

LCRM – Legal Resources Centre from Moldova

CALC repeatedly urges the CEC to organize public consultations on the draft decision for the establishment of voting sections

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Today, the Civic Coalition for Free and Fair Elections (CALC) sent a request to the Central Electoral Commission (CEC) repeatedly urging the CEC to organize genuine, official and transparent public consultations on the draft decision to establish polling stations outside the country.

The Coalition reiterates its request to invite all stakeholders, at least by publishing an official announcement on the CEC website. The Coalition expresses its openness to participate in all public consultations organized by the CEC and not only on the topic of opening polling stations abroad.

The opening of polling stations abroad is one of the topics intensely and widely debated on the eve of every election. In the last few weeks, several stakeholders, including voters in the diaspora, have publicly or online expressed their doubts and fears about the correctness of the process of setting up polling stations abroad. Starting with 2019, the Central Electoral Commission has been designated responsible for setting up polling stations abroad based on the criteria established by law. To date, there is no clear methodology for applying these criteria. The member organizations of the Civic Coalition for Free and Fair Elections, Promo-LEX [1] and ADEPT [2] have proposed to the Commission clear and transparent mechanisms and methodologies for determining the number of polling stations abroad and their geographical distribution, without receiving any response from CEC.

For these reasons, and in order to ensure a more transparent and extensive consultative process, on 8 September 2020, CALC sent to CEC a [request](#) urging the Commission to hold public consultations on the draft decision on the establishment of polling stations abroad. This appeal was also published on the Coalition's website. The Coalition emphasizes that according to Government Decision no. 967 of 9 August 2016 on the mechanism of public consultation with civil society in the decision-making process, information on the organization of public consultations on the draft decision is presented in the form of an announcement, accompanied by the draft decision and related materials (comprehensive information notes, analytical studies, ex-ante analyzes, tables of compliance with Community legislation, other materials that formed the basis for drafting the decision, etc.).

Coalition member organizations are aware that the materials related to the draft decision on the opening of polling stations abroad can be finalized only after September 16, 2020, when the period

for the pre-registration of voters abroad ends. Only then will the final number of pre-registrations be known. The CEC has less than 10 days, until September 25, 2020, to decide the number and geographical location of polling stations abroad. Thus, genuine public consultations can take place during this time.

However, until the morning of 15 September 2020, the Commission did not publish any announcement on the organization of public consultations, nor the draft decision on the establishment of polling stations abroad with relevant materials.

On September 14, 2020, the CEC invited by e-mail the members of the Civic Coalition for Free and Fair Elections to a meeting on the topic of setting up polling stations abroad. The CEC expressed its readiness to organize the meeting on 15 September 2020 at 15.00.

The electronic invitation also did not contain any related material on the basis of which discussions could take place. Please note that the meeting was scheduled to take place one day before the expiration of the pre-registration deadline, which prevents the organization of genuine consultations on this subject. The decision of the Coalition Council, notified to the CEC on the same day, was to reiterate the need for genuine public consultations, but stressed that they can only take place after 16 September 2020, when the deadline for pre-registration expires and all stakeholders should participate at these consultations.

CALC members reiterate that the topic of opening polling stations abroad is one of public interest and that they will only participate in a public meeting, organized after 16 September 2020, where all relevant and interested parties are invited.

[1]

<https://promolex.md/17712-promo-lex-isi-prezinta-opinia-privind-constituirea-sectiilor-de-votare-peste-hotarele-republicii-moldova-si-un-proiect-de-regulament-in-acest-sens/?lang=ro>

[2] <http://alegeri.md/images/7/78/Nota-sectii-votare-strainatate-2020.pdf>

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