



FINAL REPORT

ON THE ELECTION MONITORING

IN

ROMANIA

November 3, 1996

1. DELEGATION

A Delegation of the OSCE Parliamentary Assembly monitored the parliamentary and presidential elections in Romania on 3 November 1996 at the invitation of the Romanian authorities. The Delegation was composed of 14 Members of Parliament from 6 different countries and 6 accompanying officials:

Jaroslav Novak	Czech Republic
Cestmir Hofhanzl	Czech Republic
Leonid Tabara	Moldova
Algan Hacaloglu	Turkey
Fevzi Iceoz	Turkey
Tiit Kabin	Estonia
Lisette Croes-Lieten	Belgium
Lozie Frans	Belgium
Christiaan Moors	Belgium
Patrick Hostekint	Belgium
Jacques Devolder	Belgium
Inaki Anasagasti	Spain
Jose Segura	Spain
Ramon Companys	Spain
Vitaly Evseyev	Deputy Secretary General, OSCE PA
Rita Avdonina	Executive Secretary, OSCE PA
Eva Dostalova	Czech Republic, staff
Mercedes Araujo	Spain, staff
Dorothy Taft	US Congress Helsinki Commission
Marlene Kauffman	US Congress Helsinki Commission

2. PROGRAMME

The pre-election briefing programme was prepared with the assistance of the International Department staff of the Romanian Chamber of Deputies. The Delegation was extensively briefed on all aspects of the Romanian elections over the two day period of 1-2 November. Meetings were held with the Chairman of the Central Electoral Bureau, the Chairman of the Constitutional Court, the President of Romania, the Speakers of the two Chambers, the leadership of five major political parties and representatives from both state supported and independent Romanian mass media. Observers from the Parliamentary Assembly of the Council of Europe attended the pre-election meetings and briefings.

On election day, Delegation observers divided into 8 groups monitoring the elections in the cities of Bucharest, Ploiesti, Dumbovitsy, other cities and towns as well as in rural areas, including opening, closing and initial ballot counting in the polling stations. Following a debriefing meeting of the OSCE Parliamentary Assembly observers, the preliminary findings of the Delegation were given to the press on the morning of 4 November.

3. PARLIAMENTARY ELECTION

In accordance with the Constitution adopted by referendum in December 1991, the Parliament is composed of two Chambers, a Chamber of Deputies with 328 Members and a Senate with 143 Members. Both are elected for a term of 4 years by universal, equal, direct, secret and freely expressed suffrage under the conditions of the electoral law. Deputies and senators are elected in constituencies on the basis of a list system and independent candidatures according to the principles of proportional representation based on multi member constituencies formed by the 42 districts. For the purpose of election, parties, political formations and coalitions were required to submit lists of candidates with the following quota for representation: 1 Deputy to 70,000 inhabitants and 1 Senator to 160,000 inhabitants.

Additionally, seats were reserved for small national minorities which had not obtained at least one Deputy or Senate mandate in the elections. Such minorities would have a right to a Deputy mandate provided they had obtained, in the whole country, a number of votes which equaled at least 5% of the average number of validly cast votes in the election of one Deputy in the whole country.

Candidates wishing to stand and be elected to the Chamber of Deputies had to be qualified electors of at least 23 years of age, residing in Romania and not subject to disqualification under the constitution and electoral law.

Candidates wishing to stand and be elected to the Senate had to fulfil the same requirements except that there was an age requirement of at least 35 years.

Nominations were required to be submitted to the respective constituency bureau not later than 30 days prior to the polling day.

As many as 42 parties, alliances and organizations, including those representing ethnic minorities, fielded candidates for these elections while 240 people ran as independent candidates.

Three weeks before the elections the opinion polls showed the following results:

Romanian Democratic Convention (CDR)	- 30%
Social Democracy Party of Romania (PDSR)	- 29%
Social Democratic Union (USD)	- 21%
Democratic Alliance of Hungarians (UDMR)	- 6%
Romanian National Unity Party (PUNR)	- 4%
Greater Romania Party (PRM)	- 3%
Socialist Labour Party (PSM)	- 2%
National Liberal Alliance (ANL)	- 2%
Socialist Party (PS)	- 1%
Others	- 2%

4. PRESIDENTIAL ELECTION

The President is elected by universal, equal, direct, secret and freely cast suffrage under the conditions of the electoral law.

The constitution and the electoral law provide for two ballots using a majority formula. In order to be elected President on the first ballot a majority of registered voters must participate in the election and the candidate must gather the majority of all votes cast. In the event of none of the candidates gathering such a majority a second ballot is held two weeks after the first ballot. In the second ballot the two candidates who received the most votes in the first ballot compete for the presidency and the candidate obtaining the largest number of votes is declared elected irrespective of whether the majority of registered voters participated in the second ballot.

The electoral proceedings are carried out on a constituency basis as provided for in the law on elections to the Chamber of Deputies and the Senate and on the basis of the same electors lists.

Candidates may be proposed by political parties or formations or may be independent. In putting forward their candidature they must have the support of at least 100,000 electors and an elector may support only one candidate. Two or more parties supporting the same candidate may not, in addition, endorse another candidate separately.

Candidates wishing to stand and be elected must be at least 35 years old and meet the other requirements provided for by the constitution. Persons having been previously twice elected as president may not stand in presidential elections.

Nominations were required to be handed to the Central Electoral Bureau not later than 30 days before the date of the election.

All candidates validly nominated for the presidency were supposed to have equal and cost free access to radio and television.

Sixteen candidates were officially registered for the presidential election.

Three weeks before the election the opinion polls showed the following results:

Ion Iliescu, the incumbent President (PDSR)	- 33%
Emil Constantinescu (CDR)	- 27%
Petre Roman (USD)	- 24%
Gyorgy Frunda (UDMR)	- 4%
Gheorghe Funar (PUNR)	- 4%
Corneliu Vadim Tudor (PRM)	- 3%
Nicolae Manolescu (ANL)	- 2%
Adrian Paunescu (PSM)	- 1%
Tudor Mohora (PS)	- 1%
Others	- 1%

Electoral legislation provided for a hierarchy of electoral bureaux which were responsible for the preparation for and the conduct of the elections.. Three kinds of bureaux were set up for the elections: the Central Electoral Bureau, the Constituency Bureau (one for each constituency) and the Polling Station Electoral Bureau (one for each polling station). The electoral bureaux of all three levels were, as a rule, presided by jurists or magistrates and included representatives of major political parties, political formations and coalitions, participating in the elections. Altogether 15,117 polling stations were divided among 42 constituencies (41 in the counties and one in Bucharest). In addition, 173 polling stations were created abroad (in embassies, consulates, trade missions, etc.).

All Romanian citizens aged 18 years or over, and not subject to the disqualifications under the electoral laws, were entitled to vote (more than 17.2 million voters). In order to vote a person's name had to be on the electoral list. There were two kinds of lists.

A permanent list was drawn up for each locality and was supposed to include all the citizens with the right to vote who had their domicile in the locality. Special lists were created for persons voting outside their constituency at railway stations, bus terminals, ports, airports, etc. Personal ID cards were stamped after the person had voted thus excluding a possibility of double voting.

6. ELECTIONS ON 3 NOVEMBER

In accordance with an official statement released by the Romanian Central Electoral Bureau, over 13.3 million voters cast ballots on 3 November election day, representing 76% of the total number of registered voters.

The results of the parliamentary elections were as follows:

	Senate	Chamber of Deputies
Romanian Democratic Convention (CDR)	53 seats	122 seats
Party of Social Democracy (PDSR)	41 seats	91 seats
Social Democratic Union (USD)	23 seats	53 seats
Democratic Alliance of Hungarians (UDMR)	11 seats	25 seats
Greater Romania Party (PRM)	8 seats	19 seats
Romanian National Unity Party (PUNR)	7 seats	18 seats

Subject to Romanian electoral legislation, 15 national minorities, other than Hungarians, have got one seat each in the Chamber of Deputies.

Out of 16 presidential candidates in the first round, two will continue to compete for the President's office: Mr. Ion Iliescu (PDSR), the incumbent President, who got 32.25% of the ballots and Mr. Emil Constantinescu (CDR), who obtained 28.21% of the ballots in the first ballot. The second round of the presidential elections will be held on November 17, 1996.

7. OBSERVATIONS AT POLLING STATIONS

On election day, the polling stations opened at 6 a.m. Most of the Delegation observers arrived at polling stations prior to commencement and observed opening procedures. Members of the Delegation observed the voting during the day, were present at the closing of polling stations, monitored the closing procedures and the counting of votes. Altogether members of the Delegation visited over 100 polling stations on election day.

During the monitoring process no major violations were observed or reported to the Delegation members. The Delegation took note of the intensive pre-election campaign and a broad choice of parliamentary and presidential candidates on the ballot. The elections appeared to be generally well organized and the Romanian authorities and the officials in the polling stations appeared to implement the law in a competent manner, thus ensuring that the elections be held in a free and fair manner.

The Delegation did, however, observed some minor irregularities and breaches of proper procedure:

- many voter lists appeared to be incomplete, resulting in high numbers of voters being added or registered on special lists.
- election posters were broadly on display on the eve and during the elections.
- ballot boxes were not always properly sealed; in several cases mobile boxes were not ready or were unsealed.
- in some cases two voters were observed entering the voting booth together.
- voter lists were very rarely displayed in the polling stations.
- in one polling station 3 ballots -already stamped(voted)- were discovered. They were annulled by the local electoral bureau.

Most irregularities, however, seemed not to have been intentional. A lack of democratic experience, cultural and historical traditions as well as the general situation in the country have to be taken into account.

The press release and the programme of the Delegation observers of the OSCE Parliamentary Assembly are attached.

Members of the Delegation

DRAFT PROGRAMME
of the OSCE PA delegation at the presidential and parliamentary
elections in Romania
(31 October - 4 November 1996)

Thursday, 31 October

- Arrival, Otopeni International Airport
- Accommodation at the Inter-Continental Hotel

Friday, 1 November

- 08.30 - Meet in the lobby
- 09.00 - Accreditation of the members of the delegation in the Central Electoral Bureau (Please do not forget to take photos with you)
- 10.00 - Meeting with the Hon. Judge Costică Ionescu, the President of the Central Electoral Bureau
- 11.00 - Meeting with the leadership of the Romanian Democratic Convention (CDR) and Mr. Emil Constantinescu, President of the CDR, *Mihail Kogălniceanu* Hall, Parliament Palace
- 12.30 - Call on Mr. Oliviu Gherman, the President of the Senate, and meeting with the leadership of the Social Democracy Party of Romania (PDSR), on their own premises, Atena str.
 - Return to the Inter-Continental Hotel
- 14.00 - Lunch break
- 15.30 - Meet in the lobby
- 16.00 - Meeting with the leadership of the Social Democratic Union (USD) and Mr. Petre Roman, Co-President of the USD, on their own premises, 1, Aleea Modrogan
- 17.00 - Call on H.E. Mr. Ion Iliescu, the President of Romania
- 18.00 - Meeting with the leadership of the Democratic Alliance of Hungarians from Romania (UDMR), *Mihail Kogălniceanu* Hall, Parliament Palace
- 19:00 - Meeting with the leadership of the Romanian National Unity Party (PUNR), *Mihail Kogălniceanu* Hall, Parliament Palace

20.00 - Dinner (hosted by Mr. Emil Roman, MP, head of the Romanian Parliamentary Delegation with the OSCE PA), at the *Diplomatic Club*

Saturday, 2 November

08.30 - Meet in the lobby

09.00 - Meeting with the Hon. Judge Ioan Muraru, the President of the Constitutional Court, on the Court premises

11.00 - Meeting with Mr. Gabriel Gafița, Secretary of State, Foreign Affairs Ministry

- Return to the Hotel

12.00 - Lunch break

13.35 - Meet in the lobby

14.00 - Call on Mr. Adrian Năstase, the President of the Chamber of Deputies, Standing Bureau Hall, Parliament Palace

15.30 - Meeting with the representatives of the mass media (major newspapers, public and private TV and Radio companies), Parliament Palace, *Human Rights Hall*

16.45 - Organisational meeting of the Delegation (Deployment on November 3)

17.00 - Visit to the Parliament Palace

Sunday, 3 November (Election Day)

05.30 - Leave the Hotel

06.00 - Formal opening of the polls

21.00 - Formal closing of the polls (closing time may be extended to midnight)

Monday, 4 November

09.30 - Meet in the lobby

10.00 - Evaluation meeting of the delegation at its headquarters in the Parliament Palace

11:00 - Press conference, *Human Rights Hall*, Parliament Palac