

STATEMENT | Position of the Civic Coalition for Free and Fair Elections on the general local election of October 20 – November 3, 2019



The Civic Coalition for Free and Fair Elections considers that the general local elections of October 20 – November 3, 2019, were generally free and partially fair. This opinion is based on the assessment of the adherence to the principles of free and fair elections by all election stakeholders and on the following findings regarding the pre-election period, the election period and election days:

Changes in the rules of the game during the elections. The amendments to the Electoral Code became public several days before the start of the electoral period for the general local elections, contrary to good practices in electoral matters. These amendments brought confusion to both voters and electoral officials, especially due to the fact that on October 20, different rules for two different electoral exercises were applied, with parallel regulation of the same legal relations.

Limitation of the freedom of voter information as a result of the restricted access to information on elections. Despite numerous formal inquiries from civil society, there were difficulties in accessing information about the lists of candidates for local councils. Citing personal data

protection, election management bodies denied access to the information about the profiles of the candidates for local councilors.

Hindered work of election management bodies. The electoral process was marked by a series of delays in the issuing of directions and decisions by the election management bodies to ensure a smooth pace of the elections. Moreover, the election management bodies failed to ensure the requisite transparency about filed complaints, warning reports and their resolution status.

Inconsistent candidate registration practice. Legal violations were found in the preparation of the lists of candidates, with at least 2000 lists of candidates (over 1/3 of the total number) being registered by district electoral councils while not complying with the legally required gender quota and/or the provisions regarding the candidate placement on the lists.

Refusal to register certain electoral contenders. The signatures of the supporters of one candidate were invalidated as a penalty when it was found that they were on the same subscription list with supporters from another locality, although the Electoral Code does not specify a clear consequence for such situations. This penalty, included exclusively in the CEC's Regulations, resulted in the refusal to register Ruslan Codreanu as independent candidate for general mayor of Chisinau. In this case, the courts also interpreted differently the conditions for the verification and validation of subscription lists and the grounds for invalidating the collected signatures.

Contenders' dodging the accurate reporting of their expenses. Electoral contenders keep dodging the full reporting of their expenses for travelling, office rentals and utilities as well as expenses for delegating/posting staff members, including those for paying the fees and per diems of observers and volunteers involved in the electoral campaign.

CEC's failure to perform background checks on the election contenders' financial reports. We noted the lack of checks on the election contenders' income sources by the CEC. There is also no control on the collection and accounting of funds received from primary donors (political organizations), be it in the form of cash registering equipment or payment receipts.

Use of administrative resources during the electoral period. There have been numerous reports of the use of administrative resources by the political parties running in the elections. Some notable cases included the inappropriate involvement of high-ranking officials in the promotion of certain electoral contenders, campaign meetings held in the premises and with the employees of government institutions during business hours, and the taking of credit by certain parties for services and works carried out with public money.

Issues and errors in the State Register of Voters (SRV) and voter lists. The ever-increasing number of voters in the SRV against the background of a negative natural population growth in Moldova maintains the concern about the quality of the management of the State Population Register and implicitly the SRV. We found the following issues with the quality of voter lists: the misassignment of voters to polling stations from other localities, the misassignment of voters to other polling stations from the same locality, the inclusion of deceased persons in the lists, the absence of voters in the main lists, and address errors. Moreover, there were cases of artificial migration of voters.

Impartial media. Most big media outlets covered the electoral campaign in a biased manner, discriminating and differentiating between the electoral contenders. Several candidates enjoyed massive and exclusively positive coverage on certain monitored TV channels, while their political opponents received negative coverage. The Broadcasting Council failed to act promptly to fight disinformation.

Women are still underrepresented. The introduction of gender quotas and the requirements for women placement determined political parties to nominate more female candidates for councilor positions. Regrettably, however, the share of female candidates for mayor has not increased significantly, getting only 5% higher over the past three electoral cycles. Although the legal framework imposes a 40% gender quota and sets out the rule of including minimum three same-gender candidates for every ten candidates in the lists for councilors, there were multiple situations where these rules were ignored.

Underrepresentation of Roma people. The representation of Roma people among candidates for local councilors remains low. Even lower is the representation of this vulnerable group in the lists of candidates for mayor. The electoral contenders' platforms mostly disregard the problems of Roma people.

Discrimination of people with disabilities. People with disabilities faced obstacles in physical and informational accessibility. Over 60% of the polling stations were inaccessible. The accessibility audit on 150 web pages of central and local public authorities, political parties, and electoral contenders found only two web pages accessible for persons with disabilities. During the electoral campaign, none of the residential institutions or other community-based centers hosted campaign meetings with and for persons with mental disabilities.

Obstruction of the work of national observers. In their work, national observers encountered obstacles from at least three categories of electoral participants: from members of electoral management bodies (the limitation of access to voter lists, the limitation of access to subscription lists, the limitation of access to complaints, and the limitation of access to financial reports of independent candidates), from representatives of public entities, and from electoral contenders.