

# **Statement of the Promo-LEX Association made at the 2019 Annual Human Dimension Implementation Meeting, OSCE/ODIHR with reference to follow-up on the implementation of recommendations in the context of the forthcoming general local and new parliamentary elections in Moldova**

Ladies and Gentlemen, Excellences,

My name is Nicolae Panfil and I represent Promo-LEX Association – the largest domestic election observation organization from the Republic of Moldova. I would like to inform distinguished audience about some of the positive electoral developments in my country, but also to draw your attention to the less positive ones.

The newly elected Parliament returned to the proportional electoral system and addressed several international recommendations. On certain other issues, previous recommendations have been also partially addressed, including on lowering ceilings for donations, introducing ceilings for

cash donations, allowing financing from diaspora, out-of-country voting and enhancing women's participation. Still, many inconsistencies remain unaddressed.

On October 20, 2019 the Republic of Moldova will hold general local elections concurrently with the new parliamentary elections in 4 single member constituencies. In this context, Promo-LEX is particularly worried about the following issues:

1. First, it should be reminded that the Moldovan Parliament had a very weak response to the Constitutional Court's request on closing the legal gaps identified in the course of 2016 Presidential elections, especially with regard to the sanctioning of religious cults involved in electoral campaigns, incrimination of the electoral corruption of voters, liability of broadcasters in electoral campaigns and better regulation of the procedure for contesting elections.
2. Second, I would like to emphasize the fact that election campaigns in Moldova are suffocated by the misuse of administrative resources. Promo-LEX has documented a widespread of this form of manipulation during the past elections. The current campaign for the election of local authorities is not an exception. The problem exists due to the lack of an explicit regulation of this phenomena in the national legislation.
3. Another problem is the lack of an effective mechanisms to monitor the political financing of parties and candidates. For four years already the state budget is financing the activity of political parties in Moldova and the Central Electoral Commission is still not able to ensure an efficient control of the way the money is spent. Previously, OSCE/ODIHR, Venice Commission and GRECO have recommended that a body with adequate capacity, technical expertise and independence should be empowered for such oversight. Should the CEC remain the competent oversight body, it should be given sufficient

authority and resources to conduct effective campaign finance oversight.

4. Next, although the newly elected parliament has addressed the recommendation to allow Moldovan citizens living abroad to finance the electoral campaigns of the candidates, for the new Parliamentary elections that will take place on October 20, 2019 in 4 single member constituencies, one of which is located abroad, funding from citizens based abroad is still not allowed. They can however support the election campaigns of the candidates running for the general local elections organized on the same day.
5. Speaking about the upcoming local elections, about 7% of the total number of voters (224250 people), who have neither a domicile nor a residence [\[1\]](#), following the experience from the past elections, as well as based on the amended legal provisions, risk not being able to
6. Further, Promo-LEX is concerned about the quality of the voters' Our Election Observation Mission found that the management of the State Registry of Population and the State Registry of Voters is being conducted in a very weak manner. Despite the negative population growth over the last two decades and the massive migration of the population abroad, we are witnessing a permanent increase in the number of voters. On the other side, the number of mandates for local councilors assigned for the general local elections of October 20, 2019 was reduced in strict correspondence with the number of inhabitants, against the backdrop of a continued increase in the number of voters.
7. And the last issue – the legal provisions that apply for the registration of candidates running for the mayor's office are very inequitable. For instance, the independent candidates running for the position of mayor of Chisinau need to collect 10,000 signatures for the registration, unlike those designated by political parties – who do not need to collect signatures at all.

For the record – a political party may be registered in Moldova if it gathers 4000 members. In comparison, in order to run for an MP office, a person needs to collect a maximum of 1000 signatures (and a maximum 500 signatures in the case of women).

In conclusion, Promo-LEX call the Moldovan authorities to find solutions and to ensure a broad social and political consensus for the remedy of the deficiencies mentioned above, thus guaranteeing an appropriate legal framework and socio-political environment for the conduct of free, fair and democratic elections.

Also, Promo-LEX addresses the representatives of the participating states and other international stakeholders with the recommendation to monitor the efforts made by the Moldovan authorities aimed at guaranteeing free, fair and democratic elections.

[1] <https://bit.ly/2kEcjGu>, <https://bit.ly/2m9y01K>