

# **Promo-LEX informs of election contenders' failure to report expenses and reiterates the need to regulate the campaigns for the second round of voting**

On June 1, 2018, the Promo-LEX Observation Mission made public the fifth monitoring report on the new local elections of 20 May (3 June) 2018. Legal uncertainties related to the beginning of the second round of elections and campaigns for these elections, blocking / unblocking of the "Election Fund" accounts during that period, activities and instruments for electoral promotion, and failure to report expenses incurred for the election campaign are just some of the issues presented in this Report.

## **Electoral Code does not regulate the election campaign for the second round**

CEC's ruling on setting the date of the second round for mayor's election in the municipality of Chisinau was adopted on May 23, 2018. Thus, the election campaign would be resumed as soon as the Commission formally established the date of organizing and conducting the second round of elections.

However, the Promo-LEX Observation Mission points out that the Electoral Code does not explicitly regulate the conduct of the election campaign for the second round of elections. For this reason, in several consecutive elections, the election actors faced uncertainties regarding the start of the second round election campaign, as well as the rules of its implementation. We mention that these aspects have been repeatedly highlighted

in the Promo-LEX Reports, however, until now, they remain unresolved.

The legal uncertainty with regard to the start of the election campaign is closely related to the issue of ensuring the funding of the election campaign from the "Election Fund" account between the two rounds of voting and refers to the period, during which the account is blocked / unblocked.

### **Street and online advertising are the most widely used campaigning tools**

According to the Promo-LEX Report, *at least 76 campaigning activities* have been organized over the monitored period: PSRM – 62% and PPPDA – 38%. The most used promotional tools are: the use of stationary tents to inform citizens about candidates – 42%, distribution of election materials – 17% and 14% falls for participation in debates. Contenders have actively used street / promotional / online advertising, with at least 202 cases reported, of which: PSRM – 84% and PPPDA – 16%.

### **Using administrative resources and offering election gifts**

Promo-LEX observers have identified *at least one case that can be interpreted as use of administrative resources*. This is the case of Andrei Nastase's meeting (PPPDA) with voters, held within a medical institution during the work program. Also, *at least 4 cases can be qualified as offering gifts in the election campaign*. In all 4 cases, the PSRM sympathizers are involved by providing playgrounds for children (3 cases) and painting at least one bus stop (1 case).

### **Failure to report some spending categories is noticed in the second round campaign**

Although both election contenders *have declared campaign funds totaling 327,000 lei, only the candidate Ion Ceban (PSRM) reported expenses of 322,000 lei, while the funds of the*

*candidate Andrei Nastase (PPPDA) remained unused. The final joint balance of the two candidates is of 5 119 lei.*

The major share of expenditures declared by PSRM falls for TV advertising – 153 753 lei, followed by radio advertising – 55 556 lei, expenses for printed press – 47 500 lei, expenses for internet advertising- 35 235 lei, for street panels – 29 856 lei, other expenses – 102 lei (0.032%).

*At the same time, the Promo-LEX Observation Mission noticed lack of reporting for such categories of expenditures relevant to the election campaign as: organization of events, rental of premises for campaigning events, use of transportation, use of telecommunication services, volunteers' work and observers' work.*

*None of the election candidates reported expenditures for organizing events, although there were debates or other media events. Also, none of the candidates reported expenditures for delegating observers to polling stations on election day (tour I). The Promo-LEX Observation Mission is worried of the fact that this spending may remain unreported in round II, as well.*

According to the Report, the two election contenders failed to fully reflect the expenses, incurred during the 3 days of the second round election campaign. **Thus, the estimated amount of unreported expenses for all the election activities is of at least 197 127 lei, including 161 127 lei incurred by Ion Ceban (SPRM) and 36 000 lei by Andrei Nastase (PPDA).**

### **No ballot held without speeches inciting to hatred and discrimination**

Promo-LEX Association has registered at least 3 instances of hate and discrimination speeches that target election contenders and at least 2 cases, when competitors have resorted to discourses that incite to hatred and discrimination.

As for the competitors, who have been affected by various forms of intolerance, we identified three candidates (including those who are not in round II) Silvia Radu (former independent candidate), Andrei Nastase (PPPDA) and Ion Ceban (PSRM).

On the other hand, Ion Ceban reiterated that he would limit the fundamental right to freedom of assembly. And PPS sympathizers have been involved in actions that promote discriminatory messages and gender stereotypes.

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**Note:** The report covers the monitoring period from 21- 30 May 2018. The finances of the election contenders were monitored for the period 23 – 25 May 2018. The fifth monitoring report on the new local elections of 20 May (3 June) 2018 can be read **HERE**.

All Promo-LEX Election Observation Mission Reports are available **HERE**.

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