

# OBSERVATION MISSION

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GENERAL LOCAL ELECTIONS  
5 NOVEMBER 2023

## Report no. 4

**Observation period:**  
**October 19 - November 2, 2023**

**Promo-LEX**

*Advancing democracy and human rights*



coaliția civică pentru alegeri libere și corecte

# OBSERVATION MISSION

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GENERAL LOCAL ELECTIONS  
5 NOVEMBER 2023

Chisinau, 2023

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## INTRODUCTION

Report no. 4 is prepared in the context of Promo-LEX Observation Mission (OM) for the General Local Elections from 5 November 2023. The observation period for the events included in the report is generally 19 October – 2 November 2023. Observation of campaign financing was carried out until 27 October. The results of hate speech and incitement to discrimination monitoring are presented for the period 13 – 29 October 2023.

The main findings and trends in the current report relate to the performance of electoral bodies, including the management of electoral rolls, competitors' campaign activities and their financial reporting. The process of examination of contestations and notifications, as well as the results of hate speech monitoring are also covered.

Promo-LEX OM is not a political opponent of the competitors involved in the electoral process, is not an investigative body and does not assume the express obligation to prove the observed findings. However, the observers' reports are accompanied, as far as possible, by photographic and video evidence, which can only be made available to the law enforcement bodies, on the basis of appropriate requests, and under no circumstances to the electoral competitors. At the same time, the violations, including the alleged ones, which are included in this report, must be treated by the electoral authorities as notifications and are to be examined according to their competence, in the light of the provisions of Article 88, para. (9) of the Electoral Code. Promo-LEX Mission manages the web platform [www.electoral.monitor.md](http://www.electoral.monitor.md) where anyone can report election-themed activities.

## EXECUTIVE SUMMARY

**Legal framework.** During the observation period, Promo-LEX OM draws attention to four problematic aspects related to the implementation and interpretation of the legal framework in the electoral context. With reference to the suspension of broadcasting licences of six television media services, by order of Commission for Exceptional Situations (CES), we note with concern that, although not empowered by the Parliament, this is already the second time that CES has interfered in the organisation and conduct of elections, without extensive explanations of factual and legal circumstances justifying the restrictive measures

With regard to the examination by the Central Electoral Commission (CEC) of the notifications of the law enforcement bodies on 30 October 2023, Promo-LEX reiterates its position that the authorities' actions to stop these phenomena and to restore the rights of other electoral competitors are necessary in the context of an ongoing election.

Promo-LEX OM also points to situations where independent candidates are supported and promoted by political parties, in the sense that this support should not affect the principle of equal opportunities. We also consider that this support should be reflected in the financial reports of candidates. Furthermore, we express our concern about the tendency of some competitors to support independent candidates or candidates nominated by other political parties in the event of cancellation of registration of candidates nominated by the respective competitors.

MO Promo-LEX expresses its disagreement with the unjustified restriction by certain electoral bodies to organise public debates as part of electoral education efforts. We believe that the Electoral Code rules have been misinterpreted by transposing the conditions for organising and conducting televised electoral debates onto public debates under the definition of „electoral education” in art. 1 of the Electoral Code.

**Electoral bodies.** During the reporting period, CEC continued the implementation of activities foreseen in Calendar Schedule. The observer accreditation process was intensive, with about half of the total number of observers accredited - 716 out of 1,493. The share of international observers is about 27%.

Level II Electoral Constituency Electoral Councils (ECEC II) have fully complied with their work programme and in the case of five councils, their composition changed. At the same time, regarding the work of ECEC I, Promo-LEX observers identified several problematic aspects: five cases of obstruction of observers' work; one case where electoral officials were involved in electoral campaigning; a high

incidence of changes in the nominal composition (396 cases for 278 councils) and violations of restrictions and incompatibilities in 67 ECECs.

In the case of electoral bureaus (EBPS), in general, 87% were open during the visits, while 51% of bureaus whose premises were closed belonged to the Chisinau constituency. It should be noted that in 12 of the 976 EBPSs visited, the open voting procedure for the election of the management was not observed. According to observers, only 336 (35%) can be considered accessible to vulnerable groups. Among the difficulties mentioned by EBPS members were: delayed technical and material provision; lack of space and favourable working conditions (electricity and heating); poor communication with higher-level bodies; and increased number of changes in the nominal composition of electoral bodies.

**Electoral contestations.** In the period 19 October - 1 November, at least 67 contestations and notifications were submitted to the electoral bodies. Of these, at least 41 were submitted to CEC and 26 to the electoral councils. Further we note that both the appeals and their solutions are published with delays. Most of the subjects who filed contestations were electoral competitors. The subject matter of the contestations was mainly related to disagreement with acts or actions/inactions of electoral bodies, actions of electoral competitors in misuse of administrative resources, non-compliance with conditions on electoral advertising, electoral campaign financing, etc.

With reference to CEC decisions on at least 23 contestations and notifications, only 5 decisions were adopted and for 18 letters of referral for examination according to jurisdiction or of return were sent. Compliance with examination deadlines remains poor.

**Electoral rolls.** According to observers, in 15% of the EBPSs visited, electoral rolls were received after the legal deadline. In 13 cases observers were not given access to electoral rolls. The main problems identified in the rolls included: presence of deceased persons on the rolls (94 cases); wrong allocation of voters to the polling station (36 cases); missing voters on the basic rolls (8 cases); wrong allocation of voters to another locality (17 cases); address errors (7 cases).

**Electoral competitors.** Competitors were significantly active in the second half of the electoral campaign, organising at least 1,421 promotional activities, about 4 times more than in the previous reporting period. The most active were: PAS - with 22% of activities, followed by PSRM - 19%, PŞ - 13% and PDCM - 6%.

Also, the number of cases qualified by Promo-LEX as misuse of administrative resources has practically doubled - 77 cases. These include: involvement in campaign activities of persons holding public office - 21 cases (PAS); involvement of LPAs in electoral promotion activities of candidates - 15 cases (6 - IC Veaceslav Lupov, 9 cases - SP); electoral candidates taking credit for public works/services carried out with public money - 16 cases (6 - SP, 5 - PAS, 4 - MAN, 1 - LOC); organisation of electoral meetings in public institutions during working hours - 25 cases (6 - PSRM, 5 - PAS, 4 each - PLDM and PDCM, 2 each - PSDE and IC Vitalie Vrabie, 1 each - PR and IC Serghei Anastasov).

Also, at least 5 cases that can be qualified as voter corruption were observed (PŞ - 2 cases, 1 case each - PAS, PLDM, IC Zagorcea Iurie). We are also reporting instances of electoral advertising legislation violation: at least 9 cases when electoral advertising was distributed together with political advertising; 95 cases when electoral advertising lacked complete information provided for by the legal framework; and 96 cases of unauthorised advertising placement.

**Observation of electoral campaign financing.** For the period 6 - 27 October 2023, 30 political parties and 16 ICs reported revenues totalling 29.8 million lei. Most revenues (69%) were reported by five competitors: PAS - 23%, PSRM - 15%, PŞ - 12%, PN - 11% and MAN - 9%. About half of these were donations from individuals, and 40% - revenues transferred from the political parties' accounts. A total of 28.2 million lei in expenditures were reported, of which 1.4 million lei were from material donations.

These 30 parties and 16 ICs reported expenditures of 28.2 million lei, with PAS again accounting for 24%, followed by PSRM - 15%, PŞ - 11%, PN - 10% and MAN - 9%. The majority of expenditures were for production of promotional materials and advertising spots - 87%.

Following the analysis of reports, Promo-LEX observers identified collection of cash donations exceeding the legal limits in the case of 5 electoral competitors (ALDE, PȘ, PSRM and 2 ICs). Also, in the case of two electoral competitors (PAS and MAN) collection of donations from legal entities was observed, which in the last three years before the beginning of the electoral period have concluded public procurement contracts. Finally, 6 competitors (PAS, MAN, CUB, PLDM, PS and LOC) reported donations from legal entities with arrears to the state budget.

From the perspective of civic monitoring, for activities carried out by 24 political parties and 23 ICs in the electoral campaign, unreported expenses of at least 2,159,207 lei were estimated. Of these, 95% (2,050,455 lei) are for 24 political parties, mainly PR (910,564), PȘ (298,955), PAS (215,763) and PSRM (197,692).

**Hate speech.** In the period 13 - 29 October 2023, at least six cases of hate and sexist speech were identified. Five cases took place online and one case took place offline at a public electoral event. Hate speech was based on following criteria: political affiliation, sexual orientation/gender identity and sex/gender and was directed against politicians and electoral competitors (4 cases), women (3 cases) and LGBT people (2 cases). All six cases were distributed 1,144 times and had more than 107 thousand views.

## I. LEGAL FRAMEWORK

### 1.1. Suspension of broadcasting licences by order of the Commission for Exceptional Situations (CES)

On 30 October 2023, by Order no. 91<sup>1</sup>, the Commission for Exceptional Situations suspended the broadcasting licence for six more audiovisual media services (ORIZONT TV; ITV; Prime TV; Publika TV; CANAL 2; CANAL 3) during the state of emergency, in addition to the list approved in December 2022<sup>2</sup>. It should be noted that in December 2022, the suspension of broadcasting licences was done “by derogation from art. 84, para. (10) of the Audiovisual Media Services Code of the Republic of Moldova and Chapter XXII<sup>3</sup> of the Code of Civil Procedure no. 225/2003, in order to protect the national information space and prevent the risk of disinformation through dissemination of false information or attempts to manipulate public opinion, based on the list of natural and legal persons subject to international sanctions and available information on the control exercised by them over certain media service providers, as well as the multiple findings in the monitoring reports of the Audiovisual Council on violations of the Audiovisual Media Services Code of Moldova, implicitly applying sanctions for lack of accurate information in the coverage of national events, but also of the war in Ukraine”.

Although CES Order No. 91 of 30 October 2023 did not change the factual and legal grounds/considerations, we point out that, according to the press release<sup>3</sup> of the Information and Security Service (SIS), the suspension of the broadcasting license of the six TV stations was done at the proposal of the institution, as it had „information and evidence that the Russian Federation is influencing the local elections of 5 November and undermining the democratic process in the Republic of Moldova, including through disinformation campaigns conducted on these TV stations”. In this regard, it should be recalled that, according to art. 6 of the Parliament Decision no. 274 of 21 September 2023 on the extension of the state of emergency, the state of emergency does not affect the organisation and conduct of elections. Thus, Promo-LEX OM notes with concern that, although not empowered by Parliament, CES, through its provisions, is already interfering for the second time in the organisation and conduct of elections, the first case being related to restriction of right to be elected<sup>4</sup>.

In this context, we note that on 30 October, several media NGOs expressed concern about the perpetuation of the practice of suspending the television stations' licences, in the absence of extensive explanations of factual and legal circumstances justifying the restrictive measures<sup>5</sup>.

### 1.2. Cases of support for electoral competitors by parties other than those nominating them

According to art. 1 of the Electoral Code, an independent candidate is a person who nominates himself/herself as a candidate for elective public office independently of parties, other socio-political organisations and electoral blocs, and the notion of candidate refers to a person nominated for elective public office on behalf of political parties or electoral blocs, registered accordingly.

Promo-LEX has also pointed out in other elections<sup>6</sup> that a candidate nominated by a political party or electoral bloc has more advantages over independent candidates. Thus, being supported by political parties, candidates benefit from:

- organisations and territorial structures of the political party;
- material and financial means accumulated by the party over time;
- human resources - party members and supporters;
- information resources and image of the political party formed over time.

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<sup>1</sup> [Order](#) CES no. 91 from 30.10.2023.

<sup>2</sup> [Order](#) CES no. 54 from 16.12.2023.

<sup>3</sup> [Press release](#) SIS from 30.10.2023.

<sup>4</sup> [Report](#) no. 2 of Promo-LEX Observation Mission for local general elections from 5 November 2023, p. 8-10.

<sup>5</sup> [Declaration](#) of IJC, APEL, Rise Moldova and Acces-Info Centre from 30 October 2023.

<sup>6</sup> [Report](#) no.4 of the Promo-LEX Observation Mission of the elections for President of the Republic of Moldova on 1 November 2020, p. 12-13.



At the same time, political parties (nominated councillors) can also benefit from the image of independent candidates for the office of mayor, if the latter are recognised in the respective constituency for their previous holding of the office of mayor.

According to Promo-LEX observers, in the local elections of November 5, 2023, there were more cases of support for candidates by subjects other than those nominating them:

- PPPDA's support<sup>7</sup> for independent candidates or candidates nominated by other political parties (e.g. Edinet - LOC candidate for mayor<sup>8</sup>);
- PPDM's support for independent candidates (Nicolae Dandiş, mun. Cahul<sup>9</sup>; Lilia Carpenco, in com. Burlaceni, Cahul<sup>10</sup>);
- PSDE's support for independent candidate Nicolae Dandiş, mun. Cahul<sup>11</sup>;
- PŞ's support for independent candidates (Serghei Chiulafli, mun. Comrat<sup>12</sup>; Veaceslav Lupov, town of Taraclia<sup>13</sup>). - support by the SP for independent candidates (Serghei Chiulafli, mun. Comrat ; Veaceslav Lupov, or. Taraclia ). Moreover, in the event of cancelling the registration of candidates nominated by the party in mun. Balti and mun. Orhei, PŞ announced its support for other candidates (Tatiana Cociu, nominated by FASM, mun. Orhei; IC Arina Corşicova, mun Balti<sup>14</sup>).

Thus, Promo-LEX OM finds that in some cases, the status of independent candidate is a formal one, candidates being supported, in fact, by political parties. Moreover, the use of political party resources in the electoral campaign and their non-declaration as donations from the party can lead both to a decrease in the transparency of campaign financing and to cancellation of electoral competitor's registration, according to art. 102, para. (5) (a) of the Electoral Code.

Promo-LEX OM expresses its concern regarding the declarations of political parties to support independent candidates or candidates nominated by other political parties, in case the registration of their nominated candidates is cancelled. In such cases, we consider that the principle of equality of electoral competitors is affected, i.e. political parties nominating and supporting only one candidate for mayor and one list of candidates for the office of councillor, compared to political parties that have officially nominated one candidate for mayor but support several candidates.

We note that the situation described above also applies to political parties not forming an electoral bloc but supporting an electoral competitor nominated by another political party.

In view of the above, we recommend that the electoral authorities establish whether candidates' support takes the form of anything other than a written or verbal declaration and check the financing of their electoral campaigns, in order to ensure equality of candidates and avoid incomplete reporting or the use of unreported financial and material funds. At the same time, in the case of accepting support from political parties that have not nominated them, the electoral authorities would also have to verify actual (not just formal) compliance with art. 68, para. (6), which states that in the same election, a person may stand for more than one elective office, but (...) only on behalf of a single party or electoral bloc or as an independent candidate.

It should be noted that on 20 October 2023, the PPPDA President requested the opinion and clarifications of the Central Electoral Commission on the possibility of supporting a candidate for mayor nominated by another political party or an independent candidate in the situation where an electoral competitor has not nominated its candidate for the office of mayor in a locality, but has nominated and registered a list of candidates for the office of councillor in the local council in the general local elections of 5 November 2023. As of 1 November 2023, no response to this request has been published on the CEC website.

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<sup>7</sup> PPPDA President's [Announcement](#) from 19 October 2023.

<sup>8</sup> PPPDA Edineţ [Announcement](#) from 7 October 2023.

<sup>9</sup> PDMM Cahul [Announcement](#) from 13 October 2023.

<sup>10</sup> PDMM Cahul [Post](#) from 24 October 2023.

<sup>11</sup> PSDE [Position](#) from 30 October 2023.

<sup>12</sup> PŞ President's [Post](#) from 21 October 2023.

<sup>13</sup> [Post](#) of candidate Veaceslav Lupov from 20 October 2023.

<sup>14</sup> PŞ President's [Post](#) from 31 October 2023.

### 1.3. Subjects entitled to organise and conduct electoral debates

According to art. 1 of the Electoral Code, electoral debates are an instrument of electoral education, which can be freely conducted by interested subjects. At the same time, art. 90 regulates electoral debates as a form of electoral audiovisual programme, which are subject to strict conditions, based on the need to ensure equal conditions for electoral competitors in terms of broadcasting time and coverage.

To this end, Promo-LEX participates in the organisation of electoral debates and supports their organisation and conduct on as large a scale as possible, with the most active participation of electoral competitors, not necessarily on television. We stress that in the context of the local general elections, it is necessary for voters in each constituency to have the opportunity to get to know the candidates and their platforms, and the electoral debates can be an effective platform in this respect.

During the observation period, Promo-LEX Mission was informed of one case of unjustified restriction by the Town Hall of Durlesti, mun. Chisinau and ECEC 1/3 Durlęsti of electoral debates organised by the Public Association „My Town Hall”. We find that both the local public authority and the electoral body have misinterpreted the provisions of the Electoral Code by transposing the conditions for organising and conducting televised electoral debates onto electoral debates that are not organised and covered by audiovisual media service providers. Correspondingly, these authorities referred only to the rules of art. 90 of the Electoral Code, which regulates the particularities of election coverage by media institutions, and to CEC Regulation on media coverage of elections. If we assume, absurdly, that electoral debates can only be organised by media outlets, then, in the case of local general elections, there are not enough registered media outlets that could organise election debates for all constituencies and candidates.

Thus, in the opinion of Promo-LEX OM, as stipulated in art. 1 of the Electoral Code, electoral debates as a form of electoral education, with the exception of those conducted by media institutions, may be freely organised and conducted by interested subjects.

### 1.4. Conditions for cancelling the registration of electoral competitors

On 30 October 2023, CEC examined some notifications from law enforcement bodies and found<sup>15</sup> a violation by representatives of PŞ of art. 54 para. (5) - (6) of the Electoral Code with regard to the financing of electoral campaigns, corruption of voters by offering and promising to offer them benefits from other charitable activities in order to induce them to exercise their electoral rights, the use of funds other than from the account marked “Electoral Fund” in the electoral campaign, exceeding the ceiling of the electoral fund and the use of unreported financial and material funds. As a result, CEC obliged constituency electoral councils to examine the cancellation of registration of candidates nominated for the office of mayor and councillor from the PŞ in nine localities<sup>16</sup>. At the same time, when adopting the decision on the determination of allocations, the Commission will consider whether PŞ violated art. 54 para. (5) and (6) (a), (c), (d)) in the light of art. 102 of the Electoral Code and will apply appropriate sanctions.

We point out that based on the materials submitted by SIS, Glodeni and Orhei Police Inspectorates and Chisinau Police Department, CEC has documented, *inter alia*:

- the direct causal link between, on the one hand, the project announced, financed and promoted by Ilan Shor „Satul Moldovenesc” (Moldovan Village)/ „Oraşul Moldovenesc” (Moldovan Town), the commissioning and production of promotional materials in the amount of 2 422 842,00 lei for use in the media coverage of this project by PŞ supporters and candidates and, on the other hand, the candidates nominated by this party in the general local elections. These orders were executed long before the application was submitted to the bank to open the account, and to date the order has not been paid from this account, as there is no turnover of this amount in the account opened. The latter show that the goods seized by the law enforcement authorities, following the control of the source of production of the printing materials used in the electoral

<sup>15</sup> [Decision](#) of CEC no. 1520 from 30.10.2023, on the notifications of the Intelligence and Security Service, Glodeni and Orhei Police Inspectorates and Chisinau Police Directorate of the General Inspectorate of Police

<sup>16</sup> V. Tırşitei, d. Teleneşti; com. Țareuca, d. Rezina; com. Işcălău, d. Făleşti; v. Dobrogea Veche, d. Sîngerei; v. Merenii Noi, d. Anenii Noi, v. Alexanderfeld, d. Cahul; v. Pituşca nr. 9/17, district Călăraşi; com. Răculeşti, d. Criuleni; v. Joltai, TAU Găgăuzia

process, were fully paid for by other methods than those allowed by the legal framework, and the date of the fiscal invoices shows the circuit including the electoral period. Thus, the cost of production of printing materials, according to the tax invoices, represents 3.65% of the amount of the maximum ceiling<sup>17</sup>, i.e. a considerable amount in terms of admissibility of the most severe electoral sanction, which is the cancellation of registration;

- the use of polygraphic products in the form of leaflets with the inscription “Moldovan Village Project”, “Moldovan Town Project”, referring to the project financed by Ilan Shor, confirms that the financial means used to implement the sponsored projects come from Ilan Shor. And the collection of signatures by PȘ representatives during the electoral campaign, in order to support the above-mentioned projects, is aimed at influencing voters’ preferences. These actions are carried out and assumed by PȘ exponents, previously members and sympathizers of the Political Party “Sor”;
- the collection of signatures in support of investment projects by PȘ representatives took place in localities where PȘ representatives were subsequently registered as electoral competitors on behalf of the concerned party, which shows a direct causal link between the project promotion actions and the transfer of image to the candidates;
- the activity of raising publicity for projects financed from non-transparent sources is followed by the approval of sponsorship contracts by local public administrations or the transfer of sums as an advanced payment for their implementation. The official declared sponsor, who apparently signs these sponsorship contracts, is the citizen of the State of Israel, Igal Shved. However, the general public is only presented with the promoters of these actions as Ilan Shor, PȘ, his candidates and supporters;
- after receiving the financial resources for the investment projects which won as a result of applying to the programme, some of them initiated, others already underway or even completed, they were to be used in the electoral campaign for local general elections on 5 November 2023 in order to convince voters of the fulfilment of promises, a fact which may significantly determine the behaviour of voters in this election;
- examples of public communication show that the assumption of promoting the projects “Moldovan Village” and “Moldovan City” and their results, carried out with Ilan Sor’s support, by PȘ has the purpose of transferring image from the political party declared unconstitutional to PȘ. This transfer of image takes place in the middle of the electoral process and is accompanied by actions offering voters direct (social aid), indirect (repaired streets and social institutions, etc.) financial/material facilities (social aid), which come from or are sponsored by persons who are not citizens of the Republic of Moldova and the legal origin of which is not confirmed.

Similarly, in the case of localities where the cancellation of candidates’ registration was initiated, CEC noted approval of project funding based on sponsorship contracts concluded between the local councils of these localities and the individual Igal Shved, a citizen of the State of Israel, whereby the parties agreed to support non-profit activities (implementation of a road repair project - in the amount of 20 million lei<sup>18</sup>; repair of four roads in the amount of 1.852 million lei<sup>19</sup>; donation contract in the amount of 300 thousand lei<sup>20</sup>; financing contract in the amount of 88 million lei<sup>21</sup>; road repair in the amount of 9, 157 million lei<sup>22</sup>; road repair in the amount of 5 million lei<sup>23</sup>; donation contract in the amount of 850 thousand lei<sup>24</sup>; sponsorship contract in the amount of 3 million lei<sup>25</sup>; sponsorship contract in the amount of 4.058 million lei<sup>26</sup>). At the same time, the actual beneficiaries of the transfer of image ensured by the sponsorship contract signed by the

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<sup>17</sup> The maximum amount of funds that can be transferred to the „Electoral Fund” account for the general local elections of 5 November 2023 is 66 274 579.00 lei.

<sup>18</sup> Dobrogea Veche, d. Sîngerei

<sup>19</sup> Joltai, TAU Gagauzia

<sup>20</sup> Răculești, d. Criuleni

<sup>21</sup> Tîrșiței, d. Telenești

<sup>22</sup> Țareuca, d. Rezina

<sup>23</sup> Ișcălău, Fălești

<sup>24</sup> Merenii Noi, Anenii Noi

<sup>25</sup> Alexanderfeld, Cahul

<sup>26</sup> Pitușca, Călărași

local public authority and the so-called charitable actions are the candidates who publicly promoted these actions.

At the same time, CEC noted that the maximum expenditure ceilings allowed for the respective localities are much lower than the value of the respective sponsorship contracts.

Therefore, the contracts concerned, approved by the local public administration authorities, attest to the massive nature of concentrated actions to influence voters in the electoral campaign, the concept of the project being essentially a method of bribing voters by conditioning their support for the party so as to benefit from facilities offered outside the relevant regulatory framework, such as: social or infrastructure aid, by using the voting rights of target persons, which makes these actions devoid of philanthropic character.

CEC was also notified by the National Anti-Corruption Centre of several local public administrations approving sponsorship contracts as a result of PȘ exponents' activity, with criminal cases being opened in this regard and the related financial resources frozen.

Promo-LEX OM, notes that both illegal campaign financing and voter corruption are serious violations of the electoral process, likely to influence the election results. Authorities' actions to stop these phenomena and to restore the rights of other electoral competitors are necessary in the context of an ongoing election. We note that the Constitutional Court's ruling declaring the Sor Party unconstitutional found that it had acted against the principles of the rule of law, the sovereignty and independence of the Republic of Moldova, and that the effect of this was the following:

- Termination of political party activity.
- Termination<sup>27</sup> of membership and representation of the political party concerned.
- The Court found that the activity of the party presented an imminent danger to the democratic constitutional order and ordered its dissolution so that ***no one could use this party's name, symbol, logo, political platform, etc.***
- The MPs and other elected representatives of the people on the lists of the dissolved party will carry out their duties for the remaining period of their mandate independently. However, this does not imply that vacant seats can be filled.

From the expected effects of the Constitutional Court's decision declaring the Sor Party unconstitutional, we can deduce that the cessation of activity of this party would be real and genuine, not formal. Thus, any transfer of image, activity, political program from Sor Party to another political party or association of an existing political party with the image of a political party declared unconstitutional (by promoting party representatives, initiatives and programs supported by them, through similarity of symbols and messages promoted or any other form) is contrary to the High Court's ruling. In this regard, we consider that the authorities should examine the legality and constitutionality of the deliberate actions of the PȘ in transferring the image of the former Sor Party to PȘ.

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<sup>27</sup> [Decision](#) of the Constitutional Court no. 10 from 19 June 2023

## II. ELECTORAL BODIES

### 2.1. Activity of the Central Electoral Commission

During the period under observation, CEC held nine meetings and adopted 67 other decisions related to the process of organisation and conduct of the autumn elections.

*Accreditation of observers.* CEC accredited 716 observers: 424 national observers and 292 international observers and experts. In addition, 130 people were confirmed as interpreters. At the same time, on the recommendation of the Ministry of Foreign Affairs and European Integration and the Intelligence and Security Service<sup>28</sup>, the electoral authority refused accreditation to seven persons proposed for accreditation by the OSCE Office for Democratic Institutions and Human Rights.

The electoral authority accredited a total of 1,493 observers from 44 national and foreign institutions to monitor the local general elections on 5 November 2023: 1,094 national observers and 399 international observers and experts (see Annex 1). Promo-LEX accredited 997 (91%) of the total number of national observers.

*CICDE training activities.* During the reporting period, 35 ECEC II members, 4,744 EBPS members were trained and live conferences were organised for SIASA operators.

*Confirmation of journalists.* In the time period observed, CEC confirmed 16 journalists to cover and monitor the local general elections. In total, the electoral authority confirmed 54 journalists from ten media entities/outlets in the country (see Annex 1).

*Authorisation for conducting opinion polls and exit polls.* During the reporting period, CEC authorised five opinion polls on voters' political preferences<sup>29</sup>. In total, the electoral authority approved the conduct of 16 opinion polls by seven companies during the electoral period (see Annex 1). It should be noted that no exit polls were authorised on election day.

*Approval of messages of public interest.* During the monitoring period, CEC approved six messages of public interest (four video spots and two information posters) developed by the Commission (4), Promo-LEX<sup>30</sup> (1) and UN Women (1). In total, by 1 November 2023, CEC approved 25 messages of public interest (see Annex 1). No refusal decisions were noted.

### 2.2. Activity of level II electoral constituency electoral councils

*Observance of the work programme.* According to the information provided by the observers, in all 55 visits carried out during the monitored period, the observers found ECEC II open during working hours.

*Modification of ECEC composition.* During the reporting period, CEC changed the nominal composition of five councils (ECEC II no. 7 Cahul; no. 12 Criuleni; no. 14 Drochia; no. 24 Ocnita; no. 30 Straseni). The changes in the nominal composition were due to requests for resignation (4) and revocation (1) of ECEC members nominated by LPA (1), PAS (1), PCRM (1) and the Register of Electoral Officials (RFE) (2). As regards the nominal composition of the ECEC II no. 4 Anenii Noi and no. 26 Rezina, as of 1 November 2023, it is not complete (10 members out of 11 and 9 members out of 11 respectively).

*Accreditation of observers.* Promo-LEX observers reported that, in total, ECEC II accredited eight observers from the Association of Parents of Persons with Disabilities „Eternity” (5) and the Centre for International Communication and Human Rights (3).

*Confirmation of electoral competitors' representatives and persons of trust.* According to the information provided by observers, during the reporting period ECEC II confirmed seven representatives from

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<sup>28</sup> Information obtained by Promo-LEX observers from CEC Communication, Public Relations and Media Directorate.

<sup>29</sup> „INTELLECT GROUP” SRL (5) and „SIMPALS” SRL (1).

<sup>30</sup> Video [Spot](#) Promo-LEX.

three electoral competitors and two persons of trust from two independent candidates. No cases of refusal by the electoral body to confirm authorised persons were noted.

*Confirmation of journalists.* During the reporting period, ECEC II confirmed 24 journalists, including one freelancer, from two media entities/outlets to cover and monitor the local general elections. In total, the electoral bodies (CEC and ECEC II) confirmed 129 journalists from 15 media entities/outlets in the country (see Annex 1). No refusal decisions were noted.

### 2.3. Activity of level I electoral constituency electoral councils

*Public information on the activity of ECEC I.* Promo-LEX OM finds that 704 (79%) out of 891 ECEC I visited provided public information on the lists of electoral competitors.

*Confirmation/accreditation of authorised persons.* The electoral bodies confirmed 216 representatives for 25 electoral competitors, including 20 political parties and 5 independent candidates. The highest number of representatives of electoral competitors were confirmed from PSD (42), PSRM (38), PAS (30), PŞ (30), MRM (17) and LOC (12). We also note one case of accreditation of an observer from the Public Association „Alliance for Dolna” in the ECEC no. 30/7 Dolna.

ECEC I also confirmed 26 persons of trust from 12 electoral competitors, including 10 political parties and two independent candidates. There were no cases of refusal by the electoral body to confirm authorised persons.

*Modification of electoral bodies' composition.* Promo-LEX OM noted a total of 391 cases of modification of 278 ECEC I nominal composition and 5 cases of complementing the composition. The changes in the nominal composition (see Table no. 1) were due to requests for resignation of members (271 out of 391, or 69%) and requests for revocation (120 out of 391, or 31%).

Table no. 1. Modification of ECEC I composition

Initiator of modification	No. of members	Grounds for modification		Who nominated the new member	No. of members
		Resignation	Revocation		
CEC (RFE)	191	152	39	CEC (RFE)	191
APL	74	49	25	APL	29
				RFE	45
PAS	50	23	27	PAS	43
				RFE	7
PCRM	19	9	4	PCRM	12
				RFE	1
PSRM	63	38	25	PSRM	46
				RFE	17

*Incompatibilities and cases of violation of restrictions.* Promo-LEX observers, following communication with electoral officials, found 68 cases of violations of restrictions and incompatibilities in 67 ECEC I:

- is the candidate's spouse or first-degree relative - 51 cases;
- was absent without justification from two consecutive meetings of the electoral body - 14 cases;
- carried out activity as a subject involved in the electoral process - 2 cases;
- refused to enforce ECEC decisions - 1 case.

Contextually, 61 out of 67 ECEC I had their composition changed, including with a view to removing incompatibilities and restrictions found, either through revocation of members or based on their resignation requests. It should be noted that in the case of the other 6 ECEC I<sup>31</sup> where such situations were found, at the time of the visits, the observers did not report any measures to resolve or change the composition.

*Involvement of electoral officials in electoral campaigning.* Promo-LEX observers found one case of electoral campaigning carried out by electoral officials. During the visit to ECEC no. 34/10 Câșla (d.

<sup>31</sup> ECEC Ciobalaccia no. 8/7, d. Cantemir; ECEC Chetrosu no. 4/5, d. Anenii Noi; ECEC Hârtopul Mare no. 12/12, d. Criuleni; ECEC no. 29/19 Pereni, d. Rezina; ECEC Lalova no. 26/6, d. Rezina; ECEC Echimăuți, d. Rezina.

Telenesti), PAS fliers, intended for distribution to the inhabitants, were observed displayed on the desk in the council building.

*Difficulties in the work of electoral bodies.* Following discussions with ECEC I electoral officials, the observers identified the following difficulties in the organisation and conduct of the elections:

- lack of space to carry out the activity;
- delayed technical-material provision;
- shortage of certified persons;
- increased number of changes to the nominal composition on grounds of incompatibility.

*Obstructing free observation.* The observation mission draws attention to the fact that, during the reporting period, Promo-LEX observers were not granted access to all election-related materials (e.g. decisions on the setting up of electoral bodies, changes in the composition or registration of candidates), thus 5 cases of obstruction of free observation were noted in the following ECEC I: no. 12/13 Hruşova; no. 4/20 Roşcani; no. 7/28 Moscovei; no. 7/26 Luceşti; no. 19/16 Petruna. It is to be recalled that, in the exercise of their duties, observers have the right of access to all electoral information.

*Cancellation of competitors' registration and modification of candidate lists.* At its meeting from 30 October 2023, CEC approved Decision no. 1530. According to point 3 of the decision, 9 ECEC I<sup>32</sup> were obliged to examine the cancellation of registration of candidates nominated for the office of mayor and councillor on behalf of the political party „SANSĂ” (Chance) by 16:00 on 1 November 2023. In fact, all 9 ECEC I concerned examined CEC's request, of which 8 ECEC I cancelled registration of candidates for mayor and councillor. At the same time, one electoral body, Alexanderfeld ECEC no. 7/2, d. Cahul, following the examination, stipulated that it did not find legal grounds for cancelling the registration of candidates.

Also, according to observers, in the 35 ECEC II visited and 891 ECEC I, at least 346 requests for changes to the lists of candidates for the position of councillor were registered, among which: change of place of order - 222, exclusion of the candidate from the list - 87, replacement of the candidate - 37 and substitution of the list of candidates - 10. Most requests were submitted by PAS (71), PSRM (54), PŞ (47), PCRM (25), PSDE (21), PLDM (17), LOC (16), PDCM (15).

#### **2.4. Activity of the electoral bureaus of polling stations (EBPS)**

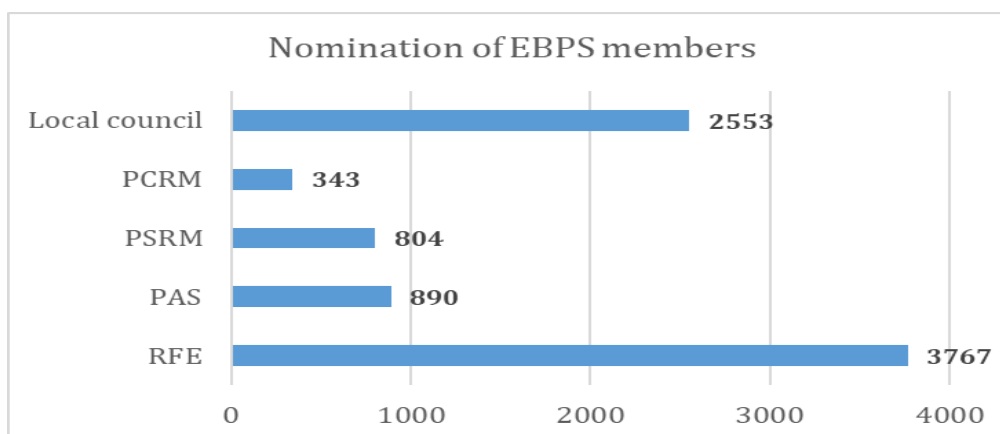
*Observance of work programme.* Since the setting up of electoral bureaus, Promo-LEX observers have visited 976 EBPSs. Out of a total of 1022 visits undertaken, in 889 of them the premises of the electoral body were open (87%) and in 133 - closed (13%). According to information provided by observers, we note that 68 EBPSs (51%) which were closed during working hours belong to the Chisinau municipal electoral constituency.

*Confirmation of the EBPS composition.* Analysing the information provided by observers, we find that for 199 EBPSs (21%) out of the total of 967 EBPSs<sup>33</sup>, the numerical composition was set at 11 members, for 440 EBPSs (46%) - nine members, for 284 EBPSs (29%) - seven members and for 44 EBPSs (4%) - five members. With regard to gender, also for this electoral body we note a majority presence of women - 90%. Moreover, in 428 electoral bureaus visited (44%) there are no men, and in 458 (47%) the number of men in the EBPS is 1-2 persons.

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<sup>32</sup> ECEC Târşitei no. 34/27, d. Telenesti; ECEC Țareuca no. 26/25, d. Rezina; ECEC Işcălău no. 17/16, d. Făleşti; ECEC Dobrogea Veche no. 28/14, d. Sângerei; ECEC Merenii Noi no. 4/17, d. Anenii Noi; ECEC Alexanderfeld no. 7/2, d. Cahul; ECEC Pituşca no. 9/17, d. Călăraşi; ECEC Răculeşti no. 12/22, d. Criuleni; ECEC Joltai no. 36/24, UTAG.

<sup>33</sup> During 1022 visits Promo-LEX observers obtained information on the composition of only 967 electoral bureaus.



*EBPS Management.* According to Promo-LEX observers, the open voting procedure for the management election was not respected in 12 cases out of 976 EBPSs visited (EBPSs 7/19; 7/20; 11/38; 23/7; 23/8; 23/31; 23/32; 23/42; 25/82; 31/22; 31/29; 36/60). With reference to the gender composition, we note the presence of a majority of women both as chairperson of the electoral bureau (839 EBPS - 89%) and as secretary (915 EBPS - 97%). Only 123 electoral bureaus (13%) had a gender balance in their management.

*Modification of EBPS composition.* Promo-LEX observers reported a change in the composition of 133 EBPSs. The changes in the nominal composition were due to resignation requests (141) and revocation requests (42) of EBPS members appointed from LPA (45), PAS and PSRM (24 each), PCRM (9) and from the Register of Electoral Officials (RFE) (81).

Table no. 2. Modification of composition

Initiator of modification	Excluded members	Who appointed the new member	Included members
Local Council	45	Local Council	18
PCRM	9	PCRM	6
PSRM	24	PSRM	19
PAS	24	PAS	23
RFE	81	RFE	117

*Public information on the activity of EBPS.* According to information provided by the observers, data collection on this point was possible for 961 of the 976 EBPSs visited. Thus, Promo-LEX OM finds that public information on the composition of electoral bodies was ensured by 569 EBPSs (59%), on working hours - by 810 EBPSs (84%), and on the list of candidates - by 596 EBPSs (62%).

*Accessibility of EBPS premises.* According to Promo-LEX observers' reports, of the 967 EBPSs for which data collection on this point was possible, only 336 (35%) are accessible to vulnerable groups, 212 (22%) - partially accessible, and 419 (43%) - inaccessible

*Difficulties in the work of electoral bodies.* Promo-LEX OM also monitored the issue of difficulties encountered by electoral bureaus in organising elections. Thus, based on discussions with electoral officials, Promo-LEX observers found 76 cases where EBPSs encountered difficulties. These relate to:

- delayed technical and material provision;
- lack of space and favourable working conditions (electricity and heating);
- poor communication with higher hierarchical bodies;
- members not attending meetings of the electoral body;
- increased number of changes in the nominal composition of electoral bodies



### III. ELECTORAL NOTIFICATIONS

According to Promo-LEX observers, in the period 19 October - 1 November, at least 67 contestations and notifications were submitted to electoral bodies, in which the electoral bodies were informed about alleged violations of the legal framework or requested the review or suspension of administrative acts regarding these violations.

At least 26 contestations and notifications have been filed **in the constituency electoral councils level I and II**, of which: 10 at ECEC 1 Chisinau; 2 - at ECEC 4 Anenii Noi and one each at ECEC 7 Cahul, ECEC 8 Cantemir, ECEC 10 Causeni, ECEC 12 Criuleni, ECEC 16 Edinet, ECEC 23 Nisporeni, ECEC 33 Taraclia, ECEC 21/12 Mileştii Mici, Ialoveni; ECEC 7/28 Moscovei, Cahul; ECEC 6/14 Criva, Briceni; ECEC 27/21 Recea, Rascani, ECEC 21/19 Sociteni, Ialoveni, ECEC 7/1 Cahul. The electoral competitors (ALDE - 1; IC - 2; LOC - 2; MAN - 1; PAS - 3; PDCM - 6; BEREC - 2; PPPDA - 1; PR - 1; PSDE - 2; PSRM - 3; PŞ - 1) filed most of the contestations, concerning registration/non-registration of electoral competitors, electoral campaigning and advertising and use of administrative resources.

With regard to the solutions issued, Promo-LEX OM notes that nine contestations were partially or fully admitted, at least eight contestations were declared inadmissible, five were remitted for examination according to competence, and nine were rejected. Concerning the time limits for the resolution of contestations, we note that at least 28 were resolved within 1-3 days and 5 within 4-8 days.

At least 41 contestations and notifications were submitted to the **Central Electoral Commission**. We further point out that both the contestations and their solutions are published with delay on the CEC website. As an example, it should be noted that during CEC's meeting on 1 November 2023, several contestations were proposed to be joined in one procedure and thus the draft decision on them was presented, however, the contestations proposed to be joined were not published. In this regard, we recommend the Central Electoral Commission to ensure the publication of contestations and their solutions in due time.

The majority of subjects who filed contestations and/or notified the higher electoral body were electoral competitors (30): independent candidates - 4; MAN - 1; PS - 3; PAS - 11; PDCM - 2; PPPDA - 3; PSDE - 2; PSRM - 1; LOC - 1; PPDA - 1; PR - 1, the others were filed by voters.

In 11 cases, the authors of contestations and notifications expressed their disagreement with the acts or actions/inactions of electoral bodies, and in another 29 cases - with the actions of electoral competitors of misuse of administrative resources (service car, municipal websites, publication of images of municipal achievements, etc.), non-compliance with the conditions of electoral advertising, especially in the case of printed materials on their own equipment, electoral campaign financing, etc.

With reference to the decisions issued by CEC on at least 23 contestations and notifications, we note that only 5 decisions were adopted and for 18 letters were sent to refer for examination according to competence or to return the notification/contestation. In this regard, we notice that the majority of contestations are remitted for examination according to the competence of the constituency electoral councils, the high number being caused by their submission by electoral subjects without taking into account the competence to solve contestations, provided by the new amendments to the Electoral Code. At the same time, by the decisions adopted:

- a contestation was rejected as unfounded;
- two contestations were declared inadmissible on the grounds that they were filed after the expiry of the time-limit laid down in the Electoral Code and that no arguments to justify the infringement of the right to be challenged were put forward, and also that the appellant's applications for a writ of summons on a similar subject were pending before the court;
- a warning was issued to PŞ for distributing and disseminating advertising materials produced from 12 October 2023 onwards on their own equipment, contrary to the provisions of the Regulation on the provision, distribution and dissemination of political advertising, and they were obliged to ensure the removal of such advertising materials from public space;

- a warning was issued to PR for the use of funds other than from the account marked “Electoral Fund”, the use of unreported material funds and failure to reflect the expenditures for the production of advertising materials in the reports on electoral campaign financing, and was obliged to ensure the removal of such advertising materials from the public space.

As regards the deadlines for resolving requests and notifications, we note that for 16 contestations and notifications, solutions were issued within 1-3 days, thus respecting the 3-day deadline provided for in art. 100, para. (1) of the Electoral Code. However, 7 contestations and notifications were resolved within 4-10 days. We reiterate that electoral bodies must examine and issue solutions within short time limits so that contestants are able to benefit from the right to an effective appeal.

At the same time, Promo-LEX OM notes that during the observed period the courts have annulled several previous decisions of electoral bodies, thus changing their decision and, where appropriate, forcing them to act. Some of them are highlighted below.

- **Decision of CEC no. 1431 of 12.10.2023**, CEC obliged to examine the merits of the contestation filed by PDCM, registered under CEC-10 ALG/5 of 10 October 2023. It should be recalled that in the case of this contestation, CEC declared it inadmissible due to the filing of the contestation with the omission of the three-day time limit after the occurrence of the events. However, Chisinau Court of Appeal and the Supreme Court of Justice (SCJ) found that PDCM filed the contestation on October 9, 23:05, via electronic mail, but CEC registered it on 10 October according to the work schedule. In this regard, the courts found this argument to be unfounded, since the work programme established by CEC provision refers to the work programme of its employees and in no way imposes additional obligations on other participants involved in the electoral process, since the legal rules expressly and clearly provide for the manner and calculation of this deadline for filing contestations. Although CSJ’s decision dates back to 23 October 2023<sup>34</sup>, as of 1 November, CEC has not adopted a decision on the merits of the contestation.

- **Decision of CEC 15 Dubasari no. 43 of 10.10.2023 and CEC Decision no. 1461 of 15.10.2023**, rejecting Roman Emilianov’s application for registration as an independent candidate for the office of councillor in the Rayon Council of Dubasari for the local general elections of 5 November 2023. Accordingly, the electoral council was obliged to issue a decision on his registration as an independent candidate for the office of councillor in the Rayon Council of Dubasari. The court ruling was issued on 26 October<sup>35</sup>, 20 days after the start of the electoral campaign. It should be recalled that electoral bodies have previously refused to register a candidate due to insufficient signatures of supporters, including 26 cases where the supporters’ domicile is outside the electoral constituency. However, the court was critical of the argument that the signatures of supporters domiciled in the town of Dubasari and, thus, not belonging to the electoral constituency of Dubasari shall be annulled. Thus, the court noted that among the 11 ATUs of the Dubasari district there is com. Corjova, whereas the supporters of the potential independent candidate (30 in number) are domiciled in these localities. Consequently, the court found the contested administrative act illegal.

- **Point 2 of CEC Decision no. 1457 of 13.10.2023**, by which the secretary of the electoral council, Mihail Batrîncea, was sanctioned with revocation from the composition of CEC Orhei no. 25. It should be recalled that the sanction was imposed by CEC due to his failure to ensure compliance with any stage of the procedure for receiving the subscription lists in the case of Dinu Turcanu and his actions were directed in support of a potential contender for the status of electoral competitor. However, the courts found that the materials of the case did not show that the secretary of the council had directly or indirectly supported the electoral competitor and considered CEC’s arguments to be hasty and unfounded. Thus, the court noted that, although the defendant authority is entitled to penalise electoral officials by opting for one of the penalties provided for by law, in the event of an infringement being committed, the causes and seriousness of the infringement committed, the circumstances in which it was committed, the conduct of the electoral official in the course of his duties and the existence of other penalties, the term of which has not expired, must be taken into account when determining the penalty<sup>36</sup>. From another point of view, the Chisinau Court of Appeal pointed out

<sup>34</sup> [Conclusion](#) of CSJ from 23.10.2023 in the case PDCM vs CEC.

<sup>35</sup> [Ruling](#) of Criuleni Court from 26.10.2023 in the case R. Emilianov vs CECE 15 Dubăsari.

<sup>36</sup> [Conclusion](#) of CSJ from 25.10.2023 in the case M. Batrîncea vs CEC.

that the decision imposing the sanction on Mihail Batrîncea was not reasoned, since the defendant did not report the facts alleged to be deviations from the legal norms that served as basis for finding of violation.

- **Decision of ECEC 35 Ungheni no. 160 of 16.10.2023, Decision of ECEC 35/1 Ungheni no. 47 of 12.10.2023**, whereby it was decided not to register Alexandr Soleanicoș as an independent candidate for the office of councillor in the Council of the Municipality of Ungheni. Accordingly, ECEC 35/1 Ungheni was obliged to issue the administrative act regarding his registration. The decision became final and irrevocable on 1 November<sup>37</sup>, just 4 days before election day. It should be recalled that the refusal of the electoral bodies to register the electoral competitor was determined by the fact that Alexandr Soleanicoș was included as a candidate for the office of councillor on the PSRM lists, and no request was submitted by the party to exclude him from the list of candidates. The courts annulled the non-registration decisions as illegal as these individual administrative acts violate the applicant's right to be elected, coupled with his freedom of association. Thus, the court pointed out that Alexandr Soleanicoș's previously given consent to be nominated as a candidate for PSRM councillor is not irrevocable and can be withdrawn within the prescribed period - no later than 10 days before election day, and the documents on file confirm Alexandr Soleanicoș's intention to run as an independent candidate. At the same time, the courts noted that the approach of electoral bodies set out in the contested decisions affects the essence of the applicant's right to be elected in relation to his freedom of association and diminishes its effectiveness, since no one can be forced to join a political party or to stand for election on its behalf against his will.

In this regard, Promo-LEX OM considers it necessary to revise the legal rule stipulating that the withdrawal of candidates from the list of councillors can only be carried out by the political party, so that the consent of the person to stand as a candidate can be revoked within the period that allows changes to the lists of councillors.

- **Decision of ECEC 27 Râșcani of 12.10.2023, Decision of ECEC 27/18 Pociumbăuți, Râșcani no. 13 of 06.10/2023**, by which Vitalie Țiței was registered as candidate for the office of mayor of Pociumbăuți village, Râșcani district, nominated by PAS. We point out that the contesters invoked the existence of ANI's final act ordering the disqualification of Vitalie Țiței from exercising public office and offices of public dignity, including the office of mayor, for a period of 3 years from the end of his mandate, with his registration in the State Register of persons prohibited from holding public office and offices of public dignity. Thus, according to the contesters, he should not have been registered as a candidate in the local elections. The courts found that at the moment there was an enforceable court decision, which upheld ANI's finding, and rejected the Integrity Inspectorate's arguments that in order to apply the prohibition to run for a new office of mayor, the person must have ceased to hold office - dismissal or removal from office under the terms of para. (3) to (5) of art. 23. The court notes that these arguments cannot serve as a basis for issuing the judgment when the conclusions of the inspectorate are contrary to the legal provisions cited above, moreover, in the materials of the case file there is also the response of the Integrity Authority of 20.09.2023, where there is a list of subjects of declaration against whom the prohibition to hold the office of mayor or councillor was applied, in which, Vitalie Țiței is listed under number 31. Thus, verifying the exercise by the public authority of the discretionary right, within the limits of the powers provided by the rule of art. 225 of the Administrative Code, the court finds the illegality of the decision of registration of Vitalie Țiței by ECEC Pociumbăuți no. 27/18. The ruling of the court became final and irrevocable on 1 November 2023<sup>38</sup>.

- **Decision of ECEC 27 Râșcani of 12.10.2023, Decision of ECEC 27/11 Hiliuți, Râșcani no. 13 of 08.10.2023**, by which Alexandru Sandu was registered as candidate for mayor of Hiliuți village, Râșcani district, nominated by PAS. It should be noted that the contesters invoked the existence of ANI's final act ordering the disqualification of Alexandru Sandu from holding public office and public dignity office, including the office of mayor, for a period of three years after the end of his mandate, with his registration in the State Register of persons prohibited from holding public office and public dignity office. Thus, according to the contesters, he should not have been registered as a candidate in the local elections. Similar to the above-mentioned court decision, also in this case the court considered the registration decision as illegal. The ruling of the court became final and irrevocable on 1 November 2023<sup>39</sup>.

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<sup>37</sup> [Ruling](#) of CSJ from 1 November 2023 in the case of A. Soleanicoș vs CECE Ungheni no. 35, ECEC Ungheni no. 35/1.

<sup>38</sup> [Ruling](#) of CSJ from 1 November 2023 in the case of Lorentii Lisevici vs CECE Râșcani no. 27 and ECEC no. 27/18 Pociumbăuți, Râșcani.

<sup>39</sup> [Ruling](#) of CSJ from 1 November 2023 in the case of Ana Matei vs CECE Râșcani no. 27 and CECE no. 27/11 Hiliuți, Râșcani.

Promo-LEX OM notes that cases of registration of candidates who have final documents issued by ANI, in which the application of sanction of deprivation of the right to hold public office is mentioned, but who have not been released from office, have generated multiple electoral disputes. We believe that both the electoral authorities and ANI should be guided by the judicial practice formed during this election and prevent such cases from occurring.

- **Decision of CEC no. 1448 of 13.10.2023, Decision of ECEC 1 Chisinau no. 90 of 10 October 2023**, whereby the registration of Andrei Donică as a candidate for the office of Mayor General of the municipality of Chisinau on behalf of MPSN was refused. Accordingly, ECEC Chisinau was obliged to issue a favourable individual administrative act regarding the registration of Andrei Donică. The court's decision became final and irrevocable on 31 October 2023<sup>40</sup>, just 5 days before election day. It should be noted that the electoral bodies refused to register Andrei Donică because he is registered as a candidate for the office of mayor in com. Condrița, and the Electoral Code, in art. 157, provides that for the election of local councils and mayors, each (...) village (commune) constitutes a single electoral constituency. And according to art. 163, para. (4) of the same law, political parties and electoral blocs may nominate only one candidate for mayor in each constituency. A person may not run in more than one electoral constituency at the same level, nor in Chisinau municipality and Balti municipality at the same time.

When interpreting the provisions of the law, the courts have distinguished two distinct restrictive situations provided for by art. 163, para. (4) of the Electoral Code: 1) a person may not run concurrently in more than one electoral constituency of the same level and 2) a person may not run concurrently in the municipality of Chisinau and in the municipality of Balti. A similar legal logic is contained in the provisions of paragraph (5) of the same article, which indicates that a person may run for the office of councillor in both the council of the first and the council of the second level of administrative-territorial unit. In addition, the courts have inferred the same intention of the legislature from art. 68 para. (6) of the Electoral Code. The courts concluded that the reasoning of the electoral body underlying the contested administrative act was inconsistent with the spirit and letter of art. 163, para. (4) of the Electoral Code.

Promo-LEX OM notes again the late registration of some electoral competitors in this election, which deprives them of the right to campaign on equal terms with other electoral competitors who started campaigning on 6 October 2023.

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<sup>40</sup> [Conclusion](#) of CSJ from 31.10.2023 in the case of MPSN vs ECEC 1 Chișinău and CEC.

## IV. ELECTORAL ROLLS

### 4.1. Receiving and ensuring access to electoral rolls

*Receipt of electoral rolls by EBPS.* According to the calendar schedule, by 14 October 2023 including, the electoral rolls were to be sent to EBPS. Following the observers' visits to the EBPSs, 809 out of the 976 EBPSs visited had already received the rolls. Analysing the information on the date of receiving the electoral rolls, we can see that 125 EBPSs (15%) received them after the deadline, namely: 15 October - 53 EBPSs, 16 October - 62 EBPSs, 17-19 October - 10 EBPSs. The remaining 684 EBPSs received their electoral rolls between 12-14 October 2023.

*Limiting observers' access to electoral rolls.* During visits to EBPS premises, observers were denied access to the electoral rolls in 13 cases, on the grounds that the members present at the EBPS premises did not have access to them, as they were stored in safes; it was also claimed that the electoral rolls were being checked by the LPA authorities.

*Problems identified by observers in the electoral rolls.* Following the identified deficiencies, 66 BESVs made changes to the electoral lists. According to data provided by Promo-LEX OM observers, some deficiencies were found in the quality and content of the electoral rolls:

- presence of deceased persons on the rolls (94 cases);
- missing voters on the basic rolls (8 cases);
- wrong allocation of voters to the polling station (36 cases);
- wrongly allocated voters to another locality (17 cases);
- address errors (7 cases).

Attention should be drawn to the fact that in the majority of cases where deceased persons were identified on the electoral rolls, according to the members of the electoral bureau, their removal was not possible due to missing confirmatory documents, on the grounds that either these persons died abroad or after the electoral rolls were printed.

### 4.2. On the particularities of voting in Corjova commune

At its meeting on 1 November 2023, CEC established that voters living in Corjova commune<sup>41</sup>, including those from Mahala village, who have Dubasari town as their residence on their identity cards, will vote based on supplementary rolls. It should be noted that this practice was also applied in previous elections, including local ones.

At the same time, from discussions with representatives of local electoral bodies, officials expressed concern that the ballots, which will be sent according to the number of voters on the basic rolls (about 1100 citizens with the right to vote) could be insufficient. It should be recalled that in the last elections held, the early parliamentary elections in 2021, 992 voters took part in the vote.

Promo-LEX OM reiterates the position that this issue must be urgently solved through the joint efforts of Corjova town hall, the Public Services Agency and the Central Electoral Commission, in the interest of the local citizens and in accordance with the legal framework

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<sup>41</sup> [CEC Decision](#) no. 1538 from 1 November 2023 on special conditions for exercising the right to vote in the local general elections of 5 November 2023.

## V. PERFORMANCE OF ELECTORAL COMPETITORS

### 5.1. Electoral promotion activities

During the monitored period, Promo-LEX observers reported at least 1,421 activities promoting candidates and electoral competitors (see Table 3). The most widespread activities were the distribution of electoral materials, which accounted for 51% of all reported activities, followed by meetings with voters - 37% and participation in electoral debates - 4%.

Table no. 3. Electoral promotion activities

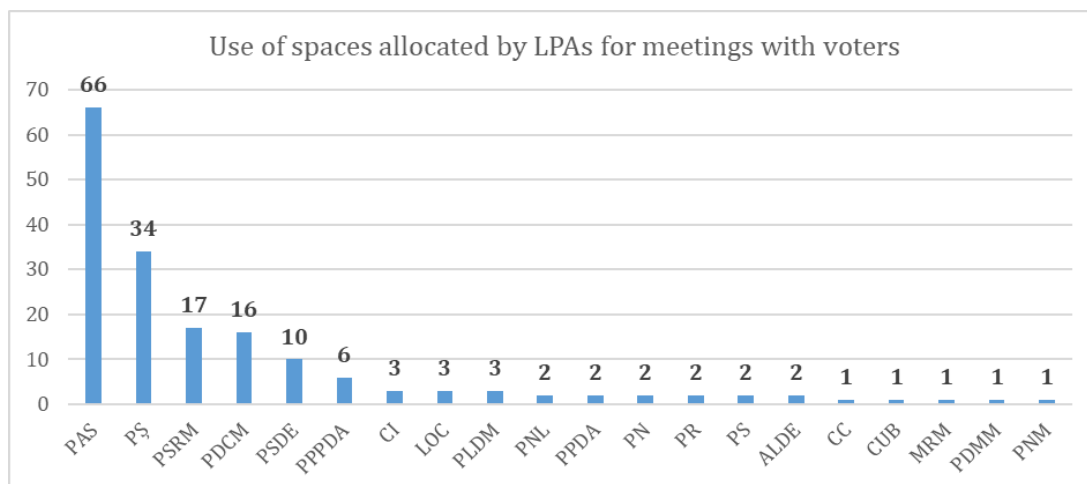
Type of carried out activities	PAS	PSRM	PŞ	PDCM	PLDM	PPPDA	PSDE	PN	PR	CUB	PS	MAN	PCRM	CC	MRM	LOC	PACE	PNM	PDMM	ALDE	PPDA	40 IC	Other 6 parties	Total
Distribution of electoral materials	143	157	70	30	24	41	41	31	33	23	11	28	13	9	13	7	1	4	3	4		23	13	722
Meetings with voters	147	96	66	47	33	15	15	19	6	9	12	4	2	7	1	3	3	2	1		4	25	4	521
Electoral debates	4	3	1	1	4	1	2		2	2	3		6	3	1	1	2	1	1	1		7	7	53
Live portal broadcasts	3	3	7	2	1	6	4	1		1		10											7	45
Others	19	6	34	3	5	5	1		1	3	9		1	2		1	1				1		1	93
<b>Total activities</b>	<b>316</b>	<b>265</b>	<b>178</b>	<b>83</b>	<b>67</b>	<b>68</b>	<b>63</b>	<b>51</b>	<b>42</b>	<b>38</b>	<b>35</b>	<b>42</b>	<b>22</b>	<b>21</b>	<b>15</b>	<b>12</b>	<b>7</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>55</b>	<b>19</b>	<b>1.421</b>

According to Promo-LEX observers' reports, most activities were carried out by PAS - 22%, followed by PSRM - 19%, PŞ - 13% and PDCM - 6%. Of the total activities observed, most were organised in Chisinau - 31%, followed by Balti - 9% and Ungheni - 5%.

With regard to meetings with voters, we point out that in 175 cases it is a question of using the premises allocated by local public administrations. Thus, observers reported that in at least 124 localities, premises were used for 175 meetings with citizens by 19 political parties and 3 independent candidates. Of these, 141 meetings were organised free of charge and 34 - against payment.

Most meetings were organised by PAS - 66 (of which 57 - free of charge, 9 - against payment), followed by PŞ - 35 (of which 26 - free of charge, 8 - against payment), PSRM - 17 (of which 10 - free of charge, 7 - against payment) and PDCM - 16 (of which 14 - free of charge, 2 - against payment) (see chart no. 2).

Chart no. 2



## 5.2. Use of electoral advertising

During the same period, Promo-LEX observers reported at least 2,420 cases where electoral advertising was used (see Table 4). The most common forms of advertising were voter information materials (newspapers, posters, flyers, etc.), which were observed in 42% of cases, followed by street billboards and tents - 19%, visibility materials of competitors (vests, caps, bags, etc.) - 16% and paid advertising on social media - 13%.

Table no. 4. Electoral campaign advertising

Types of advertising	PAS	PSRM	PŞ	MAN	PN	PDCM	PSDE	PR	PLDM	CUB	PPPDA	37 IC	MRM	PS	PNM	Other 14 parties	Total
Newspapers, leaflets, flyers etc.	245	210	110	22	42	53	61	40	46	20	44	42	15	14	5	58	1.027
Street billboards, tents	133	76	39	23	32	32	14	31	5	27	29	7	5	6	2	10	471
Vests, bags, caps, etc.	121	129	37	1	10		13	17	4	12	16	0	5	3	4	14	386
Sponsored posts	99	0	1	71	29	4	0	2	34	34	1	1	16	9	19	1	321
Video spots	56	7	19	7	2	19	10	10	10	4	2	9	3	2	3	22	185
Local print media	3				2	1	8		1	1	3	1				0	20
Online banners	1	1	2		2			2		1	1	0				0	10
<b>Total cases</b>	<b>658</b>	<b>423</b>	<b>208</b>	<b>124</b>	<b>119</b>	<b>109</b>	<b>106</b>	<b>102</b>	<b>100</b>	<b>99</b>	<b>96</b>	<b>60</b>	<b>44</b>	<b>34</b>	<b>33</b>	<b>105</b>	<b>2.420</b>

Observers reported the most cases of use of electoral advertising for PAS - 27%, followed by PSRM - 17%, PŞ - 9% and MAN - 5%.

According to paragraph 15 of the CEC Regulation on the provision, distribution and dissemination of political and electoral advertising and messages of public interest<sup>42</sup>, the broadcasting of political advertising is prohibited during the electoral campaign. It is also prohibited to use political advertising material as electoral propaganda material.

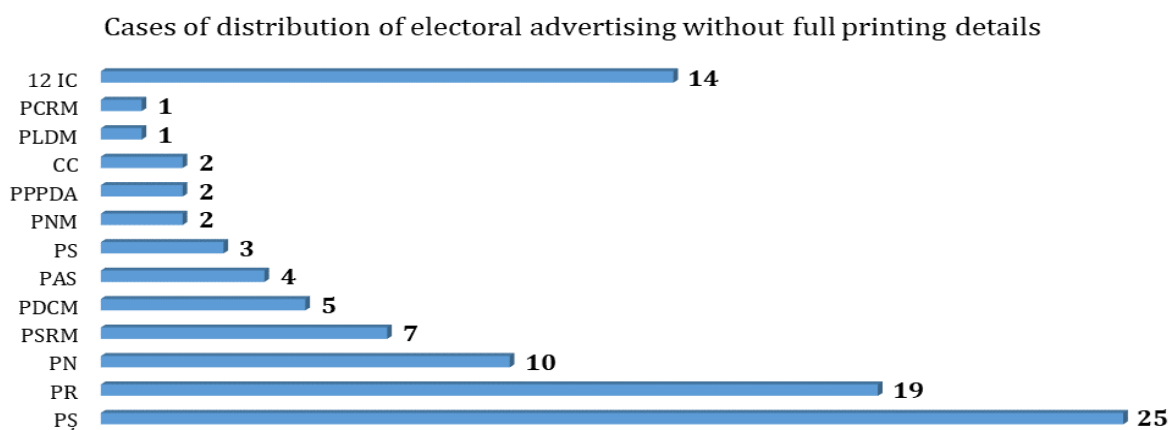
Contrary to the above, Promo-LEX observers reported at least 9 cases where election advertising was distributed simultaneously with political advertising. Of these, in 4 cases PSRM was targeted, in 2 cases - CUB, in 1 case each - PAS, MAN and PR.

According to points 19 and 97 of the Regulation, each printed material must contain the following information: a clearly legible, easily distinguishable and comprehensible name of the supplier who ordered it and the name of the subject of the advertising; the heading "Political advertising", "Electoral advertising"; the identification data of the specialised economic entity providing the printing service and, where appropriate, of the person who produced the design and/or layout of the printed material; the print run, the order number and the payment invoice number.

Contrary to the above, at least 95 cases were reported where election advertising did not contain the full information required by the legal framework (see Chart 3). Of these, in 25 cases PŞ was targeted, 19 - PR, 14 - IC<sup>43</sup>, 10 - PN, 7 - PSRM, 5 - PDCM, 4 - PAS etc.

<sup>42</sup> CEC [Regulation](#) on the procedure for provision, distribution and dissemination of political and electoral advertising and messages of public interest, approved by CEC Decision no. 1155 of 4 August 2023.

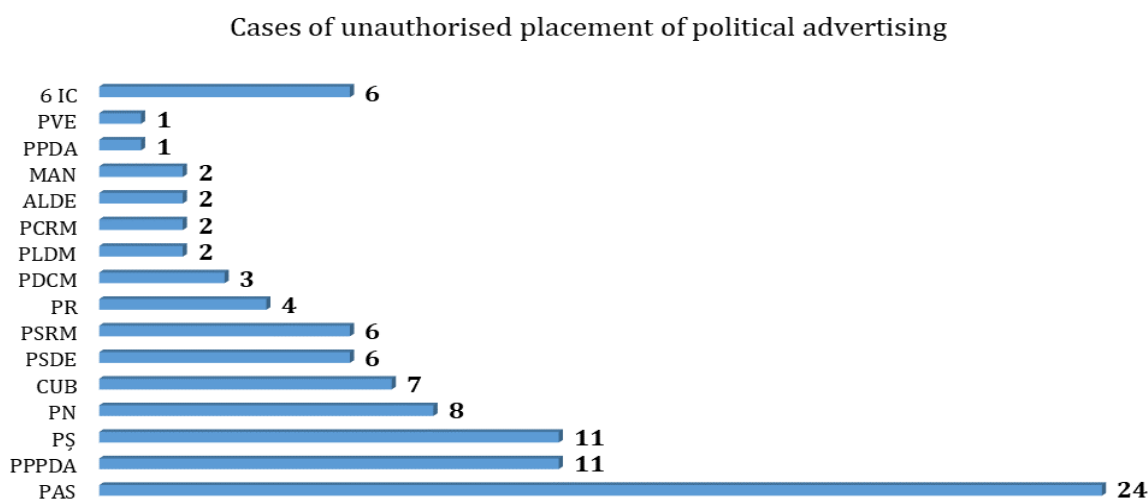
<sup>43</sup> IC Verdeş Aurel - 3 cases, one case each - IC Topal Anatoli, IC Jizdan Vadim, IC Sobor Vasili, IC Caraseni Stepan, IC Anastasov Serghei, IC Dudoglo Nicolai, IC Budişteanu Igor, IC Gorban Olga, IC Petică Gheorghe, IC Bumbu Ion and IC Vrabie Dumitru.



Also, according to paragraph 76, it is prohibited to place electoral advertising on public transport station pavilions, on trees and/or by damaging/destroying trees, on pillars, in cemeteries, places of worship, squares, parks, public gardens, on wayside crosses, on the outer side of windows and balconies of residential blocks, on fences of private households, as well as on their enclosures, etc. Placing advertising posters outside designated places constitutes an offence and is punishable under the Contravention Code.

Contrary to the above, at least 96 cases of distribution of electoral advertising in violation of legal provisions were observed (see Chart 4). Of these, 24 cases concerned PAS, 11 - PPPDA and PȘ, 8 - PN, 7 - CUB and 6 - PSDE, PSRM and IC<sup>44</sup>.

Chart no. 4



### 5.3. Misuse of administrative resources <sup>45</sup>

During the monitored period, Promo-LEX found 77 cases that can be qualified as misuse of administrative resources, as follows:

- ***Involvement in campaign activities of persons holding public office - 21 cases (PAS).***

During the reporting period, at least 8 cases were observed in which Dorin Recean, Prime Minister of the Republic of Moldova, participated in electoral meetings in support of PAS candidates and in

<sup>44</sup> One case each - IC Anastasov Serghei, IC Caraseni Stepan, IC Kasharnaya Vera, IC Sobor Vasili, IC Dandis Nicolae and IC Bumbu Ion.

<sup>45</sup> The definition of the term and reference to some international standards in the field can be found in [Report no. 2 of Promo-LEX OM of the local general elections of 5 November 2023](#), p. 25.



electoral activities organized by PAS to promote candidates registered for the elections. Thus, from 21 to 22 and 28 to 29 October 2023, Dorin Recean was present and promoted PAS candidates in 8 electoral meetings organized in Drochia, Falesesti, Dubasari, Telenesti, Cahul and Ialoveni.

During the same period (21 - 22 and 28 - 29 October 2023), Dan Perciun, Minister of Education and Research, also promoted PAS candidates in at least 5 electoral meetings organized in localities of Glodeni and Edinet.

Andrei Spînu, Minister of Infrastructure and Regional Development, campaigned for PAS candidates in at least 8 electoral meetings held in localities of Cimislia, Orhei, Criuleni, Sângerei, Dubăsari and Chişinău.

In this context, we recall that during the electoral period, both the Government of the Republic of Moldova and the Ministry of Education and Research have communicated some measures initiated to ensure the free and fair conduct of elections. Therefore, we consider that in these circumstances, it is necessary for the respective institutions to respect the principle of neutrality.

Similarly, we note that the Venice Commission<sup>46</sup> has stipulated that in order to prevent the misuse of administrative resources in electoral processes, as well as to ensure the principle of state neutrality, the legal framework should ensure the neutrality of public office by prohibiting public officials from carrying out electoral campaign activities in their official capacity, either as candidates themselves or as supporters of certain candidates. It is important to maintain a clear separation between the state and political parties, in particular, political parties should not merge with the state.

**- *Involvement of LPAs in electoral promotion activities of candidates - 15 cases (6 - IC Veaceslav Lupov, 9 cases - PŞ).***

*The case of the independent candidate.* At least 6 cases have been reported in which the social media page of the Taraclia Town Hall<sup>47</sup> promoted the suspended mayor Veaceslav Lupov. In this context, we would like to mention that Veaceslav Lupov, although an independent candidate, is promoted by PŞ and Ilan Sor<sup>48</sup>.

*The PŞ case.* In another case, on the official social media page of Orhei District Council<sup>49</sup> live video of events organised on the occasion of 6 feasts and 3 inaugurations (road, stadium and summer stage) in the localities of Orhei district was posted. During these events, LPA representatives mentioned the contribution of "Ilan Sor's team", in some cases stating that only citizens will decide whether they want these projects to continue (for example, at the church service in Crisova Noua). In most cases, a congratulatory message from Ilan Sor was also shown on a LED screen. On the other hand, Ilan Sor is promoting the candidates of the Socialist Party in the context of the local elections of 5 November 2023<sup>50</sup>. In Promo-LEX's opinion, although there is no direct call to vote for a specific candidate, the promotion of „Ilan Sor's team” at these events affects the principle of equal opportunities for all electoral candidates.

**- *electoral candidates taking credit for works/services of public use carried out with public money - 16 cases (6 - PS, 5 - PAS, 4 - MAN, 1 - LOC).***

*The PS case.* It was observed that 6 live videos were distributed on social networks from locations where landscaping, repair and renovation works were carried out in public spaces, implemented in mun. Balti, at the level of local authorities, with public money (renovation of three alleys in Balti<sup>51</sup>,

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<sup>46</sup> Joint [Guidelines](#) for preventing and responding to the misuse of administrative resources during electoral processes, adopted by the Council for Democratic Elections at its 54th meeting, Venice, 10 March 2016 and by the Venice Commission at its 106th plenary session, Venice, 11-12 March 2016.

<sup>47</sup> [Town Hall](#) of Taraclia. In addition to the page indicated, there is also a page in Romanian – [Primăria](#) (Town Hall) Taraclia.

<sup>48</sup> Promotion of IC Lupov Veaceslav by [Ilan Sor](#).

<sup>49</sup> Feasts from villages of [Clişova Nouă](#), [Mârzeşti](#), [Ghetlova](#), [Step Soci](#), [Hâjdieni](#), [Sămănanca](#), inaugurations from [Mălăieşti](#), [Orhei](#) and [Cişmea](#).

<sup>50</sup> Promotion of PŞ candidates by [Ilan Sor](#).

<sup>51</sup> [Renovation](#) of some [alleys](#) from mun. [Bălţi](#).

repair and landscaping of the land around the city lake<sup>52</sup>, landscaping of the central park<sup>53</sup>, repair of roads<sup>54</sup>). However, the mayor of Balti, Nicolae Grigorişin was given credit for these works.

*The PAS case.* During the monitoring period, at least 5 cases were observed on social networks where PAS candidates/representatives gave credit to the party for projects implemented from the public budget – “European Village”, „European Village Express”, renovation of roads, kindergartens and schools, street lighting, etc. Thus, for example, in the case of the PAS Rascani page<sup>55</sup>, it is mentioned that „PAS brings Europe to Rascani through: 8 European Village projects; 14 European Village Express projects, etc.”.

On PAS Sangerei page<sup>56</sup> it is mentioned that „thanks to the European Village Express programme, the renovation works of the House of Culture in the commune of Coscodeni, Sangerei district have been completed. (...) At the same time, the public lighting system was modernized in the locality, also through the local development project which is part of the “European Village Express” program (...) For more projects, on November 5 we will go out to vote, we will vote PAS in all ballots. In the commune of Coscodeni - we vote for Liubovi Gobjila, and in the commune of Ciuciuieni - we vote for Albu Alexandru”.

In a promotional electoral video spot, the PAS candidate for the office of mayor of Dobruşa, Soldanesti, Vadim Grosu<sup>57</sup>, says: „I managed to bring street lighting to the locality through the European Village and the European Express Village”.

In a promotional electoral video spot of PAS candidate for mayor in Peresecina village, Orhei, Valentina Buzu<sup>58</sup>, she is credited for building local roads, building a water treatment plant, including through the „European Village Express” programme, etc.

On his personal page, Andrei Spînu, Minister of Infrastructure and Regional Development, in the context of an electoral meeting in the village of Pârâta, Dubasari, said<sup>59</sup>: „At the village kindergarten, the project for the construction of a children's sports field, financed by the European Village programme, has been completed. I spoke to the employees of the institution and urged them to support the PAS team in these elections”.

*The MAN case.* During the monitored period, MAN had two live broadcasts from the political party's premises, against the background of the electoral symbol from the local elections, where the electoral competitor took credit for financial and investment achievements<sup>60</sup>, as well as for achievements in the field of anti-corruption and increasing transparency<sup>61</sup> of the City Hall of mun. Chisinau. Also, in two electoral video spots, MAN takes credit for the rehabilitation of the pedestrian street<sup>62</sup>, the renovation of sidewalks, kindergartens and roads<sup>63</sup> from mun. Chisinau.

*The LOC case.* On October 24, 2023, during an official event organized by LPA, the town of Edinet received several buses for the car transport fleet. The event was also attended by the suspended mayor of the town, a candidate nominated by LOC, Constantin Cojocari, who took credit for this procurement from the local budget. Pictures of the event, featuring also the LOC candidate with LPA employees, were posted on social media, but were soon deleted.

We underline that the state and local budgets are made up of contributions from all citizens/voters, who obviously may have different political choices. Promo-LEX considers that taking credit for public

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<sup>52</sup> [Landscaping](#) of town lake.

<sup>53</sup> [Landscaping](#) of central park.

<sup>54</sup> [Repair](#) of a street in mun. Bălţi.

<sup>55</sup> [PAS](#) brings Europe to Râşcani district.

<sup>56</sup> [Post](#) of PAS Sângerei.

<sup>57</sup> Electoral [Spot](#) video from Dobruşa.

<sup>58</sup> Promotional [Spot](#) video of PAS candidate Valentina Buzu.

<sup>59</sup> [Post](#) of Andrei Spînu from 18.10.2023.

<sup>60</sup> [President](#) of Party MAN, Ion Ceban, holding a press conference.

<sup>61</sup> [President](#) of Party MAN, Ion Ceban, holding a press conference.

<sup>62</sup> Electoral [Spot](#) – pedestrian street.

<sup>63</sup> Electoral [Spot](#) – achievements made.

works/services carried out with public money by some candidates affects the equality of chances of electoral competitors and, therefore, the right of voters to free, objective and fair information on the performance of each candidate. Thus, such actions can have a significant impact on voters' informed voting.

- **organisation of electoral meetings in public institutions with employees of the respective institutions during their working hours - 25 cases (6 - PSRM, 5 - PAS, 4 each - PLDM and PDCM, 2 each - PSDE and IC Vitalie Vrabie, 1 each - PR and IC Serghei Anastasov).**

During the monitoring period, at least 25 cases were observed in which electoral competitors organised electoral meetings with employees of public institutions during their working hours (see Table 5). Of these, in 6 cases PSRM was targeted, in 5 cases - PAS, in 4 cases - PLDM and PDCM, in 2 cases - PSDE and IC Vitalie Vrabie, in 1 case - PR and IC Serghei Anastasov.

*Table no. 5. Electoral meetings held in public institutions during working hours of employees of these institutions*

Competitor	No.	Date	Location	Institution
IC Anastasov Serghei	1	20.10.2023	UTAG, Comrat	Kindergarten
IC Vrabie Vitalie	1	18.10.2023	Ungheni	Kindergarten „Licurici”
	2	20.10.2023	Ungheni	TL „Ion Creangă”
PAS	1	19.10.2023	Bălți	Gymnasium „Alexandru Ioan Cuza”
	2	26.10.2023	Dubăsari, Molovata	School
	3	26.10.2023	Ungheni	Public Library „Dimitrie Cantemir”
	4	26.10.2023	Bălți	TL „Lucian Blaga”
	5	27.10.2023	Orhei	„Orhei-Vit” SRL
PDCM	1	18.10.2023	Dubăsari, Coșnița	Kindergarten
	2	19.10.2023	Chișinău	PMHI MTA Centre
	3	19.10.2023	Dubăsari, Coșnița	School
	4	20.10.2023	Dubăsari, Coșnița	Moldovagaz SA, branch Dubăsari
PLDM	1	18.10.2023	Ungheni	Kindergarten „Guguță”
	2	19.10.2023	Ungheni	
	3	19.10.2023	Ungheni	Territorial Social Insurance House
	4	23.10.2023	Ungheni	Kindergarten „Licurici”
PR	1	19.10.2023	Chișinău	TL „Mihai Viteazul”
PSDE	1	18.10.2023	Ungheni	TL „Ion Creangă”
	2	19.10.2023	Chișinău	Institute of Neurology and Neurosurgery
PSRM	1	19.10.2023	Chișinău, Cricova	Kindergarten
	2	20.10.2023	Chișinău	ME Green Spaces Management Association
	3	25.10.2023	Taraclia	Gymnasium no. 3
	4	25.10.2023	Chișinău	ME „Liftservice”
	5	25.10.2023	Chișinău	Institute of Neurosurgery
	6	26.10.2023	Chișinău	Blood Transfusion Centre

#### 5.4. Activities with voter corruption potential

According to art. 181<sup>1</sup> of the Criminal Code, offering or giving money, goods, services or other benefits in order to induce a voter or supporter to exercise or not to exercise his/her electoral rights in elections is punishable by a fine of 750 to 1.150 conventional units (37,500 - 57,500 lei) or imprisonment for a term of one to five years, and the legal person shall be punished by a fine of 6,000 to 8,000 conventional units (300,000 - 400,000 lei) with deprivation of the right to carry out a certain activity or liquidation of the legal person.

During the monitoring period, **at least 5 cases that can be qualified as voter corruption were observed (PȘ - 2 cases, one case each - PAS, PLDM, IC Iurie Zagorcea).**

Thus, on 27 October 2023, from information provided by several sources, it was found that IC Iurie Zagorcea, candidate for local councillor in Blesteni, Edinet, being financially supported by children and

friends from abroad, through the Association of Blesteni-Volodeni People<sup>64</sup>, allegedly donated a washing machine and a laundry dryer to the local community center.

On 27 October 2023, the PLDM candidate for mayor of the town of Ungheni, Lidia Sanduleac<sup>65</sup>, made a donation to three families in the town: 6 pillows, 3 bags of potatoes and other food products.

On 22 October 2023, PAS candidate for mayor of Bulboci village, Soroca, organized a trip for 9th grade students from the local gymnasium to the Prut valley, to Costești, to the Costești-Stânca reservoir and to the „Suta de movile” nature reserve.

On 22 October 2023, PȘ candidate for mayor of the village of Pârâta, Dubasari, organised an entertaining event for the villagers. During the event, children had the opportunity to enjoy themselves on a slide, with activities moderated by two animators. A lottery was organised for adults, where 6 kettles, an electric cooker, 10 boxes of biscuits were given away. Participants also had juice (small boxes - about 70), still water, ice cream and cakes. During the event, three volunteers, with no visible party signs, distributed electoral leaflets of PȘ candidate.

On 18 October 2023, in a live broadcast on social media<sup>66</sup>, the interim mayor of the town of Taraclia, Marta Chemengeji, announced that the mayor's office had received from sponsors (their identity was not specified) the donation promised at the city's feast day in May - four GAZEL minibuses. The information was taken up and distributed on social networks by IC Veaceslav Lupov, suspended mayor, independent candidate, supported by Ilan Sor and PȘ (at the campaign launch event of PȘ in Taraclia, on 15.10.2023, on the stage, along with PȘ candidates, also Veaceslav Lupov was present).

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<sup>64</sup> [Post](#) Association of Blesteni – Volodeni People.

<sup>65</sup> [Donation](#) made by the PLDM candidate Lidia Sanduleac.

<sup>66</sup> Live [Video](#) broadcast by the interim mayor of Taraclia town, Marta Chemengeji.

## VI. ELECTORAL CAMPAIGN FINANCING

The financing of initiative groups (IGs) and electoral campaigns is regulated by the Electoral Code<sup>67</sup>, the Contravention Code<sup>68</sup>, the Criminal Code<sup>69</sup>, the Law on Political Parties<sup>70</sup>, the Law on Advertising<sup>71</sup> and the CEC Regulation on financing of initiative groups and electoral campaigns<sup>72</sup>. CEC is the body mandated with receipt, verification, supervision and control of financial reports on campaign financing.

### 6.1. Financial reporting to CEC and management of the process by the electoral body

#### 6.1.1. Process management by CEC

On 26 October 2023, by CEC Decision no. 1495 of 26 October 2023, the reports on electoral campaign financing submitted by the electoral competitors as of 6 October 2023 were examined. Attention is drawn to the fact that at the time of report publication other CEC decisions on campaign financing had not been approved. On the basis of the mentioned decision, CEC ruled:

- warning 10 electoral competitors<sup>73</sup> who did not comply with the legal provisions on informing, within the set deadline, about the opening or non-opening of the „Electoral Fund” account and/or the non-existence of financial transactions, including the compliance with the reporting schedule set out in the calendar schedule;
- warning 3 electoral competitors (PN, PLDM and CUB) for the use of financial means before declaring them to CEC;
- warning electoral competitors who have not appointed the treasurer (PDMM<sup>74</sup>, FASM, PACE, PPBN, PPPPN and PPRM);
- warning 2 electoral competitors (PDCM and CUB) for exceeding the ceiling of donations collected;
- summoning 2 electoral competitors to transfer to the state budget the amounts received above the ceiling (PDCM - 11,400 lei and CUB - 300 lei).

With reference to compliance with the provisions of art. 58, para. (8) of the Electoral Code (publication of financial reports within 24 hours of receipt) and of point 81 of the Regulation on the financing of initiative groups and electoral campaigns (publication of these reports in a reusable format), Promo-LEX appreciates CEC's efforts in this regard - especially given the registration of a large number of candidates (36 political parties and 1,174 ICs)<sup>75</sup>.

Thus, we find that in some cases the process of verifying financial reports has become simpler - in some parts. For example, it is easier to extract general data from reports.

However, to increase the transparency of campaign financing and the level of citizens' confidence in the electoral process, we believe that CEC's efforts should be intensified. Thus, in the process of examining the reports on electoral campaign financing, we note the following difficulties:

- *the format of the financial reports published on the CEC website does not correspond to open data principles;*

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<sup>67</sup> Electoral [Code](#) of the Republic of Moldova.

<sup>68</sup> Contravention [Code](#) of the Republic of Moldova.

<sup>69</sup> Criminal [Code](#) of the Republic of Moldova.

<sup>70</sup> [Law](#) no. 294 from 21 December 2007 on Political parties.

<sup>71</sup> [Law](#) no. 62 from 17 March 2022 on advertising.

<sup>72</sup> CEC [Decision](#) no. 1185 from 18 August 2023 for approval of Regulation on the financing of initiative groups and electoral campaigns.

<sup>73</sup> PNL, ALDE, PACE, PONA, PŞ, PPVP, PNM, PCRM, PPM and CC.

<sup>74</sup> The Treasurer appointed by PDMM was confirmed by CEC decision the next day, on 27 October 2023.

<sup>75</sup> [CEC](#) presents information on the candidates' profiles for the local general elections of 5 November 2023.

In addition to the fact that some reports continue to be published in pdf image format, in the case of reports considered to be in reusable format, they do not comply with open data principles. Thus, when trying to convert reports considered to be in a reusable format, some parts of them disappear, others do not convert - keeping their image format.

- *financial reports published in the format considered by the CEC to be reusable limit the transparency of campaign financing;*

In the case of financial reports published in the format considered by CEC as reusable, they do not allow to see the deadline by which the reports were submitted. Therefore, as the legal framework provides for the sanctioning of competitors who submitted financial reports after the deadline, interested parties do not have access to this information.

- *corrections made to financial reports are not available to all electoral competitors.*

In the process of verifying the financial reports, it was found that the information presented by competitors differed from one report to another, although no changes to the report were published between the reports. Thus, for example, the financial reports submitted by EB Ruslan Codreanu differ significantly from one reporting period to another (in the revenue section).

In the case of PDCM, the report submitted on 27.10.2023 contains different information on accrued income as of 13.10.2023, although the data in the reports of 13 and 20 October were similar. It should be noted that between 13 and 27 October no data correction report was published, which makes it difficult to correctly establish the revenues declared by the competitor.

In view of the above, we urge CEC to increase the necessary efforts to address the above-mentioned shortcomings.

### **6.1.2. Financial reporting of electoral competitors**

The financial reporting process of electoral competitors includes the following steps:

- *Nomination and submission for confirmation of the person responsible for finances (treasurer).*

According to art. 55, para. (1) of the Electoral Code, the electoral competitor or initiative group shall nominate and submit for confirmation a person responsible for finances (treasurer) either to CEC (for political parties and electoral blocs nominating candidates for local elections) or to ECEC (for initiative groups and independent candidates).

Of the 36 political parties that nominated candidates, by the time the report was submitted, 5 had not confirmed with CEC the person in charge of finance (treasurer)<sup>76</sup> (see Annex no. 2).

- *Opening the "Electoral Fund" account.*

According to art. 56 para. (1) of the Electoral Code, within 3 days after registration, the electoral competitor must open an account with the bank with the mention "Electoral Fund". Subsequently, within 24 hours, the information about the opened account shall be submitted to the CEC/ECEC. In case of not opening the mentioned bank account, the electoral competitor shall inform the CEC/ECEC about this fact, carrying out electoral campaign activities not involving financial expenditures.

According to the information published on the CEC page, of the 36 political parties, only 6 did not inform/open the „Electoral Fund" account<sup>77</sup> (see Annex no. 2). In the case of ICs, according to CEC page as of 31 October 2023, out of the 1,174 registered ICs, only 35 ICs opened the „Electoral Fund" account (see Annex no. 2).

- *Submission of the financial report at the beginning of the campaign by political parties intending to transfer to the "Electoral Fund" account their own financial means.*

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<sup>76</sup> FASM, PACE, PPBN, PPPPN and PPRM.

<sup>77</sup> FASM, NOI, PACE, PPBN, PPPPN and PPRM.

According to art. 57, para. (3) of the Electoral Code, political parties may transfer to the account marked "Electoral Fund" their own financial means, held on their account at the beginning of the electoral campaign, provided that they submit a financial report to CEC indicating information on the accumulated revenues and expenditures incurred until the beginning of the campaign.

According to the official CEC website, 13 political parties (see Annex 2) submitted their financial reports at the beginning of the campaign. PPM did not submit a report at the beginning of the campaign, although on 17 October 2023 it transferred financial resources from the party's current account to the „Electoral Fund" account.

- *Weekly reporting on revenues accumulated and expenditures incurred in the electoral campaign.*

According to art. 58, para. (3) of the Electoral Code, political parties and electoral blocs nominating candidates in the elections shall submit weekly reports to CEC, according to the timetable approved in the Calendar Schedule<sup>78</sup>, on the revenues accumulated and expenditures incurred in the electoral campaign. In the case of ICs, they shall submit weekly reports on revenues accumulated and expenditures incurred in the electoral campaign to the relevant electoral constituency electoral council.

During the monitored period, according to the Calendar Schedule, two reports were to be submitted - by 20 October 2023 and 27 October 2023 respectively. According to the CEC's official website, financial reports due by 20 October 2023 were submitted by 29 political parties and 18 ICs. Reports due by 27 October 2023 were submitted by 29 political parties and 7 ICs (see Annex 2). It should be recalled that, according to art. 48<sup>1</sup> of the Contravention Code, the late submission or non-submission by electoral competitors of reports on campaign financing is punishable by a warning or a fine of 90 to 300 conventional units (4,500 to 15,000 lei).

In terms of quality of reporting, we still note a low level of accuracy in filling in the reports (errors are made) and different approaches to filling in the same types of data. We therefore reiterate the recommendation for CEC to develop a guide/instruction detailing the expenditure lines in the financial reports and the types of expenditure that can be attributed to the corresponding lines.

## **6.2. Revenues and expenditures reported by electoral competitors to CEC**

### **6.2.1. Reported revenues and their source**

According to the official CEC website as of 31 October 2023, for the period 6 - 27 October 2023, 30 political parties<sup>79</sup> and 16 ICs<sup>80</sup> reported revenues totalling 29.8 million lei, of which 1.5 million lei was accrued revenues from material donations. Most revenues were reported by PAS - 23%, followed by PSRM - 15%, PŞ - 12%, PN - 11% and MAN - 9% (see chart no. 5). Therefore, we see that 69% of the total declared revenues were reported by 5 political parties, and the other 41 electoral competitors - only 31% of revenues (25 political parties and 16 ICs).

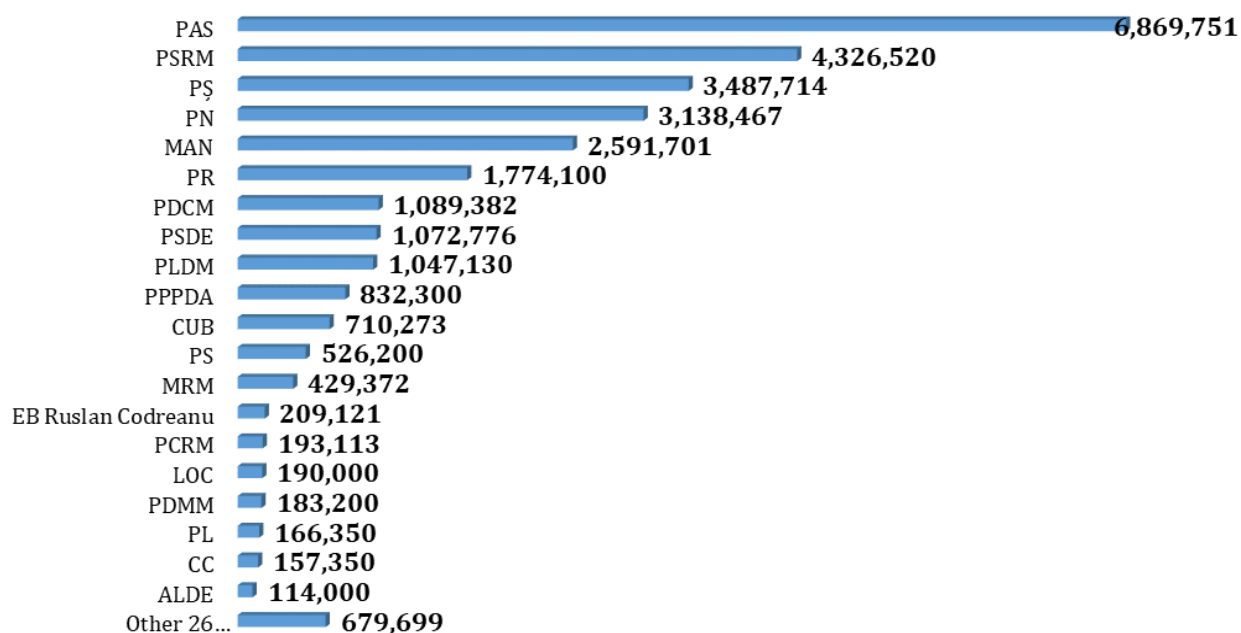
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<sup>78</sup> Calendar [Schedule](#) for organisation and conduct of local general elections on 5 November 2023, approved by CEC Decision no. 1150 of 2 August 2023, p. 54 and 55.

<sup>79</sup> PSDE, PCR, MPSN, PL, PSRM, PVE, PN, PPN, PNL, PLDM, PPM, PPDA, ALDE, PR, PPPDA, PPF, PAS, PPVP, CC, PDMM, PONA, PS, PDCM, PŞ, CUB, MAN, PNM, LOC, MRM, EB Ruslan Codreanu.

<sup>80</sup> IC Guţan Valentin, IC Burlea Ion, IC Malu Vladimir, IC Rusu Tatiana, IC Cimpoş Valentin, IC Tureac Alexandru, IC Buzu Nicolae, IC Marahovschi Victor, IC Cuzuic Ghenadie, IC Dudoglo Nicolai, IC Anastasov Serghei, IC Gheorghiu Veaceslav, IC Topal Anatoli, IC Garizan Oleg, IC Fucedji Vadim and IC Chiciuc Piotr.

Revenues reported by electoral competitors  
(6 - 27 October 2023)



By source of revenue, we see the following situation (see Chart 6):

- 40.3% (12 million lei) of the revenues are financial means transferred from the current account of political parties to the „Electoral Fund” account. Of this, 68% (8.2 million lei) was from state budget allocations, reported by 12 parties<sup>81</sup>, and 32% (3.8 million lei) - from private sources, reported by 7 parties<sup>82</sup>;
- 48.8% (14.5 million lei) were from donations from individuals, reported by 25 political parties<sup>83</sup> and 6 ICs<sup>84</sup>;
- 5.4% (1.6 million lei) were from financial donations from legal entities, reported by 11 political parties and one IC<sup>85</sup>;
- 5.1% (1.5 million lei) were from material donations, reported by 10 political parties and one IC<sup>86</sup>;
- 0.3% (100 thousand lei) were from state interest-free loans reported by 2 political parties (MAN and PDCM).

<sup>81</sup> PSDE, PCRM, MPSN, PSRM, PVE, PN, PLDM, PPM, PPPDA, PPF, PAS and PPVP.

<sup>82</sup> PCRM, PL, PN, PLDM, PAS, PS și PNM.

<sup>83</sup> PSDE, MPSN, PL, PSRM, PVE, PN, PPN, PNL, PLDM, PPDA, ALDE, PR, PPPDA, PAS, CC, PDMM, PONA, PS, PDCM, PȘ, CUB, MAN, LOC, MRM, BE Ruslan Codreanu.

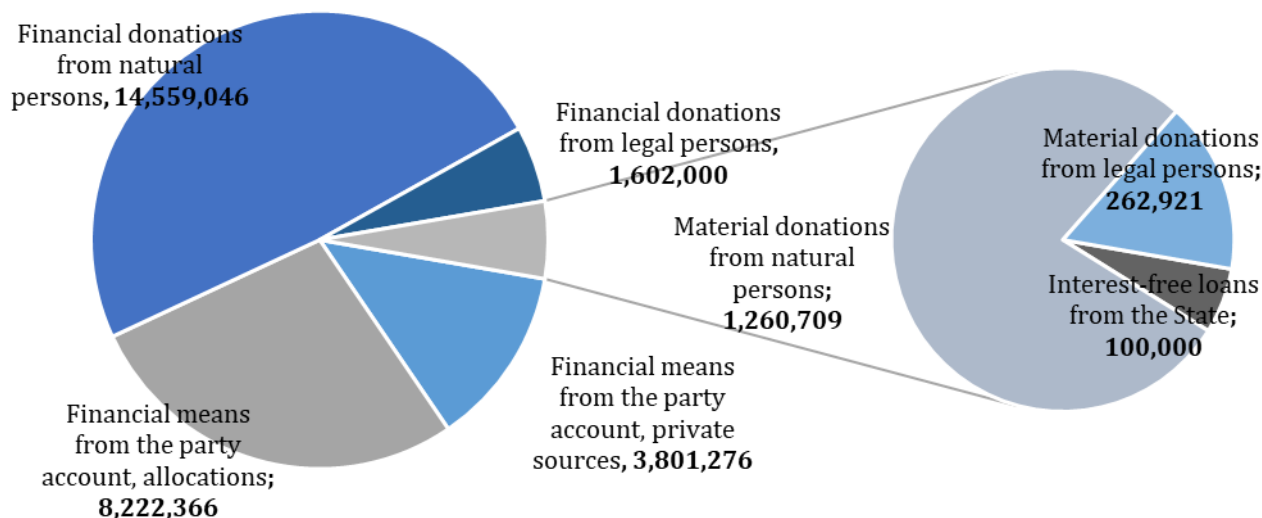
<sup>84</sup> IC Rusu Tatiana, IC Cimpoeș Valentin, IC Marahovschi Victor, IC Dudoglo Nicolai, IC Topal Anatoli, IC Chiciuc Piotr.

<sup>85</sup> PN, PLDM, ALDE, PR, PPPDA, PAS, PS, CUB, MAN, LOC, EB Ruslan Codreanu, CI Fucedji Vadim.

<sup>86</sup> PSDE, PSRM, PN, PPDA, PAS, PȘ, MAN, PNM, MRM, EB Ruslan Codreanu and IC Burlea Ion.



Sources of revenue declared by electoral competitors  
(6 - 27 October 2023)



According to art. 57, para. (4) of the Electoral Code, individuals can make cash donations up to the value of an average salary - i.e. 11,700 lei.

Contrary to the above, in the case of 5 electoral contestants it was observed that cash donations were collected exceeding the mentioned limit, as follows:

- ALDE, on 07.10.2023, registered a cash donation of 20,000 lei, exceeding the ceiling by 8,300 lei;
- PȘ, on 19.10.2023, registered a cash donation of 15,000 lei, exceeding the ceiling by 3,300 lei;
- IC Valeriu Gutan, on 17.10.2023, registered a cash donation of 42,000 lei, exceeding the ceiling by 30,300 lei;
- IC Ghenadie Cuzuioc, on 17.10.2023, registered a cash donation of 12,000 lei, exceeding the ceiling by 300 lei;
- PSRM, in the period 25 - 27 October 2023, registered 5 cash donations of 15,000 lei, one cash donation of 20,000 lei and one - of 30,000 lei, exceeding the cumulative ceiling by 36,500 lei.

Thus, we note that the 5 listed competitors are to transfer to the state budget the cumulative amount of 78,700 lei.

According to art. 54, para. (5) of the Electoral Code, it is prohibited for legal entities to finance or provide material support in any form to electoral campaigns if, in the last three years before the beginning of the electoral period, they have concluded public procurement contracts for works, goods or services within the meaning of Law no. 131/2015 on public procurement. Contrary to the above, in the case of 2 electoral competitors it was observed that donations were collected in the cumulative amount of 50,143.84 lei, in violation of the *above* provision, as follows:

- PAS, on 24.10.2023, registered a donation of 50,000 lei from Moldpresa Grup SRL<sup>87</sup>;
- MAN, on 10.10.2023, registered a material donation in the amount of 143.84 lei (as rent for advertising space) from Alfin Protect SRL<sup>88</sup>.

<sup>87</sup> According to the official website of the Public Procurement Agency, the last contract signed by Moldpresa Grup SRL under the terms of the Law on Public Procurement was on 22.08.2023, with the State University of Medicine and Pharmacy „Nicolae Testemitanu”, in the amount of 576,881.50 lei..

<sup>88</sup> According to the official website of the Public Procurement Agency, the last contract signed by Alfin Protect SRL under the terms of the Public Procurement Act was on 12.01.2022, with the Public Services Agency, in the amount of 7,000.79 lei.

According to art. 57, para. (4), point (2), letter c) of the Electoral Code, in the case of donations to support electoral campaigns, legal entities shall submit to the electoral competitors the information issued by the State Tax Service on the absence of arrears to the budget. Donations received in violation of para. (4), point 2) shall be transferred to the state budget on the basis of a decision adopted by CEC.

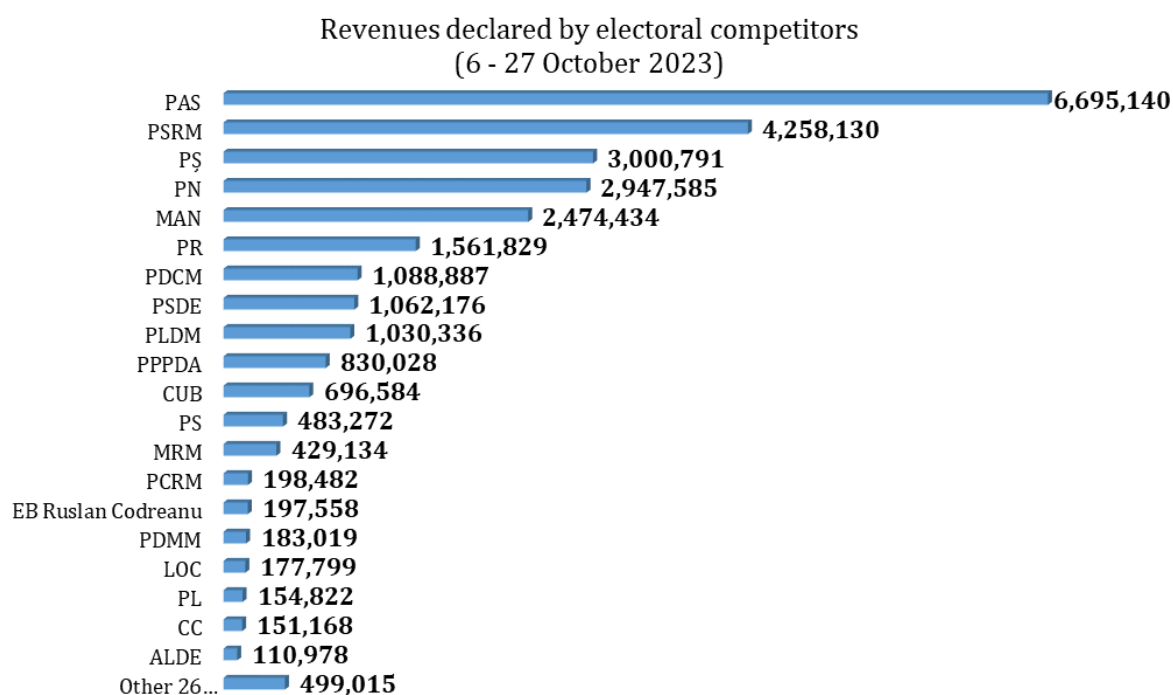
Contrary to the above, following the verification by Promo-LEX of the donations reported from legal entities, in the case of 6 electoral competitors, donations from legal entities were identified that register arrears to the state budget in the cumulative amount of 393.5 thousand lei (see table no. 6). Thus, 10 donations were identified to be made to PAS (99,900 lei), 3 donations - to MAN (26,622.38 lei), one donation each to CUB (137,000 lei), PLDM (70,000 lei), PS (10,000 lei) and LOC (50,000 lei).

*Table no. 6 Donations from legal entities with arrears to the state budget*

<b>Electoral competitor</b>	<b>Donation date</b>	<b>Donation value (lei)</b>	<b>Donor</b>
PLDM	19.10.2023	70.000	Bogdas Trans SRL
PAS	12.10.2023	4.000	B. Fortuna I.E.
	18.10.2023	25.000	Veles-Ventura SRL
	23.10.2023	10.000	Panvio-Auto SRL
	23.10.2023	20.000	Madame Style SRL
	24.10.2023	10.000	Stâncăuți SRL
	24.10.2023	10.000	Good Autoservice SRL
	25.10.2023	10.000	Mini Auto-Grup SRL
	25.10.2023	10.000	Catalor - IID SRL
	21.10.2023	300	Cania Consumer Cooperative
	21.10.2023	600	The Union of Consumer Cooperatives of Făleşti town
PS	16.10.2023	10.000	Vava Trade Invest SRL
CUB	20.10.2023	137.000	Linacor SC SRL
MAN	09.10.2023	6.849,32	Î.I. Somes-Hîncu
	10.10.2023	19.533,33	Î.I. Somes-Hîncu
	10.10.2023	239,73	Claus-D SRL
LOC	10.10.2023	50.000	Leader Energy Group SRL
<b>Total</b>	<b>17 donations</b>	<b>393.522,38</b>	

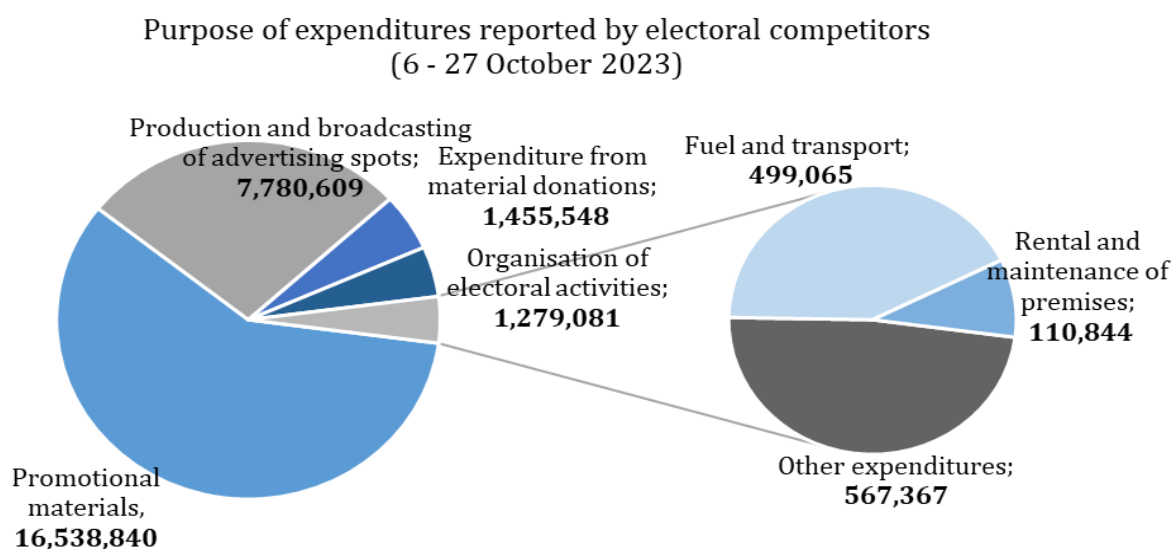
### 6.2.2. Declared financial expenditures and their destination

According to CEC's official website, as of October 31, 2023, 30 political parties and 16 ICs reported expenditures of 28.2 million lei, of which 1.4 million lei were from material donations. The most expenditures were reported by PAS - 24%, followed by PSRM - 15%, PȘ - 11%, PN - 10% and MAN - 9% (see chart no. 7). As for the revenues, we find that 5 political parties reported 69% of the total declared expenditures, while the other 41 electoral competitors - only 31% of the expenditures (25 political parties and 16 ICs).



According to the destination of reported expenditures, most were for production of promotional materials (newspapers, posters, vests, banners, pens, etc.) - 59%, followed by production and broadcasting of advertising spots (where street billboards, radio, TV, internet advertising, etc. were assigned) - 28%, organisation of electoral activities/events - 5% and respectively expenditures from material donations - 5% (see chart no. 8).

Chart no. 8



### 6.3. Civic monitoring of electoral campaign financing

Based on reports compiled by Promo-LEX observers, the expenditures of electoral competitors during the period 6 - 27 October 2023 were estimated. Once estimated, these expenditures were compared with those declared to CEC in the electoral campaign financing reports. As methodological benchmarks for the estimation of expenses, were applied minimum market prices identified for services, goods and works used by competitors for electoral campaigning purposes.

It should be noted that these prices have been applied uniformly for all electoral competitors. In this regard, we believe that some discrepancies may exist between the costs applied by Promo-LEX and those indicated by electoral competitors (both when reporting financial expenditures and expenditures from material donations).

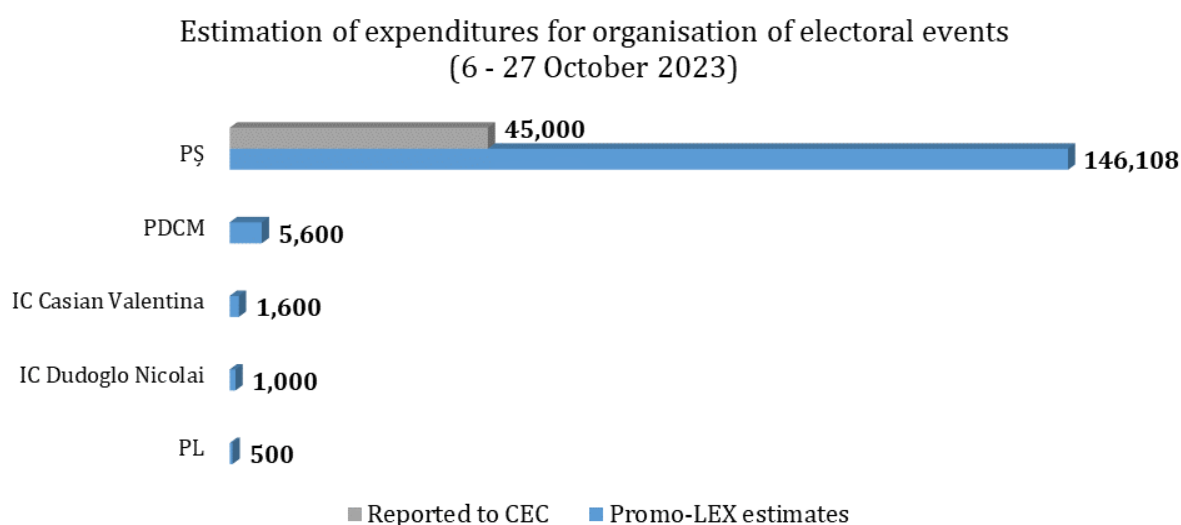
**IMPORTANT!** Please note that the amounts estimated by Promo-LEX for electoral competitors were established based on the financial reports published on CEC's official website as of 31 October 2023.

### 6.3.1. Estimation of expenditures for organisation of electoral events

During the monitored period, Promo-LEX observers reported on the electoral competitors' organisation of electoral meetings, campaign launch events, distribution of electoral materials, etc

Based on these, unreported expenditures of at least **109,808 lei** were estimated for 5 electoral competitors (see chart no. 9). In the case of other electoral competitors, not included in the charts, the estimated amounts did not exceed the expenditures reported by them to CEC. The same approach is taken for all estimated expenditures below.

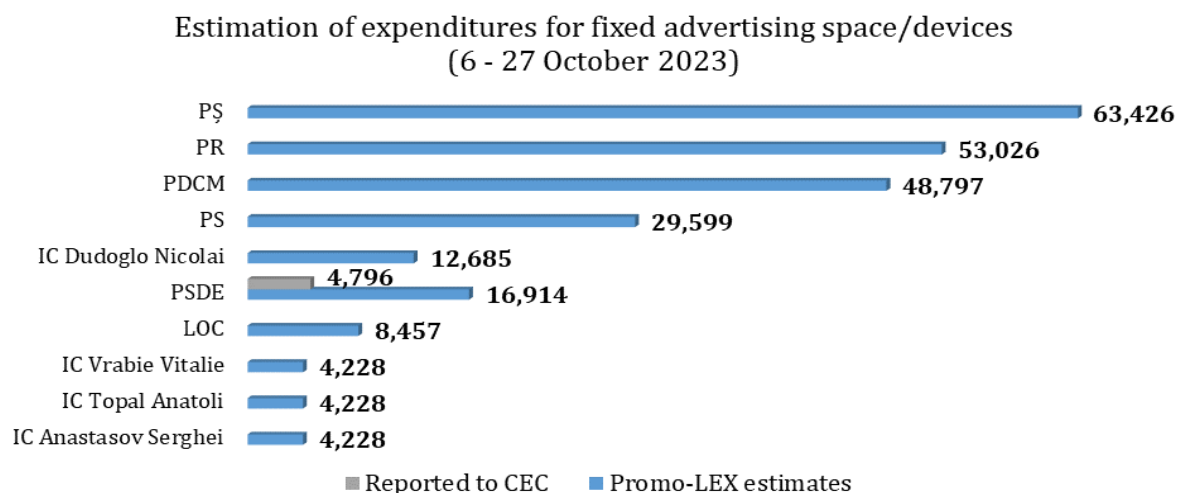
Chart no. 9



#### 6.3.1.1. Estimation of expenditures for fixed advertising space/devices

Promo-LEX observers reported on the use of street advertising by electoral competitors. Based on these reports, unreported expenditure was estimated for 10 electoral competitors in the amount of at least **240,793 lei** (see Chart 10).

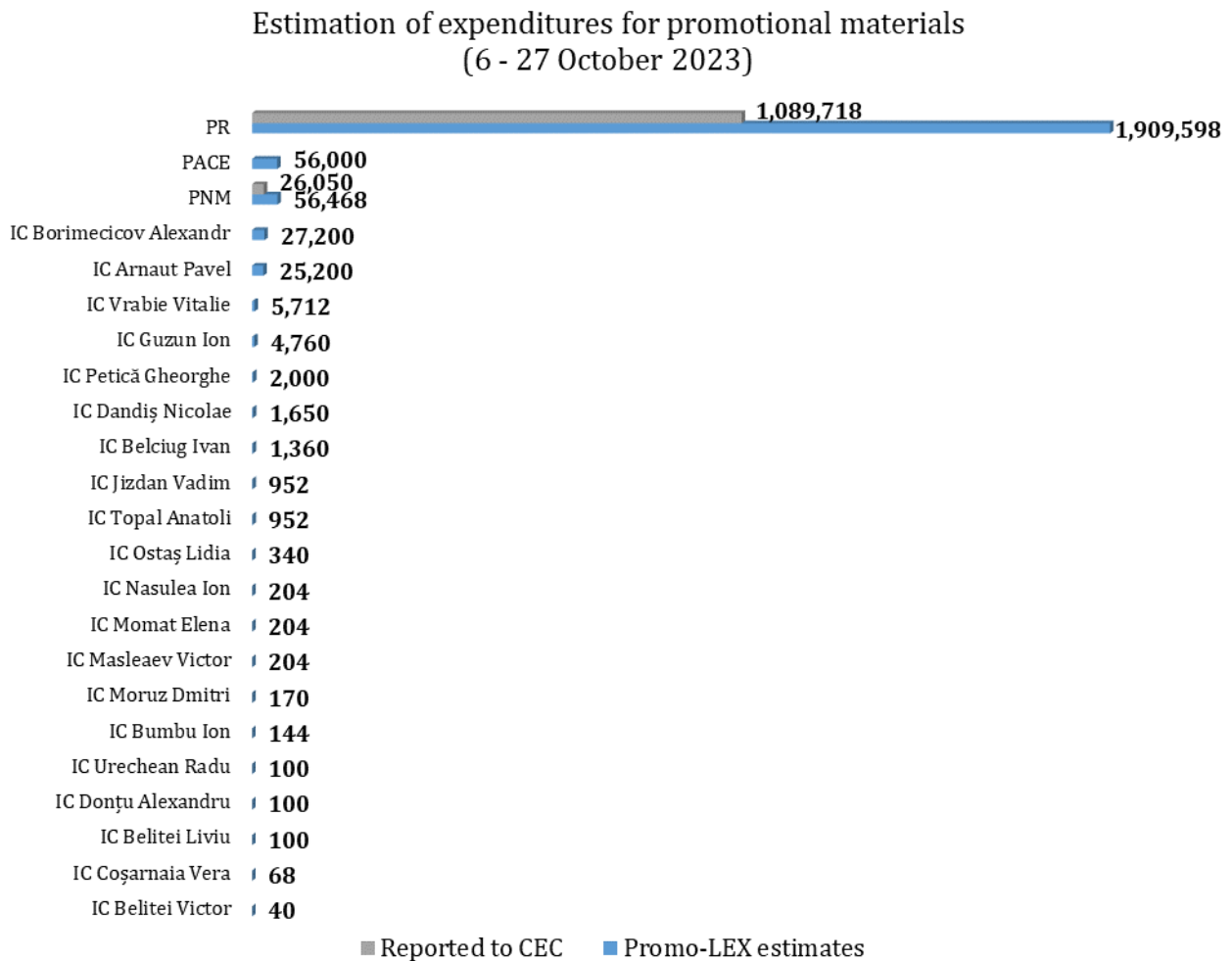
Chart no. 10



### 6.3.1.2. Estimation of expenditures for promotional materials

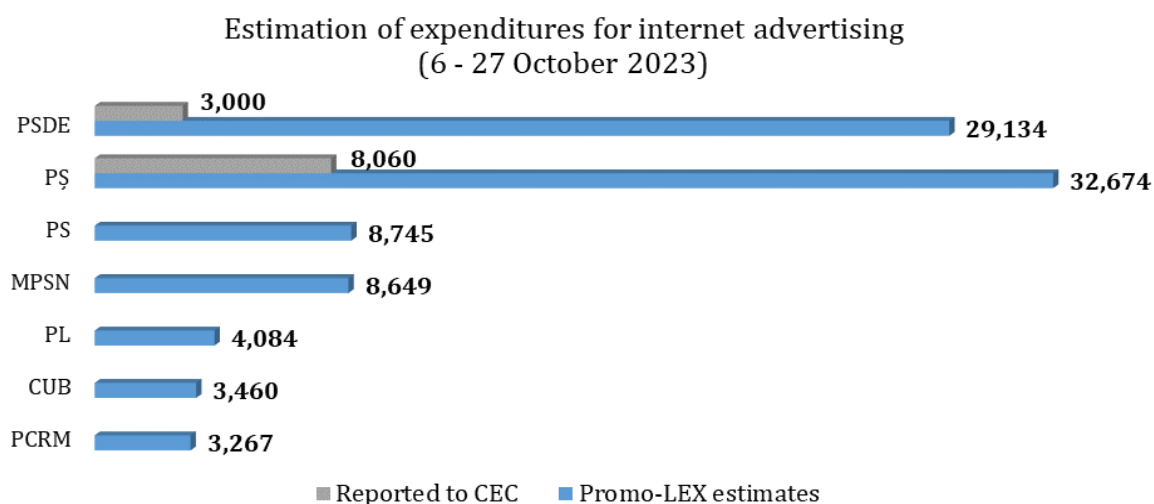
According to Promo-LEX observers, electoral competitors use a wide range of promotional materials in the campaign. Based on the reported information, 23 electoral competitors were estimated to have incurred unreported expenditures of at least **977,758 lei** (see Chart 11).

Chart no. 11



### 6.3.1.3. Estimation of expenditures for internet advertising

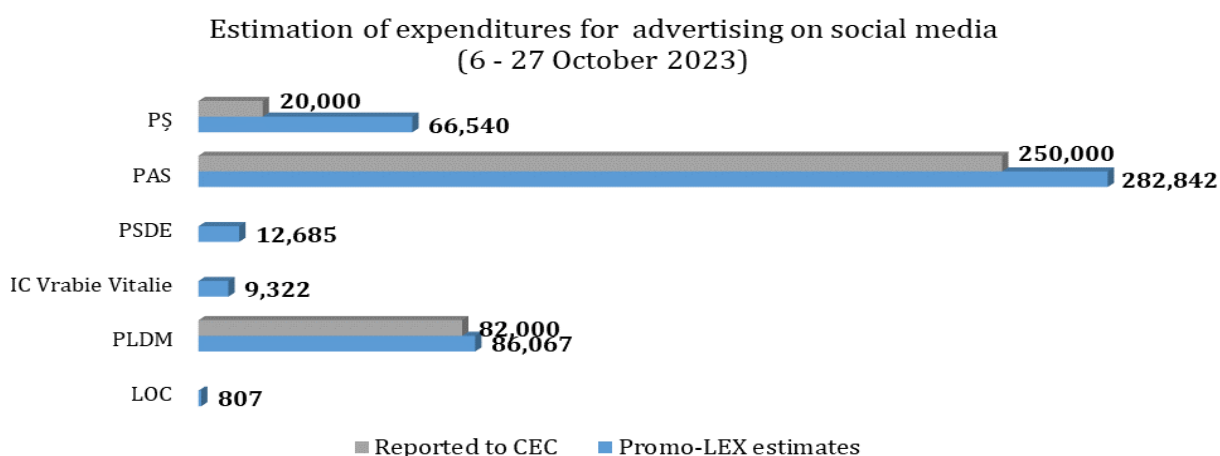
During the monitored period, extensive use of internet advertising was observed through live broadcasting of press conferences, placement of online banners, etc. Based on the reports received, unreported expenditures of at least **78,954 lei** were estimated for 7 electoral competitors (see Chart 12).



#### 6.3.1.4. Estimation of expenditures for social media advertising

As in previous elections, sponsored advertising on social media is widely used. Based on the information identified in the public reports available on Meta, 6 electoral competitors were estimated to have incurred unreported expenditures of at least 106,262 lei (see Chart 13).

Chart no. 13



With reference to expenditures on social media, it was observed that some expenditures cannot be attributed to any electoral competitor as there is no information on the provider of this advertising and also, because it negatively promotes certain electoral competitors. Thus, for example, at least 3 pages were identified - Ivan Trotuar, SOS Chisinau and Eu Iubesc Chișinăul (I love Chisinau) - through which a negative campaign against MAN's candidate for mayor of Chisinau, Ion Ceban was carried out. The expenditures for this purpose incurred between 6 and 27 October amounted to at least 16,472 lei.

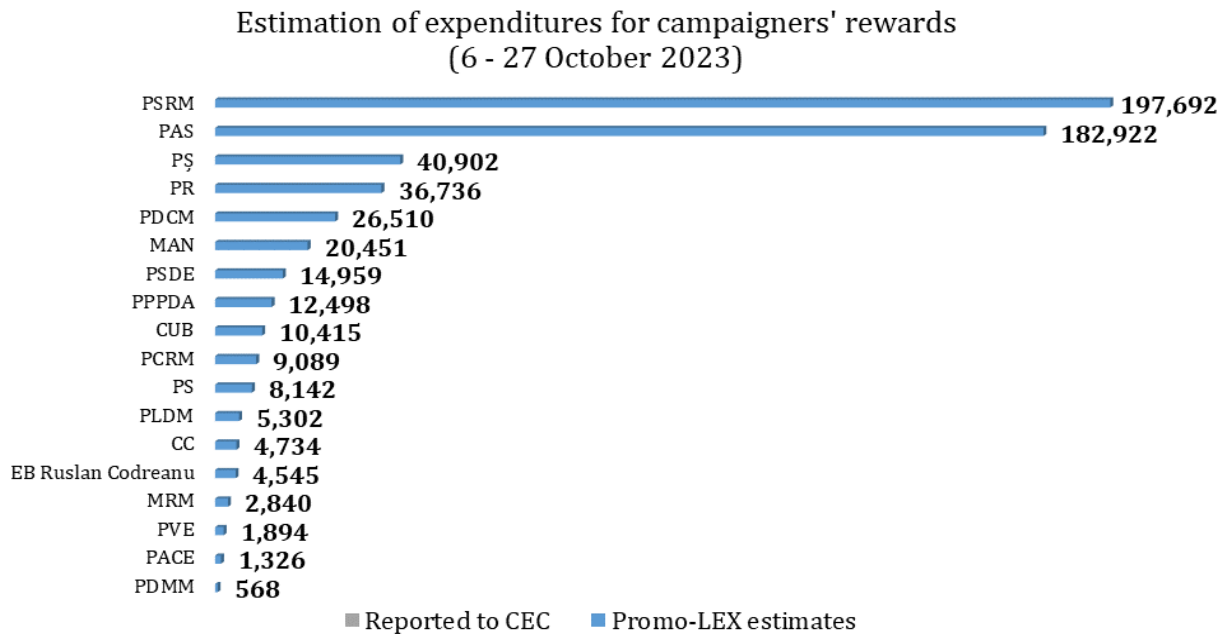
In 3 other cases identified, PȘ and candidates nominated by this party are promoted without publishing information about the actual provider of the paid advertising. Thus, through the pages "Posibilitățile Moldovei" (Moldova's Possibilities), „Presa Moldova” (Moldova Press), „Resursele Moldovei” (Moldova's resources) and „Acasă e Moldova” (At home is Moldova), the estimated expenditures for promoting PȘ were at least 66,540 lei (6 - 27 October 2023).

In this context, we note that Promo-LEX has developed a policy document on political and electoral financing by „third parties”, in which it has substantiated the need for regulation of political and electoral financing by these parties<sup>89</sup>.

### 6.3.1.5. Estimation of expenditures for campaigners' rewards

Promo-LEX observers reported on the involvement of campaigners in the electoral campaign activities of electoral competitors. Based on the reports submitted, 18 competitors were estimated to have incurred unreported expenditures of at least **581,525 lei** (see Chart 14).

Chart no. 14



With reference to the involvement of campaigners and the reporting of expenditures for activities provided by them, after checking the financial reports, inconsistent approaches to reporting were noted.

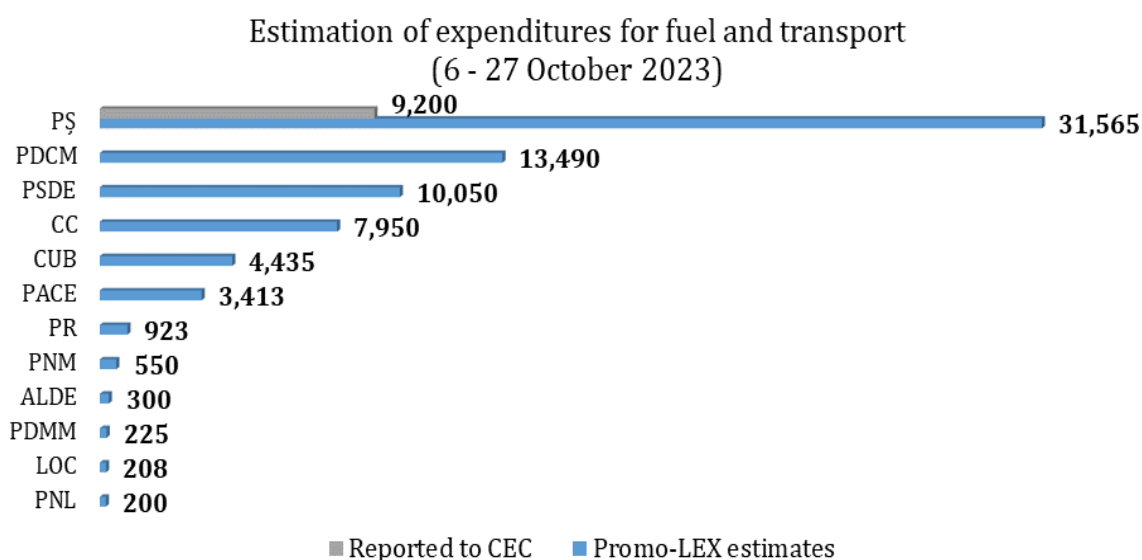
Thus, the involvement of volunteers was reported by 10 electoral competitors - PSRM, PN, PLDM, PPDA, PPPDA, PS, PNM, LOC, MRM and EB Ruslan Codreanu. Of these, 6 - PSRM, PPDA, PS, LOC, MRM and EB Ruslan Codreanu - reported „zero” lei spent on volunteers. For the other 4 candidates - PN, PLDM, PPPDA and PNM - the approach was different. Thus, in the case of NPM, financial expenditures were reported for the remuneration of volunteers. In the case of NP, in the first financial reports, the performance of campaigners was reported as material donations from individuals, with these expenditures included in the general report. However, in the last week, the estimated expenditures for campaigners (333,514 lei) were not included in the general report on campaign financing. The same approach as in the case of PN was observed in the PLDM and PPPDA financial reports. They estimated expenditures for campaigners' services, but did not include them in the general report on campaign financing under the category of campaign expenditures incurred.

In this context, we reiterate the need for CEC to develop a guide/instructions on how to fill in electoral campaign financing reports.

### 6.3.1.6. Estimation of expenditures for fuel and transport

During the monitored period, Promo-LEX observers reported campaign activities involving the travel of electoral competitors or their deployed/delegated persons to the localities of the Republic of Moldova, which resulted in transport expenditures. Based on this information, unreported expenditures of at least **64,108 lei** were estimated for 12 electoral competitors (see Chart 15).

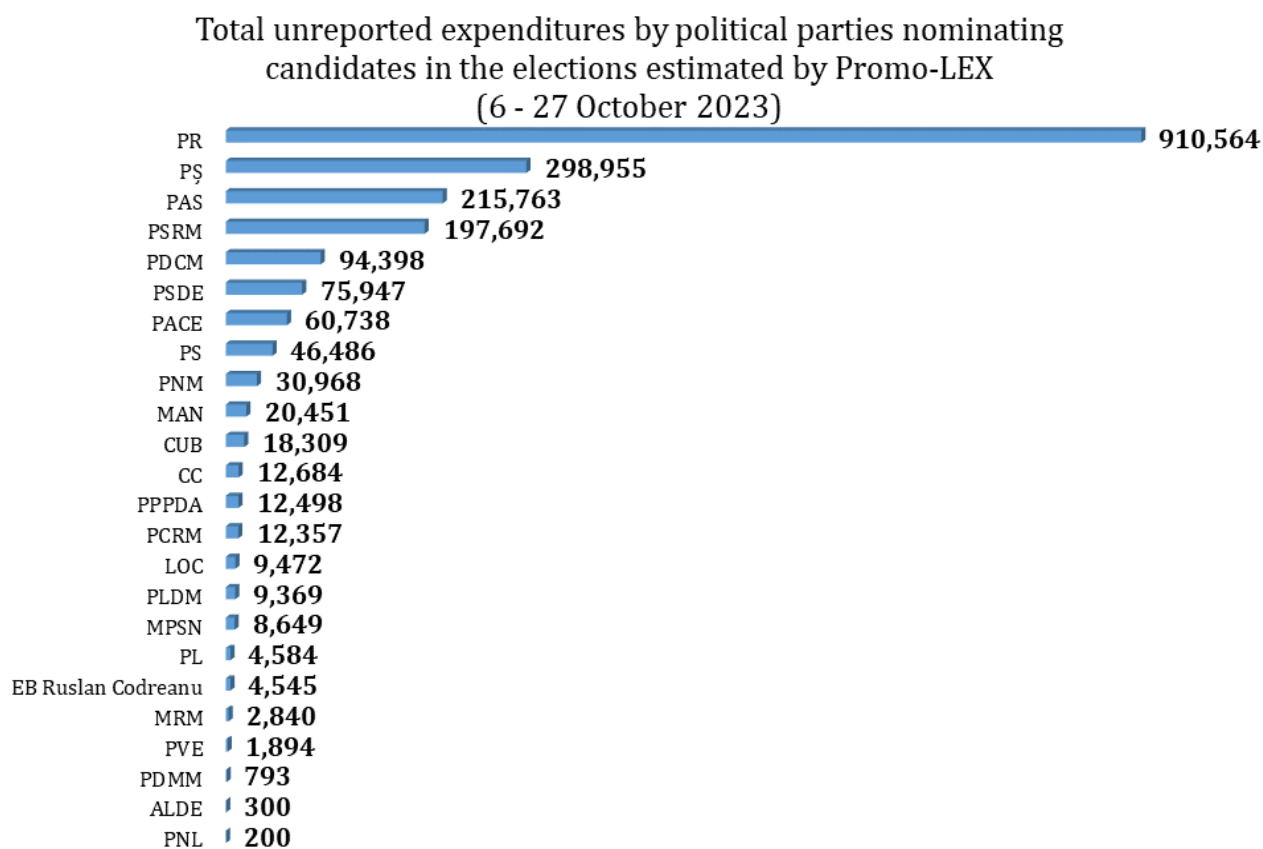
<sup>89</sup> POLICY [DOCUMENT](#): Political and electoral financing by „third parties”.



### 6.3.2. Conclusions on civic monitoring of electoral campaign financing

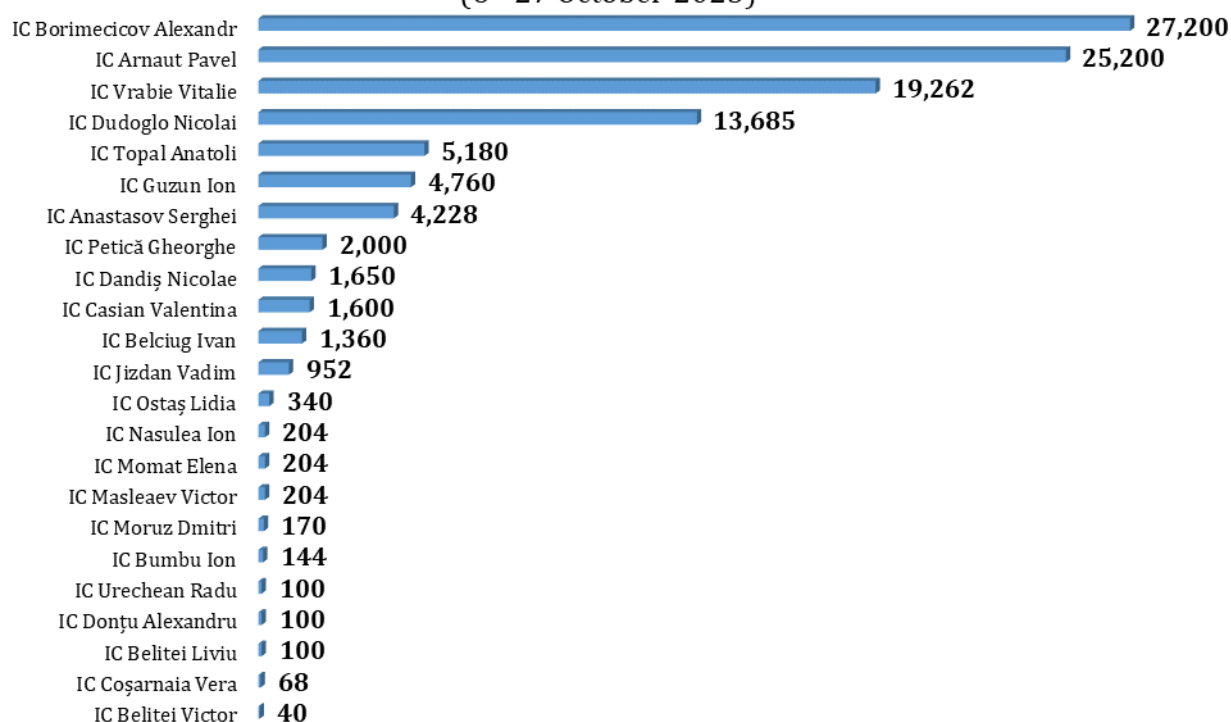
In the context of the above, based on Promo-LEX observers' reports, for the activities carried out by 24 political parties and 23 ICs during the electoral campaign, unreported expenditures of at least **2,159,207 lei** were estimated, of which 95% (2,050,455 lei) were for 24 political parties (see chart no. 16), and 5% (108,752 lei) - for 23 ICs (see chart no. 17).

Chart no. 16





**Total unreported expenditures by independent candidates registered in  
the elections estimated by Promo-LEX  
(6 - 27 October 2023)**



Of the total estimated unreported expenditures, 42% were for PR, followed by PȘ - 14%, PAS - 10% and PSRM - 9%. According to the destination of the estimated unreported expenditures, most of them were for promotional materials - 45%, followed by those for campaigners' rewards - 27% and expenditures for fixed advertising space/devices - 11%.

## VII. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

In the period 13 - 29 October 2023, at least six cases of hate and sexist speech were identified. The hate speech was based on following criteria: political affiliation, sexual orientation/gender identity and sex/gender and was directed against politicians and electoral competitors (4 cases), women (3 cases) and LGBT people (2 cases). The six cases were distributed 1,144 times and had more than 107 thousand views.

Below are presented two of the cases identified representing hate speech and sexist language directed against electoral competitors and/or politicians.

On 29 October 2023, Renato Usatii, president of the National People's Party (PN), candidate for the office of councillor for the municipality of Balti on behalf of the party and former mayor of Balti, promoted hate speech by justifying violence against members of the political party „Sor” in the video „Online! Power is in Truth 8!” on the YouTube channel watched by more than 128 thousand people (content also distributed on the personal Facebook page with more than 311 thousand followers):

**„Renato Usatii:** *In our country there is anarchy, where everyone does what they want. One of the best examples of what anarchy means is the citizen Sor, to whom, whether you like it or not, I have dedicated the last 36 hours. I mean...*

**Gheorghe Gonța:** *We'll get there.*

**Renato Usatii:** *Yes, I also hope to get through him, not just reach him. Cause these guys have to be run through with a tank and sprayed with acid (tr.n. sodium hidroxide), what are you talking about? I understand what organized crime means, but this is...*<sup>90</sup>

*[...] So far, apart from the Vulcanesti operation, the evidence has been presented, yes. Some were sitting and saying this there, this here, this here, and... I mean, I haven't seen evidence presented by authorities. Versions, screams, that they should get rid of the Shor's bandits and so on. Well, Shor's bandits should have been put in a barrel long ago, welded and given Pedigreepal (note: dog food) and Whiskas (note: cat food)...*<sup>91</sup>

On 22 October 2023, Igor Dodon, former President of the Republic of Moldova (2016-2020), Executive Secretary of the Political Party „Party of Socialists of the Republic of Moldova”, during an electoral event in the village of Mosana, Dondușeni district, used sexist language in relation to President Maia Sandu, stating:

*„Unfortunately, Maia Sandu does not and will not realise this. Come on, honestly, there is nothing keeping her in this country. She has no family. I generally believe that a leader, especially a leader of such a scale... I'm not even talking about citizenship, it should be only Moldovan citizenship, only Moldovan citizenship. I have no other citizenship. Well, it should be a family person who, well, if you don't have children, you don't know what it is, and you want to lead an entire nation, an entire country.... You don't have any worries. You'll take a suitcase tomorrow and run off somewhere. You can't elect people who don't see their future in their country. Unfortunately, we have people in the presidency, in the government and in parliament who do not see their future in this country.”*<sup>92</sup>

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<sup>90</sup> Renato Usatii, Online! Power is in truth 8!, min. 21:58, <https://www.youtube.com/watch?v=bxRH1CSO454&t=2s> (accessed on 30.10.2023).

<sup>91</sup> Renato Usatii, Online! Power is in truth 8!, min. 40:47, <https://www.youtube.com/watch?v=bxRH1CSO454&t=2s> (accessed on 30.10.2023).

<sup>92</sup> Igor Dodon, electoral event in Moșana village, district Dondușeni, min. 04:10, <https://www.youtube.com/watch?v=3k8qPeSShO8&t=315s> (accessed on 30.10.2023).

## **RECOMMENDATIONS**

### **Parliament of the Republic of Moldova:**

1. Supplementing art. 165, para. (2) of the Electoral Code with the text „or upon request of the candidate on the list”. We believe that the candidates on the list should also have the right to withdraw, not just the political party or electoral bloc that submitted the list of candidates.

### **Central Electoral Commission and lower electoral bodies:**

2. Examination and issuance of decisions in a short period of time so that the contesters are able to benefit from the right to an effective remedy.
3. Publication within a short time limit and in full number of all contestations, notifications, requests and decisions thereon.
4. Publication of financial reports on CEC’s website in a format consistent with open data principles.
5. Publication of corrected financial reports for all electoral competitors.
6. Avoiding obstruction of public electoral debates being organised as electoral education measures, which, according to the Electoral Code, can be carried out by civil society organisations and groups, educational institutions, the media and other stakeholders, aimed at increasing citizens’ knowledge of political and electoral processes in order to exercise their informed and freely expressed vote.
7. Establishing whether the support of candidates by competitors whose registration could be cancelled takes the form of anything other than a written or oral declaration and verifying how their electoral campaigns are financed, in order to ensure equality between electoral competitors and not to allow incomplete reporting or the use of unreported financial and material funds.

### **Public Services Agency:**

8. Setting up a working group, with the involvement of representatives of the Central Electoral Commission and the Corjova commune mayor’s office, to solve the problem of including all voters from Corjova commune in the basic electoral lists

### **Commission for Exceptional Situations:**

9. Refraining from interfering in the organisation and conduct of the elections, and in the immediate context of suspending the licences of the six television stations, provide a full explanation of the factual and legal circumstances justifying the restrictive measures.

## **ABBREVIATIONS**

ALDE – Alliance of Liberals and Democrats for Europe  
ANI – National Integrity Authority  
art. – article  
ATU – administrative-territorial unit  
CC – Political Party Joint Action Party – Civic Congress  
CEC – Central Electoral Commission  
CICDE – Centre for Continuing Education in the Electoral Field  
CNESP – Extraordinary National Public Health Commission  
CUB – Political Party Coalitia pentru Unitate si Bunastare (Coalition for Unity and Welfare)  
FASM – Political Party Forța de Alternativă și Salvare a Moldovei (Alternative and Salvation Force of Moldova)  
d. - district  
EBPS – electoral bureau of polling station  
ECEC– Electoral Constituency Electoral Council of level II  
EU – European Union  
IC – independent candidate  
let. – letter  
LOC – Political Party Liga Oraselor si Comunelor (League of Towns and Communes)  
LPA –local public administration  
LTO – long-term observer  
MAI – Ministry of Internal Affairs  
MAN – Political Party Miscarea Alternativa Nationala (National Alternative Movement)  
MPSN – Miscarea Profesionistilor Speranta-Надежда (Movement of Professionals Hope)  
MRM – Political Party Miscarea Respect Moldova (Movement Respect Moldova)  
mun. – municipality  
NOI – Political Party Noua Opțiune Istorică (New Historical Option)  
no. – number  
OM – Observation Mission  
OSCE/ODIHR – OSCE’s Office for Democratic Institutions and Human Rights  
PACE – Political Party Acasa Construim Europa (We build Europe at home)  
para. – paragraph  
PAS – Political Party Actiune si Solidaritate (Action and Solidarity)  
PC – Conservative Party  
PCRM – Party of Communists from the Republic of Moldova  
pt. – point  
PDCM – Politic Party Partidul Dezvoltării și Consolidării Moldovei (Party of Development and Consolidation of Moldova)  
PDMM – Political Party Partidul Democrat Modern din Moldova (Modern Democratic Party of Moldova)  
PL – Liberal Party  
PLDM – Liberal Democratic Party of Moldova  
PN – Politic Party Partidul Nostru (Our Party)  
PNL – National Liberal Party  
PNM – Political Party Partidul Național Moldovenesc (National Moldovan Party)  
PPDA – Political Party Democratia Acasa (Democracy at Home)  
PPFD – Political Party Forța Diasporei (Diaspora Strength)  
PPN - Political Party Noi (We)  
PPPDA – Political Party Platforma Demnitate si Adevar (Platform Dignity and Truth)  
PPPO – Political Party Puterea Oamenilor (The Power of People)

PPVP – Political Party Voința Poporului (People’s Will)  
PR – Political Party Renastere (Renaissance)  
PS – Political Party Partidul Schimbării (Party of Change)  
PSDE – European Social Democratic Party  
PSRM – Political Party Party of Socialists from the Republic of Moldova  
PȘ – Political Party Șansă (Chance)  
PVE – Political Party Partidul Verde Ecologist (Green Ecologist Party)  
RFE – Register of electoral officials  
PS – polling station  
STO – short-term observer  
UCSM – Political Party Christian Social Union of Moldova  
USAID – United States Agency for International Development

## ANNEXES

**Annex no. 1. Registration/accreditation of persons authorised to participate in electoral procedures**Table no. 1.1. Observers accredited by CEC<sup>93</sup>

<b>National Observers</b>				<b>Total</b>
Promo-LEX Association	997	Moldovan Institute for Human Rights	29	<b>1094</b>
Association for Urban Safety and Mediation of Moldova	5	Association for Participatory Democracy „ADEPT”	2	
Public Association „MIRAD”	21	Public Association „Centre for Educational and Community Development (CDEC)”	21	
Public Institution „Centre for Continuing Education in the Electoral Field”	17	Eastern European Foundation	2	
<b>International observers and experts</b>				
Embassy of the Czech Republic	2	Embassy of the Republic of Lithuania	4	<b>399</b>
Embassy of the Kingdom of the Netherlands	6	Embassy of the Republic of Slovenia	1	
Embassy of the Republic of Finland	3	Embassy of the French Republic	5	
Embassy of the Republic of Austria	4	Embassy of the Republic of Turkey	5	
Embassy of Japan	4	Embassy of the Kingdom of Sweden	5	
Embassy of the Federal Republic of Germany	5	Embassy of the Republic of Latvia	2	
Embassy of the United Kingdom of Great Britain and Northern Ireland	5	Embassy of the United States of America	31	
Embassy of Hungary	1	Consulate General of the Republic of Turkey in Comrat	6	
Permanent Electoral Authority of Romania	1	Central Electoral Commission of the Republic of Albania	2	
Central Electoral Commission of Georgia	3	Central Electoral Commission of the Republic of Lithuania	2	
Central Electoral Commission of the Republic of Albania	2	Central Commission for Elections and Referendums of the Kyrgyz Republic	2	
State Electoral Commission of the Republic of Croatia	2	Central Electoral Commission of the Republic of Kazakhstan	3	
Central Electoral Commission of the Republic of Armenia	2	Central Electoral Commission of Ukraine	2	
Central Electoral Commission of the Republic of Uzbekistan	2	Central Electoral Commission of the Republic of Azerbaijan	3	
National Electoral Committee of the Republic of Estonia	2	Supreme Electoral Council of the Republic of Turkey	2	
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	235	European Network of Election Monitoring Organisations (ENEMO)	11	
Congress of Local and Regional Authorities of the Council of Europe	20	Association Pro Democratia Club Targu Neamt	1	
Swiss Cooperation Office/Representation of the Embassy of the Swiss Confederation	1	European Parliament	12	
<b>Confirmed interpreters</b>				
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	140	European Network of Election Monitoring Organisations (ENEMO)	5	<b>159</b>
Congress of Local and Regional Authorities of the Council of Europe	9	European Parliament	3	
Consulate General of the Republic of Turkey in Comrat	2			

<sup>93</sup> Accreditation of observers.

Table no. 1.2. Journalists confirmed by CEC<sup>94</sup> and ECEC II

Private Institution "Radio Orhei"	1	Press group REALITATEA (REALITY)	9
Independent Periodical "Observatorul de Nord" (Northern Observer)	7	Limited Liability Company „NEWS MAKER”	7
Regional TV station "ELITA TV"	2	Public Association Pilgrim-Demo	9
Periodical SRL „Ecoul nostru” (Our echo)	3	ORIZONT TV	36
Foreign Capital Enterprise „REFORMA ART” SRL	1	Limited Liability Company „VOCEA MEDIA”	11
Regional television „Gagauziya Radio Televizionu”	9	Regional television „ITV Moldova”	23
News portal Ziuadeazi.md	2	News Portal Est Curier (East Courier)	4
Freelancer	1	Romanian Television Company Branch	4
		<b>Total</b>	<b>129</b>

Table no. 1.3. Authorisation of opinion and exit polls<sup>95</sup>

<b>Authorisation to carry out opinion polls</b>	<b>16</b>
„IMAS-CERCETARE ŞI STRATEGII” SRL	1
„INTELLECT GROUP” SRL	6
„DATE INTELIGENTE” SRL	3
SC „MAGENTA CONSULTING” SRL	1
„MLD MEDIA” SRL	1
ÎM „C.B.S.-RESEARCH” SRL	3
„SIMPALS” SRL	1
<b>Authorisation to publish opinion polls</b>	<b>5</b>
Public Association Institute for Public Policy	1
„DATE INTELIGENTE” SRL	1
National Democratic Institute for International Affairs, Washington, sucursala Chişinău	3
<b>Refusal to carry out opinion polls</b>	<b>1</b>
„INTELLECT GROUP” SRL	1

Table no. 1.4. Approval of messages of public interest<sup>96</sup>

UN Women	2 video spots
National Child Abuse Prevention Centre	1 video spot
Public Association Centrul CONTACT (Centre CONTACT)	1 informational educational video spot
Central Electoral Commission	9 video spots 1 information brochure 1 information leaflet 5 information posters
Centre for Continuing Education in the Electoral Field	2 informational video spots
Council of Europe Office in Chisinau	1 informational video spot
Public association „Promo-LEX”	2 informational video spots
<b>Total</b>	<b>25</b>

<sup>94</sup> [Confirmation](#) of journalists.

<sup>95</sup> [Authorisation](#) of opinion and exit polls.

<sup>96</sup> [Approval](#) of messages of public interest.

**Annex no. 2. Political parties' financial reporting to CEC**

<b>Competitor</b>	<b>Treasurer registration</b>	<b>Start of campaign report</b>	<b>Opening the „Electoral Fund” account</b>	<b>Deadline 06.10.2023</b>	<b>Deadline 13.10.2023</b>	<b>Deadline 20.10.2023</b>	<b>Deadline 27.10.2023</b>
ALDE	06.10.2023		06.10.2023	submitted	submitted	submitted	submitted
EB R. Codreanu	03.10.2023		12.10.2023	info	submitted	submitted	submitted
CC	06.10.2023	13.10.2023	29.09.2023	13.10.2023	14.10.2023	submitted	submitted
CUB	06.10.2023		05.10.2023	06.10.2023	submitted	submitted	submitted
FASM					-	-	-
LOC	24.10.2023	06.10.2023	02.10.2023	06.10.2023	13.10.2023	submitted	submitted
MAN	06.10.2023	06.10.2023	29.09.2023	07.10.2023	13.10.2023	submitted	submitted
MPSN	17.10.2023		18.10.2023	06.10.2023	submitted	submitted	submitted
MRM	30.09.2023		04.10.2023	06.10.2023	13.10.2023	submitted	submitted
NOI	17.10.2023				info	-	-
PACE					-	-	-
PAS	30.09.2023	26.09.2023	28.09.2023	07.10.2023	13.10.2023	submitted	27.10.2023
PCRM	06.10.2023	07.10.2023	04.10.2023	submitted	submitted	submitted	submitted
PDCM	30.09.2023		27.09.2023	06.10.2023	13.10.2023	20.10.2023	27.10.2023
PDMM	27.10.2023		02.10.2023	07.10.2023	submitted	submitted	submitted
PL	06.10.2023	07.10.2023	23.10.2023	info	info	submitted	submitted
PLDM	30.09.2023	01.10.2023	27.09.2023	06.10.2023	submitted	submitted	submitted
PN	06.10.2023	06.10.2023	05.10.2023	06.10.2023	13.10.2023	submitted	submitted
PNL	12.10.2023		13.10.2023		-	submitted	-
PNM	09.10.2023		11.10.2023	submitted	submitted	submitted	submitted
PONA	06.10.2023		16.10.2023	09.10.2023	-	submitted	submitted
PPBN					-	-	info
PPDA	12.10.2023		13.10.2023	info	submitted	submitted	submitted
PPFD	13.10.2023	21.10.2023	12.10.2023		-	submitted	submitted
PPM	09.10.2023		02.10.2023	submitted	submitted	submitted	submitted
PPN	12.10.2023		13.10.2023	info	info	info	submitted
PPPDA	07.10.2023	05.10.2023	05.10.2023	06.10.2023	13.10.2023	submitted	submitted
PPPPN					-	-	info
PPRM				-	-	-	-
PPVP	28.10.2023	30.09.2023	26.09.2023		submitted	submitted	submitted
PR	10.10.2023		29.09.2023	06.10.2023	submitted	submitted	submitted
PS	12.10.2023		09.10.2023	info	submitted	submitted	submitted
PSDE	06.10.2023	06.10.2023	29.09.2023	06.10.2023	submitted	submitted	submitted
PSRM	06.10.2023	25.09.2023	25.09.2023	07.10.2023	13.10.2023	submitted	27.10.2023
PȘ	06.10.2023		11.10.2023	06.10.2023	submitted	submitted	submitted
PVE	12.10.2023		13.10.2023	-	info	submitted	submitted
IC Guțan Valentin			16.10.2023			25.10.2023	
IC Burlea Ion			17.10.2023			26.10.2023	
IC Sirbu Sergiu							
IC Cebotaru Sergiu			24.10.2023				
IC Malu Vladimir			10.10.2023			submitted	rep. 3
IC Rusu Tatiana			16.10.2023			submitted	submitted
IC Cimpoș Valentin			16.10.2023			submitted	submitted
IC Urechen Radu							
IC Nasulea Ion							
IC Turcanu Ion							
IC Bivol Cristina							
IC Nicu Anatolie							
IC Tureac Alexandru			11.10.2023		submitted		submitted
IC Buzu Nicolae							submitted
IC Marahovschi Victor							submitted
IC Cuzuoc Ghenadie			12.10.2023			submitted	submitted
IC Mursa Olga							
IC Damian Nicolae							
IC Vrabie Vitalie			11.10.2023				
IC Filimon Ion			13.10.2023				
IC Dudoglo Nicolai			11.10.2023			submitted	
IC Anastasov Serghei						submitted	
IC Chiulafli Serghei			17.10.2023				
IC Levintii Dmitrii							
IC Gheorghiu Veaceslav			16.10.2023			submitted	
IC Topal Anatoli			12.10.2023		submitted	submitted	
IC Carapirea Nicolai			13.10.2023			submitted	
IC Uzun Anatoli			18.10.2023			submitted	
IC Zlatovcen Ivan			18.10.2023			submitted	
IC Garizan Oleg			17.10.2023			submitted	
IC Fucedji Vadim			11.10.2023		submitted	submitted	
IC Capsamun Vasili						submitted	
IC Chioseș Ilia			23.10.2023				submitted
IC Chiciuc Piotr			17.10.2023			submitted	
IC Topciu Fiodor						submitted	