

Promo-LEX launches an Observation Mission for the by-election and new election of May 19, 2024

Today, April 10, 2024, Promo-LEX launched an Observation Mission (MO) for the new local election and by-election of May 19, 2024. Observation of the election process will cover the pre-election period, as well as the election day, including the second round of election in the towns and villages where it will occur.

The election will be held in 9 constituencies. Both mayors and local councilors are to be elected in two of them – the villages of Chioselia Rusa and Cotovscoe (ATU Gagauzia), only mayors – in the villages of Sagaidac (Cimislia district), Tirnova (Donduseni district), Hanasenii Noi (Leova district) and Bukovat (Straseni district), and only local councillors – in the villages of Cealic, Cairaclia and Salcia (Taraclia district). This is the first by-election and new local election held after the 2023 general local election.

The need to hold a new election and by-election in Chioselia Rusa and Cotovscoe (ATU Gagauzia), Cealic, Cairaclia and Salcia (Taraclia district) was caused by a small number of candidates or even by a lack of them where the candidate was taken off the list. For the first time in the history of local elections in Moldova, there were no candidates for the position of mayor, or local councils could not be set up in a legal manner because the number of validated mandates was below the legal requirement.

In this context, Promo-LEX Association recalls that one of the solutions to the problem above could be to build the

capacities of local communities and local public authorities, including through the efficient implementation of the administrative and territorial reform.

In the case of new elections of mayors in the villages of Sagaidac (Cimislia district), Tirnova (Donduseni district), Hanasenii Noi (Leova district) and Bukovat (Straseni district) the election will be held on the grounds that the persons elected in November 2023 subsequently chose to act as district chairpersons rather than mayors.

In this context, we recall the provisions of Article 52 of the Electoral Code on the compensation of costs related to organizing and conducting elections. According to the law, in case of circumstances leading to the termination of a mayor's mandate before the expiry of 12 months from the date of the decision validating the mandate, the electoral competitor who nominated the candidate elected as mayor shall compensate the state budget-funded costs related to organizing and conducting elections. Although the Central Electoral Commission initiated the drafting of the Regulation on compensation of costs related to organizing and conducting elections as early as January 25, 2024, the draft has not yet been published for public consultations.

Based on the experience of observing the general local election in 2023, Promo-LEX reiterates a series of recommendations that can be applied to this election by electoral bodies and courts of justice:

- organize mandatory training for all election officials, including as part of the certification process;
- examine appeals and provide solutions in a short time, so that the applicants can enjoy the right to an effective appeal;
- ensure the transparency of electoral competitors' financial reporting in the context of elections, including publication of information in compliance with

- open data principles;
- have higher electoral bodies check cases of councilor candidate lists registered with alleged violations of the minimum representation quota of 40% for both genders;
- provide timely technical and material support to lower electoral bodies to ensure their seamless work.

Promo-LEX Association is a non-governmental organization with the most extensive experience of monitoring elections at the national level. Since 2009, Promo-LEX has monitored 26 elections (local, parliamentary and presidential) involving over 17 thousand national observers. The purpose of Observation Missions is to inform the public about how elections are organized and conducted, as well as to increase citizen confidence in the electoral process.