

The first findings of Promo-LEX Observation Mission for the Early Parliamentary Elections of 11 July 2021

As per Presidential Decree of 28 April 2021 on dissolving the Parliament and setting the date of the elections, the early Parliamentary Elections will be held on 11 July 2021 – an important ballot for the decision-making quality and strategic direction in the Republic of Moldova.

With the aim of developing democracy in the Republic of Moldova, including in the transnistrian region, Promo-LEX has launched today the XXIth Election Observation Mission (OM). Promo-LEX also presented the first Monitoring Report for the Early Parliamentary Elections of 11 July 2021.



The report covers both the pre-electoral period and the electoral period before the onset of candidate nomination procedures (23 December 2020 – 11 May 2021).

Relevant legal framework for the Early Parliamentary Elections of 11 July 2021

As the mixed electoral system was cancelled and Law No 113 of 15.08.2019 reintroduced the proportional elections, the early Parliamentary Elections of 11 July 2021 will be held on the basis of the latter. The principle of electoral law stability, stating that any substantial changes should be made prior than one year before the election, was hence complied with.

At the same time, we would like to draw the attention to draft Law No 263 of 19.06.2020, which was not passed in the second reading in the Parliament, but which contains a series of useful provisions for the proper conduct of elections^[1]. At

least two other draft laws on amending the Electoral Code were tabled in 2020, intended to ensure the right to vote and safety measures for elections amidst the pandemic^[2]. None of these drafts was included on the Parliament's agenda.

Promo-LEX regrets that only 7 of the 22 recommendations for legal/regulatory framework improvements, made after the 2019 Parliamentary Elections, were implemented fully or partially.

Risks to the good organisation and conduct of the elections of 11 July 2021

Given that the Parliament may not amend the State Budget Law any more, the Government should make sure that the needed funds are allocated for the elections. The Government Decision on Funds Allocation was approved on 12 May 2021 to this end. It was thus decided that the Ministry of Finance allocate to the Central Electoral Commission the first tranche of MDL 70,000.0 from the Government's Reserve Fund for the organisation and conduct of the early Parliamentary Elections on 11 July 2021, accounting for 56% of the budget estimated by CEC. We hence underline that, in order to avoid potential risks and uncertainties for the smooth organisation and conduct of the elections, the Government should commit to covering the full cost of the elections.

The possible impact of COVID-19 on the elections is another challenge to the good organisation and conduct of the elections of 11 July 2021. We underline that the electoral authority and public authorities already have relevant experience, accumulated during the 2020 Presidential Elections. Nonetheless, we underline the need to find ways to vaccinate, as a matter of priority, the electoral officials and persons authorised to monitor the electoral activity, as well as the needs for CEC approval of the Instructions on Measures of COVID-19 Prevention during the electoral period, in order to minimize the risks of infection spread.

The importance of preliminary registration to determine the number and location of polling stations for voters abroad and from the transnistrian region

The polling stations for voters from the transnistrian region and for those abroad should be set up transparently, in line with the law and the best practices established by CEC at the 2020 Presidential Elections (by applying a clear mathematical formula to establish the number and location of polling stations abroad).

According to Promo-LEX estimates (on the basis of data available on 11 May 2021), if compared with the previous elections, the number of polling stations for the early Parliamentary Elections of 11 July 2021 should be increased in Germany (+6), Russian Federation (+4), and UK (+4), and it could be decreased in USA (-5), Romania (-4) and Italy (-3).

We hence recommend that citizens who will be abroad on the election day, as well as those living in the transnistrian region, to register preliminarily until 26 May 2021. We also underline the need for authorities to promote more actively this instrument in order to have accurate information about the number and location of citizens willing to cast their votes.

Dynamics of the number of voters included in the State Voter Register (SVR)

Promo-LEX noticed a constant, though insignificant diminution in the number of voters in SVR. Thus, as per CEC data, on 4 May 2021 the number of voters was lower by 7,529 people compared with 2 September 2020.

We find, however, an increase in the number of voters without domicile/residence and of those from the transnistrian region (15.1% of the total number), thus resulting in a higher share of citizens who could vote on additional lists.

Hate speech used more often during pre-electoral and electoral periods

According to Promo-LEX data, hate speech was used to a higher extent during 2018-2020, with a stronger dynamic during the pre-electoral and electoral periods. We also draw the attention to the failure of the Parliament of the Republic of Moldova to take any actions between December 2020 and April 2021 in order to implement the Constitutional Court recommendations of 2016 and 2020 to review the law and set up control mechanisms and sanctions for involving religious cults in electoral campaigns, and to prevent and respond to electoral contenders' hate speeches, including online.

Therefore, in order to raise the awareness of election campaign stakeholders and prevent the use of hate speech and incitement to discrimination, Promo-LEX Observation Mission will continue monitoring this phenomenon during the elections of 11 July 2021, as well.

You can access the whole report [here](#).

The report is developed as part of the Observation Mission for the Early Parliamentary Elections of 11 July 2021 conducted by Promo-LEX Association with the financial support of the United States Agency for International Development (USAID) via the 'Democracy, Transparency and Accountability' Program. 'Hate speech' component is supported by Justice and Human Rights Department of Soros Foundation Moldova under 'Consolidation of a platform for the development of activism and education in the area of human rights in Moldova – stage IV' Project.

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[\[1\]](#) Prohibition of hate speech and/or speech inciting hatred, gradual sanctions for violation of the electoral law; sanctions for involving religious cults and other non-commercial organisations in electioneering; regulation of organised transportation of voters to polling stations etc.

[\[2\]](#) The draft Law [No 210](#) of 28.05.2020, and draft Law No [414](#) of 06.10.2020 provided for two consecutive days of election and adjustment of the relevant rules for two-day elections.