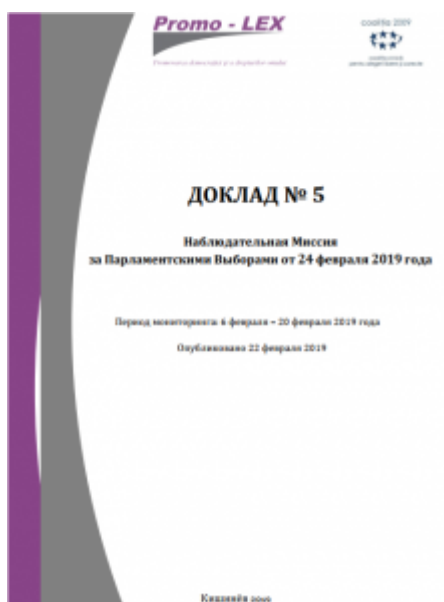
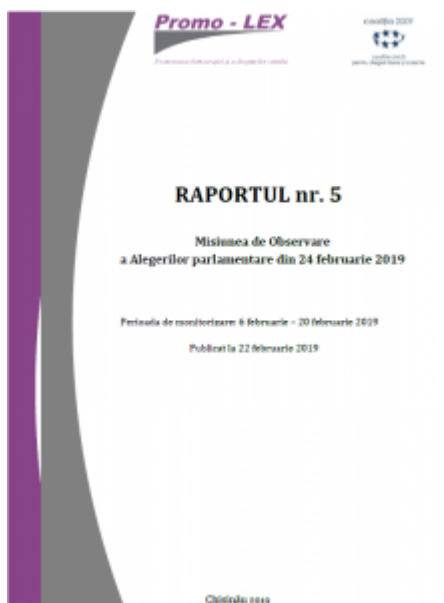


REPORT no. 5 | Observation Mission Parliamentary Elections of February 24, 2019



Promo-LEX observers' intimidations and electoral violations continue



Promo-LEX ascertains an increasing trend of using administrative resources for electoral purposes, as well as the fact that some electoral candidates have resorted to discriminatory messages. Moreover, intimidation of Association's observers in the territory has also been amplified.

During the monitoring period (January 23 – February 5), the Observation Mission revealed cases of electoral gift offering, placement of electoral advertisements in unauthorized places and unreported expenses amounting to hundreds of thousands of lei. Some candidates have been subjected to intimidation and violence, and at least 2158 conflicts in the State Electoral Register (SER) remain unresolved.

The Promo-LEX Observation Mission continues to be intimidated

The Promo-LEX OM repeatedly emphasizes the cases of its territorial observers' intimidation. Out of the total of 5 reported incidents, in three cases, Promo-LEX observers have been intimidated by representatives of local governments, in one case, by the supporters of an electoral competitor, and in another case, an LTO has informally found out from reliable sources about the fact that the cars used by Promo-LEX observers are monitored by the police at the request of the SIS.

Electoral candidates continue to use administrative resources for electoral purposes and offer electoral gifts

At the beginning of electoral campaign, the Promo-LEX OM ascertained a six-fold increase in the number of identified electoral events (607), compared to the previous reporting period. Of these, 38% fall for the PSRM, 26% for the PDM, 14% for the PPS and 11% for the Electoral Bloc ACUM: Platform DA and PAS.

The number of cases that can be qualified as misuse of administrative resources is also increasing, reaching at least 85 cases. In 45 of them the PDM is concerned, in 33 cases – the PSRM, the PN and the Electoral Bloc ACUM: Platform DA and PAS – 3 cases each, and the PCRM – 1 case.

Promo-LEX observers reported at least 4 cases that can be qualified as offering of electoral gifts: in 3 cases the PPS is concerned, and in one case, the PSRM.

There have been cases of inconsistent use of electoral advertising: one case of advertising that does not comply with the requirements for advertising materials (the PDM) and 17 cases of placement of advertising in unauthorized places (the PSRM – 6, the PDM – 5, the PPS – 3, ACUM Bloc – 2, the PCRM – 1).

Additionally, there have been reported six cases of intimidation / violence against electoral candidates. In three of these, the candidates of ACUM Bloc were targeted, in 2 cases – the PDM and in one case- the PSRM.

Women and independent candidates are in the minority in this election again

15 candidates have registered in the national constituency (NC) for the parliamentary elections of February 24, 2019. Even though the minimum representation rate of 40% for both genders has been respected by all the competitors, women candidates do not occupy leading positions.

322 electoral candidates have registered in 51 single member constituencies (SMC). Of these, 265 (82%) have been nominated by parties and blocs, and 57 (18%) are independent candidates. Only 20% (66) of candidates registered in SMCs are women, and 80% (256) are men.

The highest rejection rate for competitors' registration has been recorded among independent candidates: at least 15 applications for registration of 72 submitted have been denied (21% of registration files have been rejected).

Quality of electoral lists may be affected by unresolved conflicts persisting the SER

The Promo-LEX OM is concerned about the large number of unresolved conflicts in the State Electoral Register (SER). Thus, when electoral lists were printed, at least 2,158 conflicts identified by 100 registrars of the 279 interviewed remained unresolved.

Likewise, the Promo-LEX OM considers that the current approach used by the CEC to assign registrars tasks, regardless of the number of voters handled by them, is at least ineffective.

Electoral conflicts and litigation

During the monitored period, 7 complaints have been filed within the SMCC, and 36 with the CEC. Most of these (30) have been filed against the SMCC, and one against the CC President, most of which target the SMCC no.48 (4), SMCC no.4 (3) and SMCC no.5 (3). Five appeals have been filed against the actions/ inactions of electoral competitors, of which 2 against the PSRM and two against the PDM. Most complaints concerned the registration / non-registration of electoral competitors (25).

During the monitored period, candidates filed 7 electoral petitions with the courts of the first instance, two contestations and five appeals to the Court of Appeal. Another five appeals have been filed with the Supreme Court of Justice.

Electoral campaign marked by hatred and discrimination

During the reference period, Promo-LEX continued to monitor case of hate speech and incitement to discrimination. On the basis of information reported by observers, at least 5 cases where electoral competitors generated discriminatory messages or other forms of intolerance in public space have been identified, of which, in 3 cases, the PSRM candidates are concerned; the PCRM and ACUM Bloc each in 1 case.

On the other hand, ACUM Bloc has been targeted by hate speech 5 times, the PSRM – twice; the PDM – twice and the PPS – once.

Analyzing the situation in terms of types of hatred expressed, we notice that most of the cases – at least 7 – use sexist prejudices and perpetuate gender stereotypes in the society.

Unreported expenditures amount to at least 826,473 lei

According to our findings, by February 1, 2019, none of the candidates representing the following political parties: the MPSN, PVE, PVP, MPA, PL and the PPDA presented either the financial report or the commitment to incur no expenses. Only

one independent candidate out of the 38, who did not report financial reports, (I.C. Maxim Uvarov) informed the CEC about his non-expenditure commitment.

In the period of 25 January – 1 February 2019, the total amount of financial means accumulated and reported to the CEC by the electoral candidates reached 23,304,522 lei and the amount of expenditures -19,210,582 lei. The highest share of reported spending – 95% falls for advertising and promotional materials, followed by spending on events and meetings – 3%, transportation costs- 1% and 1% falls for other expenses.

The Promo-LEX OM estimated total unreported expenses of at least 828,423 lei. Thus, the PSRM failed to report at least 668,407 lei, the PN -70,050 lei, the PDM-52,440 lei, the PRM – 1,950 lei, the PL – 1,950 lei, the PPDA – 975 lei, the PCRM – 700 lei, I.C. Leonid Macari – 5,384 lei, I.C. Valeriu Ghiletschi – 3,901 lei, I.C. Gheorghe Furdui – 5,023 lei, I.C. Bobeica Gheorghe – 7,159 lei, I.C. Aricov Gheorghe – 3,000 lei, I.C. Cebotarescu Dumitru – 2,865 lei, I.C. Calin Vieru – 3,749 lei, I.C. Alexandru Bujoreanu – 870 lei.

The full report can be accessed [here](#).

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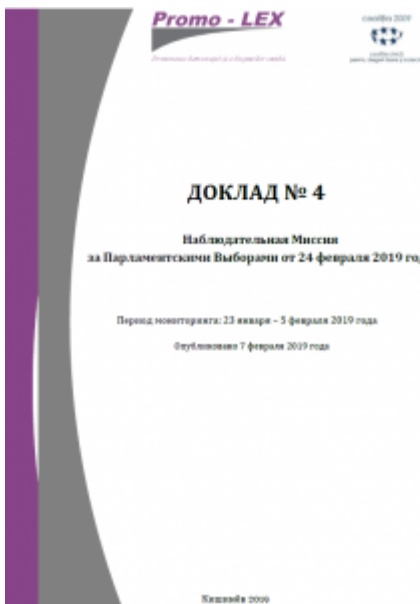
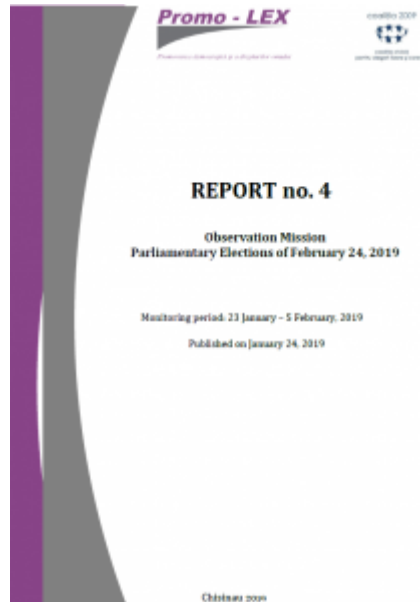
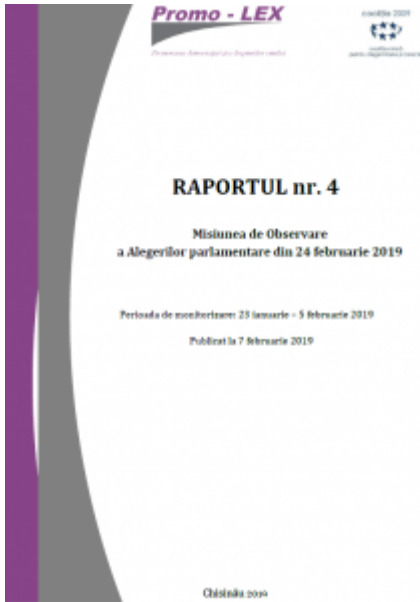
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REPORT no. 4 | Observation

Mission Elections of February 24, 2019

Parliamentary



Electoral period marked by incidents and observers' intimidation



Report no. 3 on the monitoring of February 24, 2019 parliamentary elections, drawn up by Promo-LEX OM, reveals a series of worrying trends, in particular, intimidation of Promo-LEX observers, early start of electoral campaigns, misuse of administrative resources and offering of electoral gifts, defective reporting of expenditure by initiative groups, as well as other cases related to non-observance of some legal provisions by the public administration.

Intimidation of the Promo-LEX Observation Mission activity

After the launch of the first two Reports on the Monitoring of the Parliamentary Elections of February 24, 2019 drawn up by the Observation Mission, public denigrating attacks on the Mission and its reports continued, cases of intimidation of long-term observers being reported.

Through this report, the Promo-LEX OM appraises the electoral authority, mass media and Moldovan citizens, as well as international observation missions of intimidating actions taken by some state bodies (Police, Information and Security Service).

In this context, the Promo-LEX Association reaffirms its values and underlines that it will not admit external interference in its work and in activity of the Observation Mission of the parliamentary elections of February 24, 2019. Promo-LEX will continue to monitor the elections and democratic processes in Moldova, informing the public, equally objectively and in good faith, about the positive aspects, as well as about the violations found in electoral campaigns.

Designation and registration of candidates

Political parties continue to be the main actors in the current elections. Six electoral competitors have been registered in the national constituency and five potential candidates have submitted files for registration with the CEC. In single member constituencies, 403 requests for registration have been filed by Initiative Groups (2 being rejected), most of them (75%) submitted by political parties. Thus, the PDM and the PSRM have nominated candidates in all the 51 single member constituencies (SMCs). The PPS has nominated candidates in 50 SMCs (except the SMC no. 17 Nisporeni), and the ACUM Bloc nominated 49 candidates (with the exception of SMCs no. 44 and 46).

Start of electoral campaign ahead of schedule, misuse of administrative resources and offering of electoral gifts

Nominated competitors / candidates continued to organize electoral events during the monitored period. Of the 110 events identified by the Promo-LEX observers, 62% were organized by the PSRM, 12% by the ACUM Bloc, 11% by the PDM and 9% by the PPS.

Also, during the monitored period, new cases, which can be qualified as misuse of administrative resources, have been revealed. Thus, the PDM was targeted in 4 cases and the PSRM in one case.

Electoral gifts were not an exception in the monitored period either, the PSRM being targeted in 8 cases, the PPS in 3 cases, the PDM and the PL in one case each.

Large number of conflicts in the State Electoral Register (SER)

Promo-LEX observers found in the monitored period that registrars failed to fully update the data in the State Electoral Register due to their absence from the job and the impossibility to access the Register.

The Promo-LEX OM draws attention to the 6875 conflicts identified in the Register in the case of 135 registrars. We underline that registrars can resolve these conflicts by January 29, 2019.

Fewer polling stations (PS) for abroad voters than planned

The Promo-LEX Observation Mission appreciates the increase in the number of polling stations opened for voters abroad, compared to the last national elections, the number increased from 100 to 125. At the same time, we emphasize that this number is less than the number of polling stations planned by the CEC to be open (150). According to Promo-LEX, the Government's decision on the number of PSs and their location abroad was adopted in a non-transparent way, without taking into account the five criteria on the basis of which they were to be established.

Furthermore, it is incomprehensible, in the opinion of Promo-LEX, why there was no reaction from the CEC, which, considering it necessary to open 150 and not 125 PSs, actively promoted information campaigns on the need for pre-

registration for non-national citizens to increase the number of PSs. Despite this, the Commission has eventually tacitly accepted the reduction of the number of PSs.

Poor compliance with legal provisions by public administration

Only 50% of the village and town halls visited by the Promo-LEX observers have approved decisions on setting up electoral displays and premises for meetings with voters.

Promo-LEX has found a particular case of organizing mobile teams by the Public Services Agency to draw up expired identity documents of Moldovan citizens for certain settlements in the USA.

In this context, considering that Moldovan citizens can vote abroad only with valid passports, the Promo-LEX OM asks the Constitutional Court to examine, as a matter of urgency, the constitutionality of the ban on voting with expired passports and / or identity cards for Moldovan diaspora.

13 appeals filed with the CEC, most of them being settled within legal deadlines

During the monitored period, 13 appeals have been filed with the CEC, of which 4 were submitted by independent candidates and 9 by representatives of political parties (the PDM – 1, the PCRM – 3, the ACUM Bloc- 4, PPS – 1). Most of the complaints concerned registration or refusal to register MP candidates. Five appeals were against the actions / inactions of electoral competitors (the PSRM – 2, the ACUM Bloc- 1, the PDM – 2). Most of the complaints were resolved by the CEC within the legal deadlines of 3 and 5 calendar days. However, two appeals were resolved within extended terms of 5 and 6 calendar days.

Financial reporting of the Initiative Groups is symbolic

The Promo-LEX OM estimated an amount of at least 1,090,121 lei

as expenditures not reported to the CEC by the initiative groups constituted by the parties and electoral blocs that have nominated candidates. Thus, the PPS did not report at least 618,258 lei, the PSRM – 253,103 lei, the PDM -147,593 lei, the PN- 33,657 lei, the PCRM – 25,002 lei, the PL – 10,208 lei, the ACUM Bloc – 2,300 lei.

According to the official website of the CEC, of the 401 registered initiative groups, 145, including the PCRM and the PL, have not submitted to the CEC any weekly financial report, nor did they submit the commitment not to incur expenses.

The full report can be accessed **here**.

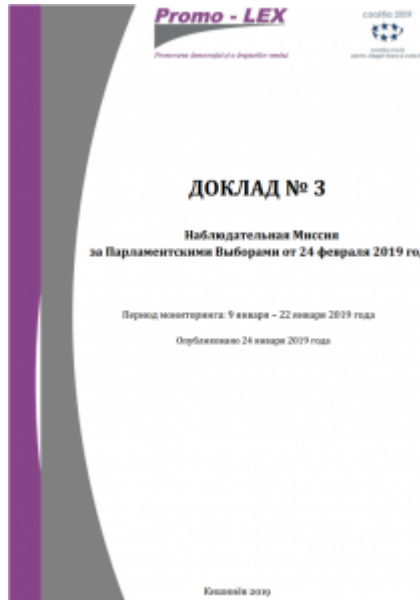
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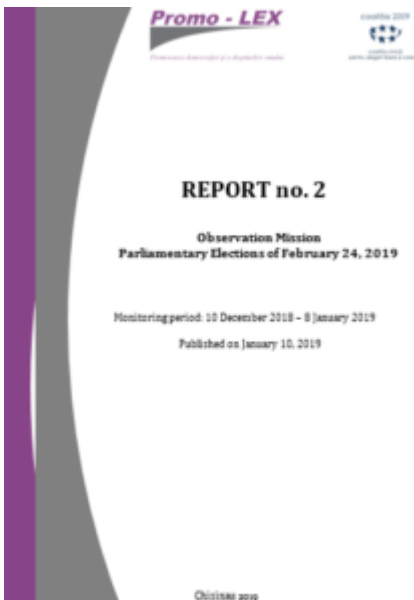
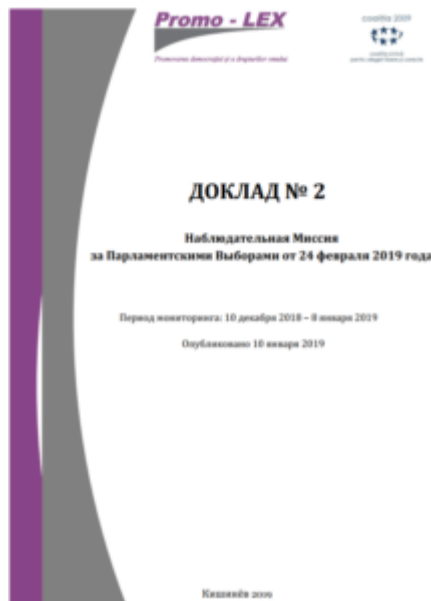
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REPORT no. 3 | Observation Mission Parliamentary Elections of February 24, 2019



REPORT no. 2 | Observation Mission Elections of February 24,

2019



**Promo - LEX Election
Observation Mission Published**

the Second 2019 Parliamentary Elections Monitoring Report

Promo-LEX Association launched the second Observation Mission Report on the Parliamentary Elections of 24 February 2019. Monitored period: 10 December 2018 – 8 January 2019.



Appointment and registration of candidates: political parties are the main stakeholders in the mixed electoral system, as well

During the monitored period, only 6 collective applicants (5 political parties and one electoral bloc) filed registration applications for the national constituency and 4 contenders (PDM, the ACUM bloc, PCRM and PSRM) were registered by 8 January 2019. The 40% gender quota was observed by registered contenders, but most women are placed beyond the 20th position on the lists. On the other hand, none of the registered

electoral contenders ensured the 40% gender quota for the candidates running in the single-member constituencies.

By 8 January 2019, 393 initiative group registration applications have been filed in single-member constituencies. In 46 constituencies, the number of registration applications filed by potential candidates varied between 4 and 11, and in the case of 5 constituencies 11-14 potential candidates filed their applications. Of the total initiative groups, 73% were formed by parties and blocs, and 27% – by citizens (independent candidates).

Note that in the case of PDM, 87% of the established initiative groups managed to collect the signatures during the first two days.

Ambiguous legal provisions on the period one is to be relieved of the duties incumbent upon one in their job position

Promo-LEX OM drew attention to Article 13(3) that provides that one shall be suspended from his/her job position once she/he is registered as election candidate, while Article 49(1) provides that one shall be suspended for the entire length of the election campaign.

We recommend expanding the suspension period for candidates in single-member constituencies, which should start from the moment signature sheets are released.

Use of administrative resources and involvement of extraneous people in electoral-like activities

During the monitored period, Promo-LEX OM reported at least 10 cases in which administrative resources were allegedly used. Seven of them involved PDM, two – PPS, and 1 – PN. Promo-LEX OM also underscored that the President of the Republic of Moldova participated in promoting PSRM candidates to the parliamentary elections.

In the case of two other parties – PDM (3) and PPS (2), there were situations that could be regarded as involvement of people who are not citizens of the Republic of Moldova in electoral-like activities.

Electoral-like activities, gift-giving during the election period

In the context of the parliamentary elections based on the mixed-member electoral system, Promo-LEX OM found that certain already registered candidates and potential candidates were

particularly active – i.e. about 280 events were carried out during the monitored period. About 100 of them (35%) could be rated as gift-giving during the election period. PSRM (42 cases), PPS (41 cases) and PDM (17 cases) conducted such activities.

Charity foundations associated with certain political parties participated, reportedly, in electoral-like activities – ‘Din Suflet’ [From the Soul] (PSRM) Charity and ‘Miron Sor’ Charity (PPS).

Expenses not reported by some initiative groups

About 40% of the initiative groups, including those formed by 6 political parties (MSPSN – 1 IG, PCRM – 29 IG, PL – 25 IG, PDA – 2 IG, PVE – 4 IG and 92 IG supporting independent candidates) didn't submit to the CEC any weekly financial statement nor any piece of information proving lack of any expenses, which is inconsistent with the provisions of the Regulation on Initiative Groups.

According to Promo-LEX estimates, the largest unreported expenses of the initiative groups that filed statements to CEC have to do with the public events organised by PPS, PSRM and PDM, with the total estimated unreported expenses amounting to at least MDL 1 584 821.

Furthermore, before the initiative groups were even registered, at least 3 potential election candidates (PDM, PPS, PSRM) had incurred expenses for electoral-like activities that were beneficial for the subsequent activity of signature collection. These estimates amount to at least MDL 3 766 917, funds that ultimately yielded political and electoral gains without having been included on the Electoral Fund account. However, the current legal framework provides that such expenses must be reported in the final 2018 financial statements of the parties concerned.

Late implementation by CEC of certain amendments to the regulatory framework without having held public consultations

Promo-LEX OM calls attention to the fact that CEC continued to amend the regulatory framework during the election period; it amended three regulations and approved a new regulation on the organisation of elections on 24 February 2019.

Promo-LEX OM also underscored that the constituency councils did not comply with the legal provisions regarding public disclosure of information about the registered candidates, including ensuring public access to declarations on assets and personal interests.

Registrars' access to the SRV suspended by CEC in full election period

As CEC stopped registrars' access to the State Register of Voters, Promo-LEX observers didn't manage to fully monitor the extent to which the lists of voters were updated and improved.

Promo-LEX OM is confused about registrars' limited access to SRV during 28 December 2018 – 10 January 2019, in full election period when SRV content needs to be updated thoroughly, with the participation of registrars.

Find the full report **here**.

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Promo-LEX Observation Mission: pre-election period marked by misuse of administrative resources, intimidation and activities with electoral overtones

The Promo-LEX Association has launched the first Observation Mission Report on the Parliamentary Elections of February 24, 2019. According to the observers' findings, the analysis of the pre-electoral context, the electoral legislation and the relevant regulations, Promo-LEX identified several irregularities that occurred during the period of July 27 – December 10, 2018:

Neglected recommendations in the process of transition to the mixed electoral system

Since the last parliamentary elections, the electoral system itself has been modified. Most of the technical recommendations formulated by the experts of the Venice Commission with regard to the draft law which changed the electoral system were neglected, only 12 recommendations out of 32 being implemented.

The principles of stability of the voting right and the freedom to form opinions seem to have been violated with the abolition of the ban on election campaigning on the day of election and the day preceding the election, as well as in the case of the amendments providing for the organization of the referendum on the same day with the parliamentary elections.

Consultative referendum approved hastily, without consulting the public opinion

Promo-LEX OM considers that the organization of the consultative referendum on the day of parliamentary elections of February 24, 2019 is based on a legal framework that has been hastily approved at the end of a pre-electoral period, without consulting the public opinion.

Thus, joining the polls will not only disorient voters, it will also unduly increase the costs of the suffrage and substantially complicate its organization and holding. The Promo-LEX observation mission considers that the High Court's verification of the legal merits of organizing the referendum is to be carried out ex ante rather than ex post. Since in the case of an ex post verification, the consequences could be unpredictable. The inaction of actors entitled to refer the case to the Court arouses concerns.

Misuse of administrative resources

Promo-LEX OM has identified at least two parties whose actions can be qualified as misuse of administrative resources: the PDM and PSRM. In the case of the PDM, Promo-LEX OM identified in the pre-electoral period at least seven cases, where the activities of the potential national electoral competitors contained elements of deviations such as: merging the party with the state, abusive use of administrative resources and bribery of citizens. In the case of the PSRM, we refer to the fact that the party representatives in the Chisinau Municipal Council adopted and implemented projected using the public

money.

Designation of candidates ahead of time

Promo-LEX OM has found that a number of political parties have carried out activities that can be qualified as designation of candidates in advance: the PSRM, PPS, PAS and PPPDA. In the period of 8 September – 3 November 2018, the PSRM publicly presented the party's candidates for 43 of the 46 uninominal constituencies established on the territory of Moldova (except for the Transnistrian region). The Sor Political Party (PPS) resorted to its local representatives in the regions, which largely coincides with the uninominal constituencies. The PAS and PPPDA announced during the pre-election period that they have designated potential candidates to pass the integrity filters.

The establishment of a parliamentary commission of inquiry during the pre-electoral period for the examination of the activity of the parties in the opposition, potential electoral contenders, in the absence of conclusive evidence, raises reasonable suspicions about their possible intimidation in the electoral context.

Lack of confidence in the quality of the decision-making process managed by the CEC

In the opinion of Promo-LEX OM, during the monitored period, the CEC sporadically took account of the decision-making transparency and the number of normative acts that have been modified or approved too late is relatively large.

There were enough examples, both during 2018 and during the pre-election period, which demonstrated the lack of sustainability in ensuring decision-making transparency. An eloquent example of this is the amendment to the Regulation on the Financing of Electoral Campaigns, which has not even been subject to public consultations.

Referring to the video recording system in polling stations in the parliamentary elections of February 24, 2019, Promo-LEX mentions that the technical characteristics of the video recording system in the polling stations were adopted before the approval of the draft amendments to the normative acts on the operation of such a video recording system.

Differences in the data on the number of voters arouse suspicions

Promo-LEX OM draws attention to the fact that the continuous increase in the number of voters in the State Electoral Register (RSA), given the country's depopulation by emigration, as well as the existence of a negative population increase in 2000, fuels the society's mistrust in the functionality of the RSA and implicitly in the quality of electoral rolls. In order to increase the credibility of the electoral process, the RSA has to manage accurately, efficiently and under transparent conditions the data on the number of population and the number of voters.

At the same time, Promo-LEX emphasizes that under the existing legal framework, the citizens that do not have either a place of domicile or a place of residence are not allowed to vote in uninominal constituencies. We note that the number of voters that fall under this category has increased only in the last 15 months by 55,207, representing about 6.45% of the total number of voters.

Major risk of decreasing the transparency of the final report on the financing of electoral campaign

Promo-LEX qualifies the CEC's failure to bring in conjunction the compulsoriness to submit the final reports on the financing of electoral campaign with the new deadline for electoral race (as a result of extending the period of electoral campaigning) as evidence of making hasty changes without an overall analysis of the legislation. We consider

this a legislative issue and we recommend to introduce a new deadline for the competitors' submission of the final report of on the financing of electoral campaigns, which should not exceed 5 days after the election day.

The full report can be read [here](#).

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REPORT no. 1 | Observation Mission Parliamentary Elections of February 24, 2019



ДОКЛАД № 1

**Наблюдательная Миссия
за Парламентскими Выборами от 24 февраля 2019 года**

Период наблюдения: 27 июля - 10 декабря 2018 года

Опубликовано 20 декабря 2018

Киев 2018