

Following the monitoring of the elections in the single-member constituency no. 38 from Hincesti, Promo-LEX draws attention to the need to amend both the Electoral Code and related legal acts, otherwise the latter may affect the integrity of the presidential elections

The Final Report of the Observation Mission (OM) for the New Parliamentary Elections in the single-member constituency (SMC) no. 38 from Hincesti, published today on the official website of the Promo-LEX Association (www.promolex.md), contains the facts, conclusions and recommendations established by the Election Observation Mission.

Taking into account the approaching presidential elections, the OM draws the attention to the necessity of correcting the legislative gaps, the Electoral Code and related legal acts, among which are: clear regulation of cases that can be qualified as indirect campaign financing of some candidates by parties that are not registered as electoral competitors, but carry out pre-election campaigning, excluding the requirement that the subscription list should contain only signatures of supporters residing in a single settlement, etc.

Elections held under risky conditions and with signs of organized transportation of voters

În rezultatul monitorizării alegerilor din circumscripția 38 Hîncești, Promo-LEX atenționează asupra necesității modificării Codului Electoral și actelor normative conexe, în caz contrar ele ar putea afecta corectitudinea alegerilor prezidențiale

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Promovarea democrației și a drepturilor omului



1.

Alegeri desfășurate în condiții de risc și cazuri cu semne de transportare organizată a alegătorilor.



2.

Cel puțin 125 993 de lei neraportați de către 5 din 7 concurenți electorali.

Organele electorale inaccesibile persoanelor cu necesități speciale și dezechilibrate din perspectiva de gen.

3.



Erori procedurale în examinarea și soluționarea contestațiilor de către CEC.

4.



The New Parliamentary Elections of 15 March 2020 in the SMC no. 38 from Hincesti were held in conditions of imminent epidemic threats that put both participants and voters at risk. According to the Promo-LEX OM, Parliament is the only authority that had the right to postpone the elections. In the current legislative environment, the postponement of elections could only be applied by declaring a state of emergency, which was in fact declared immediately after the elections.

On the Election Day, the Observation Mission reduced the number of observers involved by delegating only one mobile team, which operated in a limited observation mode, monitoring electoral processes at 11 polling stations. Also, on the Election Day, observers found three cases of organized transportation of voters.

At least 125,993 lei not reflected in reports of 5 out of 7 electoral competitors

During the monitored period, the electoral competitors carried out at least 176 promotional activities, the most frequent being the distribution ones and those related to the placement of electoral displays – 45%, followed by meetings with voters – 30%. Per competitors, most campaign activities were organized by the PPS – 34%, the PSRM – 29% and the PAS – 20%.

According to the reports submitted by all the electoral competitors with the CEC, the main share of the declared expenses falls on: advertising and promotional materials – 78%, meetings and events – 15%, salaries for the electoral staff – 3%; use of transport – 3%; others – 1%.

The Promo-LEX finds that five out of seven electoral competitors failed to report all the expenses incurred by them in the election campaign: the PSRM (91 015 lei), the IC Cobzac Grigore (16 978 lei), the PDM (10 409 lei), the UNIREA Bloc (6 122 lei), the PPS (1 469 lei). The total amount estimated as unreported is at least 125 993 lei.

Gender-biased and inaccessible to people with special needs

electoral bodies



According to Promo-LEX observers, the gender composition of the PEB was an imbalanced one. Hence 85 % of them were women, the proportion being also maintained at the management level of the PEB.

Availability of lower level electoral bodies to people with locomotor disabilities and/or special needs is still far from being great: CECEU no. 38 is inaccessible, while PEBs' premises are not available at a proportion of 75%.

Procedural errors in the consideration and resolution of complaints by the CEC

During the monitored period one complaint was submitted to the CECEU and one request and one complaint to the CEC. As regards the subject matter of the request, the CEC requested the court to cancel the registration of a candidate even though there was no express request on the part of the signatory. The CEC's request was satisfied by the court.

The Mission states a more active role of CEC in handling

complaints and requests, compared to the practice of previous elections. At the same time, we draw attention to the fact that the effective processing of complaints and requests must be in strict compliance with substantive and procedural rules. Also, the CEC's attitude and approach should apply equally to all electoral competitors.

We note that the number of voters in the basic voters' lists for the new parliamentary elections of 15 March 2020 in the SMC no. 38, decreased by 169 citizens with the right to vote, compared to the parliamentary elections of 24 February 2019.

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

The Observation Mission for the New Parliamentary Elections of 15 March 2020 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.

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