

The establishment of polling stations abroad and other issues related to the electoral process could affect the integrity of the early elections of 11 July 2021

The use of administrative resources, involvement of religious denominations in the election campaign, undeclared financial expenses, as well as intimidation/use of violence against candidates. These are the main findings of the Promo-LEX Observation Mission, reflected in Report No 4 on monitoring the early Parliamentary Elections of 11 July 2021.

In addition to the findings identified by monitoring the electoral activities carried out by the 23 candidates registered in the electoral race, Promo-LEX OM draws the attention of the competent authorities – the Central Electoral Commission, the Government of the Republic of Moldova and the Ministry of Foreign Affairs and European Integration on the need to urgently identify solutions to ensure the proper conduct of the election, both in the country and abroad.



Achievements and shortfalls in the work of electoral bodies

During the period under observation, the CEC registered the last six candidates. Thus, for the early Parliamentary Elections of 11 July 2021, a total of 23 candidates are registered, of which: two electoral blocs, 20 parties and other socio-political organisations and one independent candidate. Thusly, we confirm a competitive nature of the elections.

In view of the difficulties reported by the law enforcement bodies, the CEC revised its previous decision to open 44 polling stations for the transnistrian region voters, excluding the 3 polling stations established on the territory that is not controlled or is partially controlled by the constitutional authorities.

As to the opening of polling stations abroad, we note that this process was contested, being examined and resolved within 11 days (the delay in this case seems to be justified, given

the large number of participants in the process, the large number of appeals filed by parties, the rejection of the exception of unconstitutionality, as well as the complexity of the subject under consideration.

However, on 17 June 2021 the Chisinau Court of Appeal partially annulled the CEC Decisions of 5 June and 8 June 2021, for the establishment of 139 PSs and 146 PSs respectively. It should be noted that in the reasoning of its judgement, the Chisinau Court of Appeal considered several arguments, namely that the CEC and MFAEI had the obligation to cooperate effectively and efficiently, to identify the information required by the legislator and establish with maximum accuracy the required number of polling stations abroad (based on the legal criteria laid down in Articles 30 and 31 of the Electoral Code), thus contributing to the creation of real rather than illusory opportunities for the voters abroad to exercise their right to vote.

Afterwards, the judgement issued by Chisinau Court of Appeal was upheld by the Supreme Court of Justice as a result of CEC appeal. On 23 June 2021 CEC met again and decided to set up 150 PSs abroad. We underline in this context that the deadline for setting up polling stations was 5 June 2021, hence the intense efforts made by CEC and MFAEI to ensure a good organisation and conduct of overseas voting is praiseworthy.

Promo-LEX OM also found a higher number of accredited observers (+160), compared with the same stage of the Presidential Elections of 1 November 2020. There are 1,201 observers overall, of whom 1,019 are national observers and 182 are international experts.

Other problematic aspects related to the operation of electoral bureaus include partial compliance by PEBs with the working schedule (104 (29%) of the 356 bureaus visited were closed), PEB premises inaccessible for persons with physical impairments (of the 233 PEBs assessed, only 98 (42%) are

accessible), and existence of a gender imbalance in the PEB membership, where 84% are women.

Worrying findings related to electoral contenders

With the advancement of the election campaign, the number of electoral activities noticed has literally doubled (1 111 activities), compared with the previous monitoring period. At the same time, we point out the lack of campaign activities attended by candidates in transnistrian region. On the other hand, the contenders organised at least 11 electoral meetings abroad, that were attended by candidates.

However, the number of violations reported by Promo-LEX observers is increasing. During the reference period, at least 61 cases were reported that could be considered as the use of administrative resources for electoral purposes, by: BECS – 28 cases, PDM and BERU – 9 cases each, PPPDA – 5 cases, PAS – 4 cases, PPŞ – 3 cases, PDCM – 2 cases and AUR – one case.

Promo-LEX observers also reported a case that could be considered as an act of offering gifts with electoral impact, that targeted a PPPDA candidate. Five cases were reported as well (three – PAS and one case each – BECS and AUR) where images/state symbols of the Republic of Moldova or other states were used.

We point out at least six cases of campaign activities that targeted religious cults. Among them, four cases targeted BECS and one case each – AUR and PAS.

Unfortunately, the election campaign continues to be marked by intimidation and use of violence, with at least 7 such cases identified. AUR is involved in 5 cases – in 3 cases they were assaulted, and in 2 cases AUR was held responsible for intimidation/violence. BECS and PACE are targeted as intimidated parties in one case each.

The electoral contenders still do not report their actual

expenses

From the beginning of the election campaign and until 18 June 2021, 15 electoral contenders (PACE, PPCC, BERU, PPŞ, PAS, BECS, PDM, PPPDA, PUN, PDA, AUR, PDCM, PLD, PPP0, PVE) declared total revenue of MDL 19,140,890. On the other hand, the declared expenses total at MDL 16,890,374. Most of the reported expenses covered electoral advertising – 54% and promotional materials – 30%.

At the same time, Promo-LEX estimated at least MDL 4,114,217 as non-reported expenses: BECS – MDL 1,332,446, PAS – MDL 542,992, PPPDA – MDL 494,816, AUR – MDL 381,102, PPS – MDL 341,683, PPCC – MDL 327,365, PDM – MDL 310,654, PACE – MDL 199,425, BERU – MDL 98,106, PUN – MDL 56,771, PDCM – MDL 16,345, PDA – MDL 7,960, PPN – MDL 2,333, PVE – MDL 1,000, PPM – MDL 600, PLD – MDL 600. Most of the estimated non-reported expenses referred to promotional materials (52%), secondment/detachment of persons (21%) and outdoor and mobile advertising (12%).

However, it is important to note here that the electoral contenders that have expenses not covered by the information they submitted to CEC (expenses estimated by Promo-LEX as not reported) are expected to report further expenses in next reports filed to CEC, and the total expenses during the election campaign will be included in the final report to be submitted to the electoral authority by 9 July 2021 (two days before the election day).

Other organisational activities in the context of the early parliamentary election

During the reference period, the Government passed two decisions relevant for this election. The first one ensures a higher access to vote by obliging the Public Services Agency to issue the ID cards requested during the past month before the election no later than two days before the election date,

regardless of the requested issuance period.

The second Decision (No 93) increased the appropriations to the Government's reserve fund by over MDL 25 million. However, this Decision does not guarantee that the appropriated funds will be used to cover the costs of election. In this context, Promo-LEX OM reiterates its opinion that the Government must pass, as a matter of urgency, a decision providing additional funds for the organisation of the election.

Unfortunately, we still find drawbacks in the LPAs' performance related to their duty to ensure a transparent and correct electoral process, though these indicators have slightly improved, compared to the previous period.

At the same time, Promo-LEX OM regards as abusive the decision of Orhei Mayors Office of 21 June 2021 that prohibits meetings with voters by setting up temporary constructions (tents).

Election campaign with hate and discrimination messages

During 8-21 June 2021, the observers reportedly identified at least 30 cases of hate speech and incitement to discrimination in the public space, in the media and online in the Republic of Moldova. Thus, four electoral contenders used non-tolerant expressions: Igor Dodon – 2 cases (BECS), Vladimir Voronin – 2 cases (BECS) and Dorin Chirtoaca – 1 case (AUR).

Of the 30 cases of non-tolerant messages identified by Promo-LEX, 12 targeted six electoral contenders: (Igor Dodon (BECS) – 4 cases, Vladimir Voronin (BECS) – 4 cases; Igor Grosu (PAS), Marina Tauber (PPS), Marc Tkaciuk (PPCC) and Vlad Bilețchi (AUR) – one case each. Other two cases affected supporters of PAS and BECS. And the remaining 12 cases targeted LGBTI persons, women, migrants, Roma and other social groups.

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ABBREVIATIONS

NIA – National Integrity Agency

LPA – Local Public Authorities

Art. – Article

AUR – 'ALLIANCE FOR THE UNION OF ROMANIANS' Political Party

EB – Electoral bloc

BECS – Electoral bloc of Communists and Socialists

BERU – Electoral bloc ‘RENATO USATII’

PEB – Precinct Electoral Bureau

BRP – Bureau for Reintegration Policies

CEC – Central Election Commission

DEC – level-two District Constituency Council

CICDE – Centre for Continuous Electoral Training

NEPHC – National Extraordinary Public Health Commission

SCS – Supreme Council of Security

JCC – Joined Control Commission

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MFAEI – Ministry of Foreign Affairs and European Integration

MIA – Ministry of Internal Affairs

OM – Observation Mission