before the Elections Day. Changes in the voters’ lists may be requested by the voters from the CEC or precinct electoral bureaus (PEB), at latest during the day preceding the Elections Day. PEBs informs immediately CEC about the requested changes, by enclosing the following attesting documents: the voter request and declaration, a copy of the ID.

Note

For the polling stations opened abroad, basic voters’ lists are created based on the information presented by the heads of diplomatic missions and consular offices that work on the territory of the respective states. 25 days prior to the date of elections, the procedure on the update of voters’ lists concludes and they are sent to the CEC. In Voters Lists are included members of diplomatic missions or consular offices, as well as members of their families.

Special cases for New Parliamentary Elections

If during the elections day, the voter will be in another locality of the Republic of Moldova than the one in which he/she has his/her domicile or residence, but would like to vote, starting with 20 days before and until the E-day, based on the ID, the voter may lodge an application with the Electoral Bureau corresponding to his/her domicile, to request an absentee vote certificate, allowing voting in another locality.

Attention!

- Absentee vote certificate is used only for voting.
- When the elections end, the validity of these documents is lost and the procedure should be repeated for the next elections.
- These procedures do not affect in any way the registration of the voter at the place of domicile or residence.
- For the polling stations established in the resorts or rest houses, in hospitals and other curative institutions, the voters' lists are concluded based on voter's declaration of their stay or the data submitted by the managers of these institutions.
- These procedures are not applied for voting outside the country.
- For General Local Elections, with absentee vote certificates, will vote ONLY Precinct Electoral Bureau members and SAIS Elections operators, in polling station where they work, established in the same electoral district with their valid domicile/place of residence. The PEB Secretary, will handle the ballot papers, according to the type of elections in which will participate the PEB members or operators.

MONITORING THE OPERATIONS RELATED TO BALLOTS

Observers may assist during the manufacturing of the ballot mold, printing out of ballots, liquidation of the mold, as well as transmission, transportation of ballots.

Note

Observers will be informed by the CEC in advance about the date, hour, and place of these operations.

The CEC representatives and the Chair of the SM DEC or any other person mandated through a mandate by the Chair of the DEC shall come to the printing house so as to get the printed ballots for the electoral council. The ballots are handed over to the SM DEC by the CEC representative, at least 2 days before elections, according to a timeline prepared by CEC.

The printed ballots are stored at the District Electoral Council and delivered on the day preceding the elections to the Precinct Electoral Bureaus based on an act of delivery-reception.

Note

The ballots are transported in a vehicle rented out by the electoral body, escorted by the territorial police officers to ensure their security over the transportation.

The members of the electoral bodies are not obliged to provide the transportation/seats in the transportation means for observers or other persons empowered to monitor the process.

Attention!

To the electoral bureaus established abroad, CEC sends the ballots, at least 3 days before elections, through the Ministry of Foreign Affairs and European Integration.

MONITORING THE ELECTIONS DAY

All the activities from the pre-electoral and electoral periods are performed for one single goal – in order that the voting will be held in a good manner, with no incidents, respecting the legislation and the international standards in the electoral area.

Although the Elections Day is just the “pick of the iceberg”, the society gets the impression, in most of the cases, about the electoral process from the country, based on this day.

Hence, the observers’ presence in the polling stations namely on this day is very important.



Opening the polling station

During this day, the members of the Precinct Electoral Bureau should come to the polling stations around 6:00 o'clock, so as to be sure that everything is in order and that the polling station is prepared for voting.

The observers also can come at this hour. During the whole day they monitor all the processes related to the elections day, signal the eventual violations, frauds and fill in a report. Upon their arrival, the observers present to the secretary of the bureau their badge and the ID card, in original, based on which they were accredited.

The chair and the secretary of the electoral bureau are the persons responsible for communication with observers.

After reaching the polling station, the members of the bureau:

- ✓ shall verify the door in police presence (if possible) so as to be sure that it was not opened or forced;
- ✓ shall ensure the removal of campaigning materials, from the premises of the polling station and within 100 meters of the polling station premises..

The chair of the electoral bureau:

- ✓ by 7:00 o'clock in the morning shall prove to all the electoral bureau members and present observers that the ballot boxes are empty;
- ✓ shall seal the stationary and mobile ballot box/boxes;
- ✓ shall fill in two protocols on preparedness of the polling station;
- ✓ shall place a copy of the protocol in the stationary ballot box;
- ✓ shall announce the opening of the polling station, inviting the voters to get into the premises to vote.

Attention!

A polling station may be attended only by the observers who, according to the accreditation decision, may monitor the electoral process namely in that polling station.

Observers, members of the Precinct Electoral Bureau and other persons authorized to attend the electoral operations shall wear their badges in a visible place.

The persons entering the premises of the polling stations are banned to wear and show badges, ensigns and other campaigning signs.

Time and place of voting

Voting is performed during the elections day in between 7.00 and 21.00 o'clock, local hour of the state where the polling station is located. The polling station should be arranged so as to allow the observers and other authorized persons to supervise continuously all the aspects of the voting process. The observers will have a special place from which they can carry out their monitoring activities.

The Chair of the Precinct Electoral Bureau shall be responsible for ensuring public order during the elections day in the voting premises and on the nearby territory, about 100 meters around the voting premises. The decisions made in this respect are compulsory for everyone. When needed, he/she may ask for assistance from the public order maintenance forces.

It is prohibited to close the voting premises and to suspend the voting, except for the cases which endanger people's life or make it impossible to vote. In these cases, the Chair of the Precinct Electoral Bureau may suspend the voting for at most 2 hours so as to find a solution, notifying about this the voters and the persons authorized to be present in the polling station. The persons who are entitled to assist the voting process should not be obliged to leave the premises of the polling station during the voting suspension.

Rules for observers

Observers may assist, without interfering with the process, at all operations during the voting day.

To ensure an orderly flow of the voters through the polling station and to avoid the crowding, to ensure the secret and security of voting, as well as to create adequate conditions for the activity of the bureau members, the following is PROHIBITED:

- presence within the premises of the polling station of more than one observer from the same institution at the same time;
- unmotivated/disordered moving around within the premises of the polling station.

Note

Observers may move around only if they note some violations or if they want to specify something / ask questions to bureau members.

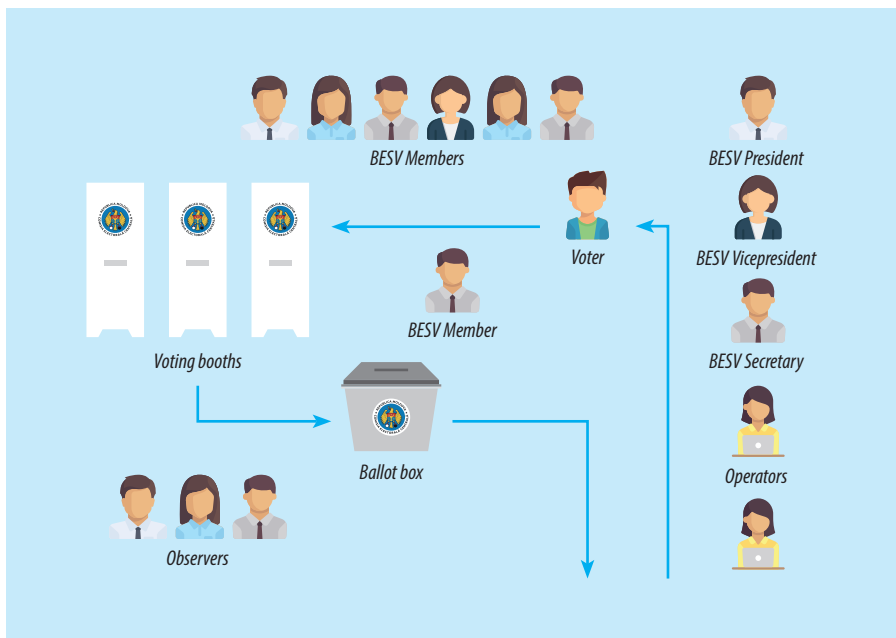
- stationing in close proximity to the bureau members, especially the members responsible for issuing the ballots;
- compromising the confidentiality of voters' personal data;
- communication with voters or providing voters assistance for voting.

Upon observers' request, the Chair should note the comments or the objections expressed by them in relation to the voting procedure in a specific document, which is annexed to the protocol of the Precinct Electoral Bureau.

Attention!

Observers may take photos and record videos **ONLY** with prior notification of the chair of the electoral body, without endangering voting secrecy and security or the protection of the personal data.

National observers may lodge notifications, which are examined by the chair of the electoral body, with subsequent information of the author of the notification about the taken decision.



How to vote correctly?

1. The voter enters the polling stations and presents his/her ID card to the operator.
2. The operator introduces the data in the computer, to verify in the State Voters' Register if the voter belongs to the respective polling and if he/she is not trying to vote repeatedly.
3. The member of the Precinct Electoral Bureau hands in the ballots to the voter, according to the voters' list, only after the voter presents his/her ID card.
4. When receiving the ballots, the voter signs in the voters' list in the line with his/her name, and the member of the Precinct Electoral Bureau applies the special stamp.
5. The ballots are filled in by the voter only in the booth for secret voting.
6. The voter applies the stamp «Voted» within one circle from each ballot, meaning that he/she has voted for the respective electoral competitor.
7. The voter folds the ballots and inserts them MANDATORILY in the ballot box.

Note

If the voter has filled in the ballot in a wrong way, upon his/her request, the Precinct Electoral Bureau cancels the respective ballot and issues immediately, just once, a new ballot. This case shall be specified in the protocol on voting process and in the voters' list.

Attention!

A voter can come to vote only ONCE and only to ONE single polling station.

Voting of some special categories of voters

Voting at the place of stay – the voter, who due to health reasons or other well-grounded reasons, cannot come to the voting premises, may come up with a written request to the Precinct Electoral Bureau, and the latter shall appoint at least 2 members of the bureau who would go with a mobile ballot box to the place where the voter stays for him/her to vote.

Attention!

The voting possibility mentioned above is not applied for the polling stations opened abroad.

The Moldovan citizens, who during the elections day are outside of the country, may vote, based on their passport, including with expired term of validity, national ID or sailors' ID, at any polling station opened outside the country, regardless of the status of their stay on the territory of the respective state.

Voting of persons with disabilities

The voter, who due to health reasons, or other grounded reasons cannot fill in by himself/herself the ballot, is entitled to invite another person in the voting booth to help him/her, except for the members of the Precinct

Electoral Bureau, representatives of the electoral competitors and other persons authorized to assist the electoral operations. These cases are registered in the report of the Precinct Electoral Bureau.

Note

Observers may accompany the mobile ballot box. The bureau is not obliged to provide transportation means/seats in the transportation means for observers and other persons authorized to observe the process.

Closing of the polling station

The voters who at 21.00 o'clock stay in a queue outside the polling station so as to exercise their right to vote, shall be invited inside for voting.

The members of the Precinct Electoral Bureau, who organize the voting at the voter's place of stay, should get back to the polling station by 21.00 o'clock. If they are not back by this time, the Chair of the bureau shall undertake urgent actions to determine the place where the members with the mobile ballot box are. If these members are missing, the counting of votes cannot start. The information about the respective situation is notified to the persons assisting to the counting of the votes.

After the expiration of the time reserved for voting (usually 21:00 o'clock), the Chair of the Precinct Electoral Bureau announces about the closing of voting and orders for the polling station to be closed. Afterwards, the Precinct Electoral Bureau starts the counting of the votes.

Note

The Precinct Electoral Bureau may decide on prolonging the voting time, at most with 2 hours, if it was recorded a large number of voters who stay in a row at the polling station and didn't succeeded to vote, informing about the respective prolongation the District Electoral Council and the CEC.

Counting the votes and tabulation of voting results

After closing the polling station, only the persons authorized to assist the operations related to the ballots and voting results' tabulation may remain in the premises – observers are among them.

Attention!

Only when the bureau finishes the procedures of counting, tabulation of voting results and those of packing all the electoral documents and materials, the premises of the polling station will be opened.

During the carrying out of the above-mentioned procedures, it is prohibited to enter and exit the premises of the polling station.

When counting the votes, the members of the bureau shall be guided by the following **PRINCIPLES**:

- ✓ maximum transparency when counting the votes increases the speed and accuracy, ensuring the reliability of the voting results. Hence, the entire process of votes' counting should be assisted by observes;
- ✓ before counting, it is verified if the seals on the stationary and mobile ballot box/boxes are intact;
- ✓ to avoid the errors when counting the votes, the counting results are checked once again;
- ✓ the counting results are registered in a special form for votes' counting.



Note

The counting and tabulation of votes may be carried out only by the members of the respective electoral bureau.

The members of the electoral bureau will ensure for observers (and other persons authorized to assist the electoral operations) to clearly see how the counting of the votes is performed.

While counting the votes, the members of the electoral bureau will follow the STEPS below and will fill in the protocols regarding the results of votes' counting, in line with art. 61-63 of the Electoral Code:

Step 1: arranging the place for counting the votes

Step 2: counting the unused ballots

Step 3: counting the ballots which were filled in a wrong way

Step 4: counting how many voters received the ballots

Step 5: counting the number of ballots from the mobile ballot box

Step 6: counting the number of ballots from the stationary ballot box and establish the number of voters that have participated in elections

Step 7: counting the valid and invalid ballots

Note

During the counting process, the member of the electoral bureau raises the ballot, shows it to everyone, examines the ballot with attention and if it is valid, announces for which candidate was given the vote.

If the ballot is considered invalid, it is placed in the pack of invalid ballots. The Chair of the electoral bureau provides the possibility to examine the ballot to be declared invalid to all the members of the bureau and

all the persons authorized to assist the electoral operations.

If the members of the electoral bureau have doubts regarding the validity of the ballot, the problem is settled via voting, and the result is registered in the protocol of the bureau meeting.

All the numbers obtained in steps 1-8 are announced loudly.

The protocol regarding the results of votes' counting is concluded in several copies **ONLY** by the members of the Precinct Electoral Bureau. The protocol should be signed by the members of the electoral bureau and stamped – only such protocol has legal value.

Attention!

After the protocols were signed and stamped, the observers and representatives of electoral competitors are handed in, upon request, a copy in original. A copy of the protocol is posted immediately at the entrance in the polling station.

Packing and transmission of electoral materials

The observers have the possibility to monitor all the actions related to packing, sealing, and sending the electoral documents and materials.

When finishing the counting, all the electoral materials and documents will be packed and sealed. The Chair of the Precinct Electoral Bureau delivers to the District Electoral Council, as soon as possible but not later than 18 hours after announcing the closing of the polling station, all the electoral materials and documents. The transportation of the sealed box (package) will be escorted by the police, the chair, and at least two members of the Precinct Electoral Bureau.

For the General Local Elections, District Electoral Council of first level will submit the electoral materials and documents to the District Electoral Council of second level, regional Court and Mayors Office, in reasonable time. District Electoral Council of second level, will submit the electoral materials and documents to the Court and to the Central Electoral Commission, not later than 48 hours after the closing of the polling station.

For the New Parliamentary Elections, SM DEC submits electoral materials and documents to the Local Court and CEC within 48 hours after closing the polling stations.

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