

**Promo-LEX finds that the trend of using administrative resources, offering gifts during the general local elections is still in place and insists on the implementation of all recommendations to amend the legislation formulated by the Observation Missions**

*The Promo-LEX Association presented the main conclusions and recommendations of the Observation Mission for the 2019 General Local and New Parliamentary Elections, at the Post-Electoral Conference “2019 General Local Elections from the perspective of free, fair and inclusive elections: challenges and solutions.”*



The Promo-LEX Observation Mission draws attention to the important issues previously reported and which have remained unresolved, having an effect on the elections of 20 October (3 November) 2019: the ambiguities on determining the date of the elections; the lack of a clear legal mechanism to prevent the “artificial migration of voters”; absence of specific regulations on the start date of the second round of elections.

**The legal framework amended during the elections affects the accuracy and predictability of the process**

The Promo-LEX cannot overlook the fact that both the accuracy and predictability of the electoral process have been hindered by the multiple amendments that were adopted by the Parliament to the existing legislation (15.08.2019) during the electoral period.

Moreover, the Promo-LEX OM found that due to the application of the legislative norms amended in parallel for two types of elections held on the same day, the organization of the

electoral process was complicated and accompanied by uncertainties.

As to the holding of the new parliamentary elections on the same day with the local ones, the Promo-LEX OM considers that the CEC were to set the date of the elections between 7th of September 2019 – 7th of October 2019.



### **Independent candidates were disadvantaged compared to those nominated by political parties**

The Promo-LEX observers repeatedly stressed the fact that independent candidates, especially in Chisinau mun. and Balti mun. are disadvantaged in the registration process compared to those nominated by political parties by requiring them to collect signatures in support of their candidacy.

Likewise, among the main concerns of the Association are the differentiated approaches of the electoral bodies in dealing with similar situations of registration of competitors as follows: observing the gender quota in the councilors' lists;

registration of candidates on the basis of the Designation Minutes adopted before the legal deadline set forth in respect thereof; the obligation for a list to include only signatures of the supporters residing in a single settlement.

### **Enhanced activism of electoral candidates at the end of the campaign**

The electoral competitors have shown an increased activism, especially at the end of the electoral campaign, at the same time, there being also identified cases of promotion with an electoral tinge before the legal deadline. According to the Promo-LEX OM, electoral campaigns are still marked by the use of administrative resources, 191 cases have been reported, most of them referring to the conduct of electoral meetings with employees of public institutions during working hours. Observers also revealed at least 34 cases that could be qualified as electoral gift offering.

Other irregularities identified by the observers also include: the use of electoral advertising in breach of legal provisions (171 cases); promotion of candidates using the image of personalities from abroad (10 cases); use of the image of public authorities during the electoral campaign (10 cases); use of violence in electoral campaign (5 cases).



## RAPORT FINAL

Misiunea de observare  
a alegerilor locale generale  
și parlamentare noi  
din 20 octombrie  
(3 noiembrie) 2019

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The day of the elections marked by campaigning, shortcomings in the voters' lists and cases of material incentives offered to voters

Following the monitoring of 794 PSs in the first round of elections and 307 PSs in the second one, the Promo-LEX Observers reported 563 incidents, with a downward trend as compared to parliamentary elections of 24 February 2019 where 1118 incidents have been reported.

On the same lines, the Promo-LEX OM draws attention to the fact that in at least 18 cases, the Mission's observers were restricted to monitor freely the electoral procedures, as well as receiving the minutes on vote counting. In quantitative terms, the most frequently reported incidents were: unjustified presence of unauthorized persons in the PS or within 100 m from it (71) as well as deficiencies in voters' list (69).

The Promo-LEX OM additionally warns against cases of electoral agitation on the election day – 31 as well as rumours/material rewards offered to voters – 16 cases.

### **Electoral competitors continue not to report all expenses incurred during the election campaign**

The Promo-LEX Observation Mission found a deficient situation in the submission of reports by ICs to the DECAs – only 6% of the candidates registered therein. On the same lines, the Promo-LEX OM warns about the need to declare the value of material donations to the balance sheet of the financial report, in the section entitled *turnover of financial resources*.

The Promo-LEX OM found that an amount of MDL 6 104 594 was unreported. Thus, 26 electoral competitors failed to report in full the expenditures incurred by them during the electoral campaign. They are as follows: the PSRM, the PDM, the ACUM Bloc, the PPS, the PUN, the PCRM, the PL, the PN, the USB, the PPEM, the PPR, IC Turturica Natalia, IC Rusu Vasile, the PPVP, IC Dandis Nicolae, the PNL, IC Nicolae Balaur, the PPM, the PPDA, the POM, IC Moruz Dumitru, the PVE, the PAD, IC Valeriu Dragan, the PSE, the MPA. Of these, the PSRM failed to report at least MDL 3 515 587, the PDM – MDL 844 706, the ACUM Bloc – MDL 490 668, the PPS – MDL 404 245.

The mission warns that the level of estimated expenditures (6 104 594 lei) compared to the level officially declared at the CEC (19 726 281 lei) reaches 31%, this being the highest weight compared to previous elections. Thus, in the general local elections 2019, we have witnessed the lowest level of transparency in the financing of the electoral campaign for the last five years.

### **Artificial migration of voters and errors detected in the voters' lists**

The quality of management of the State Registry of Population,

raises concerns, especially in the context of the general local elections. Thus, in addition to the constant increase in the number of voters in the SRV, against the background of a negative natural population growth in the Republic of Moldova, there are still issues encountered with the quality of the voters' lists such as: deceased persons, wrong attribution of voters, non-inclusion of voters in the basic voters' lists, etc.

The artificial migration of voters has been observed in these elections as well. Minimum three requests for domicile registration have been identified in at least 29 ATUs I, whilst the number of voters on the additional lists was equal to or greater than the difference of votes between the first two candidates in at least 19 UCs I.

### **Current elections marked by hate speech and other forms of intolerance**

In this electoral campaign, competitors continued to use hate speech and elements of discrimination – 42 cases identified therein. In terms of types of hate speech, the most prevalent are sexist prejudices, gender stereotypes in society and prejudices among people with mental health problems.

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



*The Observation Mission for the General Local Elections and New Parliamentary Elections of 20 October 2019 was carried out by the Promo-LEX Association with the financial support of the US Agency for International Development (USAID) through the „Democracy, Transparency and Responsibility” Program, while the „Hate Speech and Incitement to Discrimination” compartment is supported by the Soros Foundation-Moldova through the project „Strengthening the platform for development of activism and education of Human Rights in the Republic of Moldova”.*

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