

## Press Release

June 7, 2004

### **Democracy in the countryside – the conclusions of Asociația Pro Democratia (APD) after observing the June 6, 2004 elections**

**For more than 15 years from the first free elections, Romanian authorities fail to show any progress concerning the manner in which they are organizing the elections.**

We consider that the main cause for this situation is the absence of an Permanent Electoral Authority which could determinate the set up of a group of office workers specialized in organizing and managing the electoral processes and who can allow the enhancing the experience from one ballot to another.

The establishment of this institution during the electoral campaign (after more than 4 months from the date when it should have been established, in conformity with the law) did not take place because of the desire of improving the organization of elections (this had in fact no chance of occurring by the creation of this institution only days before the election took place), but because of the need of completing the Central Electoral Bureau with the President and the two Vice-presidents of the Authority.

We consider that because of the manner in which its structure was established and its responsibilities were attributed by law, but especially because of the fact that the President and the two Vice – presidents were chosen from the members of the government party, the Electoral Permanent Authority's chances of becoming the trustworthy and efficient institution asked for by the Romanian civil society ever since 1995 have been nullified.

Asociația Pro Democratia has proposed and achieved for the local elections on June 6, 2004 the accreditation of 2488 observers and through their mediation APD had covered the same number of polling sites situated in 33 counties, 1505 polling stations being situated in the rural areas. It is the first time when in the observation of the elections (starting in February 1992) that APD particularly focuses on the polling sites in the rural area.

By the fact that on the 6<sup>th</sup> of June 2004 the telephones of the Association rang more often than in any other election day, so that a great many problems related to the election process could

be signaled to us, entitles us to believe that we were not mistaken when we considered that the rural area should be our “target”.

In the following lines, we will present the main problems encountered by the Asociația Pro Democratia through its 2488 observers.

## **1. Organizational problems**

Ever since the opening of the polling sites a series of problems related to the manner in which the election process was organized could be acknowledged. Although these problems were not necessarily violations of the law, they negatively influenced this process, including by the creation of possibilities of fraud.

### **1.1. The ballot boxes**

Normally, there should have been a ballot box for each type of ballot in every polling site (four ballot boxes in each site in Bucharest, one for each of the following: General Mayor, General Council, Sector mayor and Sector Council; and three boxes in sites from other localities – for the County Council, mayor and local council). As anyone can notice, the polling sites generally have only two or even one ballot box, which means that two or even three types of ballots are introduced in one box. This problem significantly burdened the count of the votes in the respective polling sites, a process which started after 21:00.

### **1.2. The adhesive stamps**

As it has also been the case with the referendum for the revision of the Constitution, the adhesive stamp applied on the ID card of the voter can easily be removed. The application of this stamp represents one of the two safety measures meant to prevent an elector from voting more than once, the other measure being constituted by the obligation of the voter to sign on the electoral list. As the adhesive stamp, by its design, can no longer be considered a safety measure, the only thing preventing those who want to vote more than once remains the signature on the electoral lists.

### **1.2. The ballots**

As in some situations before, the ballots were made by using a much too thin paper, so that in many cases the stamp applied on a certain page was also imprinted on one or more of the following pages. This created the possibility for many of the ballots to be nullified at the ballot count, because their pages contained the “VOTED” stamp applied in more than one square (in fact there is only one stamp, but imprinted on several pages).

## **2. Violations of the law**

### **2.1. The existence of electoral propaganda means in the proximity of the polling sites**

The irregularity most often signaled by our observers concerns the presence of electoral propaganda materials in the proximity of the polling sites, and this problem was encountered in all the counties and in Bucharest as well.

Unaccountably, the presidents of the electoral bureau of the polling sites took no measures against this disorder, neither on Saturday afternoon (when the members of the bureaus met at the polling sites particularly to take the necessary measures in order for everything to take place smoothly), nor in the morning of the voting day, although the law grants them with decision-making power not only inside the polling sites but also within a 500 m range around them. What is more, the county electoral bureaus and the constituency bureaus treated this problem in different manners. Thus, while the Electoral Bureau of the Bistrita Nasaud County had the respective propaganda means removed immediately, and the Electoral Bureau of the Sibiu County informed the Police with regard to this aspect, most of the bureaus postponed or even refused adopting a decision.

Examples of cases where this disorder has been encountered: Arad county – Seitin, Chisinau Cris; Arges county – Bascov; Bacau county – Osebitii; Bihor county – Oradea; Brasov county – Brasov, Tarlungeni, Zizin, Timisul de Jos; Cluj county – Santioana, Floresti, Cluj-Napoca, Gilau; Constanta county – Eforie Nord, Constanta, Negru-Voda; Dolj county – Bechet; Gorj county – Pades, Motru; Harghita county – Gheorgheni; Hunedoara county – Lupeni, Petrila; Ilfov county – Popesti Leordeni, Ciorogarla, Chitila; Suceava county – Calinesti, Darmanesti, Sheia, Forasti; Timis county – Timisoara, Chevers; Valcea county – Rm. Valcea, Sirineasa, Bujoreni, Maldarasti,; Vrancea county – Ploscuteni, Pufesti, Tulnici, Vidra; Bucuresti – all sectors.

## **2.2. Expressing votes based on the elector card (and not on the ID card, as the law stipulates)**

It appears that the rule of renouncing the elector card, established when the Law of local elections was modified, has not been made known to all the members of the electoral bureaus of the polling sites, and was even less known to the voters; therefore, in quite a few cases, the electors were either imposed the condition of presenting the election card or allowed to vote with it, without being obliged to show their ID card. This type of situation was signaled in the city of Constanta, the Mures county – Vanatori locality; the Ilfov county - Stefanestii de Jos and Popesti Leordeni; in Bucharest, especially in Sector 3.

## **2.3. Taking the voters to the polling sites with candidates' cars of minibuses**

This strategy, which could be included to the voters' "bribing means" category, represents a novelty with the elections in Romania and was particularly applied in the rural areas (where distances between villages are especially long), such as: the Arges county – Valcele; Bihor county – Tamaseu; Ilfov county – Pantelimon and Popesti Leordeni; Vrancea county – Ploscuteni and Vidra.

## **2.4. Attempts made by candidates or representatives of the political parties to influence the voters' options**

Such cases have been signaled in: Constanta county – Eforie Nord, Constanta, Negru-Voda; Arad county – Santana, Tarnova and Chisinau Cris; Cluj county – Gilau; Salaj county – Pusts, Banesat, Somes Odorhei, Banisor; Timis county – Cheveres; Vrancea county – Ploscuteni,

Tulnici; Bihor county – Oradea; Ilfov county – Stefanestii de Jos, Popesti Leordeni, Ciorogarla, Pantelimon; Dolj county – Bechet; Brasov county – Timisul de Sus, Mehedinti county – Vanatori, Bicles, Molovat; Valcea county – Bujoreni, Maldarasti; Gorj county – Pades, Motru; Bacau county – Osebitii, Olt county – Caracal and Slatina.

## **2.5. Electors having voted with more ballots than entitled to**

### **Bucharest**

Sector 2, site 297: a member of BESV handed an elector 2 ballots for the sector mayor; when she was drawn attention upon it she accused the APD observer of “sabotage”.

Sector 3, site 555: an elector was handed 5 ballots, two of which were for the sector mayor function.

### **Brasov County**

Predeal: the president of a polling site gave an old woman 3 ballots for mayor and 3 for the local council.

### **Ilfov county**

Popesti Leordeni: site 7: two ballots for mayor were introduced by one person.

Pantelimon: an elector was given 4 ballots, 2 of which were for mayor. When the elector introduced the second ballot for mayor in the ballot box, he was noticed by a candidate of the Local Council in the site, who notified the president of the polling site, so that the elector was prevented from placing the ballot into the ballot box. The election process was suspended for a few minutes, and the president of the site called the Police and a delegation from the County Electoral Bureau.

Pantelimon, site 1: a citizen received two ballots for mayor, and only one of them was put into the ballot box. The other ballots, including the extra ballot, were nullified because the supervisors in the respective site opened them to see who had been elected. This incident was the second in the same site.

### **Mures county**

Craciunesti, site 1: a candidate voted for a relative as well. The president of the commission refused to nullify the vote.

### **Salaj county**

Galgau on Somes: the sister of the prefect of Salaj county, Pocol Olimpia, voted for 3-4 electors, without their consent.

### **Timis county**

Satchinez, site 1: the PSD member of the Electoral Bureau in the polling site gave a lady a double number of ballots, all of which were put in the ballot box.

## **Vrancea county**

Ruginesti: at 12.00 several citizens received more ballots than they were entitled to, under the “supervision” of the site president.

### **2.6. Polling booths where 2 or more people entered, contrary to the legal provisions (art.82 from law 67/2004).**

As in each of the previous ballot counts, the access of two or more people in the booth in the same time was allowed, without justification, in a great number of cases from almost all the counties in the country.

### **2.7. Using the special ballot box outside the legal provisions**

This issue, either concerning the refusal to send the special ballot box where it had been required or its sending after receiving requests which were in the best case suspicious, was encountered in: Alba county – Rosia Montana and Bucium; Arad county – Tarnova; Caras Severin county – Resita, Ezeris; Cluj county – Copaceni; Mehedinti county – Livezile and Bicles; Neamt county – Targu Neamt; Salaj county – Ip, Letca, Fantanele, Somes Odorhei, Buciumi; Teleorman county – Rosiori de Vede; Valcea county – Stoenesti and Glavile.

### **2.8. Preventing APD observers from observing the count of votes in the polling sites**

The poor knowledge of the Law by some presidents of the electoral bureaus in polling sites, and also in town and county electoral bureaus led, at least in the beginning, to the removal of APD observers from polling sites soon after 21:00, when the voting process ceased. After countless phone calls to the Central Election Bureau and some county election bureaus, APD observers were allowed to return in the polling sites. Such situations were encountered in Beresti, Doftana and Sascut in the Bacau county, in a site in Pascani, the Iasi county, all around the Ilfov county (according to the decision taken by the President of the Electoral Bureau in this county).

## **3. Conclusions**

We can affirm, without the shade of a doubt, that from the organizational point of view the first round of the local elections in 2004 was marked by severe deficiencies. Some of them allowed for the appearance of frauds and even if, eventually, in many places these failed to occur, by no means the conclusion should be drawn that organizational problems could continue to be tolerated.

As to the irregularities and frauds, or better said attempts at fraud, it can be said that although the notifications we received in relation to them were fairly numerous, they do not seem to be part of a strategy of fraud in the elections established at a certain level. Therefore, when speaking about correctness, we may conclude that these elections are to be considered as part of the manner in which the elections in Romania usually take place.

All notices received by the Pro Democracy Association as to the electoral process throughout the 6<sup>th</sup> of June are to be found on our web site, at [www.apd.ro](http://www.apd.ro)

It order to accomplish the monitoring of local lections, the Pro Democracy Association formed a coalition of non-governmental organizations, including the APD clubs and the organizations: “Access Center - Zalau”, “Dunarea” Mehedinti Association, “Pro Europe League” – Targu Mures, “Protect Nature and Youth” Association – Motru, “The Regional Center of Initiative for Citizens PROCIVIC” – Buzau, the “Targoviste towards Europe” Association, the Civic Action Foundation and DEEP Foundation and Equal Association in Lupeni.

**We would especially like to thank to all of the 2488 observers who have provided us with their support throughout this ample process of monitoring, thus proving their strong civic spirit!**