

# Promo-LEX released the second report of the Observation Mission for the election on 20 October

The Promo-LEX Observation Mission for the Presidential Elections and the Republican Constitutional Referendum released today its second monitoring report covering the period 20 August – 17 September.

The report mainly reflects the process of nominating and registering electoral competitors, the legal framework relevant to this process, the performance of electoral competitors, as well as the work of electoral bodies in preparation for the presidential elections and the referendum on October 20.

**Legal framework.** The Observation Mission (OM) report highlighted an important aspect related to the participation of the incumbent President in the 20 October election. The Constitutional Court had previously emphasized that the President must be apolitical, and the nomination of Maia Sandu by PAS raised questions about her neutrality. Given the impossibility of suspending the incumbent President from office for the period of the electoral campaign, Promo-LEX OM recommends that the President should refrain from participating in official public events that could be perceived as electoral campaigning activities and should minimize the use of administrative resources during the electoral campaign.

Promo-LEX OM also raised concerns over the refusal of the Central Electoral Commission (CEC) to register some initiative groups, citing reasons such as political affiliation of

candidates. Although CEC claims that political independence is a prerequisite for running as an independent candidate, the legislation does not expressly regulate such a ground for refusing registration of initiative groups. Promo-LEX recommends clarifying these issues in order to ensure transparency and predictability of the electoral process.

**Electoral bodies.** The electoral councils were set up within the deadline provided for by the legislation. For the majority of councils (95%), 11 members were appointed. The gender equality is uneven, with the majority of members being women (71%). According to the findings, only 17 out of 37 councils are accessible to people from vulnerable groups. Moreover, three councils (ECEC no. 36 ATUG, no. 37 – for localities on the left bank of the Dniester and no. 38 – for polling stations constituted abroad) did not have adequate premises for carrying out their activities one week after their establishment.

In total, 2,221 polling stations were set up for the autumn election, including 30 polling stations for voters from the left bank of the Dniester and 234 polling stations for voters from abroad set up by CEC in accordance with the provisions of the Electoral Code. Promo-LEX OM observers found that most polling stations (81%) were located in houses of culture and educational institutions, including pre-schools.

**The organisation of polling stations abroad** was carried out according to a legal framework established by the Electoral Code and CEC regulations. The main criterion for establishing polling stations is voter turnout in the last three elections, with other complementary criteria such as pre-registration and information provided by the Ministry of Foreign Affairs. A novelty in the electoral legislation for diaspora voting is the introduction of postal voting, with 1,994 citizens registered for this type of voting. CEC approved three polling stations for postal voting.

Promo-LEX has noted some differences between its estimates for the distribution of polling stations abroad and those established by CEC, in particular for Italy and the UK.

As regards **the organisation of polling stations for the left bank of the Dniester**, even if the number of polling stations has been reduced from 41 (2021) to 30, we believe that access to voting will generally not be affected. One issue remains the freedom to vote, as previous observation experience has shown that one of the main challenges is to counter and sanction organized transportation of voters, as well as possible cases of corruption.

**Electoral disputes.** During the observation period, Promo-LEX noted that at least eight complaints were submitted to the CEC, most of which were declared inadmissible. A number of complaints concerned allegations of use of administrative resources, electoral campaigning and others. Promo-LEX warns that it is necessary that the resolution of complaints should be carried out within the deadline stipulated by the Electoral Code (3 days, with the possibility of extension by 2 days) and that the complainants should be informed about the remedies available.

During the monitored period, four complaints were filed in court against CEC decisions. Three of them were rejected and in one case the court obliged CEC to issue a reasoned decision.

**Nomination and registration of electoral competitors.** Between 21-31 August 2024, the Central Electoral Commission received 23 applications for the registration of initiative groups (IGs) in support of 19 presidential candidates, of which 13 were accepted. Three applications were rejected and two did not receive the required number of votes.

Out of the 13 IGs to which subscription lists were issued, 9 candidates submitted their subscription lists and registration

files to the CEC, out of which 4 were registered as electoral competitors. CEC received 14 applications for registration as participants in the Constitutional Referendum, registering 10 participants, out of which 8 chose YES and 2 NO.

**Performance of electoral competitors.** Promo-LEX observed that 12 out of 13 registered IGs carried out 475 activities to collect signatures in support of presidential candidates, with the highest activity in the case of Ion Chicu (PDCM), Renato Usatii (NP (OP)) and Maia Sandu (PAS) – who cumulatively carried out 71% of the total observed activities. No signature collection activities were observed for IG Victoria Furtună (IC).

The activities took place predominantly in Chisinau, but also in other cities (Balti, Donduşeni, Ialoveni, Causeni), and the collection period ranged from 3 to 24 days. Promo-LEX observers found that in the case of at least three candidates, signatures were collected by unauthorized persons.

In the context of the constitutional referendum, the electoral campaign seems to have started ahead of schedule, in violation of the legal provisions, with multiple promotional activities with electoral overtones, including sponsored postings and distribution of information materials. Moreover, violations were identified, such as the lack of complete information on advertising materials.

**Misuse of administrative resources.** Promo-LEX identified 13 cases of misuse of administrative resources by various political groups and local authorities. Among them, PAS was targeted in 8 cases related to signature collection and EU promotion, BE Împreună (EB Together) and BP Victorie (PB Victory) were involved in using educational resources and organising events serving political purposes, as well as presenting donations as being made by the party. PDCM and LPA were also cited for misuse of administrative resources in the process of collecting signatures and promoting political

speeches, respectively.

**Activities with voter corruption potential.** During the monitored period, activities with voter corruption potential involving PB Victory and PVM (Party for Moldova's Future) were observed. PB Victory distributed school bags and school supplies to students from socially vulnerable families and provided wheelchairs to some individuals, with reported cases of promises of money against signatures. The PVM was also involved in collecting signatures through unauthorized persons who were allegedly paid for these services.

**Election and electoral campaign financing.** Most of the IGs have appointed treasurers and reported the opening of the „Electoral Fund” accounts, with the exception of IGs Alexandru Arseni (IC) and Alexandr Stoianoglo (PSRM). Some IGs encountered difficulties in opening accounts thus affecting their activity. In terms of financial reporting, most of the IGs submitted information on financing, albeit with some errors, meeting deadlines. However, irregularities were found in the reporting of expenses. 12 out of 13 registered IGs reported revenues totalling 2,009,727 MDL, of which 292,076 MDL – from material donations (15% of total declared revenues).

For the signature collection activities carried out by 11 IGs, Promo-LEX estimated unreported expenses of at least 580,321 MDL. The highest unreported expenses were in the case of IG Irina Vlah (IC) – 43%, followed by IG Maia Sandu (PAS) – 23%. The most frequent unreported expenses were for promotional materials (52%).

**Hate speech.** Between 20 August and 8 September 2024, at least 40 cases of hate speech and other expressions of intolerance were identified. Most cases were spread via social media (19 cases) and mobile apps (10 cases). Most often, hate speech was based on political affiliation (12 cases), sexual orientation/gender identity (8 cases) and sex/gender (6

cases).

All 40 cases of hate speech had over 3 million views and more than 23 thousand shares.

As a reminder, Promo-LEX Association launched on 20 August the Observation Mission for the Presidential Elections and Constitutional Referendum. The observation will cover the whole electoral period, including election day and, if necessary, the second round.

Report no. 2 of the Observation Mission can be accessed [here](#).

*The Observation Mission is financially supported by the United States Agency for International Development (USAID), the European Union and the German Marshall Fund of the USA, the Government of the United Kingdom of Great Britain and Northern Ireland, the International Organization of Francophonie, and Soros Foundation Moldova. The Observation Mission is carried out under the aegis of the Civic Coalition for Free and Fair Elections.*