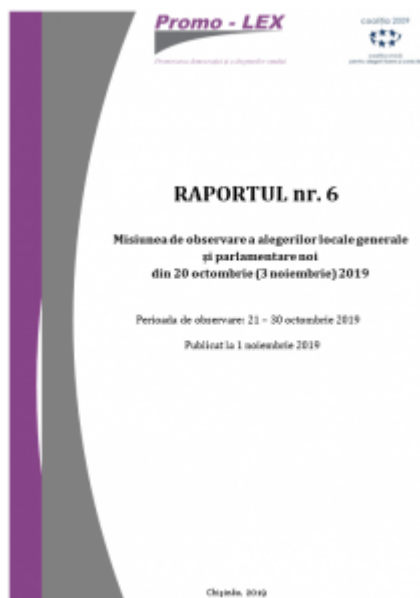


Promo-LEX Observation Mission: October ballot flaws recurrent in the second round

The Promo-LEX Observation Mission presented today, November 1, 2019, its Monitoring Report No. 6 for the general local elections and the new parliamentary elections of October 20 (November 3), 2019. The Report provides the findings, conclusions and recommendations of the Mission for the period subjected to monitoring (21-30 October 2019), the main observations being uncertainty with regard to the start of the second round election campaign, decrease in the number of campaign activities, as well as lack of transparency in the publishing of information on the resolution of electoral disputes.



Less electoral activities along with misuse of administrative resources



Even though the number of campaign activities in the second round of local elections has been reduced reaching 92 activities, the Promo-LEX OM still finds situations that can be qualified as offering of goods in the electoral campaign, misuse of administrative resources, claiming merits for the projects implemented at public expense, as well as use of public office in promoting an electoral competitor.

Thus, the Mission identified at least four cases, involving the PDM candidates that can be qualified as offering of goods in the electoral campaign (providing road repair services, food, money and clothing).

The Mission reported four situations that can be described as misuse of administrative resources: three electoral meetings held in state institutions during working hours (1 – the PDM and 2 – ACUM); a case (ACUM), which can be described as use of the public office in promoting an electoral competitor.

Other campaign activities that can be qualified as deviation from the legal norm refer to claiming merits for the projects implemented at public expense (3 cases – the PSRM); promoting candidates involving the image of personalities from abroad (3 – ACUM); use of electoral advertising in violation of legal provisions (15).

It should be mentioned that most candidates competing in the second round of mayoral elections in 384 constituencies have been nominated by the PSRM (179), the PDM (176) and ACUM Electoral Bloc (169). In terms of direct confrontation, in most constituencies, “the battle” will be held between candidates nominated by the PDM and the PSRM (63), followed by the PDM – ACUM Electoral Block (57), as well as the PSRM –

ACUM Electoral Bloc (48).

The Observation Mission finds actions aimed at undermining the transparency of the election campaign funding

Following the civic monitoring activity, the Promo-LEX OM found that 4 electoral competitors (the PSRM, ACUM, PDM, Victor Sau (I.C)) failed to fully reflect the expenses incurred in the period between 21- 25 October, 2019. The total estimated unreported amount is of at least 20,063 lei.

Only 6 competitors reported revenues of 190,589 lei. They account for financial donations of 3 natural persons in the amount of 11,720 lei for 3 competitors (the USB, MPSN, PAD); own means – transfers from the current account of three political parties to the electoral fund account (the PDM, PPS, ACUM) in the amount of 178,869 lei.

At the same time, 14 competitors reported remaining resources in the initial balance, reaching a total of 2,238,991 lei. Of 16 competitors that submitted reports, 10 competitors reported expenses of 1,255 069 lei, declaring a final balance of 1,174,504 lei. The major share of declared expenses accounts for advertising – 1,139,554 lei (71%); promotional materials – 408,321 lei (26%); transportation – 38,550 lei (2%); other expenses -17,849 lei (1%).

Suspicious of artificial voter migration before the second round

There are reasonable suspicions with regard to artificial migration of citizens in the context of the general local elections of October 20, 2019. Having analyzed the official data on the internal turnover of citizens for the period of 19.08.2019 – 10.10.2019, contrary to the common practice specific to the majority of level I ATUs, there were at least 3 applications for registration of residence, as well as some requests for the registration of domicile in at least 29 settlements.

Also, in at least one settlement where the second round of elections will be held, observers identified seven notifications from different level II ATUs about registration of people's domicile on one and the same day.

Promo-LEX warns about the lack of transparency in the activity of the CEC

As of October 3, 2019, the Commission has not published on its webpage any appeals / complaints, which makes it difficult for the Mission and for the general public to analyze the submitted appeals/complaints and the solutions issued with regard to them.

In 19% of the ECs I and 31% of the PEBs, visited by Promo-LEX observers, their offices were closed during the working hours.

The Promo-LEX OM emphasizes the existence of cases of delay in the examination of requests for recounting of votes, lack of clear legal provisions with regard to the request and admission of recounting, delayed recounting of votes, which may affect the smooth conduct of the second round of the general local elections.

Electoral competitors continue to generate discriminatory messages

Based on the information reported by the monitors, the OM found at least five cases in which electoral competitors generated discriminatory messages or displayed other forms of intolerance in the public space, of which: the PN have been involved in three situations, and ACUM Bloc in two situations.

On the other hand, the OM identified at least three cases, where competitors were targeted by hate speech – two cases referring to the PSRM candidate – Ion Ceban and a case, targeting the candidate of ACUM Bloc – Andrei Nastase.

Cumulating the criteria underlying hate speech cases, we note

that five of them are based on prejudices against mentally challenged people, four cases involve denigration and dehumanization, which are based on political affiliation of electoral candidates, intolerance of LGBT people and prejudices for religious beliefs account for one case each.

The full report can be accessed [here](#).

The Observation Mission of October 20, 2019 General Local Elections is carried out by the Promo-LEX Association with the financial support of the United States Agency for International Development (USAID) through the Democracy, Transparency and Accountability Program.

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