

Promo-LEX Report No 3: Setting up polling stations abroad (outside the diplomatic mission premises) – a process that was contested, conducted without any public consultations, but for the first time was based on a clear mechanism for establishing the PS number and location

Promo-LEX launched today the Third Report of the Observation Mission for the Elections of the President of the Republic of Moldova on 1 November 2020. The key aspects covered in the report include establishment of polling stations, including the ones abroad and for voters from the transnistrian region, promotional activities conducted by potential election contenders, as well as financial reporting of their expenses.



Polling stations established abroad on the basis of a clear methodology and by informing stakeholders, but without any public consultations

For the presidential elections of 1 November 2020, a number of 2143 polling stations were established, of which 42 PSs were established for the voters from the transnistrian region and 139 PSs were established for the voters from abroad.

CEC established abroad by 39 more PSs than during the presidential elections of 2016. Compared to the previous elections, the document on PS establishment informed stakeholders about the stages of establishment, the calculation formula used, the risks determined by the epidemiological evolution, etc. However, we draw attention to the lack of institutionalized public consultations, which raised suspicions about how the number and the location of polling stations abroad was decided. Also, if the epidemiological situation worsens, the actual number of polling stations established abroad could be lower than the number of polling stations determined by CEC, but it is

important that the central electoral body communicates at an early stage and transparently about such possible situations.

Issues with the establishment of polling stations for voters from the left bank of the Nistru river

Given the isolated cases of refusals to provide support to CEC in establishing polling stations for voters from the left bank of Nistru river, the Observation Mission reports a poor and contradictory communication between certain level-one local public authorities (LPA I) and CEC on the establishment of these polling stations.

Even if according to the law, polling stations are established for voters from the left bank of the Nistru river without having to compulsorily consult the LPA, it is recommended that stakeholders reach a compromise and have an amicable communication in order to ensure the right to vote for voters from that region.

Election contenders registration



Of the total number of 13 registered IGs, as of 29 September 2020, five election contenders were registered, one application was rejected and other three files were under review. Of the four candidates that have not submitted their signature sheets by 29 September 2020, three are independent candidates.

In the third monitoring report, Promo-LEX also underlines issues related to the conditions for verifying signature sheets. In this regard, we reiterate that the provisions of CEC Regulations are more restrictive than of the Electoral Code and, hence, put election contenders in an unfavorable position and affect the freedom of expression of voters.

Appeals and notifications

Promo-LEX also found that the electoral authority did not register two notifications. We believe that any notification, application, complaint – regardless of the name of the individual who submitted them – shall be registered as an electoral complaint if it reports certain violations of the electoral process.

Note that four out of five complaints were declared inadmissible in the first instance court. In this regard, we reiterate that the right to effective remedy shall be ensured to election contenders, voters and other electoral stakeholders.

Promo-LEX reports increasingly more cases that can be qualified as misuse of administrative resources

According to Promo-LEX Observers, during this period, the initiative groups (IGs) carried out at least 130 activities to collect signatures and electoral-like political promotion activities with regards to already registered candidates. Most activities were carried out by: Igor Dodon IG (IC) – 52 activities, Maia Sandu IG (PAS) – 27 activities, and the registered candidate Andrei Nastase (PPPDA) – 24 activities.

At least 25% of all the actions that are considered to be conducted by Igor Dodon IG, registered as independent candidate, were conducted by PSRM members and supporters.

Also, at least 23 cases of using administrative resources were reported: 15 (65%) – Igor Dodon (IC), 7 (30%) – Violeta Ivanov (PPS) and 1 (4%) – Maia Sandu (PAS).

Zero expenses reported for the activity of signature collectors

The revenues and expenses reported to CEC between 2 and 25 September 2020 by the seven registered IGs, which submitted weekly reports amount to MDL 1 827 428. No initiative group exceed the threshold set by CEC in the amount of MDL 994 250.

According to Promo-LEX observations, no IG reported expenses for signature collectors. Nine IGs did not report fully or any expenses incurred during the reference period: Violeta Ivanov (PPS) – MDL 269 100, Andrei Nastase (PPPDA) – MDL 172 196, Renato Usatii (PN) – MDL 122 198, Igor Dodon (IC) – 30 794, Octavian Ticu (PUN) – MDL 57 697, Maia Sandu (PAS) – MDL 13 757, Andrian Candu (PRO MOLDOVA) – MDL 15 506, Tudor Deliu (PLDM) – MDL 8 810, Dorin Chirtoaca (BE UNIREA) – MDL 5 432. The total unreported expenses are estimated to at least MDL 748 173.

Hate and discriminatory speech continues to affect the election campaign

According to the information reported by observers, at least five cases when Renato Usatii (PN) used hate speech and incitement to discrimination in the public space were identified.

Also, at least 19 cases of election contenders affected by hate speeches or incitement to discrimination were also reported. Of these, 14 cases involved candidates and/or election contenders, and five cases referred to members of

political parties and/or their supporters. Thus, of the candidates and/or election contenders, Igor Dodon (IC) was targeted in 8 such cases, Maia Sandu (PAS) – in 2 cases, and Renato Usatii (PN), Andrei Nastase (PPPDA), Andrian Candu (Pro Moldova) and Dorin Chirtoaca (BE UNIREA) – in one case each.

Hate and discriminatory messages built on the following criteria: political affiliation, health condition, disability, professional activity, sex/gender, religion and religious beliefs, and opinion.

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Find the full report [here](#).

If there are any discrepancies between the text in Romanian and its translation, the provisions formulated in Romanian shall prevail.

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