

Promo-LEX finds an increased number of derogatory materials and more intense black PR, involvement of religious cults in the election campaign and subtle masking of donors



The Promo-LEX Observati on Mission for the Presidential Elections finds in its Report No 5 an increased number of

derogatory materials about the candidates and more intense black PR, involvement of religious cults in the election campaign and subtle masking of donors. The report covers the monitoring period between 28 October and 10 November 2016.

During the electoral period between the two rounds of election, Promo-LEX EOM found the **involvement of the clergy of the Metropolitan Church of Chisinau and the Entire Moldova in**

the electoral campaign, by expressing publicly the political preferences in the favor of the election candidate Igor Dodon. Promo-LEX regards this as a violation of Article 31(4) of the Constitution of the Republic of Moldova, which establishes the *secular nature of the State and separation of religious cults from the State*, as well as of Article 15(2) of the Law on Freedom of Consciousness, Thought and Religion, which obliges *the religious cults and their component parts to refrain from expressing or manifesting publicly their political preferences or favoring a political party or social-political organisation.*

Promo-LEX Observation Mission draws attention on some legal provisions, which leave room for interpretation, with regards to the calculation of the percentage value of the votes expressed in support of election candidates. Thus, during the first round of the presidential elections, CEC calculated the percentage results of the candidates on the basis of the total number of votes expressed, whereas Article 109(1) and Article 110(1) of the Election Code stipulate that they should be calculated on the basis of the votes of voters who participated in the elections, including the invalidated ballot papers. **In the opinion of Promo-LEX, CEC calculated incorrectly the percentage value of votes, which should be smaller for all candidates.**

Thus, according to the information available on the official website of CEC, candidate Igor Dodon accumulated 47.98% of votes. If the percentage value were calculated on the basis of the total number of expressed voted, and not on the basis of validated votes, then Igor Dodon would have obtained 47.24%. There is a difference of 0.74%, which is significant. The second candidate, who accumulated a significant number of votes, is Maia Sandu – 38.71%. Respectively, if the total number of accumulated voted were reported to the total number of expressed votes, Maia Sandu would have obtained 38.12% of votes, which is by 0.59% less than the percentage announced

officially by CEC.

The observers informed that the staff of Orhei Mayor's Office and its subordinated enterprises and institutions were forced, by Indication No 490 of Mayor Ilan Sor, to submit their ID card and its loose leaf, military card and diploma/qualification certificate in order to update the personal files of the staff. In connection with the public recommendation to boycott the presidential elections, made previously by candidate Inna Popenco, **Promo-LEX regards this request as a method to intimidate the staff.**

Promo-LEX identified 3 cases of electoral officials' involvement in electioneering activities in favor of candidates as follows: Igor Dodon – 1 case, Maia Sandu – 2 cases. Though the number of such incidents is not high, their very existence is alarming. At the same time, according to the information provided by Promo-LEX observers, during the monitoring period, there were registered two cases of offering electoral presents in favor of candidate Igor Dodon.

In addition, **Promo-LEX EOM found, with concern, the active use of *printed material with derogatory content against the candidates* during the election campaign for the second round of the elections.** Promo-LEX observers identified 4 types of derogatory materials against Maia Sandu and one derogatory material against Igor Dodon.

On the basis of the submitted financial statements, made public by CEC, **Promo-LEX EOM found that two election candidates (Dumitru Ciubasenco and Maia Sandu) have recorded donations from the party that appointed them, without revealing the origin of the primary donors, who made the transfer on the party's account.** Promo-LEX EOM reiterates during this election campaign, as well, that this practice is a subtle method intended to conceal the donors and avoid financial transparency.

Promo-LEX EOM finds that 94% of the total expenses incurred by the election candidates in the first election round are for advertising. Other expenses relate to: use of transportation vehicles – 2%, expenses for delegation or secondment of people (volunteers/observers) – 2%, organizing meetings and events – 1%, additional maintenance costs – 0.3%, communications – 0.3%, consultation expenses – 0.2%, and other expenses – 0.1%.

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 Mission will monitor the electoral process in about 47 PS open abroad. 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.

The activity carried out by Promo-LEX EOM and the “Come to Vote” campaign is currently funded by the United States Agency for International Development (USAID), the British Embassy in Chisinau, the National Endowment for Democracy and the Council of Europe. The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donors’ view.

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The investigation of hate crimes is still not consistent

The Promo-LEX Association is calling attention to the lack of effective mechanisms and uniform practices in the investigation of hate crimes. In its report on the Republic of Moldova, the European Commission against Racism and Intolerance has previously recommended that the Government take the necessary measures to create a system for registering and investigating hate crimes – a recommendation that the authorities have still failed to implement.

The above-mentioned problems have been demonstrated once again by the case of Petru Crețu, a young man of Roma ethnicity who was attacked by several people. Although he was recognized as the injured party in a criminal case opened under Article 152 Paragraph 2 of the Criminal Code (moderate personal injury), investigators ignored the young man's statement that the violence against him was motivated by ethnic prejudice, as well as evidence supporting this statement.

The incident occurred in Bădiceni in the beginning of June, when, according to Petru Crețu's statement, he was assaulted and subjected to physical violence because of hostile attitudes toward his ethnicity. The investigations carried out so far, however, did not reflect in any way the injured party's statement that the crime was motivated by racial/ethnic prejudice. Petru has told investigators that he was repeatedly called "țigan" ("gypsy") and other obscene words. In addition, he mentioned that the attackers said while beating him that they wanted to clean the village of "gypsies"

and offered him “a ride in the trunk”.

The Soroca Court recently returned a verdict finding one of the attackers guilty of criminal wrongdoing according to art. 152 par. 1, or intentional moderate injury to bodily integrity or health. The sentence was unpaid community service and 5000 lei in moral damages.

During the inquiry, Petru Crețu told criminal investigators that he cannot read, and his lawyer asked to be notified about all procedural actions; nevertheless, investigators took a number of important actions in the presence of the injured party without first notifying his lawyer, including confronting suspects and telling two suspects that they were no longer under investigation. The court completely rejected the complaints of the injured party’s attorney after examining them, finding that Petru Crețu is not Roma because his mother is Moldovan, even though the injured party stated during the hearing that his father is ethnically Roma and that he personally identifies as and considers himself Roma. The court and criminal investigators also ignored the statements of two suspects who confirmed that the reason for the conflict was the hostile attitude of the defendants toward people of Roma ethnicity.

“We are concerned that criminal investigators do not thoroughly investigate racial and ethnic hatred as a motive and that the attitude of the authorities toward this type of crime is often ignorant. The primary motive for hate crimes is to express the attitude that a person and his/her group is unwanted and unwelcome. The psychological effect on the person and his/her group can be long-lasting and profoundly destructive for not only that person but also for his/her community and all of society”, stated the lawyer Dumitru Sliusarenco.

We note that, according to the International Convention on the Elimination of All Forms of Racial Discrimination (articles 1,

2, 4, 5, 6) and the European Convention on Human Rights (articles 3, 6, 14), the Republic of Moldova has committed to effectively investigate hate crimes and to assure effective remedies for those who have suffered from them.

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The UN Human Rights Council (HRC) Universal Periodic Review Working Group discussed during its 26th session the need to strengthen the system for human rights protection in the Transnistrian region

Every five years, the HRC conducts the Universal Periodic Review (UPR) on human rights situation in each UN Member State. The Republic of Moldova is currently subject to this process, for the second time.

In March 2016, Promo-LEX Association, in partnership with several national and international organisations, contributed significantly to the Universal Periodic Review of RM and

presented 7 reports on the progress made by the Republic of Moldova on the implementation of the recommendations made in first UPR cycle (read [here](#)). The reports of RM civil society, as well as other documents needed for the UPR are available on the OHCHR website (read [here](#)). Other networks and civil society organisations also submitted a series of reports.

Following the submission this information, of the report submitted by the RM delegation to the UN and of the questions to the Moldovan authorities, on 4 November 2016, the Delegation of the Republic of Moldova came with a report on the actions taken. The meeting can be watched [here](#).

During the opening statement of the 26th session of Moldova UPR Working Group, the RM Government (see the list of delegates [here](#)) expressed its concern about the challenges the human rights defenders face in the Transnistrian region, as a result of the actions taken by the representatives of Tiraspol security structures.

Referring to the persecution of Promo-LEX Association in the Transnistrian region, the member of RM delegation, Mr. Lilian Darii – the Deputy Minister for Foreign Affairs and European Integration of the RM, referred to the necessity of human rights observance in the Transnistrian region, especially in the case of Promo-LEX Association. At the same time, the Government informed the HRC Working Group about the call of the three UN Special Rapporteurs^[1] sent to the Government in December 2015 regarding the stigma and the criminal case initiated against Promo-LEX Association – member of the International Federation for Human Rights (FIDH). In this context, the Government claims to have taken a series of actions to protect the rights of Promo-LEX against the abuses of the Transnistrian security structures in order to suspend the criminal prosecution and the harassment of human rights defenders.

At the same time, we appreciate that the RM Government showed

the availability to accept the implementation of the recommendations promoted by Promo-LEX Association together with other national and international organisations for Moldova second UPR cycle, namely to include the issue of human rights protection in the current format of negotiations for a better approach of the human rights violations in the Transnistrian region (see [here](#) 00:14:00 a.m.).

During the review process at the 26th session, 75 States formulated questions and recommendations for the RM Government, covering a range of problems related to the human rights protection in the Republic of Moldova. More and more States expressed their concerns related to the environment civil society operates, especially the human rights defenders, including from the Transnistrian region of the RM, and formulated recommendations to this end (Poland, Estonia, Belgium, Uruguay).

Uruguay recommended to the RM Government especially – *to recognize explicitly the legitimacy of human rights defenders activity, ensure and support their activity in a safe environment, without fear of reprisals, intimidations and violence, and bring to justice those who are responsible for such acts.*

The representative from Georgia expressed his concern regarding the human rights protection in the Transnistrian region, stating during the session that this region is a big gap in this regard, see [here](#) 1:07:30 a.m., and formulated a recommendation for the RM Government: *take the necessary measures to develop a mechanism to monitor the human rights situation in the Transnistrian region, involving the civil society from both Nistru banks. In order to take the necessary measures to start develop the mechanism to monitor the human rights situation in the Transnistrian region, involving the civil society from both Nistru banks.*

In the context of human rights protection in the Transnistrian

region, the Czech representative requested the RM Government to provide information on measures undertaken to document human rights abuses in the region and support victims of these abuses. As a result, he recommended the RM Government to support and provide assistance to the victims of human rights abuses from the Transnistrian region.

We remind that during 4-7 October 2016, the representatives of Promo-LEX Association participated in meetings with the Permanent Missions to the United Nations Office in Geneva of the following countries: Finland, USA, Czech Republic, Netherlands, Georgia, Uruguay, France, Ireland, Germany, Chile and Canada, but also with the Delegation of the European Union to the UN. During the meetings, Promo-LEX presented the main findings from the reports submitted for 2016 Moldova UPR and promoted the recommendations proposed. Click [here](#) for additional information on Promo-LEX Association work to promote the recommendations for Moldova second UPR cycle.

The Report of the working Group (draft) see [here](#).

[\[1\]](#)We remind that on 7 December 2015 *the UN Special Rapporteur on human rights defenders* acted on the complaint of the Promo-LEX Association and submitted together with other Special Rapporteurs [1] calls to: the Government of the Republic of Moldova, UN Resident Coordinator and the representative appointed by the UN Secretary General (Dafina Gercheva), Tiraspol administration (Ignatiev Vitaly).

The Victims of Torture from the Transnistrian Region Are Meeting in Chisinau the People Who Developed Their Criminal Files



Today, during a press conference, Promo-LEX Association renewed the public attention on the human rights situation in the Transnistrian

region, and on the efforts made by the Chisinau authorities to rehabilitate the victims of torture and ill-treatment in the region.

Vitalie Eriomenco told the press today about the criminal file the influential people from the Transnistrian region developed on his name and how he was dispossessed of his business. The businessman was detained from March 2011 to September 2016. He was released after being amnestied by the so-called Tiraspol authorities. Over the last 2 months, Vitalie Eriomenco underwent rehabilitation treatments. But, last week, in a shopping center from Chisinau, he saw one of the people involved in his criminal file development walking freely.

Vitalie Eriomenco is a businessman domiciled in Slobozia district, Transnistrian region. He was arrested in March 2011 by the representatives of the Transnistrian militia. Over ten hours after the arrest, Eriomenco was ill-treated and threatened with death by the so-called militia collaborators. He was given no first aid. His family was not informed about the arrest and could not contact any lawyer. On 29 March 2011, he was given no food or water. The food he was provided later had a poor quality, thus – inedible. As a result, Mr. Eriomenco lost five kilograms in twenty-eight days of detention. He was deliberately kept in a cell with recidivist detainees in order to be intimidated. The business he had developed over a long period was abusively seized, and his shares at the Factory of Mineral Water and Soft Drinks 'RUSTASAQUA', at the Slobozia Bread Factory, and at the 'VITAVIT' Brewery, were transferred to other people.

Medical records state that Vitalie Eriomenco has hypertension, heart and respiratory failures, duodenal ulcer, prostatitis and inguinal hernia. His health deteriorated in the penitentiary, due to the conditions of detention. Particularly, his ulcer worsened due to poor quality of food. He had unbearable pains, but was refused any primary health care. After submitting a number of requests in this respect, he was examined by the doctors, but only once. In addition, he had to ask his family to bring him the drugs needed. He also had toothache, but the penitentiary administration did not provide him an appropriate health care.

On 30 December 2013, the so-called courts from the region found him guilty of swindling and sentenced him to 12 years of imprisonment with the confiscation of his personal property. Thus, he was detained for more than 6 years. The Eriomenco case is pending at the European Court of Human Rights, being communicated to the Government from Chisinau in July 2011.

Ion Manole, Promo-LEX Executive Director, said: 'there is no effective mechanism to defend the human rights in the

Transnistrian region, and if a person has no relatives to make efforts or to raise the public awareness, has no money to hire a lawyer or to find an organization providing defense services, he or she will lose everything'. Ion Manole added that there is a need to ensure mechanisms for human rights monitoring in the region, with the involvement of the civil society from both sides of the Nistru river, since the so-called Tiraspol judiciary system fails to guarantee a fair justice. In this context, the Promo-LEX Executive Director reminded that Promo-LEX members cannot enter the Transnistrian region since April 2015.

The Promo-LEX lawyer, Nicoleta Hriplivii, stated: 'there is an urgent need to **include on the political negotiations agenda, within the existing formats (1+1 and 5+2), the issues related to human rights monitoring, promotion and defence,** and the objective assessment of the implementation of the National Human Rights Action Plan (NHRAP) as regards the human rights promotion and protection activities planned for the Transnistrian region'.

At the same time, we remind that last week, in Geneva, the UN Human Rights Committee (CCPR) reviewed the country report on the human rights situation in Moldova and the implementation of the International Covenant on Civil and Political Rights. On 19 September 2016, Promo-LEX Association presented its alternative report that focused mainly on the implementation of the Covenant in the Transnistrian region of the Republic of Moldova. Promo-LEX experts say that there is no international difference between the Republic of Moldova and the uncontrolled region. The Moldovan authorities are required to report how the Covenant has been implemented throughout the country, including in the Transnistrian region. The alternative report of the Promo-LEX Association on the Covenant implementation in the Transnistrian region of the Republic of Moldova is available [here](#) or [here](#).

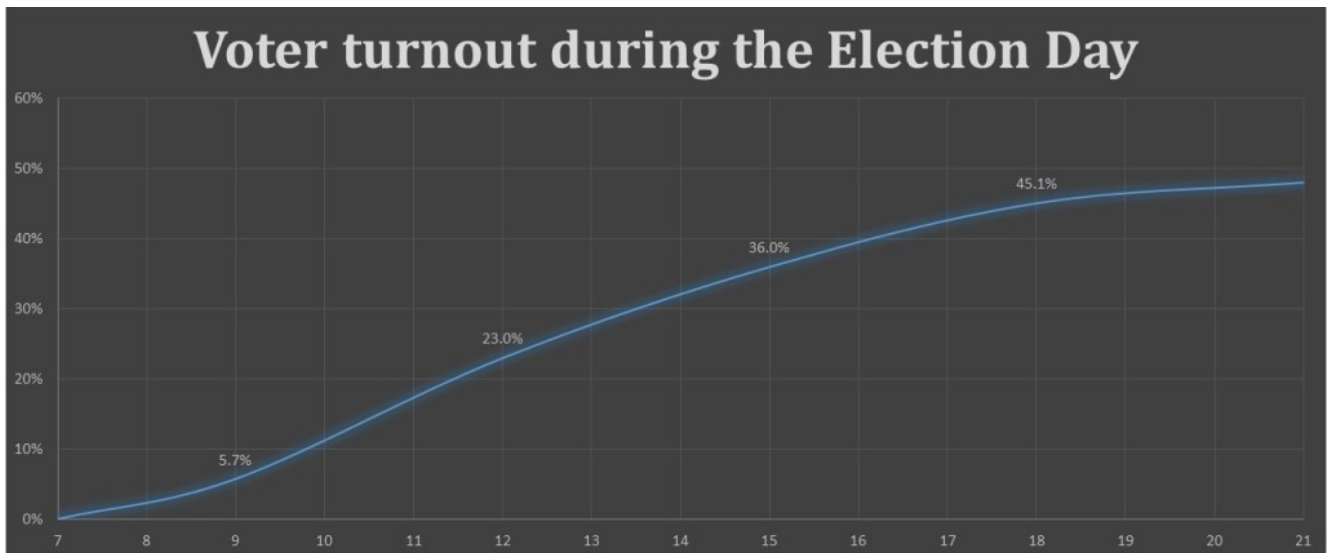
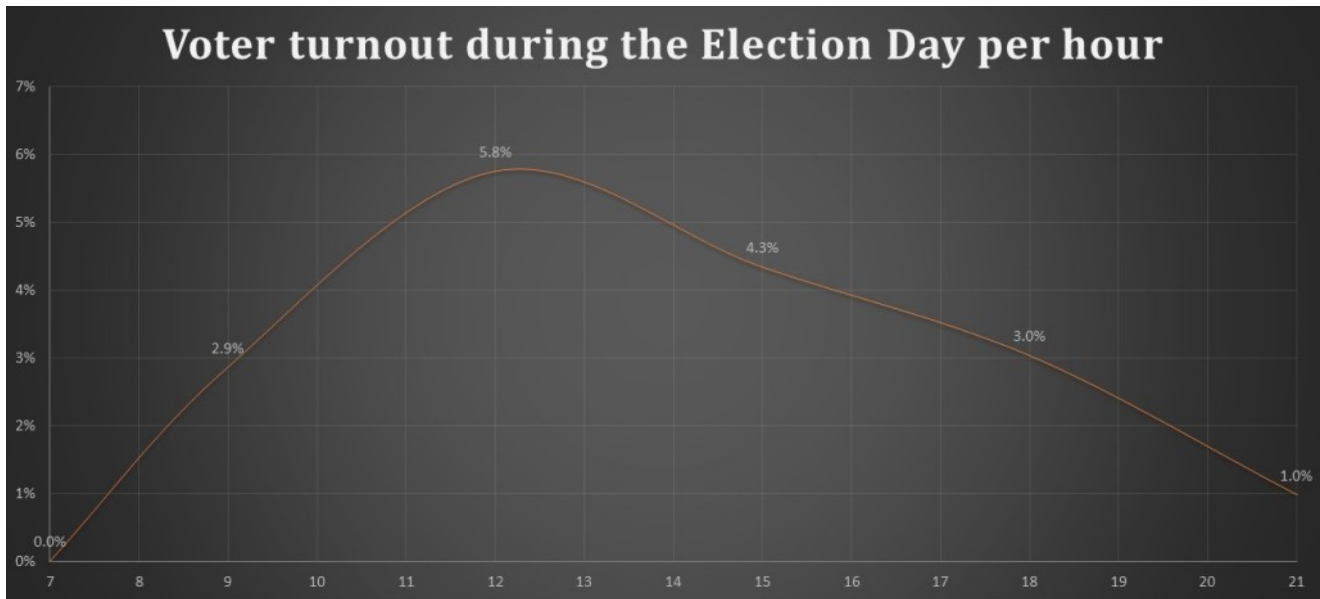
Preliminary results from the parallel vote tabulation carried out by Promo-LEX during the Presidential Election show that we will have a second round of Presidential Elections



The Promo-LEX Observation Mission of the Presidential Election of 30 October 2016 has finished processing the election results received via SMS message from its network of 1979 observers across the country and 44 observers sent to polling stations abroad. The final results from the Parallel Vote Tabulation will be submitted after the manual verification of the reports received from Promo-LEX observers.

In accordance with information gathered on election day, Promo-LEX can state that the highest voter turnout was recorded between 12.00 and 1.00 pm, although the graph of voter turnout shows that the voting process was continuous and

uninterrupted.



Preliminary results from the Parallel Vote Tabulation carried out by Promo-LEX show the following:



Maia Sandu

37,71%

38,42%



Igor Dodon

47,44%

48,26%

Promo-LEX 10:00
2023 PS

CEC 10:00
2067 PS

Thus, Promo-LEX Mission states that citizens who have the right to vote will be expected once again at the pooling stations on 13 November, in order to elect the President of the Republic of Moldova in the second round.

Parallel Vote Tabulation is a method used to check the election results, which consists in processing qualitative and quantitative information of 100% of the minutes produced by the Electoral Offices of the Polling Stations (EOPS), in the context of monitoring elections at the national level during the election day (e-day) and the next period until the entire information from minutes is processed.

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Promo-LEX: The number of cases when the free observation of elections was limited doubled and new cases of violence or intimidation of voters in polling stations are reported

**Time:
7.30 pm**



Promo-LEX observers continue to report a significant number of cases when the free observation of elections was limited, double number of cases when voters voted without having their loose leaf of the ID card checked by EOPS members, and the perpetuation of the cases of violence or intimidation of voters or other persons in the polling stations.

At the same time, 226 voters voted without having their ID documents checked by the operators of SAIS "Elections", 127 cases when people voted without a seal applied in the loose leaf of the ID cards, other 15 cases when people voted without ID documents or on the basis of inappropriate documents.

As of 7.30 pm, Promo-LEX found the following types of irregularities during the voting process:

Restricted access or preventing the free observation process at the polling station – 26 cases. Here are several examples:

- PS 49, Balti, the Promo-LEX observer was not allow to move freely within the PS on grounds that this disturbs the work of EOPS members. In addition, the EOPS chair and secretary refused to offer the information requested

- by the observer in order to fill in the reporting form
- PS 143, Chisinau. The EOPS chair limits the free movement of observers.

Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100 m from the PS) – 6 cases

- PS 27, Causeni. The mayor was twice in the PS.
- Booklets of election candidates were distributed in the vicinity of PS 38, Cahul.
- PS 54, 82, Chisinau, there were also electoral posters in the vicinity of PS.
- PS 37 Ialoveni. The electoral posters of 2 election candidates are displaced at a distance of about 70 m from the PS.
- In PS 2, Floresti. The electoral and campaigning messages for an election candidate were not removed in the vicinity of the polling station.

The ballot boxes with seal issues – 3 cases.

- PS 163, Chisinau. The seal on the mobile ballot box was broken, hence the box was taken out with the broken seal.
- PS 9, Ungheni. 2 seals are missing on the fixed ballot box.
- PS 3, Soldandesti. One seal of the fixed ballot box is broken.

Unjustified presence of unauthorized persons inside or within 50 m from the polling station – 11 cases. Here are several examples:

- PS 16, Balti. The police officer is inside the PS.
- PS 24, 33, 43, Causeni. The presence of unauthorised persons in PS was found, who did not present any ID document, but stayed for a little while within the station.

Rumors, attempts or even situations of material rewards or money offered to voters within the perimeter and/or near the polling station to influence them – 8 cases. Here are several examples:

- PS 30, ATUG. A omnibus is parked at a distance of about 150 m from the PS, where voters are served wine.
- PS 50, Ialoveni. Some voters leaving the PS went directly to the village store (100 m), accompanied by some suspicious persons.

Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 13 cases.

- PS 14, Edinet. There is a group of 5 people near the PS (the yard of the secondary school where the PS is located), who encourage voters to vote for an election candidate.
- PS 6, Ocnita. There are 2 people near the PS, who encourage voters to vote for an election candidate.
- PS 318, Moscow, Russia. Electioneering in favor of an election candidate in the vicinity of the polling station.
- PS 359, Mestre, Italy.
- PS 1, Soldandesti. A person, while in the voting booth, shouted aloud the name of Renato Uatii.
- PS 11, 74, Ungheni. Electioneering in favor of an election candidate.
- PS 69, Orhei. Electioneering, by an observer, in favour of an election candidate.
- PS 35, 37, 25, 15, Calarasi. Electioneering in favor of an election candidate.
- PS 7, Dubasari. A voter showed to another voter his ballot paper with “Voted” seal, encouraging the other voter to vote for the same candidate.

Organized transportation of voters – 8 case.

- PS 24, Causeni. A car was found to bring 4-5 times voters to the PS.
- PS 24, 25, Stefan Voda. Representatives of an election candidate transport the supporting voters to the PS.
- PS 42, Rezina. A bus was found to transport 23 people to the PS.
- PS 69 Step-Soci, Orhei. 2 omnibuses, organised by the mayor of the settlement, to transport voters to the PS.
- PS 2, Dubasari. Representatives of a candidate were found to transport by a car 4 times voters to the PS.
- PS 10, Dubasari. The transportation of voters by a bus was recorded.
- PS 394, Braşov, Romania. Three taxi cabs and a private car transported about 15 people.

Acts of violence or bullying against voters or other persons – 13 cases. Here are several examples:

- PS 147, Chisinau. A voter was aggressive with EOPS members, who refused to release the ballot paper due to the failure of the former to present the loose leaf of the ID card.
- PS 109, Chisinau. A voter was aggressive with EOPS members after finding that his children, domiciled in USA, were included in the main lists.
- PS 17, Floresti. A fight between a voter and a EOPS member was recorded. The latter informed CEC about being bullied.
- PS 27 Hancesti. A voter showed up, who wanted to vote one more time. He was asked to leave, but he conditioned his leaving on receiving money or alcohol. The sector police officer intervened and solved the conflict.
- PS 120, Chisinau. A voter was aggressive with EOPS members after finding his children, who have been living for 10 years abroad, included in the lists of voters.
- PS 28, Stefan Voda. A voter was aggressive with EOPS members for not being allowed to vote without applying

the seal in the loose leaf of the ID card.

Deficient operation of SAIS “Elections” – 3 cases.

- PS 390 București, Romania. SAIS “Elections” showed that a voter had already voted in Moldova, and was allowed to vote though he did not have the seal applied in the passport.
- PS 362 Modena, Italy. SAIS “Elections” showed that the voter had already voted in Moldova. He was however allowed to vote.
- PS 390 București, Romania. SAIS “Elections” did not operate for 6 minutes, 5 people were recorded on paper.

Problematic situations with the lists of voters – 12 cases.

- PS 9, Basarabasca. Though the ID card data allowed a voter to vote in this section, he could not vote because SAIS “Elections” showed that he had voted in Chisinau.
- PS 3, 8, 9 ATUG. Confusions between “street” and “by-street” in the lists of voters.
- PS 2, ATUG. Deceased persons on the voter lists.
- PS 12, Balti. The voters were revolted to see deceased persons included on their own addresses.
- PS 400, 401. In Washington D.C. and New York City the lists got confused.
- PS 24, 25, Stefan Voda. The lists contain errors in the addresses, voters are included in lists with errors, in other PS than those they should belong to according to their address.
- PS 116, Chisinau. The voters found foreigners recorded on their address. A complaint was filed.
- PS 52, Chisinau. Errors are found on the voter lists. Persons that are repeated, with the same addresses. A total of 12 persons are recorded with the same address.

Taking a picture of the ballot papers – 8 cases.

- PS 25, Cimislia. 2 persons took a picture of their

ballot papers.

- PS 343, Athens, Greece. A voter made a picture of his ballot paper with his telephone in the voting booth. The EOPS members were informed about this.
- PS 351, Lyon, France. A EOPS member found a voter taking a picture of his ballot paper in the voting booth.
- PS 5, Chisinau. A voter voted, took a picture and placed it subsequently on social networks.
- PS 12, Balti. 2 persons took a picture of their ballot. The police was called and they wrote explanations. The ballot papers were thrown into the bin.
- PS 6, Ocnita. The voter took a picture of the ballot paper, after which he launched the rumour among the other voters that if they take a picture of their ballot paper and show it, they will get a reward.
- PS 257, Chisinau. A voter made a picture of his ballot paper.
- PS 6, Cahul. A voter made a picture of his ballot paper after applying the "Voted" seal, while still in the ballot paper. At that moment there were journalists from a TV station in the polling station, who noticed the incident and asked for an interview with the voter.

Other cases:

- PS 47, Calarasi. A tree fell over the electric lines, but the voting process was not interrupted. The problem was remedied.
- PS 47 Varatic, Ialoveni. The electricity was out for about one hour.
- PS 63, Falesti. A voter voted instead of his son.

#observerPromoLEX

Free access into the polling station for the observers



Yes 1962
No 26

#observerPromoLEX

Are the ballot papers that were not distributed to EOPS members kept in a safe place at the polling station?



Yes 1966
No 23

#observerPromoLEX

How many voters voted without their identity documents being verified by SAIS "Elections" operators and without their registration into the SAIS "Elections"?



226

#observerPromoLEX

How many voters voted without having the stamp applied in the loose leaf of their ID cards?



127

#observerPromoLEX

How many voters voted without identity documents or with inappropriate documents?



15

#observerPromoLEX

How many voters voted without having the loose leaf of their ID cards being verified by EOPS members?



56

#observatorPromoLEX

Are there any places or stores selling and/or serving alcoholic beverages within 50 m from the polling station?



Yes 93
No 1893

#observatorPromoLEX

Did you note rumors, attempts or even situations of material rewards or money offered to voters within the perimeter and/or near the polling station?



Yes 8
No 1981

#observatorPromoLEX

Did you note any case of electioneering within the perimeter and/or near the polling station to influence the voters?



Yes 7
No 1984

#observatorPromoLEX

Did you note buses, minibuses or any other type of transport within the perimeter and/or near the polling station, which should not be there, or transporting voters in an organised manner?



Yes 8
No 1983

#observatorPromoLEX

Did you note any acts of violence or bullying against voters or other persons?



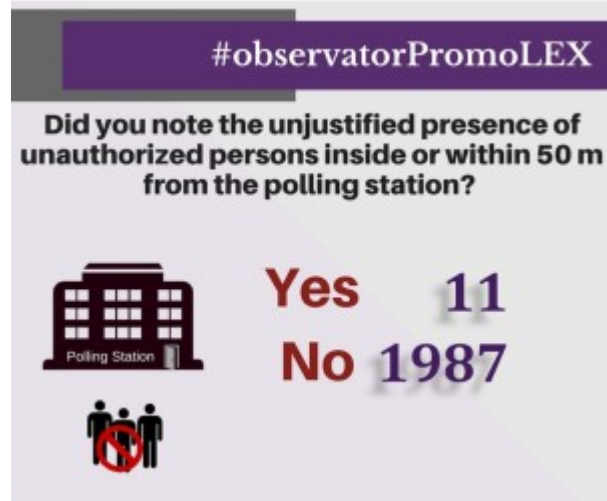
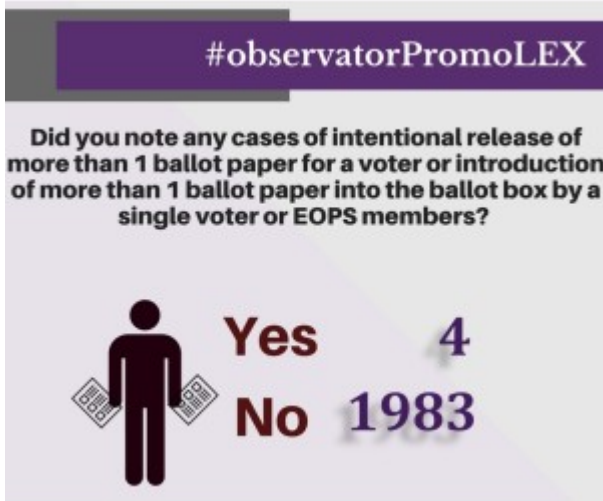
Yes 13
No 1976

#observatorPromoLEX

How many cases of group voting or violation of secrecy of the vote have you found?



170



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Promo-LEX: Observers inform about the limitation of the free observation process at the polling stations for Promo-LEX observers and several cases of organized transportation of voters

*Time:
2:30 p.m.*



The Promo-LEX Observation Mission of the presidential elections finds that until 12:30 p.m. there were several cases of restricted access or preventing the free observation process at the polling stations for the observers and the tearing, damage or absence of seals on the ballot boxes.

Electoral posters continue to be displayed in the vicinity of the polling stations. There are also cases of black PR within the perimeter of the polling stations, violence and voters' intimidation, and various cases of organized transportation of voters.

The information provided by Promo-LEX observers shows that:

- ballot papers are kept in an unsafe place in 15 polling stations,
- 83 voters voted without having the ID documents checked by SAIS "Elections" operators,
- 21 voters voted without having the loose leaf of their ID card checked by EOPS members,
- 107 voters voted without having the "Voted" stamp applied in the loose leaf of their ID card,
- 15 voters voted without identity documents or with inappropriate documents.

Observers also inform about the presence of stalls or stores selling and/or serving alcoholic beverages within the perimeter of 114 polling stations. At the same time, there were reported 18 cases of electioneering, 19 cases of rumors, attempts or even situations of material or cash rewards and 7 cases of intentional release of more than 1 ballot paper for a voter or introduction of more than 1 ballot paper into the ballot box by a single voter.

Restricted access or preventing the free observation process at the polling station – 12 cases. Here are some examples:

- PS 39, ATUG, the EOPS chair confiscated for a short period the observers' mobile phones
- PS 1, Balti, the EOPS chair asked the observer for one additional mandate to allow his presence in the polling station, then he changed his mind and allowed the observation
- PS 12, Cahul, the presence of Promo-LEX observer was

restricted in the PS adjoining area

- PS 59, Chisinau, the EOPS chair did not allow the access of Promo-LEX observers in the PS
- PS 70 Chisinau, the observers were not allowed to move freely within the PS
- PS 27, Chisinau, the voters assault the Promo-LEX observer
- PS 154, Chisinau, the observers were not allowed to monitor if the lists of voters are kept in a safe place

Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100 m from the PS) – 15 cases. Here are some examples:

- In the vicinity of PS 41, Balti, there is a 3×6 billboard of an election candidate. The voters were revolted and asked the observers from behalf of that candidate to remove the poster
- Electoral advertising materials are present within the area of PS 17, 54, 59, 128, 152, 175, 198, 278, 288 (Chisinau), PS 59 (Ungheni), PS 55 (Falesti), PS 37, 49 (Ialoveni), PS 6 (Ocnita).

Ballot boxes were not sealed according to the legal procedures – cases. Here are some examples:

- PS 154, Chisinau, the mobile ballot box was initially incorrectly sealed and subsequently resealed
- PS 325, Dublin, Ireland only one stationary ballot box was sealed when opening the PS
- PS 9, 10, Ungheni, four seals were missing
- PS 24, Soldandesti, the polling station seal was damaged
- PS 32, Glodeni, the seal damaged and then changed
- PS 5, Cimislia, the ballot boxes are not sealed and are located in unsafe places
- PS 24, Soldandesti, the seals on the ballot box were teared.

Unjustified presence of unauthorized persons inside or within

50 m from the polling station – 16 cases. Here are some examples:

- PS 33, Leova, the mayor of the settlement parked his car within the area of 10 m from the PS and discusses with the locals
- PS 30, 52, 57, 71, 152, 196, 223, 266, 248, 247, 300, Chisinau.
- PS 26, Causeni
- PS 13, Calarasi
- PS 396, Constanta, Romania
- PS 2, Edinet, 4 persons were present in the PS 20 minutes without explaining their reason
- PS 16, Balti, the police officer is inside the PS.

Ballot papers that were not distributed to EOPS members are not kept in a safe place at the polling station – 15 cases. Here are some examples:

PS 72, 131, 300, Chisinau, the observers noted that ballot papers are not kept in a safe place and at PS 72, Chisinau, they are kept under the table (in the table).

Rumors, attempts or even situations of material rewards or money offered to voters within the perimeter and/or near the polling station to influence them – 19 cases. Here are some examples:

- PS 1, Balti, two men came and asked who is the observer for a candidate. The lady observer went out with them, after which she returned holding something in her hands
- PS 4, Ialoveni, a person (previously accused of hooliganism) wanted to get a photo of the ballot. He was not allowed and when he went outside the PS, somebody told him that he will not be rewarded for his failure to get the photo
- PS 269, Chisinau, a person, after voting in the voting booth, made a call and reported for which candidate she

voter for.

Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 18 cases. Here are some examples:

- PS 60, Chisinau, the observer of an election candidate distributed electoral materials and calendars to citizens
- PS 69, Ungheni, 1 voter made negative PR against an election candidate
- PS 30, 41, Calarasi, the observer of an election candidate electioneered near the PS.

Organized transportation of voters – 10 cases. Here are some examples:

- PS 22, Soldandesti, about 8 persons were transported with a bus and got out at 50 meters from the PS
- PS 22, 23, 24, Causeni, the representative of an election candidate transported voters. Other 3 such cases were recorded.
- PS 138, Chisinau, a bus was transporting the voters to the PS
- PS 270, Chisinau, a was seen 3 times transporting the voters to the PS
- PS 66, Orhei, a bus transported 20 voters from Burcuta to vote in Seliste
- PS 42, Bender, a bus transported 15 voters
- PS 42, Rezina, a bus transported 10 voters
- PS 395, Cluj, Romania.

Acts of violence or bullying against voters or other persons – 20 cases

- PS 34, Balti, a voter entered the polling station and intimidated the EOPS members. The police intervened to get the person outside the PS
- PS 24, Chisinau, a voter was aggressive with EOPS

members because his daughter was included in the main lists of voters, although she was abroad

- PS 84, Chisinau, a voter was aggressive with another voter after he discovered that foreigners are registered at his address
- PS 248, Chisinau, the EOPS chair is intimidated by the supporters of an election candidate
- PS 14, Orhei, the elderly continue to be intimidated (they are blackmailed to lose their compensations). The intimidation occurs at more than 100 m from the PS
- PS 72, Chisinau, the observers of an election candidate intimidate the voters, they look in the voters' ballots and touch the ballot box.

Deficient operation of SAIS "Elections" – 6 cases

- PS 45, Balti, two people came to vote, but according to the SAIS "Elections", they had already voted. These voters were revolted, because they did not have the seal "presidential elections 30 October 2016". The police was called at the PS, who conducted a number of procedures and the respective persons left without voting.
- PS 57, Ungheni, there was not Internet connection for 5 minutes
- PS 46, Balti, the Internet connection was out between 7.40 a.m. and 8.08 a.m.
- PS 8, Glodeni, SAIS "Elections" was blocked between 8.15 a.m. and 8.51 a.m.

Problematic situations with the lists of voters – 5 cases

- PS 50, ATUG (Congaz) – 5 voters with identity documents, domiciled within the area of the respective PS, are found on the lists of PS 3 ATUG (Comrat)
- PS 84, 77 Chisinau, strangers were found recorded in the lists of voters, on the addresses of some voters or their neighbours'.
- PS 6, 27, ATUG, deceased persons are included in the

lists of voters.

Taking a Picture of the Ballot Papers – 4 cases

- PS 26, Ungheni, a voter made a picture of his ballot paper. After the chair called the police, the picture was deleted, and the ballot paper was invalidated
- PS 7, Ungheni town
- PS 317, Moscow, Russia, 2 voters made a picture of their ballot papers
- PS 347, Paris, France, 2 voters made a picture of their ballot papers.

Other violations

- PS 149, 148, Chisinau, a voter placed the ballot paper from PS 149 in the fixed ballot box of PS 148
- PS 320, Sank Petersburg, Russia, one EOPS member left the PS with a ballot paper
- PS 15, Ungheni, one person voted with an expired ID card.

At the same time, we find that 384 complaints were filed with EOPS and 7 cases of temporary halt or unjustified suspension were recorded until 12.30 pm.

At 7:30 p.m., Promo-LEX will come with new information about the quality of the voting process and adjusted statistical data.

#observatorPromoLEX

Free observation in the polling station



Yes 2007
No 12

#observatorPromoLEX

Are the ballot papers that were not distributed to EOPS members kept in a safe place at the polling station?



Yes 2004
No 12

#observatorPromoLEX

How many voters voted without their identity documents being verified by SAIS "Elections" operators and without their registration into the SAIS "Elections"?



83

#observatorPromoLEX

How many voters voted without having the stamp applied in the loose leaf of their ID cards?



107

#observatorPromoLEX

How many voters voted without identity documents or with inappropriate documents?



15

#observatorPromoLEX

How many voters voted without having the loose leaf of their ID cards being verified by EOPS members?



21

#observatorPromoLEX

Are there any places or stores selling and/or serving alcoholic beverages within 50 m from the polling station?



Yes 114
No 1905

#observatorPromoLEX

Did you note rumors, attempts or even situations of material rewards or money offered to voters within the perimeter and/or near the polling station?



Yes 19
No 1998

#observatorPromoLEX

Did you note any case of electioneering within the perimeter and/or near the polling station to influence the voters?



Yes 18
No 2001

#observatorPromoLEX

Did you note buses, minibuses or any other type of transport within the perimeter and/or near the polling station, which should not be there, or transporting voters in an organised manner?



Yes 19
No 2000

#observatorPromoLEX

Did you note any acts of violence or bullying against voters or other persons?



Yes 20
No 1998

#observatorPromoLEX

How many complaints have been registered with EOPS?



384

#observerPromoLEX

How many cases of group voting or violation of secrecy of the vote have you found?



225

#observerPromoLEX

Did you note any cases of intentional release of more than 1 ballot paper for a voter or introduction of more than 1 ballot paper into the ballot box by a single voter or EOPS members?



Yes 7
No 2009

#observerPromoLEX

Did you note the unjustified presence of unauthorized persons inside or within 50 m from the polling station?



Yes 16
No 2009



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Promo-LEX: On the day of presidential elections in the Republic of Moldova we find electoral posters in the vicinity of polling stations and deficient operation of SAIS “Elections”

**Time:
9.30 am**



The Promo-LEX Observation Mission of the presidential elections finds that at the opening of the polling stations in the country, electoral posters were present in the vicinity of polling stations. In addition, observers inform about the deficient operation of SAIS "Elections".

Restricted access or preventing the free observation process at the polling station – 5 cases

- In PS 6, Straseni, entry into the polling station was denied until 7.00 am.
- In PS 9, Orhei, the elections are boycotted. The elderly are blackmailed to lose their discount cards if they vote. Some people are counting how many people are entering the polling station
- In PS 1, Anenii Noi, the EOPS chair did not allow Promo-LEX observer to enter the PS
- In PS 259, Chisinau, the observers of PP PAS were not allowed to enter the polling station
- In PS 19, Cirnateni, the Promo-LEX observer was assaulted by EOPS chair, who took his ID card to make a copy

Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100 m from the PS) – 27 cases

Such cases were reported in PS 15, 12 Balti, SV 34, Cahul, PS 39, 40 Calarasi, PS 8, 16, Ialoveni, PS 7, Nisporeni, PS 37 Cimislia, PS 9, Orhei, PS 7, Ungheni, PS 3, Edinet, PS 3, Basarabasca, PS 34, Cahul, PS 4 Glodeni, PS 59, Ungheni, PS 8, Ialoveni, PS 6, Ungheni, PS 4 Gagauzia ATU, PS 128, 152, 198, 278, 288 Chisinau, PS 394, Brasov.

Ballot boxes were not sealed according to the legal procedures – 8 cases

PS 40, Calarasi, PS 9, Orhei, PS 12, Balti, PS 32, Glodeni, PS 278, 198 Chisinau, PS 50, Florești, PS 32, Glodeni

Unjustified presence of unauthorized persons inside or within 50 m from the polling station – 1 case

PS 17, Soldandesti

Ballot papers that are not distributed to EOPS members are not kept in a safe place at the polling station – 2 cases

PS 40, Calarasi, PS 27, Ialoveni

Electioneering or black PR within the perimeter and/or near the polling station to influence the voters – 1 case

PS 69, Ungheni, 1 voter – made negative PR for a candidate within the polling station

Organized transportation of voters – 1 case

PS 208, Chisinau

Deficient operation of SAIS “Elections” – 13 cases

PS 4, 16, 17, 26, 30, 36, 42 Cimislia, PS 3, 8, 1 Donduseni, PS 7, Basarabasca, PS 8, 20, 33 Criuleni

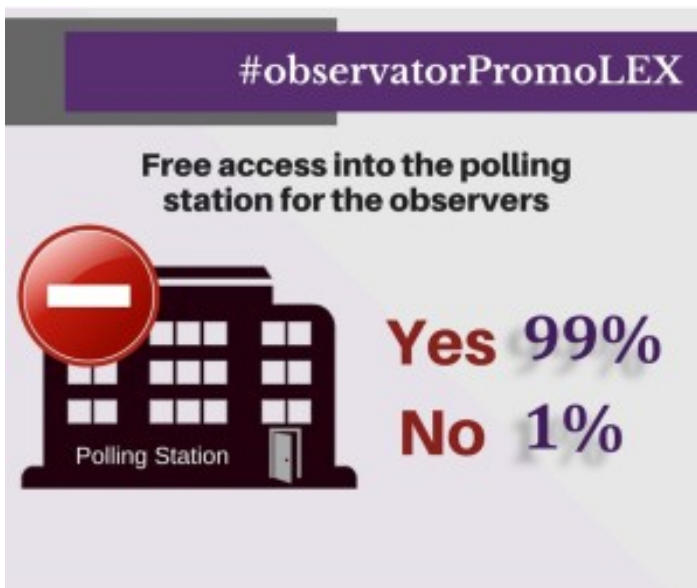
Other incidents:

In PS 114 Chisinau, a ballot paper was released with the seal “withdrawn” applied for candidate Mihai Ghipu, and not for Marian Lupu

In PS 114, Chisinau, a voter found two foreign persons recorded on his personal address on the lists of voters

PS 411, Odessa, the polling station was opened at 7:40 am, on grounds that an insufficient number of OPS members were present at 7:00 am. No voter came to vote before 7:40 am, when the polling station was opened.

At 2.30 pm, Promo-LEX will come with new information about the quality of the voting process and statistical data at the national level.



#observatorPromoLEX

Display of advertising materials in the vicinity of the polling station



Yes 4%

No 96%

#observatorPromoLEX

Were the ballot boxes sealed according to the legal procedures?



Yes 99%

No 1%

#observatorPromoLEX

Opening of the polling stations:



at 7:00 **95%**



after 7:00 **5%**

#observatorPromoLEX

Is the polling station's facility accessible for disabled people?



Yes 64%

No 36%

#observatorPromoLEX

Are the polling stations provided with appropriate equipment for persons with mobility impairments?



Yes 77%

No 23%

#observatorPromoLEX

Are the polling stations provided with appropriate equipment for persons with vision impairments?



Yes 67%

No 33%

#observatorPromoLEX

Did you note the unjustified presence of unauthorized persons inside or within 50 m from the polling station?



Yes 7%

No 93%



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Promo-LEX found insufficiently prepared polling stations in Moldova and many expenses not reflected in the financial statements of the election candidates



The Promo-LEX Observation Mission of the Elections of 30 October 2016 states in [Report No 4](#) that it found insufficiently prepared polling stations in Moldova, gaps in the voter registry, the use of administrative resources for electoral purposes, cases that may be regarded as the offering

of electoral gifts, and expenses not reflected in the financial statements of election candidates. The report covers the monitoring period between 5 October and 27 October 2016.

Promo-LEX states in the monitoring report that Moldova's laws create unfair conditions for candidates to the position of President of the Republic of Moldova and believes that it is necessary to adjust the legal framework so that all election candidates have a level playing field, because the late validation of certain election candidates may put some parties and election candidates at a disadvantage during the campaign.

Promo-LEX observers found at least 7 cases that may be regarded as the offering of electoral gifts: Igor Dodon (PPPSRM) – 3 cases; Inna Popenco (PPMSPR) – 2; Dumitru Ciubașenco (PPPN) – 1; Andrei Năstase (PPPDA) – 1.

The observers visited 1,817 polling stations. They noted a lack of equipment in 63 precincts, a lack of Internet access in 587 cases, a lack of a telephone connection in 606 cases, a lack of fire protection in 757 cases, insufficient illumination in 316 cases, a lack of computers in 468 cases, a lack of heating in 735 cases, a lack of access for persons with physical impairments in 1132 cases and a lack of special tools for people with visual impairments in 1191 cases. Promo-LEX observers reported two cases when, at the time of their visit, the polling stations did not meet the minimum conditions for the voting process.

In addition, on 19 October 2016 between 3.00 pm and 5.00 pm, Promo-LEX observers contacted a sample of 207 polling stations by telephone. At the time of the telephone survey, 144 polling stations did not answer the phone, which accounts for 69.6 % of the total number of polling stations contacted. This was the same error rate as found by Promo-LEX Association during the general local elections of 14 (28) June 2015 (64%

or 136 cases) and the parliamentary elections of 30 November 2014 (63% or 133 cases).

Promo-LEX observers noted at least 11 cases of smear campaigns against election candidates, which affected: Andrei Năstase (PPFDA), Maia Sandu (PPPAS) and the PPPN leader Renato Usatîi. At the same time, 10 cases of vandalism of billboards and mobile advertisements were noted. The affected contestants: Marian Lupu (PDM) – 4 cases; Inna Popenco (PPMSPR) – 2; Mihai Ghimpu (PL) – 2; Igor Dodon (PPPSRM) – 1 and Maia Sandu (PPPAS) – 1.

Promo-LEX Observation Mission notes the continuation of the tendency to use administrative resources to promote candidates or potential candidates. Promo-LEX observers reported at least 21 cases of candidates/potential candidates using administrative resources for electoral purposes during this period: Marian Lupu (PDM) – 13 cases; Mihai Ghimpu (PL) – 6 cases; Igor Dodon (PPPSRM) – 1 case; Iurie Leancă (PPPEM) – 1 case.

In addition, Lupu Marian, Ghimpu Mihai, Leancă Iurie, Dodon Igor, Radu Silvia and Popenco Inna had electoral posters displayed in prohibited places, such as: fences, poles, gates, bus stations.

The funding sources of the electoral candidates are the following: financial donations from 1,511 individuals (for 8 election candidates) totaling MDL 27,246,860, financial donations from 9 legal entities amounting to MDL 4,971,261.05 for 4 election candidates (Iurie Leancă/PPPEM, Dumitru Ciubaşenco/PPPN, Maia Sandu/PPPAS, Inna Popenco/MSPRR) and in-kind donations amounting to MDL 756,086 for 4 election candidates (Maia Sandu/PPPAS, Igor Dodon/PPPSRM, Inna Popenco/MSPRR, Dumitru Ciubaşenco/PPPN).

The Promo-LEX Mission's analysis established 4 categories of donations: "very large" – over 1 million MDL (Silvia Radu/IC –

1 donor; Dumitru Ciubașenco/PPPN – 1 donor; Inna Popenco/MSPRR – 1 donor), “large” – from 75 thousand to 1 million MDL (Mihai Ghimpu/PL – 6 donors; Silvia Radu/IC – 1 donor; Inna Popenco/MSPRR – 2 donors; Dumitru Ciubașenco/PPPN – 3 donors; Iurie Leancă/PPPPEM – 2 donors; Maia Sandu/PPPAS – 1 donor), “medium” – from 60 thousand MDL to 75 thousand MDL (Marian Lupu/PDM – 24 donors; Igor Dodon/PPPSRM – 2 donors; Iurie Leancă/PPPPEM – 3 donors; Valeriu Ghilețchi/IC – 1 donor) and “other donations” – up to 60 thousand MDL: (Marian Lupu/PDM – 1018 donors; Dumitru Ciubașenco/PPPN – 254 donors; Iurie Leancă/PPPPEM – 73 donors; Igor Dodon/PPPSRM – 123 donors; Mihai Ghimpu/PL – 1 donor; Maia Sandu/PPPAS – 1 donor).

Promo-LEX finds that a large share of candidates’ expenses were for “advertising”. Thus, 97.05% of all expenses were reported as advertising expenses, followed by 1.05% for the use of transportation vehicles, 1.04% for organizing meetings and events, 0.22% for consultants, 0.18% for additional maintenance costs, 0.08% for the delegation or secondment of people (volunteers/observers) and 0.38% for other expenses.

At the same time, Promo-LEX observers found a group of expenses that was not reflected in the financial statements. Observers reported that 10 election candidates leased 167 offices in 35 district capitals, Chisinau and Balti municipalities and ATUG, but only 3 of them reported such expenses in their statements submitted to CEC. We also found that 10 election candidates used communication services during the first 2 weeks of election campaigning, but only one election contestant (Marian Lupu) reported such expenses.

Promo-LEX observers reported the use of vehicles for electoral trips within RM by at least 10 election candidates, but only 4 election candidates reported such expenses in their statements submitted to CEC.

According to Promo-LEX observers, 9 election candidates fully or partially omitted reporting expenses for promotional

materials in their reports on the funding of their election campaigns submitted to CEC. We state here that, up to 14 October 2016, the Observation Mission has noted the presence of online advertisements: paid Facebook advertisements and online banners on a number of portals. Only 3 election candidates (Marian Lupu, Dumitru Ciubaşenco, Inna Popenco) reported expenses exceeding the estimates made by Promo-LEX Mission.

See the Report [here](#).

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Promo-LEX continues to implement projects for the defense and promotion of the rights of people from high-risk groups



On the 26th of October, Promo-LEX Association organized a meeting to discuss and finalize the Action

Plan for Preventive Measures against HIV for High-Risk Groups in Balti.

The meeting, brought together by the initiative of Promo-LEX, worked on improving educational methods. Three cities—Chisinau, Balti, and Anenii Noi— were selected for the application of the Action Plan for Preventive Measures against HIV.

Based on its monitoring of current instruction methods, one of

the main conclusions and recommendations of Promo-LEX Association has concerned the need to formulate and execute more such plans (for more details, see the Report « Monitoring of court sessions in criminal and civil cases against drug users / February-October 2015)

Therefore, Promo-LEX Association has formulated a draft of the Action Plan for Preventive Measures against HIV for High-Risk Groups.

“The significance of the Action Plan for Preventive Measures against HIV for High-Risk Groups consists of a multidisciplinary approach to the prevention of HIV/AIDS, with the involvement of both state institutions and non-governmental organizations. The plan aims to establish a process for educating representatives of high-risk groups and implementing a Program of Risk Reduction. Moreover, this plan also aims to prevent HIV/AIDS among police officers, by providing means of protection, routinely educating police officers, and recording cases of exposure in the line of duty”, says Eduard Scutaru, a representative of Promo-LEX.

Representatives of the General Public Security Directorate of IGP, IP Balti, the Northern Region Anti-Drug Directorate, the Balti Center of Public Health, the Union for HIV/AIDS Prevention and Harm Reduction, the Balti Probation Bureau, and the Directorates of Social Assistance and Education, Youth, and Sport from the Balti City Hall participated in the meeting.

The event was organized by Promo-LEX Association as a part of the project “Promoting Respect for the Rights of Groups at a High Risk of Infection in the Republic of Moldova”, a project implemented with the support of the Public Health Program of the Soros-Moldova Foundation.

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