

# ДОКЛАД № 2 | МИССИЯ ПО НАБЛЮДЕНИЮ: ПРЕЗИДЕНТСКИЕ ВЫБОРЫ И КОНСТИТУЦИОННЫЙ РЕСПУБЛИКАНСКИЙ РЕФЕРЕНДУМ 20 ОКТАБРЯ 2024 Г.



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# 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 (EDEC 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.*

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**REPORT NO.1 | Observation  
Mission: presidential  
elections and republican  
constitutional referendum  
October 20, 2024**



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# 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](#).

*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.*

*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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**OPINION of the Promo-LEX**

**Association on holding the  
republican referendum on the  
same day with the  
parliamentary or presidential  
elections**



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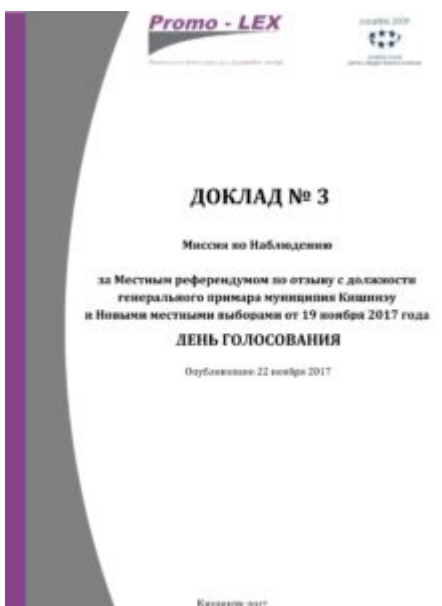
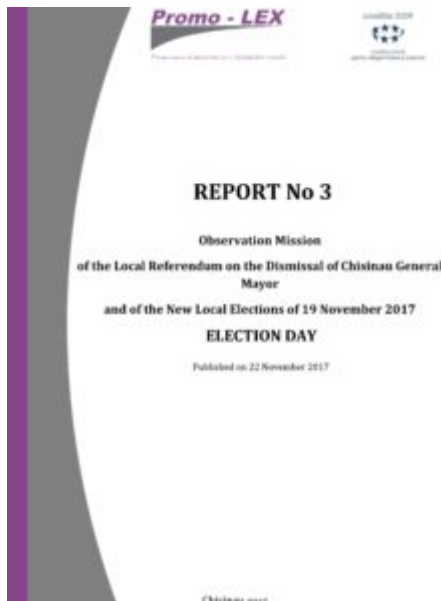
**Final Report on the Local  
Referendum on the Dismissal  
of the General Mayor of  
Chisinau Municipality and on  
the New Local Elections of 19  
November 2017**



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# Report no. 3 – Observation Mission of the Local Referendum on the Dismissal

# of Chisinau General Mayor and of the New Local Elections of 29 November 2017



# Promo-LEX: Preliminary Results of the Parallel Vote Counting for the Referendum on the dismissal of Chişinău Mayor

Chişinău, 20 November 2017 – Promo-LEX published the parallel vote counting preliminary data from the Referendum on the dismissal of General Chişinău Mayor.

## *Comparative analysis of the vote counting preliminary data provided by Promo-LEX and the Central Electoral Commission*

The preliminary data of the Referendum for the dismissal of the General Chişinău Mayor were calculated on the basis of the data from the vote counting report by 307 observers and were sent to the central team through electronic communication means (SMS). It should be mentioned that the information from 8 vote counting reports contains errors in the calculation of the verification formulas and the final results will be announced after the central team receives the relevant original minutes and checks them.

<b>Option</b>	<b>Preliminary data, Promo-LEX</b>	<b>Preliminary data, CEC</b>
<b><i>'Pro' dismissal</i></b>	96,644	93,720
<b><i>'Against' dismissal</i></b>	11,095	13,857
<b>TOTAL</b>	107,739	107,577

## ***Accuracy of the vote counting reports***

When monitoring the Referendum for the dismissal of the General Chişinău Mayor, Promo-LEX also analysed the accuracy of vote counting reports. Subsequently, it analysed the information from the 307 reports that were submitted to Promo-LEX observers by the EOPS chairpersons. Since the preliminary information is sent by electronic communication means, there is a probability of human error (errors of observers or electoral officials). The causes of errors mentioned below will be established and communicated after the original reports are analysed.

Eight reports contain errors in at least one verification formula or missing data. The accuracy was checked by examining the formulae inserted into the reports:  $c \leq a + b$ ;  $c \geq d$ ;  $d=f+h$ ;  $e=c-d$ ;  $f=d-h$ ;  $h=g_1+g_2+g_3+g_4+\dots+g_n$ ;  $i=c+j$ ;  $j=i-c$ . The statistic results are the following:

<b>Formula</b>	<b>Number of errors in the protocols with deficiencies (on the basis of 8 reports with errors)</b>
$c \leq a + b$	No errors
$c \geq d$	(102 – Buiucani), (133 – Center)
$d=f+h$	(107 – Buiucani), (180 – Ciocana), (199 – Ciocana)
$e=c-d$	(102 – Buiucani), (133 – Center)
$f=d-h$	(107 – Buiucani), (180 – Ciocana), (199 – Ciocana)
$h=g_1+g_2+g_3+g_4+\dots+g_n$	No errors
$i=c+j$	(133 – Center), (149 – Center), (180 – Ciocana), (199 – Ciocana), (273 – Botanica), (311 – Buiucani)

<b><math>j=i-c</math></b>	(133 – Center), (149 – Center), (180 – Ciocana), (199 – Ciocana), (273 – Botanica), (311 – Buiucani)
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*The formula  $c \geq d$  implies that the number of voters who were issued ballot papers (established on the basis of the signatures from the lists of voters) must be equal to or greater than the number of ballot papers taken out of the ballot boxes. Two reports out of 307 were found where this formula is not correct, which means that they took out of the ballot boxes more ballot papers than they actually issued.*

*The formula  $d=f+h$  was applied incorrectly in 3 reports. In these cases, it was not proved that the number of ballot papers taken out of the boxes coincides with the total number of invalidated and valid ballot papers. There may be doubts regarding the accuracy of valid vote counting, thus – regarding the results obtained by the candidates.*

*The formula  $e=c-d$  was applied incorrectly in 2 reports. Thus, in 2 polling stations the number of signatures on the lists of voters did not match the number of ballot papers in the ballot boxes.*

*The formula  $f=d-h$  is meant to check the number of invalidated ballots by deducting the valid ones from the total number of ballot papers. This verification formula was applied incorrectly in 3 reports. The conclusions regarding the verification of the formula  $d=f+h$  are valid.*

*The formula  $i=c+j$  could not be applied correctly in 6 reports, the same being true for the formula  $j=i-c$ . Thus, either the unused and cancelled ballots or the signatures in the lists of voters were not counted correctly. Actually, we found that the words ‘unused and cancelled’ may mislead EOPS members, as they might regard them as two separate categories.*

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*During 4 October – 20 November 2017, the Promo-LEX Observation Mission for the local referendum on the dismissal of Chişinău General Mayor is monitoring the electoral process in the Chişinău constituency with the help of five long-term observers, one medium-term observer and one regional coordinator. On the election day, Promo-LEX delegated a short-term observer in each polling station of the constituency. The observers involved in the monitoring process signed 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 the observers is coordinated by the central team of the Association.*

*The activity of Promo-LEX OM is funded by the United States Agency for International Development (USAID). The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donor's view.*

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**The latest data in the evening of the Referendum on the dismissal of Chişinău**

# **Mayor and the local elections in 10 settlements were made public by Promo-LEX Association**

*19 November 2017*

*8:00 p.m.*

In the evening of 19 November 2017, Promo-LEX Association Observation Mission for the local referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements throughout the country published the most recent data on the conduct of these democratic processes.

The Association's findings were made on the basis of the information communicated, from 3.00 pm to 8.00 pm, by observers from the polling stations (PS) who were accredited by electoral bodies.

## **Restricted access or preventing the free observation process at the polling station – 2 new cases**

PS 65, Botanica, Chişinău. The Deputy Chairwoman of the Electoral Office of the Polling Station (EOPS) restricted the free movement of Promo-LEX observer in the room.

PS 260, Cricova, Chişinău. The Promo-LEX observer was intimidated by voters. After the EOPS chairperson intervened and called the police, the said persons left the premises.

## **Ballot boxes were not sealed according to the legal procedures – 4 new cases**

PS 206, Râşcani, Chişinău. Two stationary ballot boxes were sealed with only 2 seals each. The chairperson claimed that

there were no more seals.

PS 242, Râșcani, Chișinău. There were three ballot boxes in the PS, of which two stationary ballot boxes were sealed with 2 seals each. The EOPS chairperson explained that the seals were missing, as he had not received more.

PS 233, Râșcani, Chișinău. There were three ballot boxes in the PS, of which two stationary ballot boxes were sealed with 2 seals each. The mobile ballot box was sealed with one seal only. The PS chairperson explained that the seals were missing, as he had not received more.

PS 90, Buiucani, Chișinău. One ballot box was found to have only two seals. The PS chairperson however did not do anything in this regard.

#### **Unauthorized persons inside or within 50m from the polling station – 4 cases**

PS 186, Ciocana, Chișinău. Two persons entered the PS, and had discussed for a while among themselves before voting. After being warned by EOPS members, they voted and left the PS. However, one of those persons returned in a while, videotaped for a couple of seconds the inside of the PS and, after being repeatedly warned by the PS chairperson, left the PS.

PS 205, Râșcani, Chișinău. Driving courses are being held in the same building, where the PS is located, and unauthorised persons pass through the PS.

PS 100, Buiucani, Chișinău. A police officer had stayed at the entry in the PS until 3.00 pm. He did not hinder the access to anyone. Nonetheless, no one told him anything.

PS 270, Sângera, Chișinău. Representatives from the central party organisations of two election candidates were in the vicinity of the EOPS at 6.00 pm. They had stayed around the PS for about 30 minutes. They had discussed with voters during this period of time. The EOPS chairperson reacted and warned

them.

**Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 3 new cases**

PS 105, Buiucani, Chişinău. A person entered the PS and started yelling 'Down with Chirtoacă', then he voted, but kept on yelling. The EOPS chairperson warned him, called the police and the respective person left the PS.

PS 248, Râşcani, Chişinău. A voter, while inserting the ballot paper in the stationary box, yelled hate statements against the mayor targeted by the question subject to referendum, and left the polling station afterwards.

PS 220, Râşcani, Chişinău. An observer from a referendum participant, upon a voter's request, told the latter where to apply the 'voted' stamp – 'for Mayor's dismissal'. As a result, the EOPS chairperson drew up a protocol on this case, and the said observer was later excluded from the PS.

**Organised transportation of voters – 1 case**

PS 269, Sângera, Chişinău. Organised transportation of voters was found. A black Skoda Superb car, license plate GAS 257, repeatedly transported persons to EOPS.

**Deficient operation of 'Elections' SAIS – 3 cases**

PS 101, Buiucani, Chişinău. A voter asked the 'Elections' SAIS operator to help him find his name in the voter lists. However, he did not find himself in the hard copy lists. The EOPS chairperson referred the voter to the PS at 30 Ion Pelivan street, Vocational School No 9.

PS 190. Ciocana, Chişinău. The voter's residence in the ID card loose leaf had expired in 2009. In 'Elections' SAIS, however, the voter was found as belonging to the said PS. The voter acknowledged that he had changed the place of residence. He was not allowed to vote and left.

PS 227, Râșcani, Chișinău. When operators were checking the IDs in the 'Elections' SAIS, one voter was found to be voting at another PS at that very moment. The operator called CEC and was told that a technical error has occurred. Thus the voter was allowed to vote.

### **Errors in the lists of voters – 5 new cases**

PS 99, Buiucani, Chișinău. One voter found the name of his son, who had died in Russia several years ago, in the lists of voters.

PS 110, Buiucani, Chișinău. One voter noticed that an unknown person has been listed at his apartment's address.

PS 101, Buiucani, Chișinău. A voter asked the 'Elections' SAIS operator to help him find his name in the voter lists. However, he didn't find himself in the hard copy lists. The EOPS chairperson referred the voter to the PS at 30 Ion Pelivan street, Vocational School No 9.

PS 191, Ciocana, Chișinău. A voter found the name of his deceased mother in the voter lists. He brought the death certificate to confirm it, but did not leave the copy. Thus the person has not been excluded from the list.

PS 139, Centru, Chișinău. A voter did not find himself in the main lists of voters. The previous owners were registered at his place of residence. He was allowed to vote on the additional voter list

### **Taking pictures of the ballot papers – 4 new cases**

PS 105, Buiucani, Chișinău. A voter took a picture of his ballot paper. The EOPS members told him that it was forbidden. However, the photo was not deleted and the voter left.

PS 86, Buiucani, Chișinău. A voter took a picture of his

ballot paper after voting. The photo was not deleted at the request of EOPS chairperson.

PS 33, Botanica, Chişinău. A voter took a picture of his ballot paper. The EOPS chairperson took measures and called the police officer. At the request of the latter the photo was deleted. The voter managed to vote, after all.

PS 231, Râşcani, Chişinău. A voter took a picture of his ballot paper. He deleted the photo at the request of EOPS chairperson.

### **Voters' failure to understand the content of the question subjected to referendum – 6 new cases**

PS 248, Râşcani, Chişinău. After taking the ballot paper for applying the 'voted' stamp, a voter used the cellphone to call to an unknown person asking where to apply the stamp. Despite the fact that the EOPS members noticed it, nothing was done in this regard.

PS 160, Ciocana, Chişinău. A voter took the ballot paper, read the question and tore it apart, motivating that it was unclear. An observer explained him how to vote. The EOPS chairperson warned the observer. The latter started screaming and calmed down only after repeated claims. The voter was given another ballot paper and voted.

PS 163, Ciocana, Chişinău. After taking the ballot paper a voter asked what 'pro' and 'against' meant. The commission members did not react. Nevertheless, the EOPS chairperson approached that voter, took his ballot paper and placed it blank in the ballot box. The voter left without voting.

PS 220, Râşcani, Chişinău. A voter was noticed to apply the 'voted' stamp on both ballot paper's options, stating that he did not understand the question. This voter tore the ballot paper and wanted to leave. The chairperson gave him another

ballot paper and documented the situation in a protocol. Finally, that person voted.

PS 80, Buiucani, Chişinău. After voting and placing the ballot paper in the ballot box a voter left the polling station. Short after that, that person returned and asked for another ballot paper, because he misunderstood the question and thus failed to vote correctly. The PS chairperson refused to give him another one. No complaints were submitted. The Promo-LEX observer mentions that throughout the day, several other voters from the same polling station had problems with understanding the question in the ballot paper.

PS 203, Râşcani, Chişinău. A voter had questions about the text content in the ballot paper. He did not understand the meaning of the word 'to revoke'. He asked the EOPS members for explanations. Since no one answered him, the voter tore the ballot paper and put it in the ballot box, halfway outside. After that another voter explained him the meaning of that term. As a result, he asked for another ballot paper. The EOPS chairperson decided to give him another one and the torn ballot paper was canceled.

#### **Involvement of EOPS members in the electoral process – 1 case**

PS 260, Cricova, Chişinău. The secretary found out that one of the EOPS members had among ballot papers one that had a sign where to vote (in the 'pro' section). According to those present, the lady was allegedly related to a certain participant. The EOPS chairperson pulled out that ballot paper and canceled it.

#### **Electioneering activities – 3 cases**

Around 4:40 p.m. in the apartment block from the 7/2 Aerodromului Street two persons were knocking on residents' doors, introducing themselves as CEC employees and 'officially' inviting people to participate in the referendum. When asked to present a CEC authorisation, one of the young people presented a CEC accreditation issued in the name

Zefirov Victor and did not allow taking pictures of it. His other two 'colleagues' were outside the apartment block No 7 from the same street.

Around 4:30 p.m. in the apartment block at 46/5 Gh. Madan Street, Chişinău, two persons were knocking on residents' doors, electioneering and inviting them to vote, saying they were the members an NGO. These neither specified the name of the NGO they were representing, nor introduced themselves, intending just to call the people to vote. They were Russian speakers and were speaking in this language only.

PS 97, Buiucani, Chişinău. An incoming call was registered at the section's phone number at 6:36 p.m. The section chairperson who answered it was invited to participate in the referendum.

#### **Other incidents**

PS 84, Buiucani, Chişinău. The members of the PS started to apply the 'Cancelled' stamp on approximately 1/3 of the unused ballot papers.

PS 144, Center, Chişinău. An observer from the part of a participant took pictures of the lists of voters. The EOPS chairperson warned him, yet he did not delete the picture from the device.

PS 217, Râşcani, Chişinău. A voter took a ballot paper from the EOPS members' table not waiting for any member to hand it to him personally.

PS 232, Râşcani, Chişinău. In the day preceding the election a woman submitted 5 requests on mobile ballot box voting. Since the requests belonged to different persons, the chairperson refused to register them and wrote an explanation, stating that the woman did not present any ID and did not want to answer the question about the relations with those persons. In the day of referendum the woman came early in the morning and claimed to see how many requests related to the mobile ballot

box were registered. The chairperson replied that no request was registered so far. In the evening this woman came together with a man and insisted on receiving information on the reasons why the voting requests were not registered. The chairperson explained the reason. The woman insulted the chairperson and left the PS; the man stayed for about 10 minutes longer and talked to one of the participants' observer.

### ***Promo-LEX Election Observation Mission***

#### ***of the new local elections of 19 November 2017 found:***

#### **Unauthorized persons inside or within 50m from the polling station – 1 case**

PS 6/9, Berlinți village, Briceni. Two unknown persons were present at the PS between 2:15 and 3:00 p.m. During that entire period the persons were talking to the observer from one of the election candidates. The EOPS chairperson, despite being notified by the Promo-LEX observer, did not take any measures. Other EOPS members later asked the said persons to leave the PS.

#### **Errors in the lists of voters – 1 case**

PS 6/10, Caracușenii Noi village, Briceni. 3 deceased persons (2 of whom had died in Ukraine) are included in the main lists of voters. The EOPS members and the administration, however, do not have their death certificates. One person had died in the past 14 days.

#### **Unjustified group voting (2 or more persons were in the voting booth) – 1 case**

PS 6/9, Berlinți village, Briceni. 2 cases of group voting with spouses were found. In one case the wife applied the 'voted' stamp on the ballot paper, claiming that her husband was drunk.

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*Promo-LEX Observation Mission for the local referendum on the dismissal of Chişinău General Mayor is conducted during 4 October – 20 November 2017. The referendum is monitored by five long-term observers, one medium-term observer and one regional coordinator, who are monitoring the electoral process in Chişinău constituency during 4 October – 20 November 2017. On the election day, Promo-LEX delegated a short-term observer in each polling station. The observers involved in the monitoring process signed 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 the observers is coordinated by the central team of the Association.*

*The activity of Promo-LEX Observation Mission is funded by the United States Agency for International Development (USAID). The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the donors' view.*

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**Promo-LEX comes up with new insights on the local referendum on the dismissal**

# **of Chişinău Mayor and the local elections in 10 settlements**

*19 November 2017*

*3:00 p.m.*

**On Sunday, 19 November 2017, Promo-LEX Association issued the intermediary findings on the conduct of the local referendum on the dismissal of Chişinău Mayor and the local elections in 10 settlements throughout the country.**

The Association's findings were made on the basis of the information communicated by observers from the polling stations (PS) who were accredited by electoral bodies.

**Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100m from the PS) – 1 case**

PS 232, Râşcani district of Chişinău. The following message was displayed on the panel located inside the PS: 'If you are a patriot, don't vote.'

**Ballot boxes were not sealed in line with the legal procedures – 12 cases**

PS 108, Buiucani, Chişinău. At 11.10 a.m. the Chairperson of the Electoral Office of the Polling Station (EOPS) brought one more seal (the 4th) for the ballot boxes.

PS 291, Ciorescu, Chişinău. The ballot boxes were sealed by applying 2 seals on each of the 2 stationary ballot boxes and one seal on the mobile ballot box.

PS 245, Râşcani, Chişinău. Three ballot boxes in the PS had 2 seals each, the mobile ballot box – 2 seals. The chairperson did not do anything in this regard, in spite of the fact that

there were still unused seals.

PS 230, Râșcani, Chișinău. There are 3 ballot boxes in the PS with 2 seals each and one ballot box with 3 seals applied.

PS 294, Râșcani, Chișinău. The Association found that both ballot boxes had only two seals each.

PS 297, Râșcani, Chișinău. There are 2 stationary ballot boxes. One of them is sealed with 2 seals, one ballot box is not used. The chairperson of EOPS stated that they received only 5 seals.

PS 252, Râșcani, Chișinău. Three ballot boxes are sealed with two seals each.

PS 253, Râșcani, Chișinău. Initially, the ballot boxes had: one – three seals, the other one – two. At the request of the Promo-LEX observer, one more seal was applied to the second ballot box.

PS 220, Râșcani, Chișinău. There are 4 ballot boxes in the EOPS, 3 – stationary and 1 – mobile. Out of those 3 stationary ballot boxes, one is in reserve and 2 ballot boxes were sealed with two seals each, respectively. The reason is the lack of seals.

PS 231, Râșcani, Chișinău. There were found 3 stationary ballot boxes and one mobile ballot box. All the stationary boxes were sealed only with 3 seals each. The reason invoked by the chairperson of OPS was that the District Mayoralty provided the PS with only 10 seals.

PS 238, Râșcani, Chișinău. Both stationary ballot boxes were sealed with only 3 seals each.

PS 238, Stauceni, Chișinău. The 2 stationary ballot boxes were sealed with two seals each and that the mobile ballot box had only one seal. The chairperson of the OPS stated that he had only that number of seals.

### **Unjustified group voting (2 or more persons were in the voting booth) – 1 case**

PS 190, Ciocana, Chişinău. Two persons entered in the same voting booth. The members of EOPS intervened, but they already have managed to apply the stamp 'voted'.

### **Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 2 cases**

PS 71, Buiucani, Chişinău. A voter was electioneering in the polling station. The chairperson of the PS was verbally notified and she asked the voter to leave the PS.

PS 132, Center, Chişinău. An observer from the part of a participant in the referendum was discussing, within the PS, with a member of the commission about the achievements and failures of the General Mayor involved in the dismissal procedure.

### **Deficient operation of Elections Informational System SAIS – 2 cases**

PS 168, Ciocana, Chişinău. The internet connection failed between 9.45 a.m. and 10.00 a.m. and as a result, the Elections Informational System SAIS did not function.

PS 168. Ciocana, Chişinău. A voter was registered in the SAIS program as having been voted. The lady insisted to vote and she was allowed to. She mentioned that she had the same problem during the Presidential election, when someone had voted instead of her.

### **Errors in the lists of voters – 10 cases**

PS 276, Ciocana, Chişinău. The voter is indicated in the SAIS database to have the right to vote, but he is not found in the printed lists of voters. The EOPS chairperson contacted the superior electoral bodies and she was allowed to vote and to be included on the additional list of voters.

PS 108, Buiucani, Chişinău. Two deceased persons were identified on the main lists of voters. Their children brought

certificates of death to confirm the data. As a result, those persons were excluded from the lists.

PS 238, Stauceni, Chişinău. A voter with residence within the area of the polling station found that he was included neither on the lists of voters, nor in SAIS program when he wanted to find his name on the list of voters. The EOPS chairperson was notified and he was allowed to vote after being included on the additional voter list.

PS 105, Buiucani, Chişinău. A voter was included in Elections SAIS, but not on the main lists of voters. The chairperson allowed him/her to vote after including the person on the additional lists.

PS103, Buiucani, Chişinău. A citizen holding the residence on 59 Belinschi Street was usually voting at PS 101. He/she was not identified there and, as a result, he was directed to the PS 103, where he also was not found on the lists. The EOPS chairperson called to the District Mayoralty, but the problem was not solved and the citizen did not vote.

PS 248, Râşcani, Chişinău. A voter went to the polling station where she has always voted. She was identified in the Elections SAIS program, but not on the printed lists of voters. Thus, the EOPS chairperson told her to go to another polling station in the vicinity to see if she was registered there. After that she was proposed to vote on the additional voter list. The voter did not want to vote anymore.

PS 20, Botanica, Chişinău. When checking the voter list, a voter found that two unknown persons had their residence in his apartment and were included on the main voter list.

PS 138, Center, Chişinău. A voter was found missing from the voter lists. He doesn't have his residence on the old address, and doesn't have any new residence/domicile (he is not registered on any address). As the voter insisted to vote, after EOPS chairperson had a discussion with CEC

representatives, he was restricted the right to vote.

PS.265, Buiucani, Chişinău. A voter was found in SAIS database, but not on the printed lists of voters. Hence, he was included on the additional lists and voted.

PS.105, Buiucani, Chişinău. About 10 voters, who voted in PS 105 at the previous election, were not on the main lists of voters for the local referendum. These persons are included on the lists in other PS (according to the data provided by operators after checking). They left without voting, stating that they will not vote at all.

### **Photos of the ballot papers were taken – 2 cases**

PS 158, Ciocana, Chişinău. A voter took a picture of his ballot paper after applying the “Voted” seal, the chairperson stopped him, asked to delete the picture, but he refused. They called the police to clarify the situation.

PS 111, Buiucani, Chişinău. A voter made a picture of her ballot paper, after applying the ‘voted’ stamp. She deleted the picture after the commission members and some observers insisted on it.

### **Voters’ failure to understand the content of the question subjected to referendum – 7 cases**

PS 87, Buiucani, Chişinău. A voter, while inside the polling station, was consulted for what option to vote. During the discussion, she shouted that he would vote ‘pro’. After asking the commission members if he was voting correctly, they did not want to get involved. After this, he voted.

PS 58, Botanica, Chişinău. An elderly voter was upset for not understanding the question and asked the commission members to help her. She did not get the expected answer and tore the ballot paper. The chairwomen notified the police and prepared a protocol, according to the procedure. The lady did not want to vote any more and was walked out by the police officer.

PS 27, Botanica, Chişinău. A voter asked to he issued another ballot paper, as he had voted wrongly because the failed to understand the question. Because the EOPS chairperson was out, the voter tore the ballot paper. After the chairperson returned, the voter was issued another ballot paper, and a protocol was prepared for the torn ballot paper.

PS 315, Botanica, Chişinău. A voter wanted to get out of the PS with the ballot paper for consultations, because he did not understand the question, but was stopped by EOPS members.

PS 27, Botanica, Chişinău. Two persons entered the voting booth and tried to make a call. After being warned, they left the ballot papers on the table of commission members and stepped outside to make the phone call. After that they returned and voted.

PS 27, Botanica, Chişinău. A voter, after receiving the ballot paper, entered to booth and called someone to help her with selecting the option to vote for. She continues speaking on the phone even after being warned. The lady voted anyway.

PS 131, Center, Chişinău. A voter did not understand the meaning of words 'pro' and 'against'. He asked the EOPS members for an explanation. After their discussion, he voted.

### **Involvement, during the electoral process, of observers delegated by participants in the referendum – 2 cases**

PS 190, Ciocana, Chişinău. A Russian-speaking voter was given a ballot paper in Romanian, but he was not bothered by this. An observer from a participant in the referendum intervened, asking why he was not issued a ballot paper in Russian, because he might not understand some words.

PS 190, Ciocana, Chişinău. The voter asked where to apply the stamp. The observer of a participant in the referendum showed where to apply the stamp.

### **Others**

PS 252, Râșcani, Chișinău. The observer was preventing other observers from monitoring the ballot box due to the fact that he was staying at approximately 2 meters distance from that ballot box. The Chairperson asked to keep the distance from the ballot box; at some point a conflict broke out.

PS 246, Râșcani, Chișinău. An attempt of voting without the loose leaf was noted. The fact that the loose leaf was missing was detected only after the voter signed in the lists of voters. After a fight with the EOPS members the voting process was restricted and the situation of the voter signing in the list of voters was included in a report.

PS 205, Râșcani, Chișinău. A ballot paper was damaged by a voter after voting. The voter intended to leave the PS with the damaged ballot paper but he was stopped by the EOPS Chairperson, who took that ballot paper and placed it in the ballot box.

PS 118, Center, Chișinău. An observer representing one of the Referendum participants was discussing with the EOPS members, which was disturbing the participants during the electoral process. When the EOPS Chairperson made a remark in that regard, the observer argued that he was not discussing the Referendum.

PS 53. Botanica, Chișinău. A person left the PS with the ballot paper and has never come back. There were too many voters and no measures were taken by anyone.

PS 216. Râșcani, Chișinău. A voter intended to have a look on the lists of voters in order to see if there was any person with resident visa registered in her apartment. She was not allowed to. The Chairperson explained that this had to be done prior to the start of the elections; the voter raised some objections, which caused some tensions and, finally, left.

***of the new local elections of 19 November 2017 concludes:***

**Involvement of EOPS members in electoral process – 2 cases**

PS 19/24, Fundurii Noi village, Glodeni. The observer and the person with the right to consultative vote, representing one of the election candidates, asked and wrote down the voters' first and last names. When they did not succeed to collect them, they approached the EOPS Chairperson, who provided them this information. The same thing was done by another observer representing another election candidate.

PS 6/9, Berlinți village, Briceni. An EOPS member representing an election candidate together with the observer representing the same election candidate helped a senior to vote. Other EOPS members and observers did not react at all to this situation.

**Presence of unauthorized persons inside or within 50m from the polling station – 3 cases**

PS 19/24, Fundurii Noi village, Glodeni. Two district representatives of an election candidate entered the PS and had a 10-minute discussion with EOPS members and observers. 'Everything will hopefully be ok' was the main message. An EOPS member asked them to leave the PS. They first claimed to have the right to be inside the PS, but subsequently left and talked to some voters within the area of 50 m outside the PS.

PS 19/24, Fundurii Noi village, Glodeni. The observer saw how EOPS chairman, a EOPS member and a representative of the district authorities, who arrived by a Government vehicle, entered into an adjacent building, located at a distance of less than 50 meters from the PS, where they had discussed for about 10 minutes.

PS 6/9, Berlinți village, Briceni. A group of 6 persons, together with the observer from a competitor, had some 15-20 minute discussions with voters, who voted in about 10 minutes. After this they left by car.

### **Errors in the lists of voters – 1 case**

PS 7/63, Zârnești village, Cahul. A voter was found in Elections SAIS, but not on the main lists. He was included on the additional list.

### **Use, in the voting process, of ID cards that do not comply with the legal provisions – 2 cases**

PS 20/40, Lăpușna village, Hâncești. A voter voted on the basis of a copy of his ID card, where the 'New Local Elections 19.11.2017' stamp was applied. Though an EOPS member intervened, the chairperson allowed, arguing that the voter was present in Elections SAIS.

### **Photos of the ballot papers taken – 1 case**

PS 30/11, Căpriană village, Strășeni. Two cases of taking pictures of the ballot papers were found; in each case the EOPS chairperson warned the voters that taking pictures was prohibited, but did not use other measures.

### **Limited access for persons with special needs – 1 case**

PS 30/11, Căpriană village, Strășeni. Two persons, representatives of an association for persons with disabilities brought with them about 7 beneficiaries, voters with physical and mental impairments, and helped them vote, including to apply the 'voted' stamp on the ballot papers. The PS is not accessible for persons with disabilities. A voter in a wheelchair had to be carried up about 5 steps, by hands, because there was no ramp.

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