

**Promo-LEX**

*Advancing democracy and human rights*

# OBSERVATION MISSION

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GENERAL LOCAL ELECTIONS  
5 NOVEMBER 2023

## Report no. 5

**Observation period:  
8 - 16 November 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. 5 is prepared in the context of Promo-LEX Observation Mission (OM) for the local general elections from 5 (19) November 2023. The observation period for the events included in the report The observation period for the events included in the report relates to the organisation and conduct of the campaign for the second round of elections and covers the period 8 - 16 November 2023. At the same time, the observation of campaign financing was carried out until 10 November, and the contestations and notifications were examined for the period 5 - 15 November 2023. The results of the monitoring of hate speech and incitement to discrimination are presented for the period 30 October - 12 November 2023.

On the day of the second round of elections Promo-LEX OM will delegate a static observer in 174 of the 616 PSs to be opened. The remaining 442 PS will be observed by 49 mobile teams (two observers each).

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

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.** On 9 November 2023, the Constitutional Court declared inadmissible the notification on the exception of unconstitutionality of article 225 para. (3) (e) of the Administrative Code, raised by the President of the Commission for Exceptional Situations (CES) in the action brought by the PŞ against CES Decision no. 92 from 3 November 2023. It should be recalled that by this order, the registration of the electoral competitors nominated by PŞ was cancelled.

It should be noted that the exception of unconstitutionality was raised on 5 November (on election day) but the High Court did not rule until 9 November 2023, without expressing an opinion on the constitutionality of the rule. In Promo-LEX's view, disputes related to the electoral process must be resolved within a short timeframe, including those concerning the constitutionality of a rule.

**Electoral bodies.** CEC held five meetings and adopted 38 decisions related to the electoral process. The Commission was concerned with the reception and verification of electoral documentation received from lower electoral bodies. CEC coordinated the procedures for the recount of ballot papers, as well as the confirmation of the legality of elections and the validation of mandates by electoral councils. According to the observers, in the cases monitored and reported at the time of the report, the differences in the vote count were not significant and the validation process was carried out in accordance with the regulations.

**Electoral notifications.** According to Promo-LEX observers, in the period 5-15 November, at least 150 contestations and notifications were submitted to the electoral bodies, of which 16 to ECEC I, 79 to ECEC II and 55 to CEC. The majority of contesters raised objections to the counting and tabulation of votes, confirmation of legality of elections, illegal electoral campaigning, use of administrative resources and illegal campaign financing.

Regarding the solutions issued, at ECEC level, we note that the majority - 49 - were rejected or declared inadmissible, at least 16 contestations and notifications were admitted, and 12 - were remitted for examination according to the competence. With reference to the decisions issued by CEC, out of a total of 63 contestations, we note that only for 46 - decisions were adopted, of which 44 (70%) were decisions of rejection or inadmissibility. The deadlines for resolutions were not respected in all cases.

**Electoral competitors.** Compared to the last two weeks before the first round, the campaign for the second round, according to observers' reports, was more apathetic. Out of the total 53 activities, 57% - were meetings with voters, and - in 29% it was about distributing electoral materials. Most activities were carried out by PAS - 45%, followed by PSRM and PN - 12% each. Of the total activities observed, most were organised in Balti - 32%, Ungheni - 15% and Floresti - 10%.

With regard to the reported violations, Promo-LEX OM found 19 cases that by international standards can be qualified as misuse of administrative resources. These include involvement of the President of the Republic of Moldova in the local general elections - 3 cases, as well as involvement of public officials in campaign activities - 16 cases. All activities were carried out in favour of PAS candidates.

**Observation of electoral campaign financing.** According to CEC's website, for the period 8 - 10 November 2023, out of the 17 political parties and 3 ICs that submitted financial reports, only 9 political parties and 2 ICs declared revenues. The most were reported by PAS - 73%, followed by PN - 14% and PDCM - 4%. The highest share (74%) again refers to financial means transferred from the current account of political parties to the „Electoral Fund” account, mainly allocations from the state budget. At the same time, most expenditures were reported by PAS (70%), PSRM (15%) and PN (8%).

From the point of view of civic monitoring, for activities carried out by 8 political parties in the electoral campaign, Promo-LEX OM estimated unreported expenses of at least 35,401 lei, of which 41% were for PSDE, 22% - PSRM and 18% - PDCM. The most was for promotional materials - 41%, followed by social media advertising - 32% and internet advertising expenditures - 18%.

**Hate speech.** In the period 30 October - 12 November, Promo-LEX Association identified at least nine cases of hate speech. Of these, two cases took a more serious form of manifestation (justifying violence and threatening), two cases were sexist language, and the remaining five cases took the form of discriminatory language about mental disabilities. Most of the cases identified were based on the criterion of “political affiliation” and were directed against politicians, members of political parties and their supporters. These nine cases were distributed 1735 times and had more than 651 thousand views.

## I. LEGAL FRAEWORK

**Constitutional case-law.** On 9 November 2023, the Constitutional Court declared inadmissible<sup>1</sup> the notification on the exception of unconstitutionality of article 225 para. (3) letter e) of the Administrative Code, raised by the representative of the Commission for Exceptional Situations (President of CES, Prime Minister Dorin Recean), in the action brought by the PŞ against CES Decision no. 92 of 3 November 2023<sup>2</sup>. It should be recalled that this decision cancelled the registration of electoral candidates nominated by PŞ in the local elections of 5 November 2023, by derogation from the provisions of the Electoral Code.

The Constitutional Court noted that the exception was not raised by a subject who had been granted this right under article 135 para. (1)(a) and (g) of the Constitution, inter alia, that:

- the object of the exception is the provisions of the Administrative Code, which were introduced by Law no. 122 of 15 July 2022, at the Government's initiative, following the Constitutional Court's ruling no. 17 of 23 June 2020;
- the exception of unconstitutionality is an instrument through which the citizen has the possibility to act in order to defend him/herself against the state authorities, if, through certain legal rules, his/her constitutional rights are violated;
- In this case, the exception of unconstitutionality was actually raised by an authority of executive power (Commission for Exceptional Situations), asking the Court to verify the constitutionality of a rule adopted by the legislative power. The exception cannot be used by a public authority to nullify a legislative act adopted by another public authority. For such situations, the authorities with the prerogative to refer the matter to the Constitutional Court (including the Government, the Minister of Justice) may ask the Court to review the constitutionality of legislative acts.

Taking into account the above, without denying possible serious risks and dangers to national security, Promo-LEX OM notes that the exercise of legality control of CES provision seems to be deliberately delayed by the Prime Minister, by raising the exception of unconstitutionality with regard to a rule that was proposed by the Government and approved by the Parliament less than a year and a half ago. It should be recalled that in previous electoral observation reports we have recommended that CES should refrain from interfering in the organisation and conduct of the electoral process, as precedents of involvement of the executive are dangerous.

In another respect, we point out that the exception of unconstitutionality was raised on 5 November (on the day of the elections) but the High Court ruled only on 9 November, without commenting on the constitutionality of the rule. In Promo-LEX's view, disputes related to the electoral process must be resolved within a short timeframe, including those concerning the constitutionality of a rule.

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<sup>1</sup> [Decision](#) of Constitutional Court no. 152 from 9.11.2023 on the exception of unconstitutionality of article 225 par. (3) (e) of the Administrative Code

<sup>2</sup> [Order](#) of CES no. 92 from 3 November 2023

## II. ELECTORAL BODIES

### 2.1. Activity of the Central Electoral Commission

During the reporting period, CEC held five meetings and adopted 38 decisions related to the electoral process.

*Accreditation of observers.* The electoral authority accredited 26 national observers from “MIRAD” Public Association to cover the second round of elections. It should be recalled that CEC accredited a total of 1,519 observers for the monitoring of the local general elections of 5 (19) November 2023: 1,120 national observers and 399 international observers and experts.

*Confirmation of journalists.* CEC has also confirmed three journalists to cover and monitor the local general elections of 19 November 2023 (Association “Alternative Media” - 2 and European PressPhoto Agency - 1). In total, the electoral authority confirmed 57 journalists from 12 media entities/institutions in the country.

*Approval of messages of public interest.* During the monitored period, CEC approved another three messages of public interest (three video spots) developed by the Commission for the second round of elections. In total, CEC approved the broadcasting of 28 messages of public interest prepared for the local general elections of 5 (19) November 2023.

### 2.2. Activity of lower-level electoral bodies

During the monitoring period Promo-LEX observers visited 30 ECEC II; 104 ECEC I and 149 EBPSs. According to the information provided, only in 20 cases the premises of the electoral body were found closed during working hours (ECEC I - 13 cases<sup>3</sup> and EBPS - 7 cases<sup>4</sup>).

*Confirmation of electoral competitors’ representatives.* According to the information obtained by observers during the reporting period<sup>5</sup>, the lower electoral bodies confirmed a total of 170 representatives, of which 31 representatives at the level of ECEC I and 139 representatives at the level of EBPS. Requests for confirmation were received from 30 electoral competitors, including 17 political parties and 13 independent candidates. The highest number of representatives of electoral competitors was confirmed from PSRM (46), PAS (20), PSDE (16), PR (15), followed by PLDM (11), PN (7), PDCM and LOC (6 each), MRM and ȘANSA (Chance) (4 each), PPDA and PPPDA (2 each), PCRM, PNL, PUN, PNM and PS (1 each). The 13 independent candidates confirmed a total of 27 representatives.

*Modification of electoral bodies’ composition.* In addition, at least three cases of changes in the composition of electoral bureaus were reported based on requests for resignation of members (PAS - 1; RFE - 2).

### 2.3. Recount of ballot papers

CEC ordered for 10-12 November 2023 the recount of ballots for the local general elections of 5 November 2023 in 18 electoral constituencies<sup>6</sup>. In this context, Promo-LEX OM observed 57 recount procedures of ballots for various elected positions in the local general elections. The observers monitored the degree of compliance by bureau members during the recount, which is reflected in Table 1.

<sup>3</sup> ECEC I no. 7/32 Taraclia de Salcie; no. 7/33 Tartaul de Salcie; no. 10/5 Chircaiești; no. 10/15 Hagimus; no. 12/4 Boscana; no. 12/25 Zaicana; no. 12/22 Raculesti; no. 14/19 Pelinia; no. 20/21 Lapusna; no. 20/22 Leuseni; no. 20/29 Obileni; no. 25/5 Braviceni; no. 31/17 Răspopeni.

<sup>4</sup> EBPS no. 5/2 Basarabasca; no. 12/5 Balanesti; no. 12/9 Boscana; no. 12/34 Raculesti; no. 12/38 Zanaicana; no. 25/21 Braviceni; no. 31/26 Raspopeni.

<sup>5</sup> The information collected may include data up to the last round of voting. According to the methodology, during the visit to the electoral bodies observers collect all the information for the period since the last visit.

<sup>6</sup> Press releases. CEC has ordered a recount of ballots for local general elections in [11 localities](#). CEC ordered a recount of ballots in local general elections in another [7 localities](#).



*Table 1. Some problematic aspects regarding compliance with the ballot recount procedure*

<b>Regulation of procedures <sup>7</sup></b>	<b>YES</b>	<b>NO</b>
Was the prescribed consecutiveness of actions respected during the recount?	48 (84.2%)	9 (15.8%)
Was only one EBPS member presenting the ballots to all participants in the counting process?	43 (75.4%)	14 (24.6%)
In the recount process, were the electoral rolls, including the supplementary ones, checked?	33 (57.9%)	24 (42.1%)
Are representatives of the competitor(s) who requested the recount present?	32 (56.1%)	25 (43.9%)
Have you been issued with certified copies of the recount minutes and a copy of the results of the recount?	56 (98.2%)	1 (1.8%)

In terms of quantity, we would like to point out that in more than 42% of cases the electoral rolls were not checked. Also, in about 25% of the cases observed, even during the recount, the requirement that only one EBPS member should present the ballot papers to all participants was not respected. The observer who monitored the recount in PS 9/4 Calarasi, was not provided with certified copies of the requested documents. The observer only took pictures and the reason for refusing to issue copies was that ECEC did not have several copies of the minutes and there was no copier in the council premises.

Regarding the results of the recount, we note that no substantial deviations were observed in the results per competitor. Relatively higher values were identified only in two cases concerning the recount of ballots for the local councils level I - Calarasi town and Milestii Mici commune (Ialoveni). In these cases, there were differences of about 17 votes for PDCM and PSDE candidates, without affecting the distribution of mandates<sup>8</sup>.

At the same time, in certain situations, particularly concerning the office of mayor, the differences identified, even if not essential, were able to influence certain positions. For example, in the case of ECEC I Pirita (15/10), following the recount, it was no longer necessary to draw lots between the candidates in second place, as there was a two-vote difference between them.

#### **2.4. Confirmation of legality and validation of local elected representatives' mandates by constituency electoral councils**

From 10 November 2023, the process of confirmation of legality and validation of local elected representatives' mandates by constituency electoral councils started. It should be recalled that the involvement of ECEC is a novelty in the electoral legislation, as previously this procedure was carried out by the courts. According to the regulations, ECEC, within a maximum of 10 days from the date of receipt of the reports, minutes and other electoral documents from EBPS, but not before the final settlement of the contestations filed by the electoral bodies and the courts, confirms or rejects by a decision the legality of the elections and the validation of the mayor and councillor mandates<sup>9</sup>.

Promo-LEX OM observed several ECEC meetings, with 11 visits reported and processed by 15 November 2023 included in this report<sup>10</sup>. According to observers, the sessions lasted on average about 30 minutes. All resolutions were approved unanimously. In the majority of cases (63%), the candidates targeted for the mandates were not present at the meeting. During the meeting the actions of ECEC members were not contested by those present. Also, according to the observers' perception, in 63% of cases the meetings had a solemn character. The minutes and decisions were filled in uniformly according to CEC Regulation annexes. However, in the case of the minutes approved by CEC of Falestii Noi no. 17/10 there was an error, most likely a technical one, concerning a non-existent party „European Liberal Democratic Party”. In the same document, in a table on the total number of votes received by the candidates (local councillor position) under the heading „Number of candidates on the list of the electoral competitor”, the number of the order of registration on the ballot paper was most likely entered.

<sup>7</sup> [Instruction](#) on the ballot recount procedure approved by CEC Decision no. 1188 of 22 August 2023.

<sup>8</sup> Information confirmed by the Presidents of ECEC II Calarasi and Ialoveni.

<sup>9</sup> [Regulation](#) on the procedure for confirming the legality of elections, validation and allocation of mayors' and councillors' mandates, approved by CEC Decision no. 1104/2023.

<sup>10</sup> ECEC 33/12; 20/3; 20/13; 8/4; 15/9; 27/15; 19/9; 18/16; 17/10; 32/19; 32/14.

### III. ELECTORAL NOTIFICATIONS

According to Promo-LEX observers, in the period 5-15 November, at least 150 contestations and notifications were submitted to the electoral bodies, in which they contest or notify the electoral bodies about alleged violations of the legal framework, or request review or suspension of administrative acts regarding these violations.

#### 3.1. Contestations submitted to constituency electoral councils

At least 16 contestations, notifications and requests were submitted to **constituency electoral councils level I** (ECEC 25/11 Cucuruzeni, Orhei; 31/1 Soldanesti; 16/4 Badragii Noi, Edinet; 16/11 Chetrosica Noua, Edinet; 16/16 Gaspar, Edinet; 16/2 Cupcini, Edinet; 16/17 Goleni, Edinet; 17/32 Scumpia, Falesti; 17/3 Bocani, Falesti, 18/34 Temeleuti, Floresti). Most of the contestations were filed by the candidates and representatives nominated by PȘ<sup>11</sup>(5); PPDA (3); PLDM (2).

The majority of contesters objected to the actions and acts of electoral bodies in counting and tabulating the votes, violating the right to be elected, by applying the stamp "Withdrawn", in the absence of an individual administrative act. In deciding on the contestations, the electoral bodies declared at least eight of them inadmissible, and referred at least three of them for examination in accordance with their powers.

At least 79 contestations and notifications were submitted to constituency **electoral councils level II**, most of them to ECEC 16 Edinet (22) and ECEC 1 Chisinau (16). Electoral competitors, including those whose registration was cancelled (PȘ - 38; PAS - 9; PPPDA - 5; MRM - 4; BE "Ruslan Codreanu" - 2; PPDA - 2; PS - 1; PSDE - 2; PSRM - 1; NOI - 1; CI - 7) filed the majority of contestations. The main issues addressed in the contestations included invalidation of election legality (40), including violation of the right to be elected; vote counting/tabulation(11); registration/non-registration of electoral competitors, illegal electoral campaigning; exercise of the right to vote; electoral campaigning and advertising; use of administrative resources; illegal campaign financing.

Regarding the **decisions** issued, Promo-LEX OM notes that at least 16 contestations and notifications were partially or fully admitted, 12 - were referred for examination according to the competence, and eight - were rejected. In the case of admitted contestations and notifications, the electoral bodies also applied the following sanctions:

- on Election Day, ECEC 16 Edinet imposed the sanction of dismissal from office on some members of EBPS 16/7 and an SIASA operator from the same polling station, and on the Secretary of EBPS the sanction of deprivation of the right to hold office in the electoral body for 4 years. The sanctions were imposed for voting for one person instead of another;
- ECEC 2 Balti imposed a warning sanction on candidate Corsicova Arina for violating the rules on the preparation and submission of the subscription lists;
- ECEC 2 Balti applied the sanction of cancelling the registration of candidate Corsicova Arina, on the grounds of restrictions on standing as provided for in art. 16 para. (2) (f) points 3 and 4 and for the use of undeclared financial and material funds exceeding 1% of the amount of funds that can be transferred to the electoral fund account. Promo-LEX OM points out that the cancellation of the candidate's registration was carried out on 7 November, but before the approval of the minutes on voting results centralisation for the elections of the mayor of the Balti municipality. Thus, the third candidate with the most votes was admitted to the second round.

At least 41 contestations were declared inadmissible because they were filed by "subjects not entitled to file electoral contestations", as they were filed by PȘ candidates whose registration was cancelled just two days before Election Day. As the dispute initiated on 4 November by PȘ against the Commission for Exceptional Situations (concerning the cancellation of registration of candidates nominated by this party) does not have a final decision, the electoral bodies are faced with a large number of contestations concerning the respective CES provision. In this regard, we believe that the courts must resolve the dispute within the time limits provided for by the Electoral Code, since Provision no. 93 of 3 November

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<sup>11</sup> On November 3 was cancelled the quality of candidates in the elections, those nominated by PȘ.

influenced the conduct of the elections of 5 November 2023. Moreover, the resolution of this dispute is absolutely necessary in the context of confirming/infirming the legality of elections and validation of mandates.

With reference to the deadlines for resolving contestations, we note that at least 69 contestations and notifications were resolved within 0-3 days and 7 contestations within 4-6 days. However, we draw attention to the fact that at least 19 contestations and notifications submitted on election day were not resolved on the same day, although the Electoral Code establishes in art. 100 para. (4) that contestations submitted on Election Day are examined on the same day, with the exceptions provided for in the Electoral Code.

### 3.2. Contestations submitted to the Central Electoral Commission

At least 55 contestations and preliminary applications have been submitted to the Central Electoral Commission. We further point out that both contestations and decisions on them are published either with delay or not at all on the CEC website. As an example, we note that Arina Corsicova's pre-application of 8 November 2023<sup>12</sup> and candidate Nicolai Grigorisin's pre-contestation of 5 November 2023<sup>13</sup> were not published until at least 15 November, even though the electoral authority had already ruled on them.

Moreover, Promo-LEX OM notes that some contestations are not published in full, as the annexes to some of them are hidden. It is not clear why the content of the annexes is hidden, as they contain copies of vote count minutes<sup>14</sup>, and do not contain personal data. We consider it absolutely necessary that the annexes are published, as they are an integral part of the contestation and can be examined as evidence. At the same time, we note that the electoral authority has not published the incoming and outgoing correspondence of 30 October 2023, so that the applications for recount on which the Commission has commented are not publicly available.

In this respect, we reiterate our recommendation to the Central Electoral Commission to ensure the timely publication of all contestations, applications, notifications and solutions thereto.

With regard to contesters, we note that in all cases they were electoral competitors or competitors whose registration was cancelled: independent candidates - 4; PŞ - 35; PAS - 4; PS - 3; PSDE - 2; ALDE - 2; PN - 1; PR - 1; PPDA - 1; NOI - 1; PSRM - 1. In 49 cases, the contesters expressed their disagreement with the acts or actions/inactions of the electoral bodies in counting and tabulating the votes (12), in applying the Withdrawal stamp to candidates whose registration was cancelled, and seeking the invalidation of elections (35); in registering/non-registering candidates (2). In 5 other cases, the contestants lodged objections regarding electoral competitors' actions of election day campaigning, organised transportation of voters, use of administrative resources, campaign financing, etc.

With reference to the **decisions issued** by CEC on at least 63 contestations and preliminary applications, we note that only in 46 cases - decisions were adopted and in 17 cases - letters of referral for examination according to the competence or return of the referral/ contestation were sent. At the same time, the decisions adopted:

- 9 contestations were rejected as unfounded;
- 35 contestations were declared inadmissible, because the author of contestations was not a subject entitled to file contestations in electoral matters, including in view of the claims made and the subsequent lack of the injured right. In this regard, we reiterate our recommendation to examine and resolve the dispute related to the cancellation of registration of candidates nominated by PŞ within the time limits set by the Electoral Code;
- FASM was warned for the use of funds other than from the Electoral Fund account and the use of undeclared material funds;
- a recount of ballots was ordered for the office of mayor in the village of Pirita, Dubasari district. We point out that CEC ordered recount in several localities, but the other requests for recount were not registered as contestations.

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<sup>12</sup> [Decision](#) of CEC no. 1573 from 10.11.2023

<sup>13</sup> [Decision](#) of CEC no. 1560 from 09.11.2023

<sup>14</sup> Contestations [CEC-10 ALG/86](#) from 7 November; [CEC-10ALG/84](#) from 7 November; [CEC-10ALG/83](#) from 7 November.

As regards the **deadlines** for the resolution of applications and notifications, we note that 46 contestations were resolved within 1-3 days, thus respecting the 3-day deadline provided for in art. 100 para. (1) Electoral Code. However, with regard to 17 contestations - these were resolved within 4-6 days. At the same time, we note that none of the four contestations registered on election day was resolved on the same day, especially considering that three were subsequently referred for examination according to competence. We reiterate that electoral bodies must examine and issue decisions within tight deadlines, so that contesters are able to benefit from the right to an effective remedy.

### 3.3. Examination of electoral disputes by the courts

At the same time, Promo-LEX OM finds that during the observed period the courts overturned several decisions of the electoral bodies, thus changing their decision and, where appropriate, forcing them to act:

- **Judgment no. 26/3 of 27.10.2023 of ECEC no. 14 Drochia**, which rejected as unfounded the contestation of Dmitri Cutchi, candidate for mayor of the commune of Cotova, Drochia. At the same time, ECEC 14/4 Cotova, Drochia was ordered to issue a decision rejecting the application of Ion Berladean for registration as a candidate for mayor. Please note that according to the results of the elections of 5 November, the candidate nominated by PAS Ion Berladean entered the second round of elections.

The formation of the SCJ concluded that any person in respect of whom a final decision has been issued finding that a real conflict of interest has not been resolved and in respect of whom a prohibition on holding a public office or office of public dignity, including the office of mayor, is not eligible for registration as an electoral competitor for those offices, a situation which has been confirmed in the case before the Court.

We point out that SCJ decision was issued on 10 November and on 13 November 2023 ECEC Cotova adopted the decision rejecting Ion Berladean's application for registration, i.e. only one candidate is on the ballot paper for the second round.

In this respect, Promo-LEX draws attention to the fact that the electoral bodies must take the decisions imposed by the court in the shortest possible time, and inform the voters so that they are aware of their voting options and are not confused.

- **Judgment no. 4 of 02.11.2023 of ECEC no. 27/15 Nihoreni, Riscani**, by which the contestation filed by Zubcova Olga was rejected as inadmissible. Thus, the courts considered founded the contestation of the cancellation of registration of the candidate for the office of mayor Macovei Constantin, nominated by PSRM, and obliged ECEC 27/15 to issue an individual administrative act on the cancellation of his registration.

The cancellation of registration was ordered because the candidate Macovei Constantin has granted himself annual leave of absence from 6 October 2023 and has not suspended his activity as mayor. It should be noted that both the judgement of the Balti Court of Appeal and that of SCJ<sup>15</sup> were handed down on election day, and voters exercised their vote including for the candidate whose cancellation was ordered.

Also on 5 November, ECEC 27/15 executed the decision of the Balti Court of Appeal and cancelled the registration of the electoral competitor Macovei Constantin, and decided to cancel the ballot papers that had the stamp "Voted" applied to this candidate.

As a result, according to the minutes centralising the results of voting in the election of the mayor of Nihoreni village<sup>16</sup>, 652 (59%) ballots were declared invalid, out of the 1100 voters who took part in the vote, and candidates who received 147 and 141 votes respectively entered the second round.

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<sup>15</sup> [Judgement](#) of SCJ of 5 November 2023 in the case of O. Zubcova vs ECEC 27/15 Nihoreni

<sup>16</sup> [Minutes](#) on the centralisation of voting results in the election of the mayor of Riscani village

In view of the above, Promo-LEX OM expresses some concerns in relation to this case:

- a) Proportionality of the sanction applied in relation to the infringement committed. Although the Electoral Code provides in art. 102 para. (5) the sanction of cancellation of registration of the electoral competitor in case of non-suspension from office, we consider that the courts should individualize the sanction and assess whether the damage caused by the non-suspension from office, but by taking leave of absence, is so serious as to require the cancellation of registration of the electoral competitor.
- b) The election results may not express the will of the voters in this constituency, as 59% of the votes were declared invalid without the voters knowing that the candidate's registration had been cancelled.

## IV. PERFORMANCE OF ELECTORAL COMPETITORS

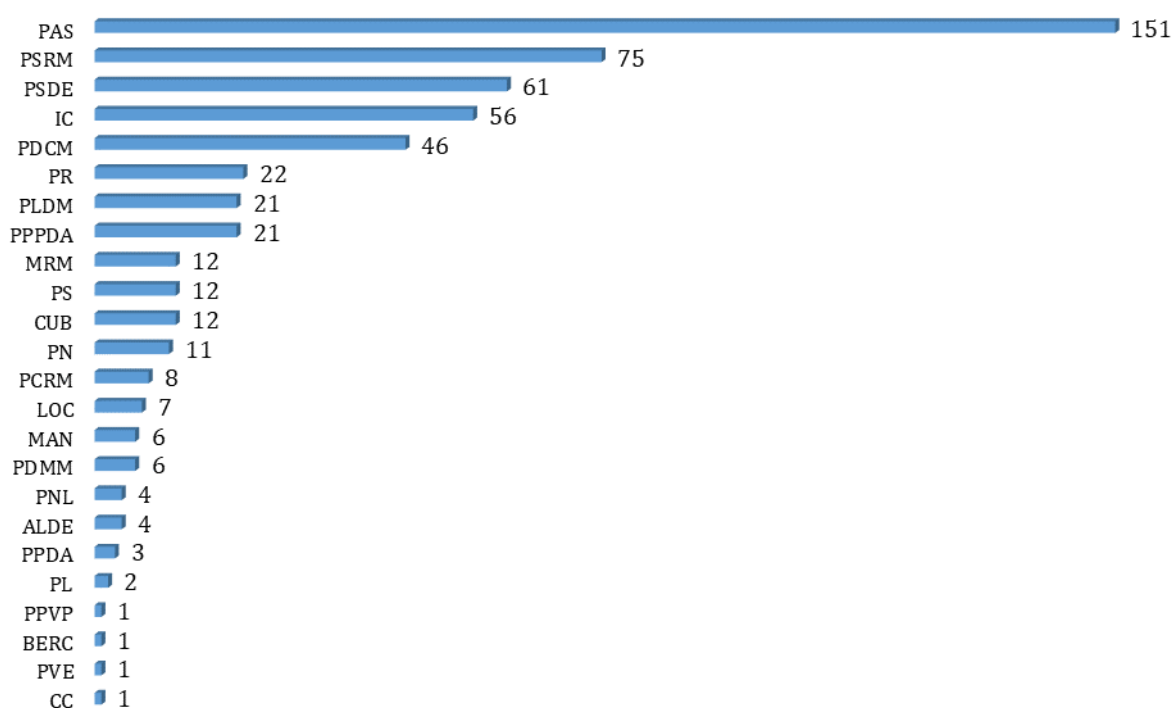
### 4.1. Electoral promotion activities

According to the provisions of art. 70, para. (3) of the Electoral Code, candidates who have passed in the second round of elections may campaign after the date of the second round has been set by a CEC decision, but no later than 10 days before election day. By CEC Decision no. 1546 of 8 November 2023<sup>17</sup>, the date of 19 November was set for the second round of voting.

In the second round of elections, held in 273 localities, 544 candidates will run for the office of mayor, of which 488 are nominated by political parties and 56 are independents.

Chart no. 1

**Total candidates who passed in the second round of elections according to nominating entity**



During the monitored period, Promo-LEX observers reported at least 53 activities promoting candidates and electoral competitors (see Table 4). The most common activities were meetings with voters - 57% and distribution of electoral materials - 29%.

Table 4. Electoral promotion activities

Type of activities	PAS	PSRM	PN	MAN	PPPDA	PDCM	LOC	PR	PSDE	IC Arina Corsicova	Total
Meetings with voters	16		5	2		2				4	29
Distribution of information materials	6	4	1	1			1	1	1		15
Press conference		2		1	2						5
Electoral debates	1	1	1	1							4
<b>Total</b>	<b>23</b>	<b>7</b>	<b>7</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>53</b>

<sup>17</sup> CEC [Decision](#) CEC no. 1546 of 8 November 2023 on the date of the second round of elections for mayors in some municipal, city, village (communal) constituencies.

According to Promo-LEX observers' reports, most activities were carried out by PAS - 45%, followed by PSRM and PN - 12% each. Of the total activities observed, most were organised in Balti - 32%, Ungheni - 15% and Floresti - 10%.

Although the decision of ECEC II Balti no. 239 of 7 November 2023 cancelled the registration of IC Arina Corsicova, we note that she continued to carry out electoral promotion activities (meetings with voters, live appearances on social media, sponsored posts, etc.).

#### 4.2. Use of electoral advertising

During the same period, Promo-LEX observers reported at least 75 cases where electoral advertising was used (see Table 5). The most common forms of advertising were sponsored posts on social media - 45%, voter information materials (newspapers, posters, flyers, etc.) - 24% and street billboards and tents - 6%.

Table 5. Electoral advertising during campaign

Types of advertising	PAS	IC Arina Corsicova	IC Vitalie Vrabie	PSRM	LOC	MAN	PDCM	PN	PR	PSDE	Total
Sponsored posts	13	19	7	0	0	0	0	0	0	0	39
Newspapers, leaflets, flyers etc.	12	0	1	3	1	1	0	1	1	1	21
Street billboards, tents	2	0	0	2	0	0	1	0	0	0	5
Vests, bags, caps, etc.	4	0	0	1	0	0	0	0	0	0	5
Video spots	4	0	0	1	0	0	0	0	0	0	5
<b>Total cases</b>	<b>35</b>	<b>19</b>	<b>8</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>75</b>

Observers reported PAS as having the most use of electoral advertising - 38%, followed by IC Arina Corsicova - 23% and IC Vitalie Vrabie - 9%.

#### 4.3. Misuse of administrative resources

In addition to the legal regulations set out on this subject in previous reports<sup>18</sup>, we reiterate that according to the Venice Commission<sup>19</sup>, 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, regardless of whether they are candidates themselves or support 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.

During the monitored period, Promo-LEX found **19 cases** that can be qualified as misuse of administrative resources, as follows:

- ***involvement of the President of the Republic of Moldova in general local elections - 3 cases (PAS).***

According to art. (2) of the Electoral Code, before the validation of the mandate, the candidate elected as President of the Republic of Moldova shall submit to the Constitutional Court the confirmation that he/she is not a member of any political party. Thus, until the validation of the mandate, Maia Sandu submitted a confirmation that she is no longer a member of PAS.

However, on 12 and 14 November 2023, the President of the Republic of Moldova held meetings with citizens of Ungheni, Calarasi and com. Truseni, Chisinau. We note that in these localities / districts PAS still has a significant number of candidates who will participate in the second round of elections. According to the information in the public space<sup>20</sup>, during the meetings the need to build European villages, European towns and European districts was emphasized. Also, it was mentioned about the development of localities through the "European Village" programme. In this context, we recall that in the

<sup>18</sup> The definition of the notion and reference to some international standards in this field can be found in [Report no. 2 of Promo-LEX OM on the local general elections of 5 November 2023](#), p. 25.

<sup>19</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.

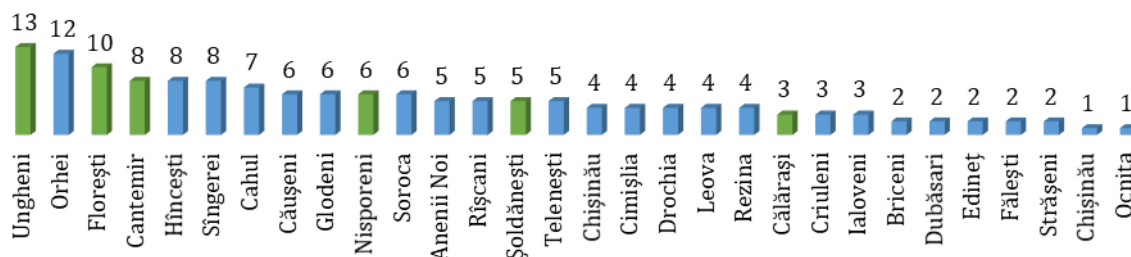
<sup>20</sup> The people of [Calarasi and Ungheni](#) work daily to develop their localities and bring the European Union home.

electoral campaign for the local general elections, PAS used the slogan „Team PAS/Team Europe” and the programmes „European Village” and „European Village Express” were used to promote PAS candidates.

Thus, we find that in the case of mun. Ungheni, PAS has the most candidates who passed in the second round (see chart no. 2). In Ungheni and Calarasi towns, no mayors were elected in the first round, with PAS candidates passing in the second round. Also, in com. Truseni, mun. Chisinau, the PAS candidate passed in the second round.

Chart no. 2

**PAS candidates who passed in the second round of elections**



In the chart, green represents towns where mayors were not elected in the first round.

**- Involvement of public office holders in campaign activities - 16 cases (PAS).**

During the reporting period, there were at least 9 cases when Dorin Recean, Prime Minister of the Republic of Moldova, attended electoral meetings in support of PAS candidates in order to promote them in the elections. Thus, between 11 and 12 November 2023, Dorin Recean was present and promoted PAS candidates in 9 electoral meetings organised in localities of Ungheni (3), Cantemir (1), Nisporeni (1), Soldanesti (2) and Floresti (2). In all these cities PAS candidates passed in the second round.

Also, Dorin Recean, in his role as Prime Minister, appears in 5 electoral spots promoting PAS candidates, as follows: promoting PAS candidates for mayor of com. Truseni<sup>21</sup>, com. Gratiesti<sup>22</sup>, Durlești town<sup>23</sup>, Codru town<sup>24</sup>, com. Bubuieci, mun. Chisinau<sup>25</sup>.

During the same period, Andrei Spinu, Minister of Infrastructure and Regional Development, also campaigned for PAS candidates in at least 2 electoral meetings organised in Rezina and Criuleni.

In Promo-LEX's opinion, the involvement of the President and public office holders in electoral campaign activities does not ensure equal opportunities for electoral competitors since their involvement in the campaign violates the principle of clear separation between the state and political parties.

<sup>21</sup> [Truseni](#) must become European. Viorica Beregoi, together with the PAS team, wants normal things for the local people.  
<sup>22</sup> [We have](#) the support of the Government and PAS team to transform Gratiesti and Hulboaca into a comfortable and European commune.  
<sup>23</sup> Our [objectives](#) are clear and well established. We have the Government's support to achieve these projects as soon as possible.  
<sup>24</sup> [On](#) 19 November Codru Votes for Stelian Manic as MAYOR!  
<sup>25</sup> [Thank you](#) very much Prime Minister Dorin Recean for your trust and support!



## V. ELECTORAL CAMPAIGN FINANCING

The financing of initiative groups (IGs) and electoral campaigns is regulated by the Electoral Code<sup>26</sup>, Contravention Code<sup>27</sup>, the Criminal Code<sup>28</sup>, the Law on Political Parties<sup>29</sup>, the Law on Advertising<sup>30</sup> and the CEC Regulation on financing of initiative groups and electoral campaigns<sup>31</sup>. CEC is the body mandated with receipt, verification, supervision and control of financial reports on campaign financing.

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

#### 5.1.1. Financial reporting by electoral competitors for the second round

- *Weekly reporting of revenues accrued and expenditures made 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 to the CEC weekly, according to the schedule approved in the Calendar Schedule<sup>32</sup>, the reports on the revenues accrued and expenditures incurred in the electoral campaign. In the case of the IC, they shall submit weekly reports on the revenues accrued and expenditures incurred in the electoral campaign to the appropriate constituency electoral council.

During the monitored period, according to the Calendar Schedule, a report was to be submitted - by 10 November 2023. The reports were to be submitted by 23 political parties nominating candidates who passed in the second round of elections<sup>33</sup> and 56 IC<sup>34</sup>.

According to CEC's official website, financial reports were submitted by 17 political parties and 3 ICs<sup>35</sup> (see Annex 1). 6 political parties - PCRM, PNL, ALDE, PPVP, CC and EB Ruslan Codreanu - did not submit a financial report. We remind 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 sanctioned with a warning or a fine from 90 to 300 conventional units (4,500 to 15,000 lei).

In terms of quality of reporting, we continue to see 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.

### 5.2. Revenues and expenditures reported by electoral competitors to CEC

#### 5.2.1. Reported revenues and their source

According to CEC's official website, for the period 8 - 10 November 2023, out of 17 political parties and 3 ICs, only 9 political parties and 2 ICs declared revenues. In the case of the other electoral competitors, no revenues were accrued for the monitored period. Reported revenues totalled 646,119 lei, of which

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<sup>26</sup> Electoral [Code](#) of the Republic of Moldova.

<sup>27</sup> Contravention [Code](#) of the Republic of Moldova.

<sup>28</sup> Criminal [Codul](#) of the Republic of Moldova.

<sup>29</sup> [Law](#) no. 294 of 21 December 2007 on Political Parties.

<sup>30</sup> [Law](#) no. 62 of 17 March 2022 on advertising.

<sup>31</sup> CEC [Decision](#) no. 1185 from 18 August 2023 for approval of Regulation on the financing of initiative groups and electoral campaigns.

<sup>32</sup> Calendar [Programme](#) for organising and conducting the local general elections of 5 November 2023, approved by CEC Decision no. 1150 of 2 August 2023, p. 54 and 55.

<sup>33</sup> ALDE, EB Ruslan Codreanu, CC, CUB, LOC, MAN, MRM, PAS, PCRM, PDCM, PDMM, PL, PLDM, PN, PNL, PPDA, PPPDA, PPVP, PR, PS, PSDE, PSRM, PVE.

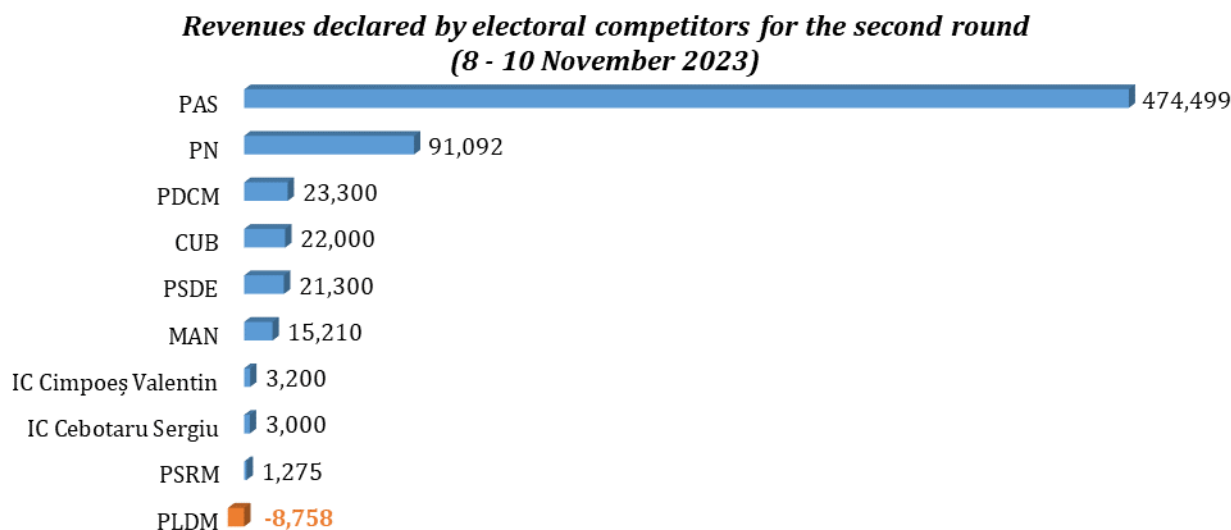
<sup>34</sup> IC Guțan Valentin, IC Cebotaru Sergiu, IC Popescu Ala, IC Cimpoeș Valentin, IC Nalban Mariana, IC Ostafii Anatoli, IC Arnautova Liubov, IC Nasulea Ion, IC Bivol Cristina, IC Stavila Viorica, IC Chetrușca Aurel, IC Țîrgola Maria, IC Scifos Tudor, IC Rotaraș Mihail, IC Juc Arcadie, IC Rusu Sergiu, IC Rusu Pavel, IC Colesnic Serghei, IC Boiciuc Alexandru, IC Ganea Stela, IC Curzac Alina, IC Țugui Vadim, IC Robu Sergiu, IC Bezvușceac Elena, IC Sîrbu Lilia, IC Chiorescu Valentin, IC Leuca Petru, IC Ungureanu Constantin, IC Varzari Marina, IC Bacal Lilia, IC Jitari Iraida, IC Ipolitov Nicolae, IC Cocu Vivian, IC Dogocher Petru, IC Nița Victor, IC Călăraș Alexandru, IC Pișlaru Aliona, IC Jardan Viorel, IC Ostafii Iurie, IC Tanurcov Stepan, IC Vrabie Vitalie, IC Țicu Valeriu, IC Anastasov Serghei, IC Onofrei Anna, IC Ialanji Marina, IC Todorov Fiodor, IC Constandoglo Oleg, IC Jecova Sofia, IC Garizan Oleg, IC Colțiuț Serghei, IC Terzin Vitalie, IC Dodon Igor, IC Dudoglo Nicolai, IC Seiz Maria, IC Gorelco Gheorghii, IC Fucedji Vadim.

<sup>35</sup> The report was presented by IC Cebotaru Sergiu, IC Cimpoeș Valentin and IC Nita Victor.

20,797 lei were accumulated revenues from material donations. The balance of funds at the beginning of the monitoring period was 658,117 lei (funds remaining from the first round).

The highest revenues were reported by PAS - 73%, followed by PN - 14% and PDCM - 4% (see Chart 3). Therefore, we see that 91% of the total declared revenues were reported by 3 political parties, and the other 8 electoral competitors - only 9% of the revenues (6 political parties and 2 ICs). In the case of PLDM, the transfer of the remaining amount from the account „Electoral Fund” to the current account of the political party was reported.

Chart no. 3



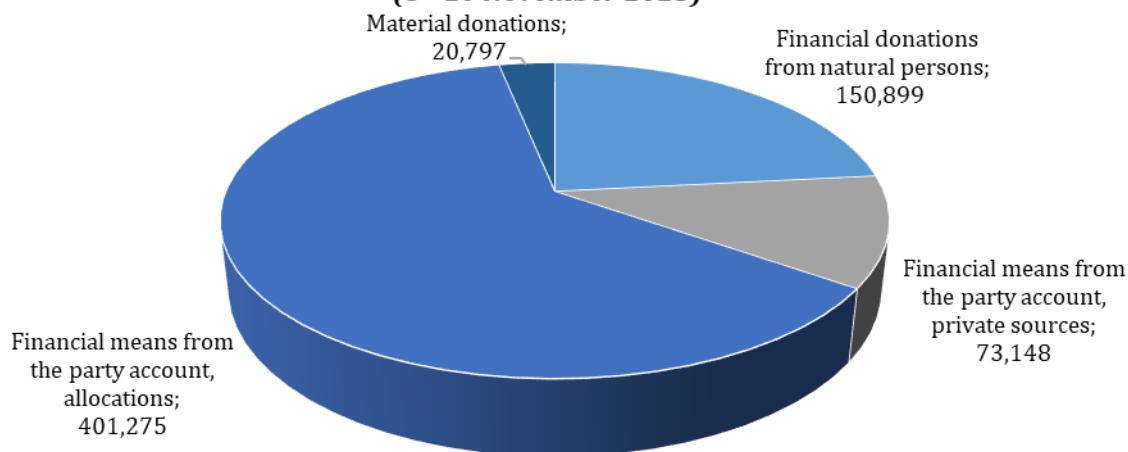
Depending on the source of revenue, we see the following situation (see Chart no. 4):

- 74% (474,423 lei) of the revenues constitute the financial means transferred from the current account of the political parties to the „Electoral Fund” account. Of these, 85% were from allocations from the state budget, reported by 2 parties (PAS and PSRM), and 15% - from private sources (PN);
- 23% (150.899 lei) were from donations from individuals, reported by 5 political parties<sup>36</sup> and 2 IC<sup>37</sup>;
- 3% (20,797 lei) were from material donations, reported by 3 political parties (PN, PAS and MAN).

<sup>36</sup> PSDE, PN, PAS, CUB and PDCM.

<sup>37</sup> IC Cebotaru Sergiu and IC Cimpoes Valentin.

**Sources of revenue declared by electoral competitors for the second round  
(8 - 10 November 2023)**

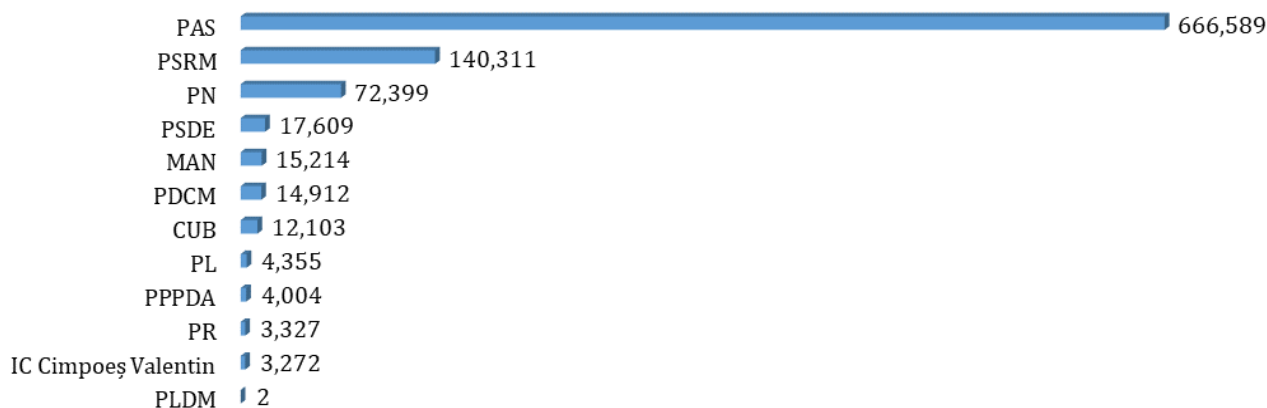


**5.2.2. Declared financial expenditures and their destination**

According to CEC’s official website, from 8 to 10 November 2023, 11 political parties and 1 IC reported total expenditures of 954,095 lei, of which 20,797 lei were from material donations. Most expenditures were reported by PAS - 70%, followed by PSRM - 15% and PN - 8% (see Chart no. 5). As in the case of revenues, we find that 3 political parties reported 92% of total declared expenditures, and the other 9 electoral competitors - only 8% of expenditures (8 political parties and 1 IC).

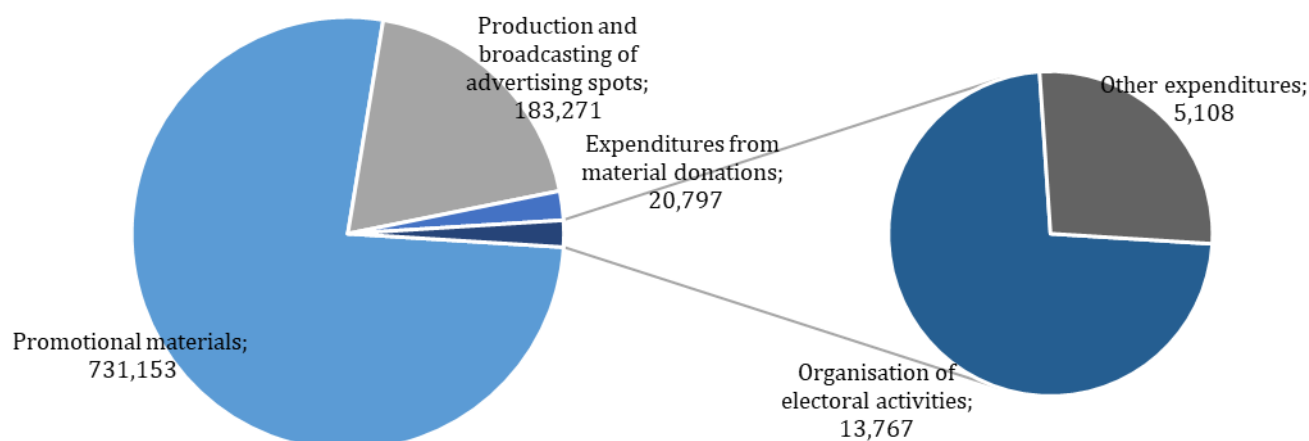
Chart no. 5.

**Expenditures declared by electoral competitors for the second round  
(8 - 10 November 2023)**



According to the destination of the reported expenditures, most were for the production of promotional materials (newspapers, posters, vests, banners, pens, etc.) - 77%, followed by the production and broadcasting of advertising spots (where street billboards, radio, TV, internet advertising, etc. were attributed) - 19% and expenditures from material donations - 2% (see chart no. 6).

**Destination of expenditures reported by electoral competitors in the second round  
(8 - 10 November 2023)**



### 5.3. Civic monitoring of electoral campaign financing

Based on the reports filled in by Promo-LEX observers, the expenditures of the electoral competitors in the period 8 - 10 November 2023 were estimated. Following their estimation, these expenditures were compared with the expenditures declared to CEC in the electoral campaign financing reports. As methodological milestones for expenditure estimation, were applied the minimum market prices identified for services, goods and works used by competitors for the purpose of electoral campaigning.

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

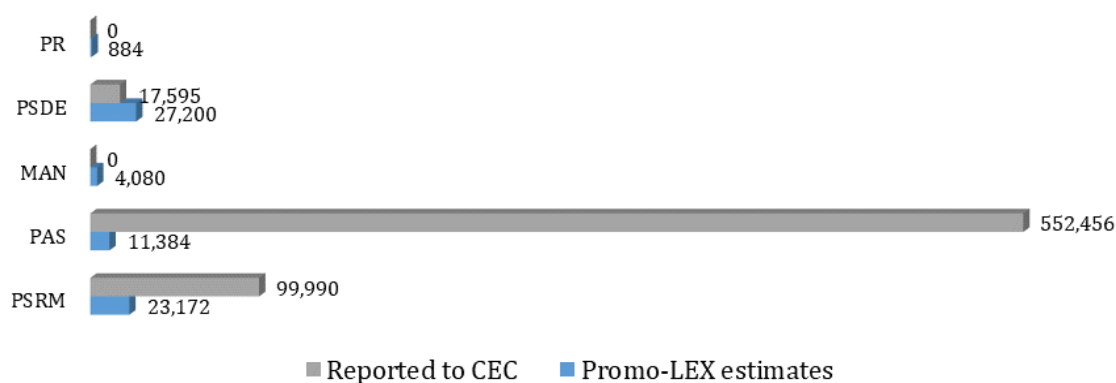
**IMPORTANT!** Please note that the amounts estimated by Promo-LEX for electoral competitors were established based on the financial reports published on CEC's official website as of 15 November 2023.

#### 5.3.1.1. Estimation of expenditures for promotional materials

According to Promo-LEX observers, electoral competitors are using promotional materials also in the campaign for the second round of elections. Based on the reported information, it was estimated that 3 electoral competitors incurred unreported expenditures of at least **14,569 lei** (see Chart no. 7).

Chart no. 7

**Estimation of expenditures for promotional materials  
(8 - 10 November 2023)**



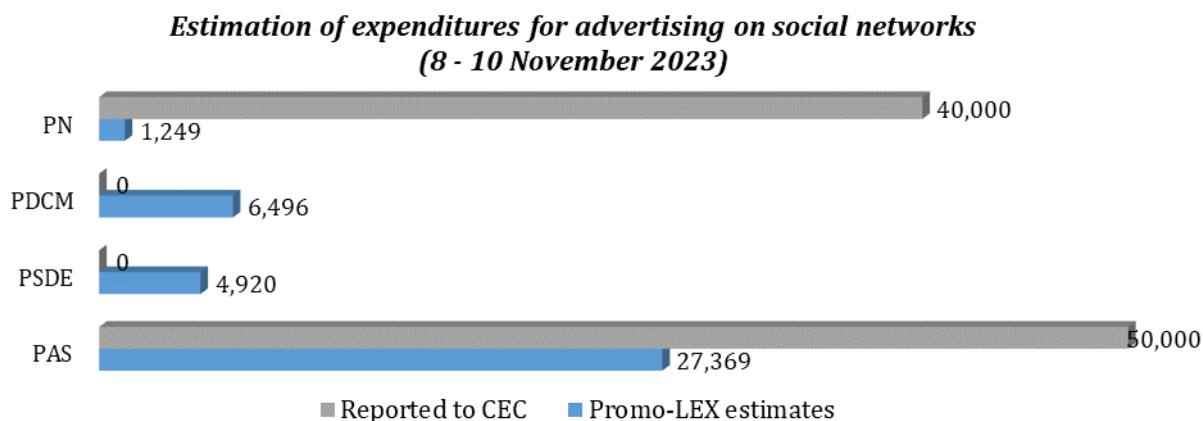
### 5.3.1.2. Estimation of expenditures for internet advertising

During the monitored period, the use of internet advertising was observed through the live transmission of two press conferences. Thus, it was estimated that PSRM incurred unreported expenditures of at least **6,487 lei**.

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

Sponsored advertising on social media continues to be widely used in the second round. Based on the information identified in the public reports available on Meta, unreported expenditures of at least **11,417 lei** were estimated to be incurred by 2 electoral competitors (see Chart no. 8).

Chart no. 8



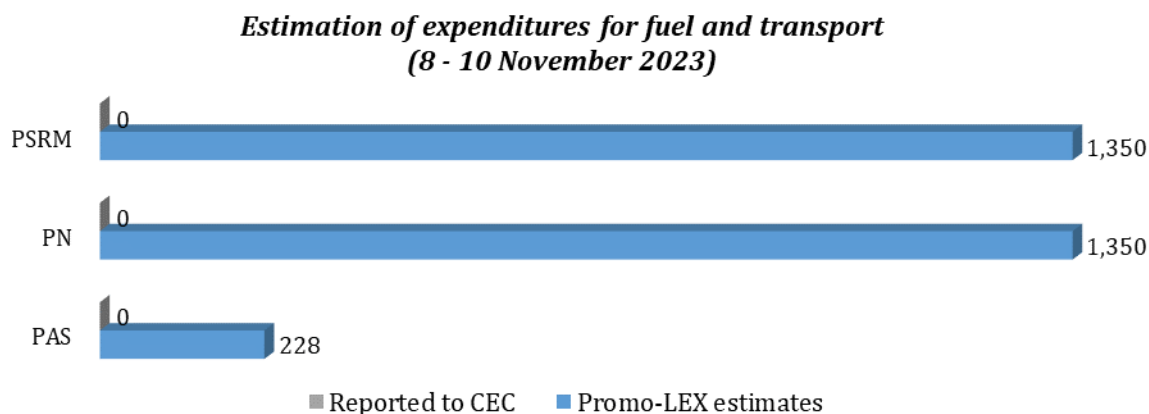
With regard to expenditures on social media, 2 cases were observed where, IC Arina Corsicova is promoted without publishing the information about the actual provider of the paid advertising (her registration as IC for the position of mayor of municipality of Balti was cancelled on 7 November 2023). Thus, through the pages „Moldova full of surprises” and „A new Moldova”, promotional expenditures for IC Arina Corsicova were estimated to be at least **53,816 lei** (8 - 10 November 2023).

In this context, we reiterate that Promo-LEX has previously developed and publicly presented a policy paper on political and electoral financing by “third parties”, in which it argued the need for regulation of political and electoral financing by these parties<sup>38</sup>.

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

During the monitored period, Promo-LEX observers reported campaign activities involving travel of electoral competitors or their deployed/delegated persons to localities of the Republic of Moldova, which resulted in transport expenditures. Based on this information, unreported expenditures of at least **2,928 lei** were estimated for 3 electoral competitors (see Chart no. 9).

Chart no. 9

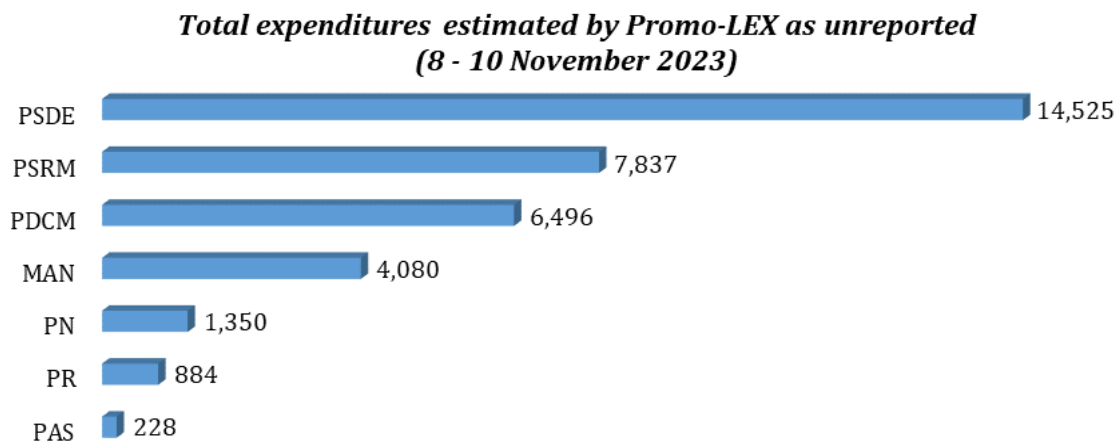


<sup>38</sup> POLICY DOCUMENT: Political and electoral financing by „third parties”.

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

In the context of the above, based on the reports of Promo-LEX observers, for activities carried out by 8 political parties in the electoral campaign, unreported expenditures of at least **35,401 lei** were estimated, of which 41% were for PSDE, 22% - PSRM and 18% - PDCM (see chart no. 10).

Chart no. 10



By destination of estimated unreported expenditures, the most were for promotional materials - 41%, followed by social media advertising - 32% and internet advertising - 18%.

## VI. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

### 6.1. Hate speech against politicians/electoral competitors

On 5 November 2023, during the broadcast „Special edition on TV8: Local general elections 2023!”, Renato Usatii, president of the political party „Partidul Nostru” (Our Party) (PN), candidate at the time for the office of councillor for the municipality of Balti and former mayor of Balti, promoted a hate speech by justifying violence („*That’s where Dustul (t.n. DDT chemical) and Дихлофос (t.n. Dichlorvos) are needed*”) and the use of dehumanisation („*с крысами нельзя заниматься грызнёй*” (*you can’t argue with rats*)) in relation to members and sympathisers of the political party „Şor”:

**„Igor Botan:** *Are you saying that CES (Commission for Exceptional Situations) should have removed all those who you think are from Şor’s side?*

**Renato Usatii:** *Not me, Mr Boţan. The problem, once again is, значит с крысами нельзя заниматься грызнёй (n.t. This means you can’t argue with rats). Do you understand? That’s where Dustul (t.n. DDT insecticide) and Дихлофос (t.n. Dichlorvos – insecticide, chemical substance) are needed. Well, taking out half of Şor and then again another part... I mean, the surgeon, when doing an abortion, takes out the whole thing, he doesn't leave one half!*

**Igor Botan:** *Yes, but don’t you admit that this was done intentionally to expose the whole mechanism?*

**Renato Usatii:** *I mean, that they left me для теста драйва (n.t. for a driving test), as they say, научные эксперименты (n.t. scientific experiments)?”<sup>39</sup>*

The show was moderated by Mariana Rata and Anatolie Golea, with political analyst Igor Botan as one of the guests. None of the moderators intervened to stop or draw attention to the messages delivered by Renato Usatii. Renato Usatii’s intervention was picked up and published on his social media pages and had more than 300 thousand views.

On 5 November 2023, Alexei Lungu, acting mayor of Orhei town, president of the political party „ŞANSĂ” (Chance) (PŞ) and journalist held a press conference in front of the Central Electoral Commission. During the conference, at least two people protested against the activity of the political party Alexei Lungu leads. One of these people threatened the latter with physical violence, saying:

**Protester:** *You called me, you called me!*

**Alexei Lungu:** *Don’t shout, don’t shout! Why are you shouting?*

**Protester:** *Because you’ve been sticking in our craw for so long, I can’t stand you anymore”<sup>40</sup> [...] Aren’t you ashamed? Aren’t you ashamed? Go get ’em! We’re gonna kick your ass!*

**Alexei Lungu:** *What? Come kick my ass if you’re so brave.<sup>41</sup>*

### 6.2. Sexist language against electoral competitors

On 5 November 2023, during the broadcast „Special edition on TV8: Local general elections 2023!”, Renato Usatii, president of PN, candidate, at the time, for the office of councillor for the Balti municipality and former mayor of Balti, used sexist language in relation to Stefan Gligor, president of the political party „Party of Change” (PS), at the time candidate for mayor of Chisinau on behalf of the same party:

<sup>39</sup> Renato Usatii, Show „Special edition on TV8: Local general elections 2023!”, TV8, min. 03:05:28, <https://www.youtube.com/watch?v=4AdtQFJJ3NM>

<sup>40</sup> Unknown author, min. 01:12, <https://tv8.md/2023/05/11/video-stop-cadru-alexei-lungu-huiduit-la-cec-o-papusa-cumparata-imi-stati-in-gat-deja-m-ati-z-it-reactia-liderului-sansa/243536>

<sup>41</sup> Unknown author, min. 02:37, <https://tv8.md/2023/05/11/video-stop-cadru-alexei-lungu-huiduit-la-cec-o-papusa-cumparata-imi-stati-in-gat-deja-m-ati-z-it-reactia-liderului-sansa/243536>

**„Moderator:** *Mr. Chernauteanu, head of the IGP (General Inspectorate of Police), told us today, in the special edition, that several cases of voter corruption have been documented today. Mr Stefan Gligor said it was €300 for one vote. Are you aware of such cases?*

**Renato Usatii:** *So that mister, whom you call mister, for me he is more of a lady, like his candidate from Balti (note: Nicolai Grigorişin), that's first.”<sup>42</sup>*

### 6.3. Discriminatory language used to denigrate politicians

In five cases, politicians, members and supporters of the political party „Action and Solidarity Party” were the target of negative associations with mental disabilities. The authors of these messages were both politicians and opinion formers. Although these messages do not incite hatred or discrimination, they promote stereotypes and prejudices towards people with mental disabilities and thus increase intolerance towards this group.

For example, on 3 November 2023, in the context of the announcement of the decision of the Commission for Exceptional Situations to exclude PŞ electoral competitors from the electoral race, on his personal Facebook page, followed by 111 thousand people, Ilan Shor, president of the political party „Sor” (declared unconstitutional on 19 June by the Constitutional Court<sup>43</sup>) used discriminatory language («шайка дебилов» (t.n. bunch of morons), «шизофреник» (t.n. schizophrenic)) and dehumanization («He слушаеет этих нсов» (t.n. don't listen to these dogs)). On the one hand, the association with mental disorders and mental illness is used to denigrate and cast politicians and PAS members in a negative light. On the other, using the association with animals reduces the human face of targeted people and makes them potential targets of contempt, hatred or violence based on „political affiliation”:

*“I don't know, maybe he was stoned, maybe Maya gave him her unfinished bottle of wine?<sup>44</sup> [...] But instead of coming to us and asking us to help the rest of the country, this alcoholic president tells us she's going to take that gas away at the border. The schizophrenic Minister of Energy says it doesn't exist. Make up your mind guys, you will take it away or it doesn't exist... We realise that today Moldova is ruled by a bunch of morons, but you are already overstepping the boundaries of total lies.<sup>45</sup> [...] Don't listen to these dogs, they won't say or do anything good.»<sup>46</sup>*

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<sup>42</sup> Renato Usatii, Show „Special edition on TV8: Local general elections 2023!”, TV8, min. 02:52:01, <https://www.youtube.com/watch?v=4AdtQFJJ3NM>

<sup>43</sup> Constitutional Court, Judgment no. 10 of 19.06.2023 on the constitutionality of the political party „Sor”, <https://www.constcourt.md/ccdocview.php?tip=hotariri&docid=828&l=ro>

<sup>44</sup> Ilan Shor, min. 00:23, <https://www.facebook.com/ilanshorofficial/videos/709719470735201/>

<sup>45</sup> Ilan Shor, min. 02:18, <https://www.facebook.com/ilanshorofficial/videos/709719470735201/>

<sup>46</sup> Ilan Shor, min. 02:58, <https://www.facebook.com/ilanshorofficial/videos/709719470735201/>



## **RECOMMENDATIONS**

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

1. Supplementing the Electoral Code with provisions that would regulate political and electoral financing by "third parties".

### **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, applications and decisions thereon.
4. Publication of financial reports on CEC's website in a format consistent with open data principles.
5. Developing a guide/instruction detailing the expenditure lines in the financial reports and the types of expenditure that can be attributed to the corresponding lines respectively.

### **Courts of justice**

6. Examination of disputes related to electoral process (in particular in the case of PŞ vs. CES) in a short period of time, so that electoral bodies can decide on the confirmation or invalidation of the legality of elections and validation of mandates.

## 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  
CES – Commission for Exceptional Situations  
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  
EB Ruslan Codreanu – Electoral Bloc “Ruslan Codreanu”  
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)  
PPN - Political Party Noi (We)  
PPPDA – Political Party Platforma Demnitate si Adevar (Platform Dignity and Truth)  
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)  
PS – polling station  
STO – short-term observer  
USAID – United States Agency for International Development

## ANNEXES

## Annex no. 1. Political parties' financial reporting to CEC

Competitor	Treasurer registration	Start of campaign report	Opening the „Electoral Fund” account	Deadline 06.10.2023	Deadline 13.10.2023	Deadline 20.10.2023	Deadline 27.10.2023	Deadline 03.11.2023	Deadline 10.11.2023
ALDE	06.10.2023		06.10.2023	submitted	submitted	submitted	submitted	submitted	-
EB R.Codreanu	03.10.2023		12.10.2023	info	submitted	submitted	submitted	submitted	-
CC	06.10.2023	13.10.2023	29.09.2023	13.10.2023	14.10.2023	submitted	submitted	submitted	-
CUB	06.10.2023		05.10.2023	06.10.2023	submitted	submitted	submitted	submitted	10.11.2023
FASM					-	-	-	-	N/A
LOC	24.10.2023	06.10.2023	02.10.2023	06.10.2023	13.10.2023	submitted	submitted	submitted	10.11.2023
MAN	06.10.2023	06.10.2023	29.09.2023	07.10.2023	13.10.2023	submitted	submitted	submitted	10.11.2023
MPSN	17.10.2023		18.10.2023	06.10.2023	prezentat	submitted	submitted	submitted	N/A
MRM	30.09.2023		04.10.2023	06.10.2023	13.10.2023	submitted	submitted	submitted	submitted
NOI	17.10.2023				info	-	-	-	N/A
PACE					-	-	-	-	N/A
PAS	30.09.2023	26.09.2023	28.09.2023	07.10.2023	13.10.2023	submitted	27.10.2023	submitted	10.11.2023
PCRM	06.10.2023	07.10.2023	04.10.2023	submitted	submitted	submitted	submitted	submitted	-
PDCM	30.09.2023		27.09.2023	06.10.2023	13.10.2023	20.10.2023	27.10.2023	submitted	10.11.2023
PDMM	27.10.2023		02.10.2023	07.10.2023	submitted	submitted	submitted	submitted	10.11.2023
PL	06.10.2023	07.10.2023	23.10.2023	info	info	submitted	submitted	submitted	10.11.2023
PLDM	30.09.2023	01.10.2023	27.09.2023	06.10.2023	submitted	submitted	submitted	submitted	10.11.2023
PN	06.10.2023	06.10.2023	05.10.2023	06.10.2023	13.10.2023	submitted	submitted	submitted	10.11.2023
PNL	12.10.2023		13.10.2023		-	submitted	-	submitted	-
PNM	09.10.2023		11.10.2023	prezentat	submitted	submitted	submitted	submitted	N/A
PONA	06.10.2023		16.10.2023	09.10.2023	-	submitted	submitted	submitted	N/A
PPBN					-	-	info	info	N/A
PPDA	12.10.2023		13.10.2023	info	submitted	submitted	submitted	submitted	submitted
PPFD	13.10.2023	21.10.2023	12.10.2023		-	submitted	submitted	submitted	N/A
PPM	09.10.2023		02.10.2023	submitted	submitted	submitted	submitted	submitted	N/A
PPN	12.10.2023		13.10.2023	info	info	info	submitted	submitted	N/A
PPPDA	07.10.2023	05.10.2023	05.10.2023	06.10.2023	13.10.2023	submitted	submitted	submitted	10.11.2023
PPPPN					-	-	info	-	N/A
PPRM				-	-	-	-	-	N/A
PPVP	28.10.2023	30.09.2023	26.09.2023		submitted	submitted	submitted	submitted	-
PR	10.10.2023		29.09.2023	06.10.2023	submitted	submitted	submitted	submitted	10.11.2023
PS	12.10.2023		09.10.2023	info	submitted	submitted	submitted	submitted	10.11.2023
PSDE	06.10.2023	06.10.2023	29.09.2023	06.10.2023	submitted	submitted	submitted	submitted	10.11.2023
PSRM	06.10.2023	25.09.2023	25.09.2023	07.10.2023	13.10.2023	submitted	27.10.2023	submitted	10.11.2023
PŞ	06.10.2023		11.10.2023	06.10.2023	submitted	submitted	submitted	submitted	N/A
PVE	12.10.2023		13.10.2023	-	info	submitted	submitted	submitted	10.11.2023
IC Guţan Valentin			16.10.2023		-	25.10.2023	submitted	submitted	-
IC Burlea Ion			17.10.2023		-	26.10.2023	-	-	N/A
IC Sîrbu Sergiu			16.10.2023		-	submitted	submitted	submitted	N/A
IC Cebotaru Sergiu			24.10.2023		-	submitted	submitted	submitted	prezentat
IC Slobozeanu Roman			18.10.2024		-	-	submitted	submitted	N/A
IC Costiuc Nina			24.10.2024		-	submitted	submitted	submitted	N/A
IC Malu Vladimir			10.10.2023		-	submitted	submitted	submitted	N/A
IC Jizdan Vadim			11.10.2023		submitted	submitted	submitted	submitted	N/A
IC Rusu Tatiana			16.10.2023		-	submitted	submitted	submitted	N/A
IC Cimpoş Valentin			16.10.2023		-	submitted	submitted	submitted	prezentat
IC Urechen Radu			19.10.2023		-	submitted	submitted	submitted	N/A
IC Nasulea Ion					-	-	-	-	-
IC Vdovicenco-Minciuna			24.10.2023		-	-	submitted	submitted	N/A
IC Guzun Ion			24.10.2023		-	-	submitted	submitted	N/A
IC Ţurcanu Ion					-	-	-	-	N/A
IC Bivol Cristina					-	-	-	-	-
IC Belciug Ivan			23.10.2023				submitted	submitted	N/A
IC Nicu Anatolie					-	-	-	-	N/A
IC Tureac Alexandru			11.10.2023		submitted	-	submitted	submitted	N/A
IC Zavrotchii Dmitrii			23.10.2023		-	-	submitted	submitted	N/A
IC Buzu Nicolae			20.10.2023		-	submitted	submitted	submitted	N/A
IC Marahovschi Victor			20.10.2023		-	-	submitted	submitted	N/A
IC Ipolitov Nicolae					-	-	-	-	-
IC Niţa Victor			30.10.2023		-	-	submitted	submitted	submitted
IC Cuzuioc Ghenadie			12.10.2023		-	submitted	submitted	submitted	N/A
IC Mursa Olga			06.10.2023		-	-	-	submitted	N/A
IC Damian Nicolae			17.10.2023		-	-	submitted	submitted	N/A
IC Gaina Tamara			19.10.2023		-	-	-	-	N/A
IC Vrabie Vitalie			11.10.2023		submitted	submitted	submitted	submitted	-
IC Filimon Ion			13.10.2023		submitted	submitted	submitted	submitted	N/A
IC Lipcan Pavel					-	submitted	submitted	submitted	N/A
IC Timofti Nicolae						submitted	submitted	-	N/A
IC Dudoglo Nicolai			11.10.2023		-	submitted	submitted	submitted	-
IC Anastasov Serghei					-	submitted	submitted	submitted	-
IC Chiulafli Serghei			17.10.2023		-	-	submitted	submitted	N/A
IC Levintii Dmitrii			26.10.2023		-	-	submitted	submitted	N/A
IC Gheorghiu Veaceslav			16.10.2023		-	submitted	submitted	submitted	N/A
IC Topal Anatoli			12.10.2023		submitted	submitted	submitted	submitted	N/A

IC Carapirea Nicolai			13.10.2023		-	submitted	submitted	submitted	N/A
IC Uzun Anatoli			18.10.2023		-	submitted	submitted	submitted	N/A
IC Zlatovcen Ivan			18.10.2023		-	submitted	submitted	-	N/A
IC Garizan Oleg			17.10.2023		-	submitted	submitted	submitted	-
IC Fucedji Vadim			11.10.2023		submitted	submitted	submitted	submitted	-
IC Capsamun Vasili					-	submitted	submitted	submitted	N/A
IC Chiosea Iliia			23.10.2023		-	-	submitted	submitted	N/A
IC Chiciuc Piotr			17.10.2023		-	submitted	submitted	submitted	N/A
IC Topciu Fiodor					-	submitted	submitted	submitted	N/A