

Promo-LEX Association has launched the Observation Mission for the election of 20 October 2024

Promo-LEX Association has launched the Observation Mission for the presidential election and constitutional referendum of 20 October 2024. The observation will cover the entire election period, including election day and, if necessary, the second round of voting.

The core team of the Mission and 45 long-term observers (LTOs), together with about 740 short-term observers (STOs), will monitor the election at national level, acting as static observers in 600 polling stations, as well as in 70 mobile teams that will visit all other polling stations during the election day. In addition, all polling stations open to voters from the Transnistrian region will be covered with static observers, and at international level observation will be carried out in over 50 polling stations. Promo-LEX will also monitor hate speech and discrimination through seven monitors.

The Promo-LEX Observation Mission will monitor the observance of democratic principles and the national legal framework in the work of electoral bodies, registration of electoral competitors and electoral campaigning, financing of the electoral campaign, and other relevant aspects. On election day, Promo-LEX observers will supervise the opening and closing of polling stations, the voting process, the accessibility of premises, and the summing up of results. Likewise, they will carry out rapid counting of votes. Four interim reports will be presented (five in the event of a second round), and one final report, as well as press releases on election day.

In the context of the launch of the Observation Mission, Promo-LEX presented its first report, which analyzes the social and political background, legal framework, preparations for the presidential election and the constitutional referendum of 20 October, as well as other issues characteristic to the pre-election period.

Background to the election of 20 October 2024. The presidential election and the constitutional referendum this autumn will take place in a context marked, from the point of view of domestic politics, by a comfortable parliamentary and governmental stability for the Action and Solidarity Party (PAS), but also by a complicated relationship with the opposition, both in the Parliament and outside it.

A total of 64 parties have the right to participate in these voting events, and so far, at least 17 potential competitors have shown intention to participate in the presidential race and/or in the referendum. The competitiveness of this election is underpinned by both its dual nature and the 2025 parliamentary elections, seen as a major political opportunity.

The integrity of democratic processes in the Republic of Moldova is further challenged by the problem of illegal financing of political and electoral processes. It has long exceeded the limits of an internal political competition and has become, rather, a manifestation of the hybrid war of the Russian Federation against the Republic of Moldova. Although Ilan Shor's party was declared unconstitutional in 2023, political activity continues through the political bloc "Victorie-Pobeda" [Victory], significant funds being allocated for its promotion.

Voting this autumn will also have very strong geopolitical valences. The geopolitical insecurity generated by the war of the Russian Federation against Ukraine has determined the acceleration of European integration processes, Moldova having

managed to open EU accession negotiations in 2023. Against this background, the question asked at the referendum and the presidential election will once again test the West-East geopolitical division in society, with potential effects not only on the Constitution, but also on the social and political life in Moldova and even in the region.

Legal framework. This year's election is being held under the new Election Code, in force since January 2023, which had been amended several times up to a year before the election. Some of these changes were technical in nature, while others were more significant.

The legislature removed the ban from holding presidential or parliamentary elections along with a constitutional referendum. Promo-LEX criticized this change on the grounds that it could affect the equal opportunities of competitors and the voters' freedom to form opinions.

In April 2024, the Parliament adopted the law on partial implementation of postal voting. Promo-LEX welcomed the introduction of this alternative method of voting, but also expressed some reservations, especially regarding the decision-making process and the lack of a broad political consensus on this issue.

Related legislation has also been amended. The law on political parties was supplemented with provisions designed to clarify some procedures and legal effects of limiting the activity of political parties. In addition, the amounts of fines for violations admitted in the electoral process and the sanctions for passive electoral corruption were amended in the Contravention Code.

Electoral bodies. The Central Electoral Commission is the authority responsible for organizing and conducting national elections. It adopted and amended several regulatory acts relevant to the election of 20 October 2024, approved the

decision on the calendar program and at least 20 other decisions on the organization and conduct of elections.

The CEC's activity is generally transparent, all meetings being public and broadcast on online platforms. The Commission also conducts various information campaigns for voters. However, the Promo-LEX OM also found some deficiencies related to the publication of information about the adopted draft regulatory acts and decision-making transparency on the institution's website.

Nomination of candidates and actions with electoral tint.

Candidates for presidential election can be officially nominated starting 60 days before the election and up to 30 days before the vote. So, tomorrow, 21 August, the process of nominating presidential candidates officially begins. So far, several candidates have expressed their intention to participate. Promo-LEX emphasizes that this is not a violation, but the electoral promotion of potential candidates before the start of the official campaign can affect the principle of equality of competitors.

Promo-LEX noted that at least eight potential candidates carry out promotional activities, such as setting up tents, distributing fliers, placing sponsored posts in social media, or organizing events. In connection with the constitutional referendum, campaigns for and against were observed, with activities that can influence the vote.

The Promo-LEX Observation Mission found two projects with potential for electoral corruption, coordinated by Ilan Shor, which, through their impact, can affect voters' freedom to form their opinion in the election. One of them is the initiative to pay allowances of 2,000 MDL through the Russian bank Promsvyazbank to pensioners from certain regions of the country. The other project, GagauziyaLand, was opened on 18 August, with the promise that the entrance and all attractions for children and adults would be free.

Use of administrative resources. During the election period, the use of administrative resources by candidates is prohibited. Although the Venice Commission's Code of Good Practice on Referendums allows the state to express its opinion for or against the text put to the vote, it still has the obligation to maintain its neutrality and, in particular, not to use public money to promote its opinion.

Between 8 July 2024 and 18 August 2024, the Government of Moldova conducted the information campaign "Europe for You". The Promo-LEX Observation Mission found that this campaign was planned and promoted from public money after the announcement of the election date, being implemented also during the election period, which can be interpreted as having the purpose of attracting political capital in support of the referendum. In this context, Promo-LEX reiterates the recommendation that such practices should be banned even outside the election period.

Finally, the Promo-LEX report underlines the importance of competitive and transparent elections in Moldova. The association aims to inform the public and authorities about observed trends and to help prevent violations of electoral legislation.

Report no. 1 of the Observation Mission can be accessed [here](#).

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Responsibility for the opinions expressed in this report lies with the Promo-LEX Association and does not necessarily

reflect the position of the donors. In case of discrepancies between the text in Romanian and its translation into another language, the Romanian version of the report will prevail.

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