

Promo-LEX submitted the Report No 3 of the Election Observation Mission for the 20 October Elections

Promo-LEX Association released today the third report from the Observation Mission (OM) regarding the presidential elections and the constitutional republican referendum scheduled for 20 October. This report includes insights gathered between 18 September and 1 October. The report mainly highlights the commencement of the electoral campaign, the legal framework pertinent to this process, the performance of the electoral competitors, and the efforts of the electoral bodies in preparation for the elections on 20 October.

Legal Framework. Promo-LEX OM highlights the lack of a clear legal framework concerning the consolidation of elections, the unique aspects of running electoral campaigns for two simultaneous elections, and the participation of unregistered entities in the campaign for one of these elections. As a result, independent candidates in the presidential elections and initiative groups find themselves at a disadvantage, as the legislation does not provide them with the same rights as political parties or electoral blocs that are registered as competitors in both elections.

Furthermore, while legal regulations have been established to penalize the involvement of religious denominations in the electoral campaign, instances of electoral agitation by their representatives have also been noted in this election. In 2016, the Constitutional Court made it clear that the participation of religious denominations in elections constitutes a violation of the Constitution.

Promo-LEX OM advises representatives of religious denominations to refrain from participating in electoral agitation activities. Additionally, the Police should thoroughly investigate and penalize instances of involvement by religious denominations in such activities.

Electoral Bodies and Public Administration During the monitoring period, the Central Electoral Commission (CEC) made 106 decisions and accredited a total of 527 observers, including 425 national and 102 international observers. At the local level, the district electoral councils (DECs) operated effectively, although there were a few exceptions. Changes to the nominal composition of members were made in three DECs, and several instances of intimidation directed at DEC officials were reported.

A specific issue arose within DEC no. 38, which was responsible for only two of the five electoral bureaus for polling stations established by CEC in the Russian Federation. Note that CEC is the sole authority that can determine the number of polling stations set up abroad in coordination with the Ministry of Foreign Affairs (MFA). Promo-LEX OM emphasizes that MFA and DEC no. 38 must adhere to legal requirements and CEC decisions to ensure timely organization of elections abroad.

Electoral Litigation. The section on electoral litigation outlines the complaints lodged with the Central Electoral Commission (CEC) and district electoral councils (DECs) concerning legal violations, including the misuse of administrative resources, donations, the involvement of minors in the campaign, and inappropriate electoral agitation. CEC adhered to the established deadlines for addressing these complaints.

A total of eight lawsuits were filed in court, addressing issues such as the exclusion of political parties from the list of eligible candidates, the establishment of polling

stations, and refusals to register individuals as trusted representatives. These cases were adjudicated by the courts within a timeframe of 2 to 10 days, although the legal deadline was exceeded in two instances.

Designation and Registration of Electoral Competitors After verifying signatures, 11 candidates were registered, of whom five were independent, five supported by parties, and one by an electoral bloc. Igor Munteanu was rejected due to the lack of valid signatures. Overall, 14% of the signatures were invalidated, a lower percentage compared to the previous election. Compared to the 2020 presidential election, the total number of candidates increased, and the proportion of female candidates reached 36%.

In the constitutional referendum, 15 participants were registered, most supporting the “YES” option. Three requests for registration as a participant were rejected on procedural grounds.

Performance of Electoral Competitors In the first ten days of the campaign, Promo-LEX observed at least 792 promotional activities by electoral competitors and for the constitutional referendum. Most of these activities were organized by PAS and Maia Sandu, followed by Alexandr Stoianoglo (PSRM) and Renato Usatîi. Chisinau hosted the highest number of events, accounting for 16%, followed by Balti and other regions. RP/PB Victory organized electoral meetings through private channels and encouraged anti-referendum and anti-EU protests by compensating participants.

Electoral advertising was identified in at least 1,404 instances, with the predominant formats being visibility materials and printed informational brochures. PAS and Maia Sandu led in the use of electoral advertising as well. Additionally, 32 instances of administrative resource abuse were reported, primarily targeting PAS and Maia Sandu (PAS). Other issues included the organized transportation of voters

to electoral events, the involvement of religious groups, and acts of voter bribery.

During the monitoring period, reports emerged of goods and food being offered in exchange for voter attendance at electoral events, specifically targeting PB Victory.

Allegations of intimidation against competitors were also noted. Two representatives from PCRM were apprehended while handing out flyers advocating for the "NO" option in the referendum, which were confiscated without adequate explanations. Additionally, candidate Irina Vlah was denied access to a campaign venue by law enforcement officials.

Election and Campaign Financing. The candidates for presidential elections reported a total revenue of nearly 13 million lei during 20 and 30 September 2024, with the majority coming from political party funds. Maia Sandu, Alexandr Stoianoglo, and Renato Usatîi accounted for 89% of the total revenues reported. For the referendum, only PAS disclosed revenues, which were sourced from state budget allocations and donations.

Total reported expenditures surpassed 8.3 million lei, with 90% attributed to three candidates: Maia Sandu, Renato Usatîi, and Alexandr Stoianoglo. The largest expenses were mainly for promotional materials, as well as the production and airing of advertising spots. For the referendum, PAS reported expenditures exceeding 1.2 million lei, primarily for promotional materials and the organization of electoral activities.

Civic monitoring conducted by Promo-LEX identified inconsistencies between the estimated and declared expenses of electoral competitors. Observers calculated costs for various activities, including volunteer compensation, promotional materials, and online advertising, based on minimum market prices.

In the presidential campaign, undeclared expenses were estimated to exceed 2.2 million lei, with the majority (88%) allocated to promotional materials. Additionally, discrepancies were noted regarding the compensation of agitators, event organization, and transportation. Candidates with the highest undeclared expenses were Alexandr Stoianoglo (PSRM), Vasile Tarlev (FMP), and Irina Vlah (IC).

In the context of the constitutional referendum, undeclared expenses reached over 1.1 million lei. These expenses primarily targeted promotional materials (50%), social media advertising (23%), and other related costs. The participants in the referendum for whom these expenses were assessed included RP/PB Victory, PCRM, PAS, and MAN.

Hate Speech and Incitement to Discrimination. Between 9 and 22 September 2024, at least 14 instances of hate speech were documented, with the majority occurring in political and electoral contexts. Among these, six cases were directly linked to the elections, garnering over 134,000 views and 368 shares. Discriminatory incidents were also noted, including negative associations made between politicians and mental health issues, as well as sexist and homophobic messages.

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