

Promo-LEX found the use of administrative resources and a tendency to dodge reporting the actual expenditures incurred while collecting signatures



Promo-LEX
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of 30
October
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g Report cases of administrative resources use during the signature collection campaigns by the initiative groups, cases when signatures were collected by unauthorised people and stakeholders dodging to report the actual expenditures incurred for signature collection.

During the monitored period the registration of initiative groups, in charge of collecting signatures for candidates to the position of President, came to an end. The Central Electoral Commission registered 24 initiative groups that will

have to collect signatures until 30 September 2016. Promo-LEX observers also found the intention of PCRM to boycott the Presidential Elections, keeping the right to assign members into the electoral bodies from their party.

The review of the legal framework on the Presidential elections reveals that the legislation is aligned to the international standards to a high extent, though the regulations on the Presidential elections are more recent, and there isn't yet any practice of their sustainable implementation. In this context, we draw the attention that during the presidential elections, **the students and pupils with the right to vote can vote only on the basis of their student/pupil cards**, which is a usual practice for the Parliamentary elections. Thus, Promo-LEX recommends to regulate the participation of students/pupils the right to vote in the electoral process by applying uniform, non-discriminatory and sustainable provisions for all types of elections.

The observers note that during this period, CEC manifested a high level of activity, adopting the necessary documents to secure compliance with the timetable. However, Promo-LEX Observation Mission believes that **on 3 September 2016, CEC could have worked** in order to fulfill its duties, including receiving documents to register initiative groups, **but not register candidates to the position of President**, because in such a way it favoured indirectly the PDM candidate, Marian Lupu.

At the same time, to ensure transparency, Promo-LEX recommends to CEC to publish without delays on its website all requests and applications received from the potential election candidates. In the same train of thoughts, **Promo-LEX requests to ensure continuous access to the information about the validity or invalidity of the signatures from the subscription lists established by operators, so that they could be subsequently compared with the CEC decisions on candidates**

registration.

Promo-LEX Mission welcomes the public information campaign, initiated by CEC for the Presidential elections of 30 October 2016, and the launching of two advertisement spots for voters both from the country and from abroad.

Monitoring of the signature collection by initiative groups revealed that signatures had been collected for 7 candidates to the position of the President of the Republic of Moldova in at least 110 settlements. In this context, isolated cases of signatures in the subscription lists by unauthorised persons were reported.

At the same time, Promo-LEX observers found **cases that can be regarded as use of administrative resources during the collection of signatures for four candidates:** Marian Lupu (PDM), Mihai Ghimpu (PL), Iurie Leanca (PPEM) and Igor Dodon (PSRM). With this in mind, note that the initiative group of candidate Marian Lupu collected signatures in 311 settlements run by PDM mayors, accounting for 75.12% of the 414 settlements where signatures were collected. In at least two cases, signatures were collected for Marian Lupu in public authorities and institutions (mayor's offices, schools, kindergartens).

In addition, according to Promo-LEX observers, Valeriu Munteanu, Minister of Environment, used the administrative resources when he received and filed the subscription lists for candidate Mihai Ghimpu, during the working hours.

The observers also found two cases when the subscription lists were filed during the working hours: to support the PPEM candidate, Mr Iurie Leanca, by the Deputy President of Cantemir district, and to support the PSRM candidate, Igor Dodon, by two social workers.

Promo-LEX found that, during the monitored period, both **political parties, and candidates that announced their**

intention to participate in the elections of 30 October, intensified their electoral activities. Thus, at least 27 activities of electoral nature were found in favour of 8 political parties/potential candidates (PSRM/Igor Dodon, PP PN, PDM/Marian Lupu, Valeriu Ghilețchi, PPEM/ Iurie Leancă, PPPDA/Andrei Năstase, PPPAS/Maia Sandu).

As for the financing, during the reporting period, **3 initiative groups** that submitted subscription lists to CEC, **reported lower expenditures in their financial statements than estimated by Promo-LEX, or reported zero expenditures.** Thus, according to the estimations of the Observation Mission, these initiative groups failed to report in their global financial statements at least MDL 85,200 for different categories of expenditures (IG of PPEM – MDL 28,555, IG of PL – MDL 24,999, PPPDA – MDL 31,646). Likewise, though the initiative group for the PDM candidate reported higher expenditures than estimated by EOM, nevertheless failed to include in the global financial statement the estimated expenditures of at least MDL 10599.60 for the remuneration of members of the initiative group and volunteers.

In this context, Promo-LEX reminds to election candidates that they are liable for contraventional, criminal and fiscal liability, and also risk to be eliminated from the electoral run, according to Article 38 (10) and Article 22 (2)(g) of the Electoral Code.

On the other hand, according to Promo-LEX observers, **as part of the electoral activities, a number of political parties incurred during the reporting period, for outdoor advertising only, expenditures estimated, by EOM at a minimum of MDL 1,142,000** (PPPAS – MDL 10,000, PP PDA – MDL 2,000 lei, PL – MDL 179,840, PDM – MDL 950,160).

Promo-LEX Observation Mission consists of 42 long-term observers who will monitor the electoral process in all constituencies of the Republic of Moldova during 31 August –

30 November 2016. On the election day, Promo-LEX will delegate a short-term observer in each polling station of the country. Promo-LEX EOM will also perform the parallel vote tabulation in all polling stations. The observers involved in the monitoring process sign the Code of Conduct of the Promo-LEX. Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. The activity of all observers is coordinated by a central team consisting of 37 persons.

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