

End of election campaign marked by legal uncertainties related to the conduct of the election, misuse of administrative resources, expenses unreported by electoral contenders, and hate speech and incitement to discrimination

Promo-LEX Observation Mission made public its fifth monitoring report for the early Parliamentary Elections of 11 July 2021. Legal uncertainties related to the funding of elections and lack of a decision that would regulate the organised transportation of voters, various campaigning activities and instruments, unreported expenses for the election campaign and perpetuation of hate speech and incitement to discrimination are some of the topics addressed in this report.



Legal uncertainties related to the conduct of the election

Promo-LEX OM expresses its worry that on 8 July 2021, only three days before the election, the Government has not yet ensured full funding for the organisation and conduct of the early Parliamentary Elections of 11 July 2021. This can affect the quality of procedures on the election day, as the outstanding amount of MDL 22 468 000, expected to be approved at the Government meeting of 7 July 2021, was intended to cover the remuneration of electoral officials.

The Central Electoral Commission (CEC) had an intense activity during this period. It passed 77 decisions on the organisation and conduct of the Parliamentary elections. Nonetheless, Promo-LEX Observation Mission draws the attention to the fact that, in spite of the insistent requests by the Civic Coalition for Free and Fair Elections (CALC), CEC has not approved any decision to regulate, for this election, the organised transportation of voters on the election day.

In this context, we underline that CEC Decision No 4390 of 20 October 2020, passed for the Presidential Elections, had a dissuasive nature and helped reduce the number of incidents related to the organised transportation of voters. Thus, the lack any actions intended to prevent the organised transportation of voters will result in additional preconditions for influencing the election integrity.

Achievements and problematic issues in the activity of electoral bodies

Compared with the same stage of the Presidential Elections of 1 November 2020, Promo-LEX OM finds a higher number of observers accredited by CEC – 2,442 observers (+249). On the other hand, the number of observers accredited by DEC, on behalf of electoral contenders, has decreased by 60%, according to the mission.

Regarding the activity of observers, Promo-LEX found that they didn't have full access to voter lists. Thus, of the total 1,691 PSs visited during the reference period (when the electoral rolls should have been already at the polling stations), only 1,276 PEBs (75%) had received the voter lists by the date of the visit. Note that observers had access to the whole voter lists only in 1,019 PSs (80% of 1,276). The most frequent errors found in lists include: presence of deceased people on the list (120 cases), incorrect assigning of voters to another PS from the same or even from a different community (38 cases), and errors with addresses (22 cases).

The number of ballot papers for PSs set up in the country was determined on the basis of the number of voters in the State Register of Voters who have a domicile/residence, and 5,000 ballot papers (the maximum number allowed by law) were printed for the 145 of the 150 PSs set up abroad.

As for the activity of PEBs set up abroad, Promo-LEX OM found that on 7 July 2021 at least half of the bureaus had an even

number of members, which is a violation of the law.

Other problematic issues noticed in the activity of electoral bureaus refer to partial compliance with the PEB work schedule, as well as failure to fully comply with the health protection measures in a pandemic context.

Electoral promotion activities and tools used by contenders

On the final straight, the activism of electoral contenders has continuously increased, the number of activities has increased by 25% compared to the previous monitoring period. At the same time, at least 31 electoral meetings were found abroad as a “face-to-face campaigning” (more than three times compared to the previous two weeks of observation), and the electoral meetings for voters in the transnistrian region were not reported. Most of the 1,456 activities observed, as in the previous observation period, were carried out by: PAS – 395 (27%), BECS 226 (15%) and BERU 172 (12%). The most popular activities are the distribution of electoral materials (52%) and electoral meetings (30%).

Promo-LEX observers reported that the number of violations continues to increase. So, during the reference period (23 June – 7 July 2021), observers reported at least 67 cases that can be qualified as the use of administrative resources for electoral promotion, with 18 cases involving PDM, 13 – BECS, 11 – PAS and PPPDA each, 9 – BERU and 5 cases – PPS.

Promo-LEX observers reported at least one case that can be regarded as a gift offering with electoral impact, involving PACE. Seven cases were reported (PAS and BECS – 3 cases each, BERU – 1 case) of using the image/symbols of the state of the Republic of Moldova or of other states.

We also draw the attention to four cases of electoral advertising that did not comply with printing requirements (2 cases – PACE and 1 case – PPDA, PUN, BECS each), as well as 64 cases of advertising in unauthorised places.

At least three cases that can be regarded as violence during the election campaign were reported during the observation period. All of them involved AUR and BECS.

Not all contenders have filed their financial reports with CEC, and the ones filed are incomplete

As of 2 July 2021, only 19 of the 23 registered electoral contenders had submitted the financial reports to CEC. Promo-LEX also find a low quality of the reported information.

The 19 electoral contenders declared total revenue of MDL 33,579,929, of which 36% were reported by BERU, 18% – by PAS, and 12% – by BECS and PPS each. Thus, 4 electoral contenders reported 78% of all revenues, and the remaining 11 electoral contenders – only 22%. On the other hand, the amount of declared expenses is MDL 30,459,125 (37% were reported by BERU, 18% – by PAS, 13% – by PPS, but 12% – by BECS). Therefore, 80% of the total financial expenses were reported also by 4 contenders, the other 20% – by the other 15 contenders that submitted the reports to CEC. The main purposes of the expenses referred to political advertising (64%) and promotional materials (24%).

At the same time, Promo-LEX estimated for all six weeks of the election campaign, unreported expenses of at least MDL 10,859,900. Of these, for BECS – MDL 3,264,762; PPS – MDL 2,329,133; PDM – MDL 1,342,712, PAS – MDL 1,007,578, PPPDA – MDL 749,539; BERU – MDL 646,041; PPCC – MDL 573,912; PACE – MDL 361,765; PUN – MDL 260,329; AUR – MDL 187,315; PDCM – MDL 93,001; PPDA – MDL 12,458; PPN – MDL 11,652; V. Valico – MDL 7,498; PVE – MDL 4,280; PS – MDL 3,823; PRM – MDL 2,708; MPSN – MDL 793; PPM – MDL 600.



Hate speech and incitement to discrimination gains momentum in the final stretch of the election campaign

The last period of the election campaign is marked by a 43% increase in the number of cases of hate speech and incitement to discrimination compared to the previous monitoring period (June 8-20, 2021). Thus, out of the 43 cases identified by Promo-LEX monitors, at least 26 cases were generated by 11 candidates included on the lists of 8 electoral contestants: Vasile Costiuc (PPDA) – 6 cases; Renato Usatii (BERU) – 4 cases; Fiodor Ghelici (POM) – 3 cases; Valeriu Munteanu (AUR) – 2 cases; Igor Dodon (BECS) – 2 cases; Dorin Chirtoaca (GOLD) – 2 cases; Victoria Grosu Vremeș (GOLD) – 2 cases; Andrei Năstase (PPPDA) – 2 cases; Iurie Reniță (PUN), Vladimir Voronin (BECS) and Gheorghe Cavcaliuc (PACE) – one case each. In addition, a case had as author the representative of the PPN competitor, Cristian Rizea.

On the other hand, in at least 10 cases, hate speech and incitement to discrimination in the public space targeted two candidates from BECS electoral rolls: Igor Dodon – in 7 cases and Vladimir Voronin – in 3 cases. The other speeches affected members and supporters of BECS, PLD, the President of the Republic of Moldova, other politicians.

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For more details, please contact:

Inga Stegarescu, Press Officer of Promo-LEX Association;

GSM: 069 26 96 84;

E-mail: inga.stegarescu@promolex.md