

Promo-LEX Election Observation Mission Published the Second 2019 Parliamentary Elections Monitoring Report

Promo-LEX Association launched the second Observation Mission Report on the Parliamentary Elections of 24 February 2019. Monitored period: 10 December 2018 – 8 January 2019.



Appointment and registration of candidates: political parties are the main stakeholders in the mixed electoral system, as well

During the monitored period, only 6 collective applicants (5 political parties and one electoral bloc) filed registration applications for the national constituency and 4 contenders

(PDM, the ACUM bloc, PCRМ and PSRM) were registered by 8 January 2019. The 40% gender quota was observed by registered contenders, but most women are placed beyond the 20th position on the lists. On the other hand, none of the registered electoral contenders ensured the 40% gender quota for the candidates running in the single-member constituencies.

By 8 January 2019, 393 initiative group registration applications have been filed in single-member constituencies. In 46 constituencies, the number of registration applications filed by potential candidates varied between 4 and 11, and in the case of 5 constituencies 11-14 potential candidates filed their applications. Of the total initiative groups, 73% were formed by parties and blocs, and 27% – by citizens (independent candidates).

Note that in the case of PDM, 87% of the established initiative groups managed to collect the signatures during the first two days.

Ambiguous legal provisions on the period one is to be relieved of the duties incumbent upon one in their job position

Promo-LEX OM drew attention to Article 13(3) that provides that one shall be suspended from his/her job position once she/he is registered as election candidate, while Article 49(1) provides that one shall be suspended for the entire length of the election campaign.

We recommend expanding the suspension period for candidates in single-member constituencies, which should start from the moment signature sheets are released.

Use of administrative resources and involvement of extraneous people in electoral-like activities

During the monitored period, Promo-LEX OM reported at least 10 cases in which administrative resources were allegedly used. Seven of them involved PDM, two – PPS, and 1 – PN. Promo-LEX

OM also underscored that the President of the Republic of Moldova participated in promoting PSRM candidates to the parliamentary elections.

In the case of two other parties – PDM (3) and PPS (2), there were situations that could be regarded as involvement of people who are not citizens of the Republic of Moldova in electoral-like activities.

Electoral-like activities, gift-giving during the election period

In the context of the parliamentary elections based on the mixed-member electoral system, Promo-LEX OM found that certain already registered candidates and potential candidates were

particularly active – i.e. about 280 events were carried out during the monitored period. About 100 of them (35%) could be rated as gift-giving during the election period. PSRM (42 cases), PPS (41 cases) and PDM (17 cases) conducted such activities.

Charity foundations associated with certain political parties participated, reportedly, in electoral-like activities – ‘Din Suflet’ [From the Soul] (PSRM) Charity and ‘Miron Sor’ Charity (PPS).

Expenses not reported by some initiative groups

About 40% of the initiative groups, including those formed by 6 political parties (MSPSN – 1 IG, PCRM – 29 IG, PL – 25 IG, PDA – 2 IG, PVE – 4 IG and 92 IG supporting independent candidates) didn't submit to the CEC any weekly financial statement nor any piece of information proving lack of any expenses, which is inconsistent with the provisions of the Regulation on Initiative Groups.

According to Promo-LEX estimates, the largest unreported expenses of the initiative groups that filed statements to CEC

have to do with the public events organised by PPS, PSRM and PDM, with the total estimated unreported expenses amounting to at least MDL 1 584 821.

Furthermore, before the initiative groups were even registered, at least 3 potential election candidates (PDM, PPS, PSRM) had incurred expenses for electoral-like activities that were beneficial for the subsequent activity of signature collection. These estimates amount to at least MDL 3 766 917, funds that ultimately yielded political and electoral gains without having been included on the Electoral Fund account. However, the current legal framework provides that such expenses must be reported in the final 2018 financial statements of the parties concerned.

Late implementation by CEC of certain amendments to the regulatory framework without having held public consultations

Promo-LEX OM calls attention to the fact that CEC continued to amend the regulatory framework during the election period; it amended three regulations and approved a new regulation on the organisation of elections on 24 February 2019.

Promo-LEX OM also underscored that the constituency councils did not comply with the legal provisions regarding public disclosure of information about the registered candidates, including ensuring public access to declarations on assets and personal interests.

Registrars' access to the SRV suspended by CEC in full election period

As CEC stopped registrars' access to the State Register of Voters, Promo-LEX observers didn't manage to fully monitor the extent to which the lists of voters were updated and improved.

Promo-LEX OM is confused about registrars' limited access to SRV during 28 December 2018 – 10 January 2019, in full election period when SRV content needs to be updated

thoroughly, with the participation of registrars.

Find the full report **here**.

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