

Promo-LEX

Advancing democracy and human rights

OBSERVATION MISSION

GENERAL LOCAL ELECTIONS
5 NOVEMBER 2023

Report no. 3

**Observation period:
October 5 - 17, 2023**

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coaliția civică pentru alegeri libere și corecte

OBSERVATION MISSION

GENERAL LOCAL ELECTIONS
5 NOVEMBER 2023

Chisinau, 2023

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INTRODUCTION

Report no. 3 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 5 – 17 October 2023. Observation of campaign financing was carried out from 6 to 13 October. The results of monitoring hate speech and incitement to discrimination are presented for the period 29 September – 12 October 2023.

The main findings and trends in the current report relate to candidates' registration, the work of electoral bodies and campaign activities of the candidates. 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.electorala.monitor.md where anyone can report election-themed activities.

EXECUTIVE SUMMARY

Legal framework. In this election, MO Promo-LEX is observing uncertainty on behalf of authorities concerning the applicability of the ban on holding office, as a result of the final finding issued by the National Integrity Authority (ANI), while the persons concerned have not had their mandate lifted. In Promo-LEX's opinion, this category of people should not have been admitted to the elections. Otherwise, once the new office of mayor is validated, as a result of the elections of 5 November 2023, the previous mayor's mandate will cease and, thus, the sanction of disqualification from holding public office will automatically be imposed. In other words, new local elections would have to be organised and held.

Also, during the reference period, the Constitutional Court rejected the application for suspension of the Parliament's decision of 21.09.2023 on the extension of the state of emergency and of the Provision of the Commission for Exceptional Situations (CES) no. 86 of 04.10.2023 whereby it was decided that certain categories of persons could not participate in the general local elections from 5 November 2023.

Electoral bodies. During the reporting period, the Central Election Commission (CEC) continued to implement the activities set out in the Calendar Schedule. For the voter information campaign, CEC published, for the first time, information materials in five ethnic minority languages: Russian, Ukrainian, Gagauz, Bulgarian and Romani. In addition, together with the Centre for Continuing Education in the Electoral Field (CICDE), the certification procedure for election officials went ahead. The accreditation procedure for observers continued. In total, by 17 October 2023, CEC accredited 828 observers, including 721 domestic observers and 107 international observers and experts. Promo-LEX accredited 684 (95%) of the total number of domestic observers.

During the reporting period, the main activities of the Electoral Constituency Electoral Council (ECEC) level II and ECEC I included: registration of candidates, examination of notifications, setting up of electoral bureaus of polling stations (EBPS), changes in the composition of lower bodies, etc. Among the difficulties mentioned by electoral officials, the following are worth mentioning: high workload; non-attendance of members at meetings of the electoral body; delayed technical and material provision; insufficient number of certified persons for the constitution of lower-level electoral bodies; increased number of changes in the nominal composition of electoral bodies due to incompatibilities provided for in the Electoral Code, etc.

In the case of ECEC I, we would draw attention to 11 cases of obstruction of free observation of the work of the electoral body, where observers were not given access to all electoral materials. In addition,

the Promo-LEX OM found two cases of deviation from the legal provisions on the electoral procedure for the election of the leadership.

EBPSs were set up in time, most of them being located in houses of culture and educational institutions. Based on the information from the first 52 EBPSs visited, we continue to see a gross gender imbalance in their composition (91% - women). Other problems identified relate to: poor public information on composition (only 19% informed), limited accessibility for voters with mobility disabilities (only 21% considered accessible).

Nomination and registration of competitors. The local general elections on 5 November 2023 are competitive. Moreover, the number of candidates for all types of elective office is higher than for the 2019 local elections. The highest number of registered candidates for the mayor's office was nominated by the Action and Solidarity Party (PAS) (698), the Political Party Şansa (Chance) (PŞ) (649) and the Party of Socialists of the Republic of Moldova (PSRM) (520). Compared to elections in 2019, the share of independent candidates for this elective office decreased, albeit insignificantly (from 10% to 8%). On the other hand, the involvement of women candidates for the mayor's office increased by about 3% (from 27% to 30%).

For the office of mayor of mun. Chisinau a record number of candidates was registered - 27. A positive dynamic in terms of registration of women as candidates for the mayor's office was noted in the case of Balti and Chisinau municipalities - from 6% in 2019 to 19% in 2023. In mun. Chisinau no independent candidate was registered, and in mun. Balti - only two out of a total of 15 registered applications.

Promo-LEX observers reported at least 15 cases of rejection of applications for registration for the mayor's and councillor's offices. Applications for registration for the mayor's office were rejected on the grounds of ban on holding a public office (7 cases), insufficient number of signatures collected (6 cases), lack of documents concerning compulsory general education (2 cases). At the level of ECEC I, Promo-LEX observers also reported at least 30 cases qualified as registration of the list of candidates for the office of councillor with non-compliance of the minimum quota of 40%.

According to observers, towards the end of their mandate (2019-2023), most mayors who abandoned the party that nominated them in the 2019 elections „migrated” to PAS before the 2023 local elections.

Electoral contestations. According to Promo-LEX observers, from 5 to 17 October 2023, at least 57 contestations and notifications were submitted to the electoral bodies, of which at least 32 contestations and notifications were submitted to the ECEC I and II, and at least 15 contestations and 10 notifications were submitted to the CEC.

Regarding the solutions delivered, Promo-LEX OM notes that only one contestation was admitted at the ECEC, the others were declared inadmissible or rejected. CEC delivered solutions on at least 29 contestations and notifications. Decisions were adopted in 16 cases and letters were sent in 13 cases to return the notification/contestation, to refer it for examination under the competence or to communicate other solutions.

With regard to the time limits for examination, we draw the attention of the electoral bodies to the need to examine and issue decisions within short time limits so that contestants are able to benefit from the right to an effective remedy.

Electoral rolls. The electoral rolls were printed in due time. They include 2,761,954 voters, about 6,000 fewer than in the last national elections in 2021. The number of voters on the basic rolls does not differ substantially from the number on the State Register of Voters (RSA).

Promo-LEX OM draws attention to a chronic problem in the quality of electoral rolls - the exclusion from the rolls of part of the *de facto* inhabitants of Corjova. The problem is perpetuated from election to election and no systemic solutions have been proposed by the public authorities, including the electoral authorities. According to Promo-LEX, voting on supplementary rolls was a temporary solution that should be dropped. The issue of establishing residence in the identity documents corresponding to the state of affairs must be resolved.

Electoral competitors. Observers identified 358 activities to promote electoral candidates and competitors, in particular: distribution of electoral materials (35%), meetings with voters (31%) and

campaign launch activities (20%). The most active competitors were: PAS (38%), PSRM (20%) and the Party of Development and Consolidation of Moldova (PDCM) (6%).

Promo-LEX OM found 43 cases that can be qualified as misuse of administrative resources, in particular: use of public authorities to promote electoral initiatives - 4 cases (Government of the Republic of Moldova, Executive Committee of the Autonomous Territorial Unit Gagauzia (ATUG), Taraclia Town Council and Orhei District Council); Involvement of persons holding public office in campaign activities - 18 cases (PAS); electoral candidates taking credit for public works/services carried out with public money - 11 cases (6 - PAS, 2 - Party of Change (PS), 2 - National Alternative Movement (MAN), 1 - League of Towns and Municipalities (LOC)); organisation of electoral meetings in public institutions with employees of those institutions during their working hours - 9 cases (5 - PSRM, 2 - PAS, 1 each - Coalition for Unity and Welfare (CUB) and Party of Communists of the Republic of Moldova (PCRM)).

A case that can be qualified as voter corruption refers to offering envelopes with money during a public event organized by ATUG Governor with the support of the „Miron Șor” Foundation. As a reminder, the initiatives of former party leader Ilan Șor are supported by representatives of two competitors: the SP and the Political Party Renaștere (Renaissance) (PR).

Also, at least 14 cases of distribution and production of electoral advertising in violation of legal provisions were observed (6 cases - PAS; 3 - PSRM; 2 - European Social Democratic Party (PSDE); 2 - PDCM; 1 - PR).

Observation of electoral campaign financing. Promo-LEX OM finds that the campaign financial reports are published after the deadline. In addition, the format in which the financial reports are published does not correspond to the principle of open data. We also note that by the time of reporting, no financial reports of IC have been published on the electoral authority’s website.

Regarding the revenues reported by competitors, in the period 6 - 13 October 2023, 14 political parties reported revenues totalling 14.6 million lei. Of these, 14.1 million were financial means (in cash), and 555 thousand - material donations. The most revenues were reported by PAS - 33%, followed by PSRM - 23%, PN - 12% and MAN - 11%. Thus, 79% of the total declared revenues were reported by 4 political parties and only 21% of revenues by the other 10 political parties. Also, these 14 political parties reported expenditures of 11 million lei, of which 10.5 million lei were in cash and 555 thousand lei - from material donations. The most expenditures were reported by PAS - 41%, followed by PN - 16%, PSRM - 15% and PSDE - 6%.

Following the civic monitoring, Promo-LEX estimated a total amount of at least 953,228 lei not reported to CEC. Of the total expenditures estimated as unreported, 31% were estimated for PSRM and PLDM, 6% - for PNM and 5% - for CC. According to the destination of the expenditures estimated as not reported, most were for promotional materials - 74%, followed by campaigners’ rewards - 12%.

Hate speech. In the period 29 September - 12 October 2023, at least 9 cases of hate speech, incitement to discrimination and other forms of intolerance were identified. Most cases were found on social media (3) and in print and online media (3). Political affiliation (4 cases), sexual orientation/gender identity (2 cases), sex/gender (2 cases) and health (2 cases) were the criteria most often underlying hate speech. Politicians (5 cases), LGBT people (2 cases) and women (2 cases) remain the main groups affected by hate speech.

The 9 instances of hate speech have received more than 126 thousand views and have been shared more than 700 times.

I. LEGAL FRAMEWORK

1.1. 1.1. On the restrictions to the right to be elected provided for in Art. 16 para. (2)(d)

According to Article 16, para. (2) (d) of the Electoral Code, persons deprived of the right to hold office by a final court decision cannot be elected. The electoral bodies are informed of the existence of the ban by the Ministry of Justice (MJ), ANI and/or the Ministry of Internal Affairs (MAI).

At the same time, the candidate's affidavit is one of the documents to be submitted for registration as an electoral competitor, according to Article 68, para. (1) (f) of Electoral Code. The declaration confirms that the competitor:

- does not fall under the restrictions laid down in Article 16 (2), c) to f) and
- he or she has not been the subject of a final decision on the declaration of assets and personal interests, on incompatibility and on the confiscation of unjustified assets, which are not time-barred.

Art. 102, para. (5) (e) of the Electoral Code provides for the sanction of cancellation of the registration of the electoral competitor in case of non-compliance with the restrictions set out in Art. 16, para. (2), c) to f).

During the reporting period, Promo-LEX OM identified a problem related to the applicability of the ban on holding office, following the ANI's final finding. Thus, a state of uncertainty was observed in relation to about 20 persons, for whom the final ANI finding established a ban on holding elective office, but whose mandate was not lifted.

According to Article 23, para. (6) of Law no. 133/2016 on the declaration of wealth and personal interests, the subject of the declaration dismissed or removed from office, according to the provisions of para. (3)-(5), shall be disqualified from holding a public office and/or a public office of public dignity, except for elective offices, for a period of 3 years from the date of release or dismissal from the respective public office or from the date of termination of his/her mandate. If the person has held an elective office, he or she may no longer hold the same office for a period of 3 years from the date on which his or her term of office ends.

Thus, *stricto sensu*, since it is conditional on the dismissal or removal from office or the termination of the mandate, disqualification from exercising a public office cannot take place, even if the final ANI act establishes this sanction.

However, Promo-LEX OM believes that the rules on restricting the right to be elected should be interpreted in the spirit of the Electoral Code as a whole. Accordingly, taking into account that the legislator has established rules in so many norms of the Electoral Code (Art. 16, para. (2) (d), Art. 68, para. (1) (f), Art. 102, para. (5) (e)) regarding the non-admission to the election of persons who have been deprived of the right to hold public office and for whom there are final ANI findings, it is clear that this category of persons should not be admitted to the elections. At the same time, non-admission to elections should not make a distinction between the office held at the time of violation of the regime of personal wealth and interests (e.g. mayor) and the office for which the candidate is running (e.g. local councillor), but the ban on being elected is a general one, according to Article 16, para. (2) (d).

Otherwise, once the new mayor's mandate is validated, following the elections of 5 November 2023, the previous mayor's mandate (2019-2023) shall cease and thus automatically intervenes the sanction of disqualification from exercising a public office and/or an office of public dignity (provided for in Article 23, para. (6) of Law no. 133/2016). Thus, this circumstance will result in the organisation and conduct of new local elections. These consequences confirm that the legislator did not include the disqualification procedure in order to perpetuate the holding of elections.

We point out that, on 25 August 2023, CEC requested that the National Integrity Authority (ANI) provide information on the persons who are banned from being elected with an indication of the offices for which they have restrictions as of 28 August 2023, „in order to execute the provisions of Art. 16, para. (2), (c) and (d) of the Electoral Code". On 18 September, ANI provided a list containing the details of 70 people. For 25 out of the 70 persons, the court decisions (upholding ANI's finding) were final and

irrevocable, but the mayors/councillors were not removed from office. Following ANI's receipt of the Advisory Opinion from the Legal, Appointments and Immunities Committee, on 4 October 2023, the Authority submitted to the Commission an updated list of subjects of the declaration against whom the ban on holding elective office (mayor/councillor) has been applied, which already contains 49 persons, and on 5 October 2 more persons were excluded. Both the list submitted by ANI on 18 September and the list from 4 October (including amendments from 5 October) were sent to the constituency electoral councils.

According to Promo-LEX observations, at least 15 persons out of 23, who were excluded from the initial list (18.09.2023) submitted by ANI to CEC, have registered as candidates for the local elections of 5 November 2023 (14 candidates for mayor and 10 for district councillor). Of the 15 persons, 3 are independent candidates, 5 were nominated by PAS, 4 - by PSDE, 1 - by the Political Party Platform for Dignity and Truth (PPPDA), 1 - by PSRM, 1 - by PR.

1.2. 1.2. On restrictions on the right to be elected, approved on 4 October 2023, by the Provision of the Commission for Exceptional Situations no. 86 and by the Law amending the Electoral Code no. 280/2023

After the issuance of the CES Provision no. 86¹, which ruled that certain categories of persons will not be able to participate in the general local elections of 5 November 2023, the MPs of the former political party Sor² requested, on 12 October 2023, a review of the constitutionality of the Parliament Decision no. 274 of 21.09.2023 on the extension of the state of emergency and the CES Provision no. 86 of 04.10.2023³. At the same time, the authors also requested the suspension of the action of these acts, but the Constitutional Court, on 16 October, decided to reject the request for suspension⁴. The High Court established in its ruling that the CES Provision is not an act subject to constitutional review and, therefore, it cannot grant the request for suspension. As regards the Parliament's Decision, it ruled that it does not establish *expressis verbis* (in explicit terms) any limitation of electoral rights.

It should be recalled that, in this respect, the Promo-LEX OM noted with concern, in its Election Observation Report No. 2⁵. It should be recalled that, in this respect, the Promo-LEX MO noted with concern, in its Election Observation Report No. 2, that neither Law no. 212/2004 on the state of emergency, siege and war regime, nor the powers established by Parliament Decision no. 274/2023 and, correspondingly, no. 41/2022, expressly empower the Commission with the power to intervene in the restriction of the right to be elected.

Similarly, with regard to the Law amending the Electoral Code no. 280/2023⁶, which introduced restrictions similar in content to those set out in the CES Provision, a request was made on 16 October 2023 for a review of the constitutionality and suspension of the law⁷. As of 18 October, the Constitutional Court had not examined the referred applications, nor had it set a date for their examination.

In this context, we draw attention to the fact that the Joint Opinion of the Venice Commission and the ODIHR from 6-7 October 2023 on the amendments to the Electoral Code and other related laws on the ineligibility of persons connected to political parties declared unconstitutional⁸, highlighted the following key issues:

- „The principle of electoral stability cannot be invoked to prevent the timely implementation of the Constitutional Court ruling, if the ruling requires legislative changes to bring the law in line

¹ CES [Provision](#) no. 86 from 4 October 2023.

² These authors have previously called for a review of the constitutionality of the restrictions in Article 16(2)(e).

³ [Notification](#) no. 222a from 12.10.2023 on reviewing the constitutionality of certain provisions of the Parliament Decision on the extension of the state of emergency no. 274 of 21 September 2023 and of the Provision of the Commission for Exceptional Situations of the Republic of Moldova no. 86 of 4 October 2023.

⁴ [Decision](#) no. 131 from 16.10.2023 on the request for suspension of the action of Parliament's Decision no. 274 of 21 September 2023 on the extension of the state of emergency and of the Commission's Decision on exceptional situations no. 86 of 4 October 2023.

⁵ [Report](#) no. 2 on observation of elections, p. 10.

⁶ [Law](#) no. 280 from 04.10.2023 on amending the Electoral Code no. 325/2022.

⁷ [Notification](#) no. 226a from 16.10.2023 on reviewing the constitutionality of Law no. 280 of 4 October 2023 amending the Electoral Code no. 325/2022.

⁸ [Joint Opinion](#) of the Venice Commission and ODIHR from 6-7 October on amendments to the Electoral Code and other related laws on the ineligibility of persons connected to political parties declared unconstitutional.

with the rules and principles (...) However, it is important to note that the Constitutional Court's ruling (declaring Sor Party unconstitutional) did not explicitly mandate any legislative changes for the ruling to be fully implemented".⁹;

- „While the restriction may correspond to the legitimate aim of defending the Constitution and the integrity of the democratic state, it (the restriction in Art. 16 para. (2) (e)) applies automatically, solely on the basis of political affiliation and the holding of a specific office, without distinguishing between party members who could actively contribute to illegal acts attributed to the political party and those who were merely carrying out neutral activities and were unaware of potentially illegal acts committed by the party. The restriction affected a large group of people, making them collectively responsible for the illegitimate activities of the party to which they belonged, thus lacking individualization and therefore due process guarantees. This contravenes the principle of proportionality and may lead to the arbitrary".¹⁰

MO Promo-LEX points out that some of the considerations highlighted by the Venice Commission and ODIHR could also be applicable to the new restrictions established by the CES Provision no. 86 and by the Law no. 280/2023, in particular regarding the lack of a request from the Constitutional Court to make legal changes to implement its decision.

1.3. On the approval of the regulatory framework under the law

In the period 5 - 17 October 2023, CEC continued to approve the regulatory framework under the law, namely Decision no. 1450 of 13 October 2023 on the approval of the Code of Conduct for Electoral Officials. This Code was not subject to public consultation but was approved after the setting up of all electoral bodies and confirmation of their composition.

At the same time, by Decision no. 1390 of 6 October 2023 on participation of voters in the commune of Chitcani and Gisca in the election of councillors in the Causeni District Council, the Commission also approved special voting conditions for some voters in the local general elections from 5 November 2023. Thus, these voters will be able to exercise their right to vote at the polling stations in the village of Copanca and the village of Firladeni, and will be included in the supplementary electoral roll, upon presentation of the identity card proving their domicile or temporary residence valid in the corresponding locality. It should be noted that such special conditions were also approved in previous local elections. However, in the spirit of the recommendations of the Venice Commission and ODIHR¹¹, Promo-LEX OM believes that the authorities must make every effort before the start of the elections to ensure that the number of voters included in the supplementary rolls is kept to a minimum, while at the same time ensuring the right of all voters to vote.

⁹ Pt. 57 of [Joint Opinion](#) of the Venice Commission and ODIHR from 6-7 October.

¹⁰ Pt. 59 of [Joint Opinion](#) of the Venice Commission and ODIHR from 6-7 October.

¹¹ [Joint Opinion](#) of the Venice Commission and OSCE/ODIHR of 19 June 2017, para. 77: „Situations where voters are added to the supplementary electoral rolls should be reduced in order to avoid possible doubts about the integrity of the electoral rolls and the possibility of multiple voting”.

II. ELECTORAL BODIES

2.1. Activity of the Central Electoral Commission

During the period under observation, CEC held nine meetings and adopted another 78 decisions related to the process of organisation and conduct of the autumn elections.

Accreditation of observers. CEC accredited 371 observers: 335 national observers and 36 international observers and experts. It also confirmed 29 persons as interpreters. In total, by 17 October 2023, the electoral authority has accredited 828 observers: 721 domestic observers and 107 international observers and experts (see Annex 1). Promo-LEX has accredited 684 (95%) of the total number of national observers.

Confirmation of electoral competitors' representatives. During the monitored period the electoral authority confirmed representatives of five electoral competitors¹². In total, by 17 October 2023, representatives of six electoral competitors have been confirmed at CEC.

Confirmation of journalists. In the observed period, CEC confirmed 12 journalists to cover and monitor the local general elections, with a total of 38 journalists confirmed from seven media entities/outlets in the country (see Annex 1).

Authorisation for conducting opinion polls and exit polls. On 13 October 2023, WatchDog.MD Community for Advocacy and Public Policy presented a poll conducted by „C.B.S.-RESEARCH” SRL¹³. According to CEC's decision¹⁴, the application for the opinion poll was submitted by "C.B.S.-RESEARCH" Ltd. on October 6 and approved by CEC on 7 October 2023. At the same time, the poll presented by "WatchDog.MD" mentions that the data collection period is 30 September – 9 October 2023. It should be noted that, according to pt. 11 of the Regulation on the organisation and conduct of opinion polls and exit polls during electoral periods¹⁵, the applicant may start the data collection phase for the opinion poll as soon as CEC issues a decision authorising it.

Certification of electoral officials. During the monitored period, the certification of electoral officials, already for the position of EBPS member, went ahead. According to the information obtained by the observers from CICDE, about 2,633 persons were certified, with a promotion rate of about 78%. Promo-LEX OM observed the certification procedure of potential EBPS members on 9 October (5 observation reports) and on 10 October 2023 (4 observation reports). According to observers, in the absolute majority of cases, the procedure was carried out according to the rules. The single cases of deviations refer to attempts to cheat (mun. Balti) and to the repeated taking of the test by some candidates (Telenesti town).

Inclusive voter information. For voter information campaign, CEC published, for the first time, according to the institution¹⁶, several information materials in five languages of ethnic minorities: Russian, Ukrainian, Gagauz, Bulgarian and Romani. In addition, under the partnership CEC has with INFONET Alliance, the „Voter's Guide to the General Local Elections from 5 November 2023” was developed in audio version, as well as in sign language. In the same context of proactive communication, the General Inspectorate of Police also launched a campaign to inform citizens about what corruption in elections is and how it is sanctioned¹⁷.

Approval of messages of public interest. During the monitored period, CEC approved eight messages of public interest (five video spots and three information posters) developed by the Commission (7) and

¹² National Alternative Movement (MAN); Party of Development and Consolidation of Moldova (PDCM); Action and Solidarity Party (PAS); Party of Socialists of the Republic of Moldova (PSRM); Respect Moldova Movement (MRM).

¹³ [Sociopolitical poll](#) in mun. Chisinau. conducted by CBS-Research for WatchDog.MD

¹⁴ [CEC Decision](#) no. 1416 of 7 October 2023 on the request by M.M. "C.B.S.-RESEARCH" SRL for authorisation to conduct opinion polls on voters' political preferences.

¹⁵ [Regulation](#) on the organisation and conduct of opinion polls and exit polls during the electoral period.

¹⁶ [Press release](#). For the first time for voter information campaign, CEC published information materials in several ethnic minority languages.

¹⁷ General [Inspectorate](#) of Police informs: ☞#Corruption in elections is a #Crime.

Promo-LEX Association¹⁸ (1). In total, by 17 October 2023, CEC approved the broadcasting of 19 messages of public interest (see Annex No. 1). No refusal decisions were recorded.

2.2. Activity of level II electoral constituency electoral councils

Observance of the work programme. According to the information provided by observers, during the monitored period, the ECEC II premises were found closed during working hours only during one visit to ECEC No. 4 Anenii Noi. In the rest of the visits (61 out of 62) observers found ECEC II open during working hours.

Public information on the activity of ECEC II¹⁹. Based on observers' reports from 62 visits during the reporting period, Promo-LEX OM notes that 100% of the public was informed about the composition of the electoral body, the working hours and the place and time of receiving documents.

Confirmation and modification of ECEC composition. During the reporting period, the CEC supplemented the nominal composition of ECEC II no. 28 Singerei and changed the nominal composition of five other councils (ECEC II no. 7 Cahul; no. 9 Calarasi; no. 12 Criuleni; no. 13 Donduseni; no. 22 Leova). As for the nominal composition of two other ECEC II, as of 17 October 2023, it is not complete (no. 4 Anenii Noi - 10 members out of 11; no. 26 Rezina - 9 members out of 11). The changes in the nominal composition were due to resignation requests of the appointed ECEC members from the LPA (4), PAS (1) and the Register of Electoral Officials (RFE) (2).

Confirmation of electoral competitors' representatives and persons of trust. During the reporting period, ECEC II initially confirmed 29 representatives from 16 electoral competitors. Later, as a result of requests from electoral competitors (PAS and PDCM), two cases of cancellation of confirmation of their representatives were noted. ECEC II also confirmed two persons of trust from PR and MRM. No cases of refusal by the electoral body to confirm authorised persons were noted.

Confirmation of journalists. During the reporting period, ECEC II confirmed 51 journalists from five media entities/outlets to cover and monitor the local general elections. In total, by 17 October 2023, the electoral bodies (CEC and ECEC II) have confirmed 89 journalists from 12 media entities/outlets in the country (see Annex 1). No refusal decisions were noted.

Setting up of electoral bureaus of polling stations. According to the number of polling stations (PS) set up, all 1,958 polling stations were organised within the deadline.

Difficulties in the work of electoral bodies. Promo-LEX OM also monitored the difficulties encountered by electoral bodies in setting up lower electoral bodies and/or organising elections. Thus, based on discussions with electoral officials, Promo-LEX observers noted some difficulties related to incomplete composition of electoral bodies; heavy workload; members' failure to attend meetings of the electoral body; delayed technical and material provision; lack of certified persons for setting up lower electoral bodies; increased number of changes in the nominal composition of electoral bodies due to incompatibilities provided for by the Electoral Code.

Obstructing free observation. Promo-LEX OM draws attention to the fact that, during the reporting period, two cases of obstruction of free observation of the electoral process were recorded, namely at ECEC II no. 1 Chisinau and no. 5 Basarabeasca (e.g. access to lists of persons banned from participating in the elections or to decisions on the registration of candidates). According to the reports submitted to the Mission, Promo-LEX observers were not granted access to all electoral materials. It should be recalled that, in the exercise of their duties, observers have the right to have access to all electoral information.

¹⁸ Promo-LEX video spot.

¹⁹ The degree of information was observed based on the following information channels: the premises (entrance) of the ECEC or the institution where it is located, the information board nearby, the public authority's website.

2.3. Activity of level I electoral constituency electoral councils

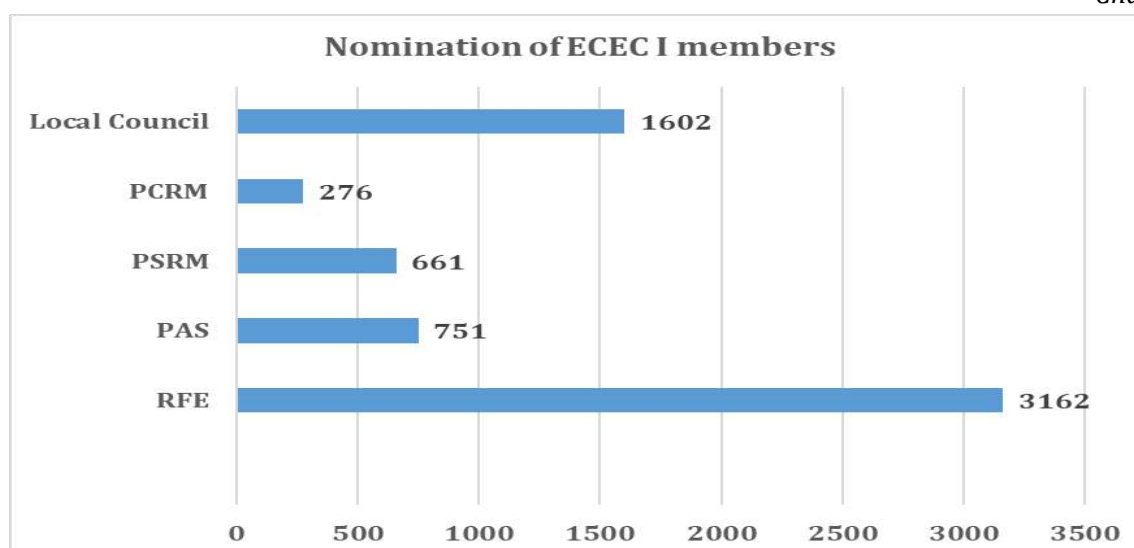
Public information on the activity of ECEC I. Promo-LEX OM finds that 172 (21%) out of 816 ECEC I visited did not inform the public about the composition of the electoral body, 44 ECEC I (5%) did not inform the public about the working hours and 69 ECEC I (8%) did not inform the public about the place and time of receiving documents.

Accessibility of ECEC I premises. According to Promo-LEX observers' reports, out of the 816 ECECs I, only 224 (27%) are accessible to vulnerable groups, 214 (26%) - partially accessible, and 378 (46%) - inaccessible.

Confirmation of electoral competitors' representatives and persons of trust. During the reporting period electoral bodies confirmed 60 representatives of 17 electoral competitors. Also, ECEC I confirmed two persons of trust from PSD and PSRM. There were no cases of refusal by the electoral body to confirm authorized persons. In total, lower electoral bodies (ECEC II and ECEC I) confirmed 89 representatives and four persons of trust from 22 electoral competitors.

Confirmation and modification of ECEC I composition. According to Promo-LEX observers' reports, we note that out of a total of 816 ECEC I, for 39 ECEC I the numerical composition was set at 11 members, for 294 ECEC I - at 9 members, and for 483 ECEC I - at 7 members (see Chart 1).

Chart no. 1



In addition, Promo-LEX OM found a total of 208 cases of changes in the nominal composition of ECEC I and one case of supplementing the composition (ECEC I no. 7/11 Burlacu). Changes in the nominal composition were due to requests for resignation of members (144 out of 208 or 69%) and requests for revocation (64 out of 208 or 31%). Information on the initiator of the change and those who appointed the new member is presented in the table below. We underline that in three cases (ECEC I no. 7/15 Colibasi (Cahul); no. 14/13 Miciurin (Drochia); no. 32/14 Palanca (Stefan Voda)), according to observers, the composition of the electoral body was not supplemented as a result of the changes.

Table no. 1. Modification of ECEC I composition

Initiator of modification	No. of members	Who appointed the new member	No. of members
APL	41	APL	22
CEC (RFE)	97	CEC (RFE)	127
PAS	33	PAS	29
PCRM	10	PCRM	10
PSRM	27	PSRM	17

Regarding the gender component, in the composition of the 816 level I electoral bodies, the majority of members are women - 91%. Moreover, in 396 electoral councils (49%) there are no men, and in 381 electoral councils (47%) the number of men in the composition of the ECEC I is 1-2 persons.

Management of ECEC I. Promo-LEX OM found two cases (ECEC I no. 2/2 Sadovoe and no. 16/7 Bratuseni) of deviation from the legal provisions on the procedure for electing the management (secret vote). In the rest of cases (814 out of 816 or 99%) the observers reported that the procedure was respected. As regards the analysis of the composition of ECEC I management bodies from a gender perspective, we note the presence of a majority of women both in the position of chairperson (710 ECEC I - 87%) and secretary (780 ECEC I - 96%). Gender balance in the management of the electoral body was found for only 115 ECEC I.

Difficulties in the work of electoral bodies. According to Promo-LEX observers, the electoral officials at the level of ECEC I also encountered a number of difficulties in organizing and conducting the elections: lack of space to carry out their work; delayed technical and material provision; lack of certified persons; increased number of changes in the nominal composition due to incompatibility.

Obstructing free observation. The observation mission draws attention to the fact that, during the reference period, Promo-LEX observers were not granted access to all electoral materials (decisions on the setting up of electoral bodies, changes in the composition or registration of candidates), thus 11 cases of obstruction of free observation were observed in the following ECEC I: no. 1/1 Codru; no. 5/5 Carabetovca; no. 5/6 Iordanovca; no. 5/7 Sadaclia; no. 8/22 Stoianovca; no. 12/20 Onitcani; no. 25/1 Orhei; no. 25/10 Crihana; no. 25/14 Isacova; no. 25/32 Susleni; no. 35/18 Macaresti. We remind that, in the exercise of their duties, observers have the right to have access to all electoral information.

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

Confirmation of the EBPS composition. According to Article 38, para. (9) of the Electoral Code, the EBPS shall be set up by the ECEC II from an odd number of members, of at least 5 and at most 11 persons. Analysing the information provided by observers on the 52 EBPSs visited during the reporting period, we find that in the case of nine EBPSs the numerical composition was set at 11 members, in the case of 24 EBPSs - at nine members, and for 17 EBPSs - at seven members. With regard to the gender component, also for this electoral body, we find a majority presence of women - 91%. Moreover, in 22 electoral offices visited (42%) no men are active, and in 23 (44%) the number of men in the composition of the EBPS is 1-2 persons.

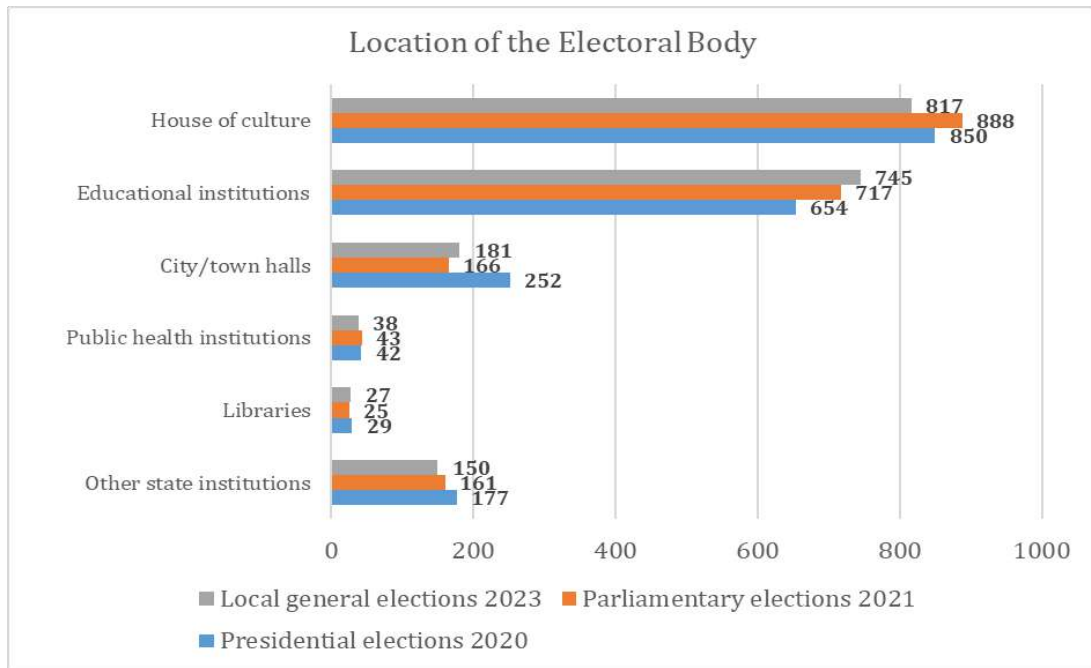
EBPS Management. According to Promo-LEX observers, the open voting procedure for the election of management was respected in all cases. With reference to the composition from a gender perspective, we note the majority presence of women in both the position of chairperson of the electoral office (44 EBPS - 85%) and secretary (45 EBPS - 87%). Gender balance in the management of the electoral body was found for only 5 electoral offices (10%).

Public information on the activity of EBPS. Promo-LEX OM notes that public information on the composition of the electoral body was provided by only 10 EBPSs (19%) and on the working hours - by only 20 EBPSs (38%).

Accessibility of EBPS premises. According to Promo-LEX observers' reports, only 11 (21%) are accessible to vulnerable groups, 11 (21%) - partially accessible, and 30 (58%) - inaccessible.

Location of polling stations. According to paragraph 5 of the Instruction on the provision of polling station infrastructure, the polling station premises shall be set up, as a rule, in publicly owned premises, as well as in those in the use or under the management of local public administration authorities, applying the principle of reasonable adaptation of the space intended for the voting process.

Thus, for the autumn elections, Promo-LEX OM found that, again, most polling stations were opened in houses of culture. There was also a slight increase in the proportion of polling stations opened in educational institutions, including pre-schools, compared to the national elections of November 2020 and July 2021. Thus, about 42% of polling stations were opened in houses of culture and about 38% of polling stations in educational institutions (see Chart 2).



III. REGISTRATION OF COMPETITORS

3.1. Registration of candidates for the office of mayor

During the reporting period, according to observers, at least 3,901 candidates were registered in the 896 ECEC I for the office of mayor (see Chart No. 3). Most candidates were registered in the districts of Floresti (205 in 40 ECEC I), Orhei (179 in 38 ECEC I), Ungheni (179 in 33 ECEC I) and Soroca (160 in 35 ECEC I). Only about 30% are women and 70% are men (see Annex 2).

It should be noted that 3,746 candidates were registered in the 2019 general local elections for the office of mayor in ECEC I, of which 27% were women. Thus, we can see an increase in both the participation rate of women and the number of registered candidates.

Chart no. 3

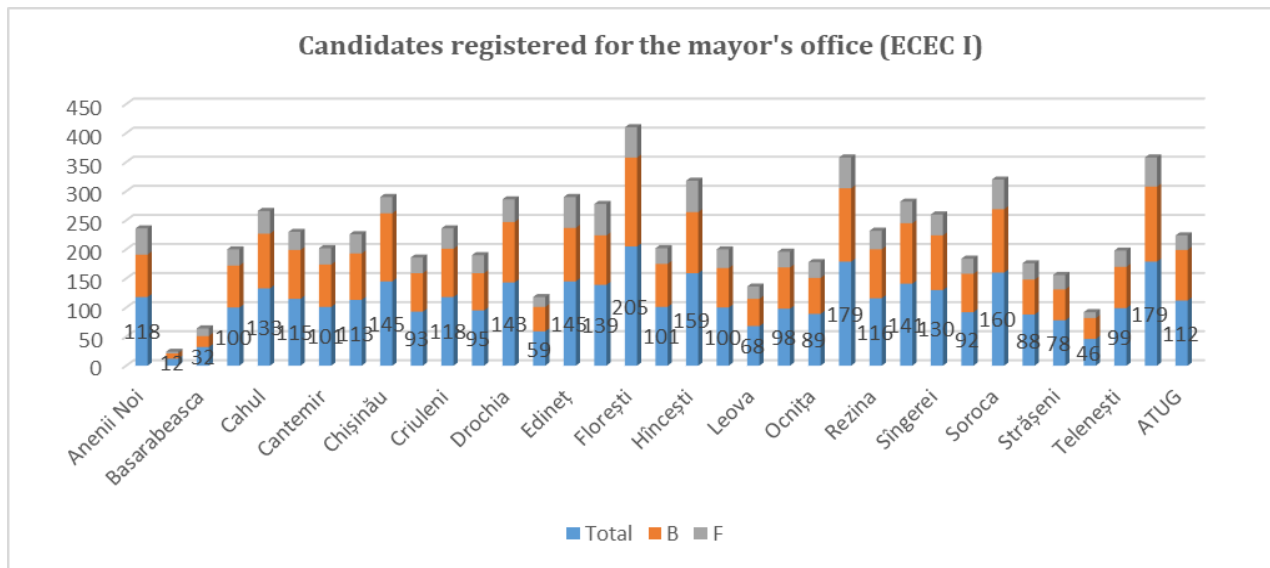
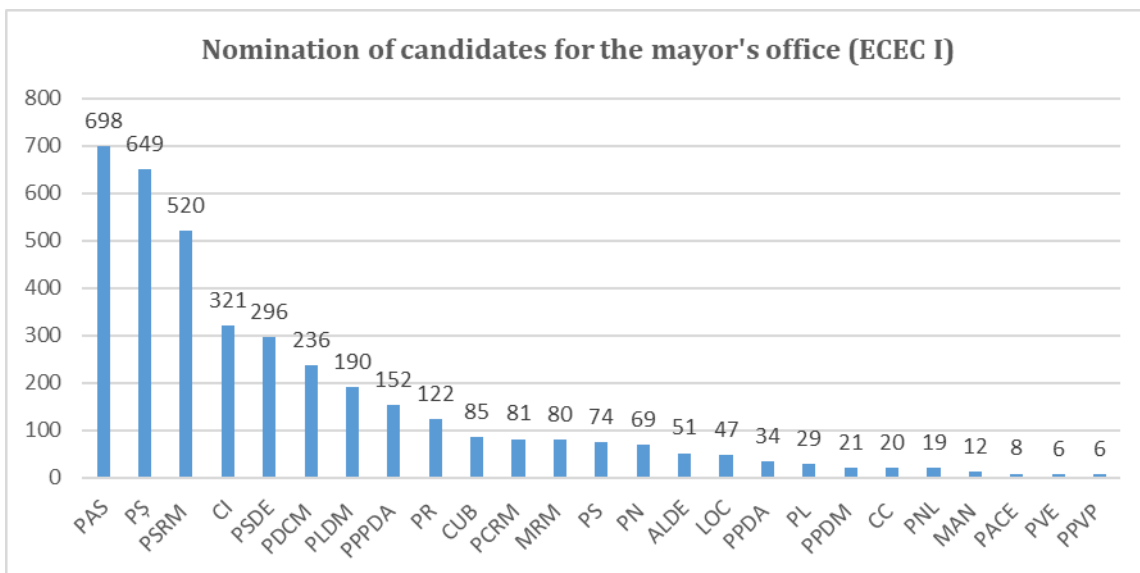


Chart 4 shows the candidates according to the subject that nominated them. Of the 3,901 candidates only 8% (321) stood as independent candidates, of which 233 were men (72%) and 88 women (28%). 92% of candidates were nominated by political parties/electoral blocs. Most candidates were nominated by PAS (698), PŞ (649) and PSRM (520). In the 2019 elections, 10% of the candidates registered for the office of mayor stood as independent candidates, so we can see a decrease in the level of involvement of independent candidates in this election.

Chart no. 4

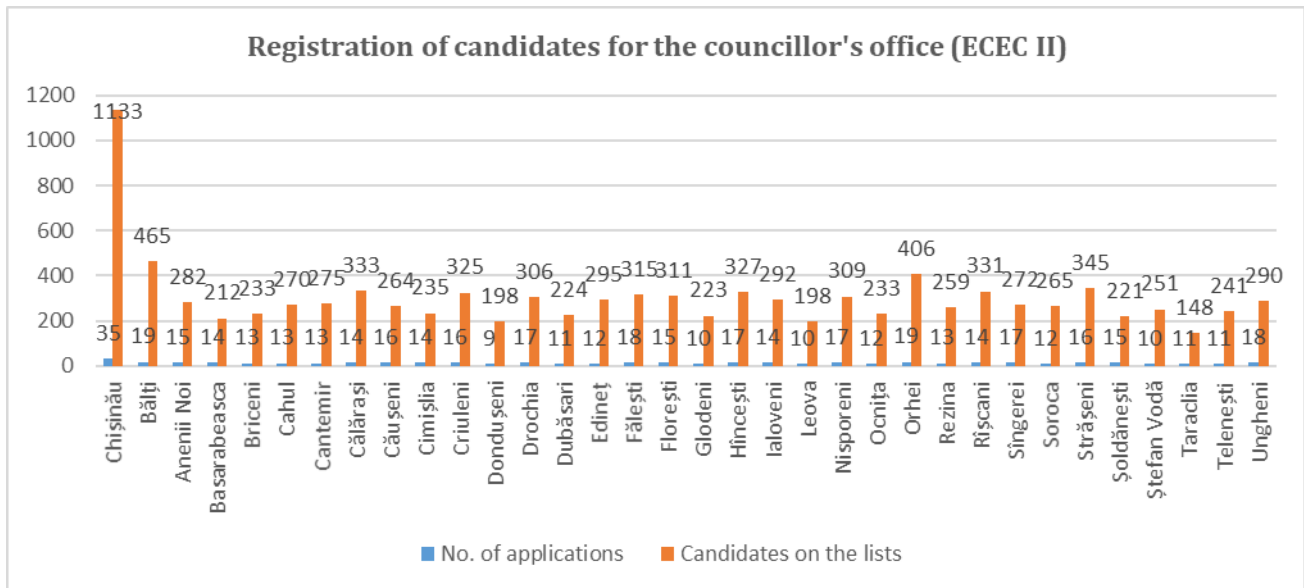


In the same context, we mention that 27 candidates were registered for the office of mayor of mun. Chisinau, out of which only 5 are women (18%), and for the office of mayor of mun. Balti - 15 candidates, out of which 4 are women (27%). Independent candidates were registered only for the office of mayor of mun. Balti - 2 candidates.

3.2. Registration of electoral competitors for the office of local councillor

In ECEC II, 500 applications of candidates for the office of Chisinau and Balti district/municipal councillors were registered, with about 10,287 candidates on the lists of councillors. The 40% gender quota requirement was met in all cases. Of the 500 applications, only 76 were for the registration of independent candidates, of which only 5 were women (7%). Chart no. 5 shows the number of applications and the number of candidates on the lists of councillors in each ECEC II.

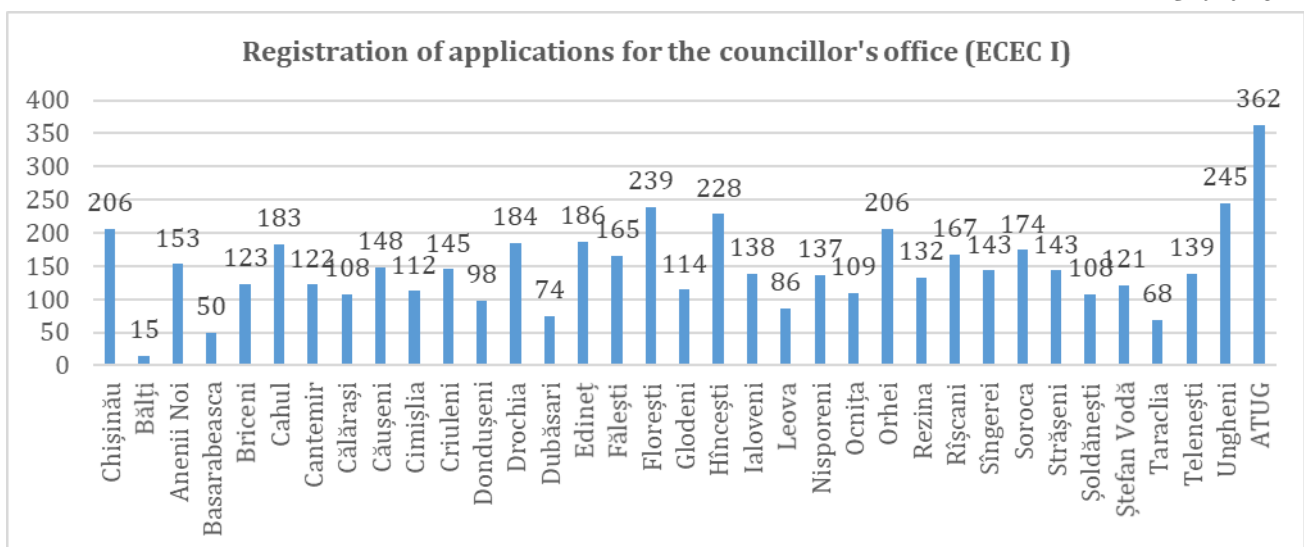
Chart no. 5



Most applications were registered at ECEC Chisinau (35 applications and 1,133 candidates on the lists of councillors), ECEC Balti (19 applications/465 candidates) and ECEC Orhei (19 applications/406 candidates).

In the 896 ECEC I there were 5,131 applications for the office of councillor, of which only 733 were independent candidates (14%): 579 men (79%) and 154 women (21%).

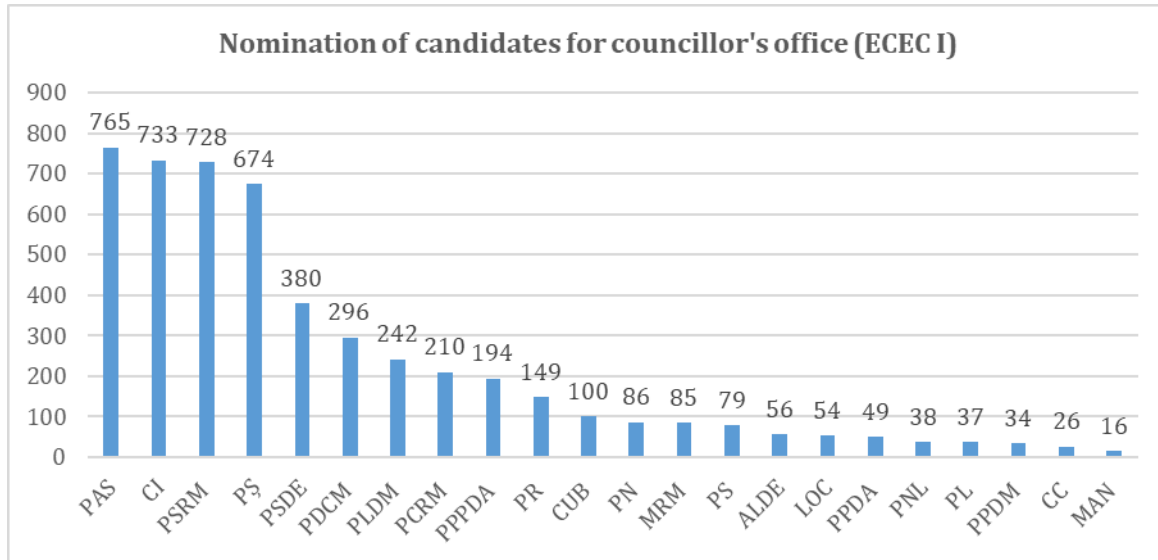
Chart no. 6



Analysing the data in chart no. 6, we see that most applications for registration for the office of local councillor were submitted in ATUG (362), d. Ungheni (245), d. Floreşti (239) and d. Hînceşti (228). And

the most applications of independent candidates were registered in ATUG (274), Chisinau municipality (30), d. Straseni (29), d. Drochia (25) and d. Ungheni (25).

Chart no. 7



The highest number of applications for registration of candidates for the office of councillor (ECEC I) were submitted by PAS (765), PSRM (728) and PȘ (674).

Non-compliant registrations of electoral competitors for the office of level I councillor. According to Article 68, para. (3) of the Electoral Code, the lists of candidates for local elections shall be drawn up respecting the minimum representation quota of 40% for both sexes. The positioning of candidates on the lists is done according to the formula: minimum four candidates for every ten seats.

At ECEC I level, Promo-LEX observers reported 30 cases of registration of the list of candidates for the office of councillor deviating from this rule, including 29 cases of non-compliance with the 40% minimum quota and one case of non-compliance with the positioning of candidates. The political parties that submitted non-compliant lists and were registered as competitors are: PȘ (11), PAS (4), LOC (4), PCRM (2), PDCM (2), PSDE (1) and PR (1). Attention is drawn to the fact that, in accordance with the provisions of Art. 68 (3), Art. 163 (2) and (3), these lists should not have been registered. Some lists have probably been already modified, but we consider that the higher electoral bodies should monitor this process.

In total, according to Promo-LEX OM, at least 34 political parties/electoral blocs (out of 60 with nomination rights) have registered candidates for the local general elections from 5 November 2023. For comparison, 27 political parties/electoral blocs (out of 46 political parties with nomination rights) registered candidates for the 2019 local general elections.

3.3. Cases of rejection of applications for registration of candidates

Promo-LEX observers identified 15 cases of rejection of applications for registration for the office of mayor and 15 for registration for the office of councillor. The following reasons were given for the rejection of applications for registration for the office of mayor: the candidate was banned from holding a public office or office of public dignity (7), insufficient number of signatures collected (6), and two candidates did not have the required general education.

The reasons for rejection of applications for registration for the office of councillor were as follows: the candidate was banned from holding a public office or office of public dignity (3 cases, including one IC and 2 candidates on the PȘ list), insufficient number of signatures collected (10 candidates), non-compliance with the representation quota when drawing up the list of candidates (one case) and one case of submission of an incomplete application (missing signatures of candidates and one candidate on the list submitted was already registered as a candidate for the office of councillor from another political party).

3.4. Political affiliation of mayors (2019) and their „migration” in the context of the local general elections from 5 November 2023

Promo-LEX observers, during their field visits, also documented the political affiliation of mayors in the context of the current local elections. The information was collected based on discussions with representatives of local public authorities, electoral bodies and, in some cases, discussions with members of local communities. The table below reflects the situation before the start of the electoral campaign.

As a reminder, in the 2019 local general elections, out of the 898 mayors elected, 112 were independent candidates and 786 were candidates nominated by political parties/electoral blocs.

Most mayors elected in the 2019 local general elections were nominated by the Democratic Party of Moldova (now PSDE) - 261 local elected officials. At present, according to the data analysed, about 39% (102) of them still represent the PSDE, and about 52% of them would have another political affiliation, namely: PAS - 42, PDCM - 24, Respect Moldova Movement (MRM) - 14, Modern Democratic Party of Moldova (PDMM) - 14, PSRM - 8, PLDM - 3, PR - 3, ALDE - 2. We note that about 30% of PDM mayors who have since changed their affiliation, in the context of the local general elections, would be affiliated to PAS, as well as 18% - PDCM and about 10% - MRM and PDMM.

Also, in the 2019 national elections, 206 mayors nominated by the PSRM were elected. By analyzing the information, we conclude that 140 of these mayors (68%) still support the party that nominated them in 2019, and 29% would have changed their political affiliation, in particular: IC - 17, PAS - 15, PR - 6, PŞ - 6, PDCM - 5, LOC - 3, MAN - 2, MRM - 2 and CUB - 1. We note that about 30% of the mayors elected on PSRM lists who changed their political option in the context of general elections would be independent candidates, as well as 26% - PAS, and about 10% - PŞ.

Of the 173 mayors elected from the ACUM electoral bloc, 128 (74%) are reportedly affiliated to PAS and 15 (8%) to PPPDA. If we analyse their migration to parties other than those that constituted the electoral bloc mentioned, then about 10% would have affiliated to other political parties or declared themselves to be independent, namely: IC - 5, CUB - 3, LOC - 2, PDCM - 2, and for PDMM, PLDM, PPDA and PŞ - one mayor each.

Of the 112 independent candidates elected as mayor, 45 would have migrated to some political parties, namely: PAS - 29, LOC - 3, PDCM - 3, PPPDA - 2 and one mayor each to the following political parties: CUB, MRM, PDMM, PLDM, PPO, PSDE, PSRM and PŞ. Thus, we can see that about 40% of the independent mayors have a certain political affiliation in the context of the current electoral campaign, and 65% of them support the ruling party.

Assessing all the changes in the political affiliation of the mayors elected in 2019²⁰, we find that about 39% of them changed their political option or declared to be independent/unaffiliated. Most of them (36%) „migrated” to PAS.

²⁰ When making the estimations, the results of the new local elections held during the period 2019-2021 were taken into account. The calculation was based on information on political affiliation of mayors in about 785 municipalities.

IV. ELECTORAL NOTIFICATIONS

According to Promo-LEX observers, from 5 to 17 October 2023, at least 57 contestations and notifications were submitted to electoral bodies, challenging or informing electoral bodies about alleged violations of the legal framework or requesting review or suspension of administrative acts regarding these violations.

At least 32 appeals and complaints were lodged with the *level I and II electoral constituency electoral councils*, as follows: 9 - at ECEC 10 Causeni; 8 - at ECEC 8 Cantemir; 5 - at ECEC 35 Ungheni; 2 - at ECEC 32 Stefan Voda; 2 - at ECEC 27 Riscani and one (1) each - at ECEC 1 Chisinau; ECEC 34 Telenesti; ECEC 7 Cahul; ECEC 4/3 Bulboaca, Anenii Noi; 30/16 Panasesti, Straseni. Electoral competitors or potential competitors filed most of the contestations and these concerned the registration/non-registration of electoral competitors (in particular, in the context of the ban on being elected established by ANI), the non-suspension from office of candidates and the use of administrative resources.

Regarding the decisions issued, Promo-LEX OM notes that only one contestation was admitted, at least six contestations were declared inadmissible, and 11 were rejected. At the same time, in relation to the decisions on contestations concerning the existence of bans from being elected, Promo-LEX OM noted that in most cases, the constituency electoral councils referred to the presence or absence of a person in the lists of bans sent by CEC. In this regard, we draw attention to the fact that in the process of examining contestations, as well as applications for registration of electoral competitors, electoral bodies must be guided by administrative and judicial acts, which have been or may be subject to legality control. The mere reference to a list drawn up by state bodies (which cannot be contested) does not individualize each case and does not allow candidates or competitors to present counter evidence.

With reference to the deadlines for the resolution of contestations, we note that at least 10 contestations were resolved within 1-3 days, and 7 contestations - within 4-6 days. In this regard, we draw attention to the need to comply with the legal deadlines for the resolution of contestations, provided for in Article 100 of the Electoral Code.

At least 15 contestations and 10 notifications, complaints and requests (including one preliminary request) were submitted to the *Central Electoral Commission*. Please note that if the contestations (qualified as such) are published within 0-3 days after submission, then the notifications, complaints and requests are either not published in the Incoming Correspondence section of the institution's website or are published after a longer period of time.

The majority of subjects who contested and/or submitted notifications to the higher electoral body were electoral competitors or potential electoral competitors (22): independent candidates - 6; MAN - 3; ALDE - 3; PAS - 2; PDCM - 2; PPPDA - 2; PSRM - 2; Movement of Professionals Hope - Надежда (MPSN) - 1; New Historical Option (NOI) - 1. In 12 cases, the authors of notifications and petitions expressed their disagreement with the acts or actions/inactions of electoral bodies in registering/non-registering electoral competitors, and in another 13 cases - with the actions of electoral competitors in carrying out illegal electoral campaigning, misuse of administrative resources, campaign financing, etc.

With reference to the decisions issued by the CEC on at least 29 contestations and notifications, we note that decisions were adopted on 16 of them and letters were sent to 13 of them to return the notification/contestation, to refer it for examination according to jurisdiction or to communicate other solutions. At the same time, 12 decisions were adopted on the 16 contestations and notifications, some of which were related. By the decisions issued:

- 7 appeals and complaints were rejected;
- 2 appeals were declared inadmissible because they were lodged after the deadline set by the Electoral Code;
- PAS was warned against the use of political advertising materials in the electoral campaign for the local general elections from 5 November 2023; attention was drawn to persons holding offices of public dignity, persons in positions of responsibility and civil servants to refrain, in the exercise of their functional duties, from carrying out electoral campaigning, including the use of administrative resources, by involving them in the campaign, and a decision was submitted to

MAI to examine the facts regarding elements of use of administrative resources and, where appropriate, to take the necessary measures²¹;

- it was decided to grant PPN 3 days to present another electoral symbol, in a different form, which would not lead to similarity with the NOI symbol ²²;
- the secretary of ECEC Orhei no. 25²³ was dismissed because he, in his capacity as coordinator of the commission for reception and verification of documents, did not ensure compliance with any stage of the procedure for reception of subscription lists in the case of Dinu Turcanu, and his actions were directed in support of a potential contender as an electoral competitor.

As regards the **deadlines** for resolution of requests and notifications, we note that for 14 contestations and notifications a solution was issued within 1-3 days, thus respecting the 3-day deadline provided for in art. 100, para. (1) of the Electoral Code; for 12 contestations and notifications - within 4-10 days; and for 3 contestations and notifications - within 12-21 days.

In this regard, we draw the attention of the electoral bodies to the need to examine and issue decisions within short time limits, so that contestants can benefit from the right to an effective appeal.

Promo-LEX OM highlights two situations in which the CEC would have to act with all due expediency not to allow the delay in the resolution of notifications:

- in the case of the notifications ALG-1; ALG-2; ALG-3 (submitted on 5, 7 and 8 October), the Commission had an attempt to examine and issue a solution on 12 October, but the proposed draft decision did not receive the required number of votes. It was only on 17 October that a new draft decision on the objections was proposed for consideration and was adopted;
- in the case of the notifications of 7 October, filed by A. Spataru, M. Apostol and T. Golub, the Commission adopted a decision only on 13 October 2023, although the subject of the notification concerned the procedure for receiving the documents for registration as an electoral competitor. We note that Art. 100 para. (2) (a) of the Electoral Code stipulates as an exception to the condition of examining notifications within 3 days the fact that the examination period may not exceed the deadline set for the registration of electoral subjects by the electoral bodies.

In conclusion, Promo-LEX OM notes that the electoral bodies have been diligent in resolving the substance of the contestations, and the decisions on them were usually reasoned. However, the task of the electoral bodies was complicated by the restrictions placed on the right to vote, which also served as a basis for the submission of most of the contestations during the period observed. At the same time, the delay in resolving, in particular, the contestations related to registration of electoral subjects, may put competitors in unequal conditions.

²¹ [Decision](#) of CEC no. 1463 of 17.10.2023 on the contestations no. CEC-10ALG/1 of 5 October 2023 and no. CEC-10ALG/2 of 7 October 2023 of the Political Party National Alternative Movement and no. CEC-10ALG/3 of 8 October 2023 of Ms Marina Tauber.

²² [Decision](#) of CEC no. 1462 of 16.10.2023 on the approval of electoral symbols for printing on ballot papers for general local elections from 5 November 2023.

²³ [Decision](#) of CEC no. 1457 of 13.10.2023 on notification no. CEC-7/7729 of 7 October 2023 by Ms Arina Spataru, notifications no. 42 and 43 of 7 October 2023 by Mr Mihail Apostol and Mr Tudor Golub and complaint no. CEC-10ALG/7 of 10 October 2023 by Mr Dinu Turcanu.

V. ELECTORAL ROLLS

5.1. Legal framework

According to Article 61, para. (9) of the Electoral Code, CEC shall send the electoral rolls to the LPA authorities at least 22 days before election day. They are sent to the EBPS to ensure their verification by voters, representatives of competitors and observers. According to the new regulations, after changes have been made, the electoral rolls are reprinted at least 7 days before election day and sent to EBPS at the latest with the ballot papers.

In accordance with the provisions of CEC's Calendar Schedule, from 16 October 2023 to 29 October 2023, voters can check the accuracy of the electoral rolls, both on the PS premises and online, by visiting the website www.verifica.cec.md. As a reminder, a voter can only be registered on one electoral roll and at one SV on the basis of documents proving his/her residence in the perimeter of the polling station concerned.

The basic electoral rolls include 2,761,954 eligible voters²⁴. At the last national elections, the early parliamentary elections on 11 July 2021, the basic electoral rolls included 2,768,035 voters²⁵, about 6,000 more voters than at the current elections. At the same time, according to the latest data published by CEC, on 2 October 2023, the State Register of Voters (RSA) included a total of 3,302,399 voters, of which 2,762,125 were allocated to constituencies based on domicile/residence. The remaining 570,274 are either voters in the Transnistrian region, not controlled by the constitutional authorities, or have no domicile/residence²⁶.

In the immediate future Promo-LEX observers will visit EBPS and discuss with EBPS members the quality of the electoral rolls. At the same time, we consider it necessary to point out a problem already reported by observers in the Corjova commune, d. Dubasari.

5.2. Problems with the inclusion of a group of voters living in Corjova commune, d. Dubasari, in the basic electoral rolls printed for that commune

Promo-LEX OM is drawing attention to the situation where a large number of voters, who *de facto* live in the Corjova commune, are excluded from the electoral rolls, but their identity documents show their residence in the town of Dubasari. Promo-LEX observer's discussion with ECEC I/EBPS members, as well as with the representatives of the town hall, shows that most of the voters excluded from the rolls live in Mahala village. This village, according to the Law on administrative-territorial organization, is part of the Corjova commune, in addition to the village of Corjova. But the identity cards issued to the inhabitants of Mahala village indicate „Dubasari town” as their residence.

This is an old problem, but unfortunately the public authorities have not found it necessary to solve it over time. The fact that the electoral bodies included these voters in the supplementary rolls each time, as a way of resolving this issue, in reality only perpetuated and aggravated the problem, without attempting to resolve it from the root.

Analysing copies of ID cards of some citizens in this situation, Promo-LEX observers found that the respective voters residing in “town of Dubasari” had previously voted in Corjova (on supplementary rolls) not only in parliamentary or presidential elections, but also in local general elections in both 2019 and 2015. Moreover, multiple cases are known in the locality when two people living in the same house in Corjova commune may have their domicile registered differently: “town of Dubasari, street _____” and “town of Dubasari, Corjova commune, street _____”.

Available statistics suggest that a significant number of people are in this situation. According to the information provided by the Corjova town hall, the commune has 3,784 inhabitants, with only about 1,100 voters on the basic rolls. According to the minutes of vote counting results in PS 15/3, Corjova commune, in the early parliamentary elections of 11 July 2021 (the most recent election in which citizens from localities on the left bank of the Dniester River participated), 1,029 voters were included

²⁴ [Press release](#). Voters are invited to check the accuracy of electoral rolls.

²⁵ Totalising [Minutes](#). Results of the early parliamentary elections of 11 July 2023.

²⁶ [Press release](#). Number of voters included in the State Register of Voters on 2 October 2023 is 3,302,399.

in the basic rolls and 612 people voted on the supplementary rolls. In total, 992 voters took part in the last elections in Corjova commune and, taking this into account, we note that about 62% of the local voters voted on the supplementary rolls.

Based on the above, we note that the right to vote of Moldovan citizens residing in Corjova commune could be violated if they are not allowed to vote on the grounds that they are not included in the basic electoral rolls. At the time of the Promo-LEX observer's visit to the locality, according to the information presented by the chairperson of the electoral body, 5 voters from the locality were not on the electoral rolls. According to the information collected by the Promo-LEX observer, the local citizens are very unhappy about this problem and there is a risk that they will block the voting process if they are not allowed to vote.

Moreover, Promo-LEX OM is concerned that a possible non-admission of such a large number of voters to vote (see the number of voters who voted on supplementary rolls in the last elections) could affect the validity of the elections and/or significantly influence the results. In this context, Promo-LEX OM notes that the refusal to register an independent candidate for the office of councillor in the Dubasari District Council in the local general elections from 5 November 2023 was also based on the issues analysed above²⁷.

In the opinion of Promo-LEX OM, the described problem is to be treated as a technical one, requiring the correction of the domicile in the citizens' documents in the locality, however, it cannot actually mean establishing another domicile. It should be recalled that both Law no. 764 of 27.12.2001 on the administrative-territorial organization of the Republic of Moldova and Decision no. 02/02 of 29.03.2019 of the Corjova Local Council "On the confirmation of the borders of the villages of Corjova and Mahala, which are part of the Corjova commune" clearly state that the Corjova commune, including the village of Mahala, are part of the localities under the control of the constitutional authorities. We therefore urge the Public Services Agency (PSA) and other central public authorities, together with the electoral authorities, to identify a rapid solution to this problem and actively inform citizens about it.

²⁷ [Decision of CEC no. 1461](#) from 15.10.2023 on the contestation no. CEC-10ALG/10 of 12 October 2023 of Mr. Emelianov Roman, seeking the status of independent candidate for the office of councillor in the Dubasari District Council in the local general elections of 5 November 2023.

VI. PUBLIC ADMINISTRATION

Adoption of decision on the provision of poster spaces. A total of 805 municipalities (90%) adopted the decision on the provision of poster spaces. Of these, only 639 decisions (79%) were posted at the LPA premises. At the same time, in 708 TAUs (79%) clean poster spaces were provided. Of these, in 612 localities (86%) there is sufficient space for the placement of electoral advertising of electoral competitors.

Adoption of decision on the provision of premises for meetings with voters. At least 787 municipalities (88%) have adopted decisions on the provision of premises for meetings with voters. Of these, only 624 decisions (79%) are posted at the LPA premises. Out of 787 LPAs that have adopted decisions, 644 (82%) provide meeting space with voters free of charge. On the other hand, 143 LPAs (18%) set fees ranging from 82 to 4000 lei per hour and from 285 to 2000 lei per meeting respectively. Among the premises provided are houses of culture, assembly halls, educational institutions, parks and squares, stadiums, libraries, town hall meeting rooms.

As regards the use of premises by competitors, observers reported that in at least 24 localities the premises were used for 38 meetings with citizens. Of these, 10 meetings were organised by PAS (in three cases - for a fee and in seven cases - free of charge), followed by PŞ with six meetings (free of charge), PDCM - three meetings (free of charge); LOC and PN - two meetings each (free of charge); PR - two meetings (for a fee); PNL, PPPDA and PSRM - one meeting each (free of charge).

LPAs' powers in nominating members to the electoral body. Following the analysis of the Promo-LEX observers' reports, we find that out of a total of 816 ECEC I visited up to the drafting of the report, in the case of nine ECEC I the local council level I did not nominate any member and for 12 CECE I only one member was nominated.

Depersonalisation of personal data in LPA suspension provisions in the context of the start of the electoral campaign. Promo-LEX OM draws attention to the limited transparency of data of public interest in some provisions suspending mayors and secretaries of local councils, with reference to the hashing of the last name/first name of the persons who are to replace their duties. In context, we note that in some cases, as a result of technical depersonalisation procedures, it is not possible to identify both the last name/first name of the suspended person and of the person to whom powers are delegated (for example, mun. Chisinau²⁸, commune Mereseni²⁹ (d. Hincesti), village Nicoreni³⁰ (d. Drochia) etc.). On the other hand, some public authorities do not consider it necessary to hide the details of the persons who are to take over the mayor's duties (for example, village Horodca³¹ (d. Ialoveni), village Caracui³² (d. Hincesti), village Limbenii Noi³³ (d. Glodeni)).

In Promo-LEX OM's opinion, the depersonalisation procedures applied in the cases described above are illegal. In this regard, we refer to the provisions of the Instruction on how to depersonalize administrative acts in the State Register of Local Acts, approved by Order of the State Chancellery no. 61 of 01 November 2022, pts. 4.5 (sbpt. 2, 4), and 4.6 (sbpt. 1, 5)³⁴. According to them, it is allowed to process (publish/disclose/disseminate) personal data in the framework of issuing administrative acts when they relate to public persons or persons holding public office and in cases when they relate to public deeds.

²⁸ [Provision no. 1076](#)-dc of 06.10.2023 on the suspension of the exercise of the mandate of Mayor of Chisinau municipality.

²⁹ [Provision no. 124](#) of 06.10.2023 on the suspension from office of mayor and delegation of duties.

³⁰ [Provision no. 03](#)-1-60 of 05.10.2023 on the suspension of the mayor's activity during the electoral campaign.

³¹ [Provision no. 53](#) of 06.10.2023 on the suspension from the office of mayor during the electoral campaign.

³² [Provision no. 46-B](#) of 06.10.2023 on the suspension from the office of mayor.

³³ [Provision no. 48p](#) of 06.10.2023 on the suspension of the office of mayor.

³⁴ [Instruction](#) on depersonalization of administrative acts in the State Register of Local Acts, approved by Order of the State Chancellery no. 61 of 1 November 2022, pts. 4.5 (sbpt. 2, 4) and 4.6 (sbpt. 1, 5).

VII. PERFORMANCE OF ELECTORAL COMPETITORS

7.1. Electoral promotion activities

According to Article 70, para. (3) of the Electoral Code, regardless of the type of election, the electoral campaign begins on the date of registration of the electoral competitor, but not earlier than 30 days before election day, and ends on the date of cancellation of the registration of the electoral competitor or on the Friday before election day. According to the CEC's³⁵ approved Calendar Schedule, the electoral campaign for all competitors began on 6 October 2023

During the monitored period, at least 358 activities to promote candidates and electoral competitors were observed (see Table 2). The most widespread activities were the distribution of electoral materials, which accounted for 35% of all reported activities, followed by meetings with voters - 31% and campaign launch activities - 20%.

Table no. 2. Electoral promotion activities

Carried out activities	PAS	PSRM	PDCM	PPPDA	CUB	PSDE	PLDM	PN	PŞ	PR	IC - Yrabie Vitatie	PS	PACE	CC	CI - Topal Anatoli	LOC	MAN	PCRM	Others	Total	
Distribution of electoral materials	51	42	7	2	5	5	5	1	1	2		2		1			2				126
Meetings with voters	42	16	5	5	7	1	3	7	7	2	5		2		4	2		1	2		111
Campaign launches	31	7	4	3	3	6	3	2	3	1		1	1	1		1				5	72
Field visits	5	3	3	6		4	1	2				1		1							26
Press conferences	3	3	2	1	1		1			2							1				14
Others	4												1	1				1	2		9
Total	136	71	21	17	16	16	13	12	11	7	5	4	4	4	4	3	3	2	9		358

According to Promo-LEX observers' reports, most activities were carried out by PAS - 38%, followed by PSRM - 20% and PDCM - 6%. Of the total activities observed, most were organised in Chisinau - 32%, followed by Balti - 15% and Floresti - 5%.

7.2. Use of electoral advertising

Since the beginning of the electoral campaign, Promo-LEX observers have reported at least 643 cases where electoral advertising was used (see Table 3). The most common forms of advertising were voter information materials (newspapers, posters, flyers, etc.), which were observed in 31% of cases, followed by visibility materials of competitors (vests, caps, bags, etc.) - 20% and street billboards - 19%.

Table no. 3. Electoral campaign advertising

Types of advertising	PAS	PSRM	PLDM	PDCM	PSDE	CUB	PN	PPPDA	PS	PR	PŞ	Others	Total
Newspapers, leaflets, flyers etc.	105	52	3	8	7	8	2	6	2	1	3	2	199
Vests, bags, caps, etc.	69	35	2		5	2	1	3	1	1	1	5	125
Street signs/banners	74	10	6	6	4	1	2	4	3	2	3	5	120
Sponsored internet posts	28	4	28			4	10		3			3	80
Tents	33	21		4	4	4	1	2				1	70
Video spots	13	3	12	4		1			1	5		5	44
Online banners	4						1					0	5
Total cases	326	125	51	22	20	20	17	15	10	9	7	21	643

Observers reported the most cases of use of electoral advertising for PAS - 51%, followed by PSRM - 19% and PLDM - 8%.

³⁵ According to pt. 42 from [Calendar Schedule](#) for the organisation and conduct of the local general elections from 5 November 2023.

7.3. Misuse of administrative resources³⁶

During the monitored period, Promo-LEX found **43 cases** that can be qualified as misuse of administrative resources, as follows:

- **use of state institutions to promote electoral initiatives**, in which the distinction between state and political party disappears - **4 cases** (Government of the Republic of Moldova, Executive Committee of ATUG, Taraclia Town Council and Orhei District Council).

According to Promo-LEX, cases of misuse of administrative resources involving adoption of legislation in various areas have the biggest impact on the electorate.

The case of the Government of the Republic of Moldova. Thus, we note that on 31 May 2023³⁷, just two months before the start of the electoral period, the Government of the Republic of Moldova submitted for Parliament's approval amendments to the State Budget Law. The reason given was to increase the inflow of foreign grants, creating opportunities to direct them mainly to supplement the Road Fund, the National Fund for Regional and Local Development and programmes to support small and medium-sized enterprises. As a result, on 22 June 2023, the Parliament adopted an increase in the budget for the National Fund for Regional and Local Development - from 600 million lei to 1.02 billion lei.

In the meantime, when the changes had not yet been adopted at least at Government level, the National Office for Regional and Local Development (ONDRL) approved the "Application Guidelines for the Competitive Call for Small Grants for Local Development Projects/National Programme "European Village Express", edition 2023, on the basis of which LPAs were to submit project proposals in the period 2 - 16 May 2023.

On 12 July 2023, ONDRL published the results of the competition of the National Programme "European Village Express"³⁸, according to which out of 680 projects submitted by LPAs, 399 were selected. At that time, according to the results of the last polls held in each of the 399 LPAs, 146 (37%) mayors were from ACUM/PAS, 113 (28%) - PDM, 63 (16%) - CI, 35 (9%) - PSRM, 27 (6%) - PLDM and 15 (4%) - other political parties. By 17 October 2023³⁹, the situation has changed significantly. Thus, out of 399 mayors from LPAs who won a project under the "European Village Express", in the context of the 2023 local general elections, already 234 (59%) of mayors stood for PAS. At the same time, we note that for another 54 mayors, they are not on the list of electoral competitors (we assume that they did not stand in the elections, but the information will be clearer after the publication of the final version of the registered candidates).

As for the other mayors, they stand for PSDE - 34 (9%), IC - 34 (9%), PLDM - 8 (2%), 7 (2%) - PSRM and PDCM, 6 (2%) - PPPDA, 3 (1%) - PŞ, LOC and PDMM, 2 - PSDE and PN and 1 each - PR and PCRM.

In this context, we note that in its campaign activities and materials, PAS takes credit for the works carried out under the "European Village Express" project.

Cases of local and regional public administrations. On October 1, 2023, during a live session on social media⁴⁰, Ilan Sor, former president of the unconstitutional Sor Party, publicly announced his intention to contribute via a fund to increase the pensions of pensioners from ATUG, d. Orhei and Taraclia town. This increase was declared to be made in the form of a monthly addition of 1,000 lei for all persons receiving a pension of less than 3,000 lei.

Shortly after this statement, on October 11, 2023, the Orhei District Council adopted a decision⁴¹ according to which pensioners receiving a monthly pension of less than 3,000 lei will receive a financial

³⁶ The definition of the notion and reference to some international standards in the field can be found in [Report no. 2 of Promo-LEX OM for the local general elections from 5 November 2023](#), p. 25.

³⁷ [Draft](#) on the approval of the draft law on the amendment of some normative acts (unique number 402/MF/2023).

³⁸ [Results](#) of small grant competitions under the National Programme „European Village Express”.

³⁹ At the time of preparing the report, the CEC website had not published the final information on the candidates for mayor's office registered in all 898 LPAs. We therefore assume that the number of candidates nominated by PAS could be higher.

⁴⁰ [Declaration](#) of Ilan Sor from 01.10.2023.

⁴¹ [Decision](#) of Orhei District Council no. 11/1 from 11.10.2023 on financial support to certain categories of pensioners in Orhei

aid of 1,000 lei - financial means covered by donations from individuals/legal entities, regardless of their legal form of organization. Additionally, the Council empowered the District President to sign contracts with individuals/legal entities willing to donate money for this purpose. The next day, on 12 October 2023, the Taraclia City Council also adopted a decision ⁴² on granting a monthly allowance of 1,000 lei to pensioners with pensions below 3,000 lei per month. The Executive Committee of ATUG also adopted a positive decision on the same subject and from the same sources at its working session on 6 October 2023⁴³. However, on the official page of the authority the approved decision was not identified.

Promo-LEX OM has repeatedly pointed out that, given that Ilan Sor is on the sanctions list and his properties are seized, it is not clear the legal source of the donations he promises to the population. These donations can also be qualified as activities with potential to corrupt voters.

- ***involvement in campaign activities of persons holding public office - 18 cases (PAS).***

During the monitored period, at least 10 cases were observed in which Dorin Recean, Prime Minister of the Republic of Moldova, participated in electoral activities organized by PAS in order to promote candidates registered for the elections. Thus, from 6 to 8 October 2023, Dorin Recean was present at PAS electoral events in Chisinau, Balti, Causeni, Drochia, Ialoveni, Falesti, Floresti, Rezina, Straseni and Stefan Voda. In the case of the event in Chisinau, we note that it was organised during working hours of employees of public institutions (16:00).

Moreover, Dorin Recean and Igor Grosu appear in electoral materials distributed to promote PAS candidates for the office of mayor (the printed material contains a picture of the three of them - Dorin Recean, Igor Grosu and the candidate at ECEC I level). Therefore, we find the tacit support and image transfer from Prime Minister Dorin Recean and, implicitly, from the institution he leads for PAS candidates in the elections.

During the same period (6 - 8 October 2023), Dan Perciun, Minister of Education and Research, was also present at at least 3 electoral events organized in Chisinau, Glodeni and Riscani to promote PAS candidates. As in the case of Dorin Recean, the event in Chisinau was organised during working hours (16:00).

Andrei Spinu, Minister of Infrastructure and Regional Development, also participated in at least 5 electoral events organized by PAS in Chisinau, Leova, Anenii Noi, Dubasari and Basarabasca.

It should be noted that, according to art. 28 of the Electoral Code, for the purpose of organising and conducting the electoral process efficiently, CEC cooperates with a number of public authorities, including the Ministry of Infrastructure and Regional Development. Also, during the electoral period, both the Government of the Republic of Moldova and the Ministry of Education and Research have communicated about some measures initiated to ensure the free and fair conduct of the elections. Therefore, we believe that in these circumstances, it is necessary for the respective institutions to respect the principle of neutrality.

- ***electoral candidates taking credit for public works/services carried out with public money - 11 cases (6 - PAS, 2 - PS, 2 - MAN, 1 - LOC).***

The PAS case. In the party's electoral promotion newspapers at national level (600,000 copies in total), PAS took credit for projects implemented from the public budget - the "European Village", increasing pensions, childbirth allowances, renovation of roads, kindergartens and schools, street lighting, etc.

At the same time, flyers promoting PAS candidates for mayor were observed, where they are attributed credit for works and services carried out from the public budget in the locality at the LPA level. Such situations were reported in at least 5 LPAs I (e.g. v. Tanatari, Tanatari Noi, Chircaiesti, Ucrainca (all from d. of Causeni)).

district.

⁴² [Decision](#) of Taraclia Municipal Council no. 6/1 from 12.10.2023 on approval of the Regulation „On additional financial support to certain categories of pensioners of Taraclia town”.

⁴³ [Agenda](#) of the meeting of the Executive Committee of Gagauzia from 06.10.2023 and [Meeting](#) of the Executive Committee of Gagauzia from 06.10.2023.

The PS case. Distribution of leaflets (4,000 copies) was observed, in which PS took credit for several infrastructure works implemented in the mun. Balti, at LPA level, with public money (repair and improvement of parks, playgrounds and sports fields).

In another case, on 12 October 2023⁴⁴, Nicolae Grigorisin, PS candidate for the office of mayor of the mun. Balti, suspended from the office of mayor on 10 October 2023 (the day of his registration as a competitor), visited a construction site in progress to broadcast live the results of his projects implemented in the mun. Balti. He mentioned that previously the construction site was in a disastrous state, and at the time of filming, he showed live how the location looked after the repair works. He mentioned that although he was registered in the electoral race, “his soul aches” for the projects he initiated, which is why he went to the site to check the works.

The MAN case. In the newspapers promoting the candidate for mayor of the mun. Chisinau, Ion Ceban (280,000 copies - Romanian version only), MAN takes credit for the infrastructure works and projects carried out by the City Hall of Chisinau. In this context, we would like to mention that in the Chisinau Municipal Council there is no MAN faction.

In another case, at a press conference on 16 October 2023⁴⁵, Ion Ceban took credit for the public lighting works on major avenues of Chisinau (Dacia Boulevard, Calea Orheiului, Renaşterii Boulevard, Mircea cel Bătrân Boulevard), modernization of public lighting in parks, green spaces, rehabilitation of pedestrian walkways and underground passages, renovation of parks and squares, rehabilitation of residential yards, etc.

The LOC case. In a video spot⁴⁶ distributed on social media, Vasile Borta, the LOC candidate for mayor of Costesti village, Ialoveni, took credit for the infrastructure works carried out in the locality with LPA public money.

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

- ***organisation of electoral meetings in public institutions with employees of those institutions during their working hours - 9 cases (5 - PSRM, 2 - PAS, 1 each - CUB and PCRM).***

During the monitored period, at least 9 cases were observed in which electoral competitors organised electoral meetings with employees of public institutions during their working hours (see Table 4). Of these, in 5 cases the PSRM was targeted, in 2 cases - PAS and in 1 case each - CUB and PCRM.

Table no. 4. Electoral meetings held in public institutions during working hours of employees of these institutions

Competitor	Address	Date	Institution
CUB	Chisinau, Centre	10/6/2023	PMSI Municipal Clinical Hospital of Physiopneumology
PAS	Chisinau, Riscani	10/10/2023	TL „Nicolae Milescu Spătaru”
	Chisinau, Centre	10/11/2023	Republican Diagnostic Center
PCRM	Chisinau, Centre	10/10/2023	TL „Mihail Koţubinski”
PSRM	Chisinau, Botanica	10/10/2023	TL „Dimitrie Cantemir”
	Chisinau, Ciocana	10/11/2023	PMSI Ciocana Territorial Medical Association
	Chisinau, Centre	10/11/2023	PMSI TMA Centre
	Chisinau, Riscani	10/12/2023	TL „Nicolae Milescu Spătaru”
	Chisinau, Centre	10/12/2023	Family Doctors Centre no. 7

⁴⁴ Live [broadcast](#) of Nicolae Grigorisin.

⁴⁵ Press [Conference](#) organised at MAN Party premises.

⁴⁶ Video [Spot](#) of LOC candidate, Vasile Borta.

- ***use of state property by electoral contestants for personal purposes - one case (PAS).***

On 6 October 2023, pursuant to art. 16, para. (3) of the Electoral Code, the PAS candidate for mayor of Alexandru Ioan Cuza village, Cahul, Nicolae Calaidjoglu, suspended his activity as mayor of the village. However, on 7 October 2023, he was filmed driving his service car, property of the town hall.

7.4. Activities with voter corruption potential

According to art. 181¹ 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.

On 14 October 2023, the Executive Committee of ATUG, led by ATUG Governor Evgenia Gutul, organised a large-scale event dedicated to Teacher's Day, which was attended by around 2,400 teachers from ATUG. During the event, in addition to the presentation of diplomas and a cultural and artistic programme, teachers also received an envelope containing 500 lei.

According to the information posted on the official social media page of ATUG Bashkan, the event was organized with the considerable support of the Miron Sor Foundation⁴⁷. The corresponding information was also confirmed by the Main Directorate of Education of ATUG, which, in a post on social media, expressed thanks to Evghenia Gutul, the "Miron Sor" Foundation and other organizers of the event. In this context, we recall the findings in Report no. 2 with reference to Ilan Sor, the activities with potential voter corruption in which PŞ is targeted, as well as the prosecution of cases of illegal financing in which PR is targeted⁴⁸.

7.5. Use of advertising in violation of the law

According to paragraph 75 of CEC Regulation on the manner of provision, distribution and dissemination of political and electoral advertising and messages of public interest⁴⁹, it is stipulated that during the electoral period advertising providers shall carry out preparation, production, distribution and placement of advertising on billboards only from the financial means transferred to the "Electoral Fund" account, with payment in advance.

Contrary to those stated, on 5 October 2023, pictures were distributed in the public space where a car of the SE "Posta Moldovei" was carrying PAS electoral newspapers. According to the information in the newspapers, they were printed under a payment account and an invoice dated 6 October 2023. Therefore, we note that the materials were prepared and printed before 6 October without respecting the provision of advance payment for services.

According to pt. 15 of the regulation, during the electoral campaign political advertising is prohibited. It is also prohibited to use political advertising material as electoral campaign material.

Each printed material must contain the following information: easily legible, readable and comprehensible name of the supplier who ordered it and the name/title of the subject of the advertising; the heading "Political advertising", "Electoral advertising"; the identification data of the specialised economic entity which provided 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 invoice number.

⁴⁷ [Post](#) on social networks of ATUG Bashkan, Evghenia Gutul.

⁴⁸ [Report no. 2](#). Promo-LEX mission for observation of the general local elections from 5 November 2023, p. 23, 27.

⁴⁹ [Regulation](#) of CEC on the manner of provision, distribution and dissemination of political and electoral advertising and messages of public interest, approved by CEC Decision no. 1155 of 4 August 2023.

Also, according to paragraph 76, it is forbidden 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 outside of windows and balconies of residential blocks, on private household fences, as well as on their fencing elements, etc. Placing advertising displays outside the established places constitutes a contravention and is punishable according to the Contravention Code.

Contrary to the above, at least 13 cases of distribution of electoral advertising in violation of legal provisions were observed. Of these, in 5 cases PAS is targeted, in 3 cases - PSRM, in 2 cases - PSDE, in 2 cases - PDCM and in one case - PR.

Thus, in 3 cases - one each for PAS, PSDE and PR - it was observed that electoral advertising was displayed in prohibited places (on fences, on the wall of an unfenced house, etc.). In the case of PR, the advertising material did not have data on the supplier, circulation and date of printing.

In four other cases - two street billboards promoting PDCM (Donduseni and Glodeni) and two others promoting PSRM (Chisinau) - the information on the supplier who ordered the advertising (PDCM) and/or the print run of the advertising material (PDCM and PSRM) was not printed.

In the case of PAS, on 11 October 2023, on Ismail Street, Chisinau, 3 street billboards were observed - paid as political advertising on 20 September 2023. However, their image is very similar to that of the campaign street billboards (PAS - Team Europe).

Also, since the beginning of the electoral campaign, three cases have been reported - one each for PAS (08.10.2023, Chisinau), PSDE (14.10.2023, Telenesti) and PSRM (15.10.2023, Riscani) - in which electoral advertising was distributed together with political advertising (electoral newspapers with party newspapers printed before 6 October 2023).

VIII. ELECTORAL CAMPAIGN FINANCING

The financing of initiative groups (IGs) and electoral campaigns is regulated by the Electoral Code⁵⁰, the Contravention Code⁵¹, the Criminal Code⁵², the Law on Political Parties⁵³, the Law on Advertising⁵⁴ and the CEC Regulation on financing of initiative groups and electoral campaigns⁵⁵. CEC is the body mandated with receipt, verification, supervision and control of financial reports on campaign financing.

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

8.1.1. A process managed and made transparent by CEC

According to Article 58, para. (8) of the Electoral Code, within 24 hours of receiving and accepting the campaign financing reports, the CEC must post them on the authority's official website, and the electoral constituency electoral councils - which receive the IC's financial reports - will send them to CEC and the corresponding LPAs for publication on their official websites.

According to paragraph 81 of the Regulation on the financing of initiative groups and electoral campaigns, CEC undertook the obligation to publish these reports in a reusable format, thus ensuring the possibility of easy data processing.

However, contrary to the above, we note that the campaign financial reports are published on the CEC website after the deadline. For example, some of the financial reports that were to be submitted on 13 October 2023 were not published on the official CEC website until the second half of the day of 17 October 2023 (11 of them⁵⁶) - i.e. much later than the 24 hours stipulated by the legal framework. On the following day, 18 October 2023, by 14:00, another 4 financial reports were published (see Annex no. 3). We also note that until the submission of the report, no IC financial report was published on the website of the electoral authority.

In addition, we find that the format in which the financial reports are published does not correspond to the principle of open data, as they are in pdf format, which sometimes makes it very difficult to discern the figures shown⁵⁷.

IMPORTANT! Promo-LEX has only analysed information relevant to campaign financing as of 18 October 2023, 14:00.

In the context of the above, we call on CEC to ensure compliance with the legal provisions on the deadlines and format of publication of financial reports of electoral competitors.

It should be noted that to ensure correct and efficient supervision and control of political parties and electoral competitors, a specialized directorate was created within CEC, with a staff complement of 8 posts, which is responsible for issues related to financing of political parties and electoral competitors. Also, according to Article 29, paragraph (3) of the Electoral Code, during the electoral period of national elections, in addition to the basic salary, the permanent employees of the CEC apparatus shall receive a monthly allowance in the amount of a basic salary (function).

The same article, para. (4) provides that in exceptional cases, with the employee's agreement, the duration of working time may deviate from the extended limit set by the legal framework. In Promo-

⁵⁰ Electoral [Code](#) of the Republic of Moldova.

⁵¹ Contravention [Code](#) of the Republic of Moldova.

⁵² Criminal [Code](#) of the Republic of Moldova.

⁵³ [Law](#) no. 294 of 21 December 2007 on political parties.

⁵⁴ [Law](#) no. 62 of 17 March 2022 on advertising.

⁵⁵ [Decision](#) of CEC no. 1185 of 18 August 2023 approving the Regulation on the financing of initiative groups and electoral campaigns.

⁵⁶ PSDE, PCRM, PSRM, PN, PR, PPPDA, PAS, PDCM, CUB, LOC and MRM.

⁵⁷ See, for example, the financial reports of [PAS](#), [MAN](#).

LEX's view, ensuring compliance with the legal provisions (publication of financial reports on time) may constitute such an exception.

8.1.2. Financial reporting of electoral competitors

The financial reporting process for 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).

At the time of reporting, only 28 political parties out of at least 34 that registered candidates had confirmed with CEC the person responsible for finances (treasurer)⁵⁸ – see Annex 3.

- *Opening the account “Electoral Fund”.*

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 CEC’s website, 22 political parties have opened the “Electoral Fund” account and informed CEC about it (see Annex 3).

- *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.*

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 the CEC indicating information on the accumulated revenues and expenditures incurred until the beginning of the campaign.

According to the CEC’s official website, 11 political parties (see Annex 3) submitted their financial reports at the beginning of the campaign. Of these, 6 also transferred funds from the party’s current account to the “Electoral Fund” account (PAS, PSDE, PPPDA, PCRM, PSRM and PN).

- *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 Schedule⁵⁹, 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. As provided in the Calendar Schedule, the first weekly report of the campaign was to be submitted by 6 October 2023, and the second report - by 13 October 2023.

⁵⁸ ALDE, BE R. Codreanu, CC, CUB, MAN, MPSN, MRM, NOI, PAS, PCRM, PDCM, PL, PLDM, PN, PNL, PNM, PONA, PPDA, PPF, PPM, PPN, PPPDA, PR, PS, PSDE, PSRM, PŞ, PVE.

⁵⁹ Calendar [Schedule](#) for organising and conducting local general elections on 5 November 2023, approved by CEC Decision no. 1150 of 2 August 2023, pts. 54 and 55.

According to CEC's official website, 12 political parties⁶⁰ submitted their first campaign report, and 15⁶¹ political parties out of the minimum 34⁶² that nominated candidates for the elections submitted their financial report for the second week, with a deadline of 13 October 2023.

We recall that, according to art. 48¹ of the Contravention Code, 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 the quality of reporting, we note a low level of accuracy in filling in reports (errors are made). At the same time, we note that after the adoption of the new format of financial reports, electoral competitors seem to have difficulties in filling them in. Thus, it has been observed that in the case of several electoral competitors, some expenditures having the same purpose are attributed to completely different expenditure lines. In addition, having two different and separate categories in the reporting form for similar activities significantly reduces the correct recording of expenditures incurred (e.g. *pt. 3.1.7 Expenditures on the organisation of political and electoral activities* and respectively *3.1.14 Expenditures on the organisation of meetings, public events, seminars and/or training courses held on the territory of the country*).

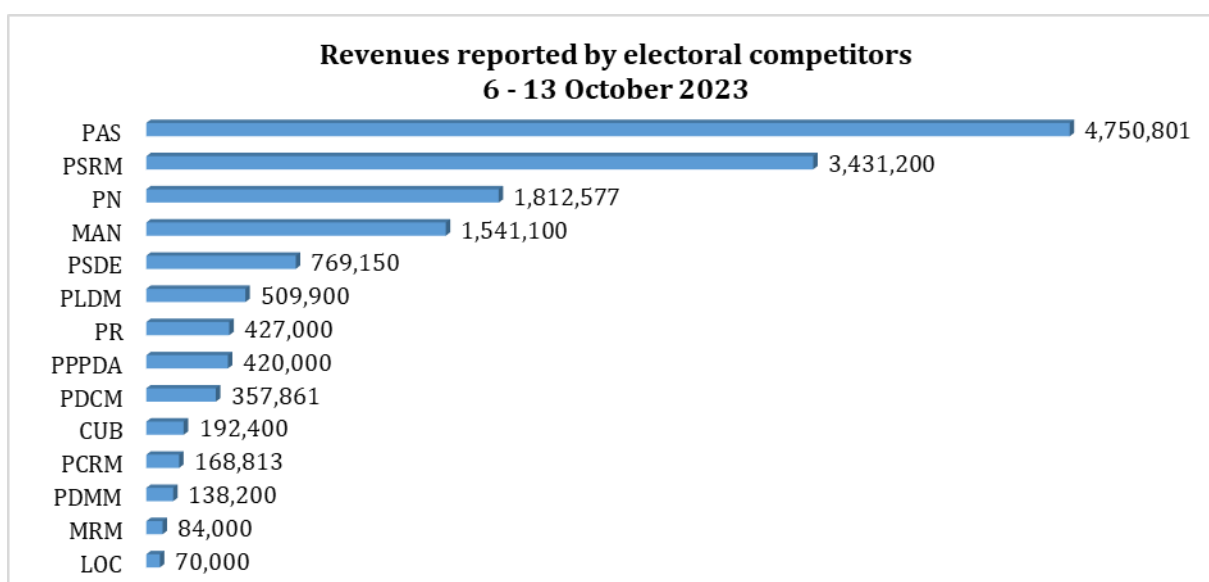
Based on the above, we recommend CEC to develop a guide/instruction detailing the expenditure lines in the financial reports and respectively the types of expenditure that can be attributed to the corresponding lines. Also, after the end of the electoral period, we recommend the exclusion from the model reporting forms of expenditure lines that allow competitors the discretion to present expenditures that should have been reported under a single expenditure line.

8.2. Revenues and expenditures reported by electoral competitors to CEC

8.2.1. Reported revenues and their source

For the period 6 - 13 October 2023, 14 political parties reported revenues totalling 14.6 million lei. Of these, 14.1 million were financial means (in cash), and 555 thousand - material donations. The most revenues were reported by PAS - 33%, followed by PSRM - 23%, PN - 12% and MAN - 11% (see chart no. 8). Therefore, we see that 79% of the total declared revenues were reported by 4 political parties, and only 21% of the revenues by the other 10 political parties.

Chart no. 8



Depending on the source of revenues, we observe the following situation (see chart no. 9):

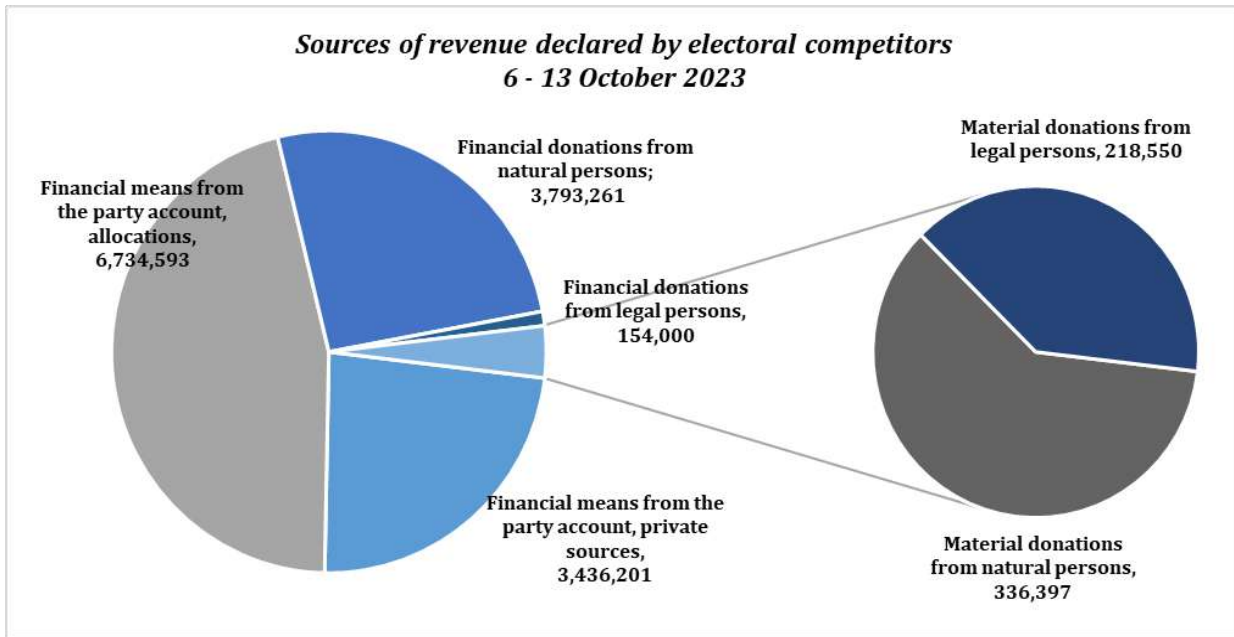
⁶⁰ CUB, LOC, MAN, MRM, PAS, PDMM, PLDM, PN, PR, PSDE, PSRM and PŞ.

⁶¹ CUB, LOC, MAN, MRM, PAS, PCRM, PDCM, PDMM, PLDM, PN, PPPDA, PR, PSDE PSRM and PŞ.

⁶² ALDE, BE Ruslan Codreanu, CC, CUB, FASM, LOC, MAN, MPSN, MRM, PACE, PAS, PCRM, PDCM, PDMM, PL, PLDM, PN, PNL, PNM, PONA, PPDA, PPF, PPM, PPN, PPPDA, PPPPN, PPRM, PPVP, PR, PS, PSDE, PSRM, PŞ and PVE.

- 69% (10.2 million lei) of the revenues are financial means transferred from the current account of political parties to the "Electoral Fund" account. Of these, 66% (6.7 million lei) were from state budget allocations received by political parties (PSDE, PCRM, PSRM, PN, PPPDA and PAS), and 34% (3.4 million lei) were from private sources (PAS, PCRM and PN);
- 26% (3.8 million lei) were from donations from individuals collected by 13 out of 14 parties that reported revenues (PCRM did not collect donations);
- 4% (555 thousand lei) were from material donations, reported by 3 political parties (PN, PAS and PSDE). 60% of the total material donations were reported by PN (for campaigners/volunteers);
- 1% (154 thousand lei) was from financial donations from legal entities (PAS, CUB and LOC).

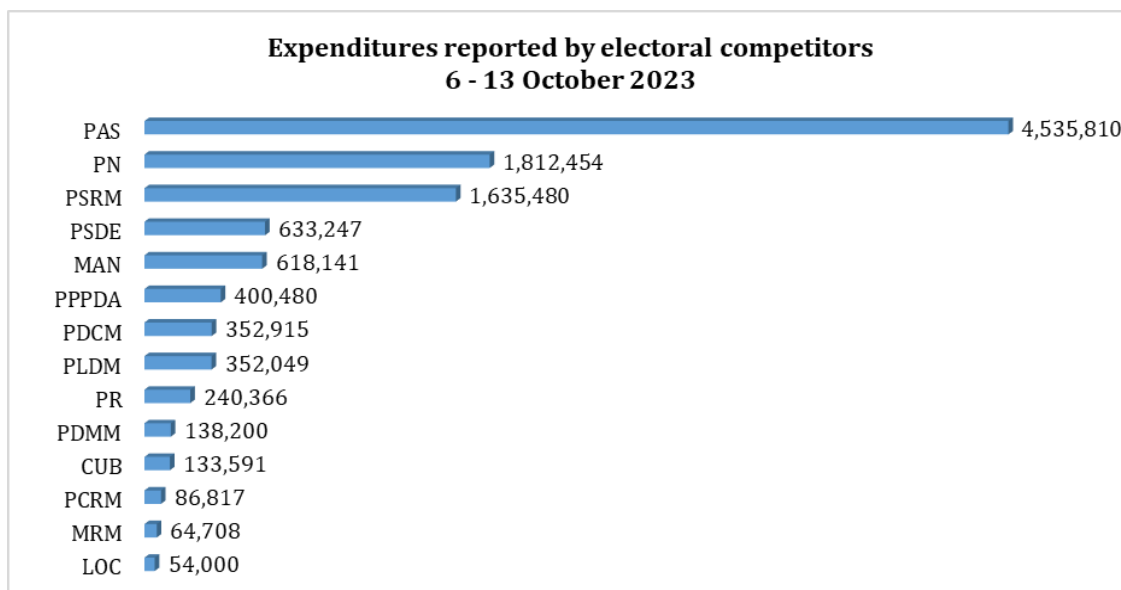
Chart no. 9



8.2.2. Declared financial expenditures and their destination

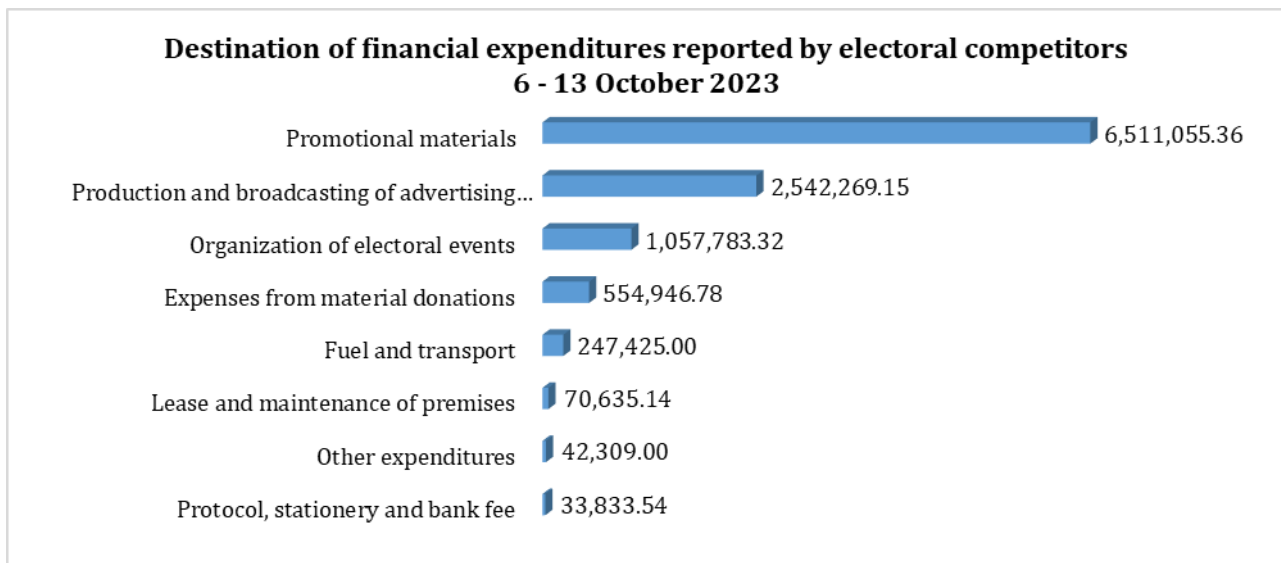
In the period 6 - 13 October 2023, 14 political parties reported expenditures of 11 million lei, of which 10.5 million lei were in cash and 555 thousand lei - from material donations. The most expenditures were reported by PAS - 41%, followed by PN - 16%, PSRM - 15% and PSDE - 6% (see chart no. 10). As in the case of income, we find that 4 political parties reported 78% of total declared expenditures, and the other 10 political parties - 22% of expenditures.

Chart no. 10



Regarding the destination of financial expenditures, most of them were for production of promotional materials (newspapers, posters, vests, banners, pens, etc.) - 59%, followed by production and broadcasting of advertising spots (i.e. street billboards, radio, TV, internet advertising, etc.) - 23%, organisation of electoral activities/events - 10% and expenditures from material donations - 4% (see chart no. 11).

Chart no. 11



As regards expenditures from material donations, 61% of these were in the form of works and services (most of them reported by the PN as estimated for the volunteer activities of campaigners), and 39% - for goods (most of them reported by the PSDE).

8.3. Civic monitoring of campaign financing

Based on reports prepared by Promo-LEX observers, the expenditures of the electoral competitors during the period 6 - 13 October 2023 were estimated. Once estimated, these expenditures were compared with those declared to CEC in the reports on electoral campaign financing. As methodological benchmarks for the estimation of expenditures, were applied minimum market prices identified for services, goods and works used by the 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).

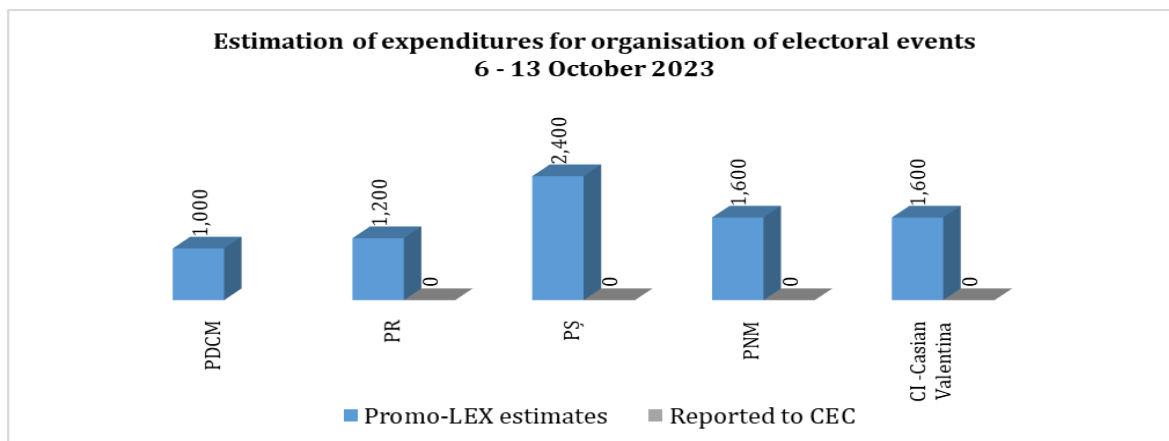
IMPORTANT! Please note that the amounts estimated by Promo-LEX for electoral competitors whose reports have not been published by CEC as of 18 October 2023, 14:00 (see Annex no. 4), are reflected in the charts as estimated expenditures, without being compared with the data of 13 October 2023.

8.3.1. 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, expenditures of at least **7,800 lei** were estimated for 5 electoral competitors (see chart no. 12). 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.

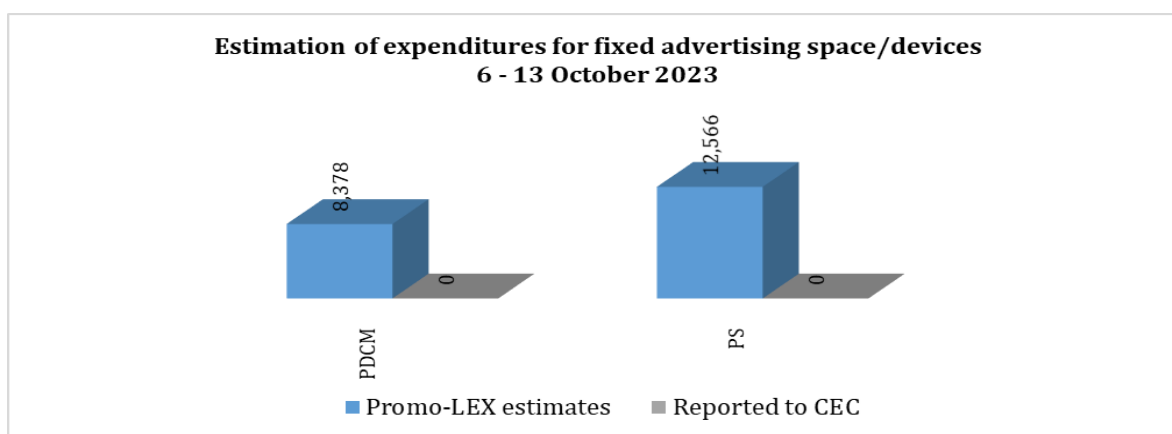
Chart no. 12



8.3.1.1. 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, expenditures for 2 electoral competitors (PDCM and PS) were estimated to be at least **20,944 lei** (see chart no. 13).

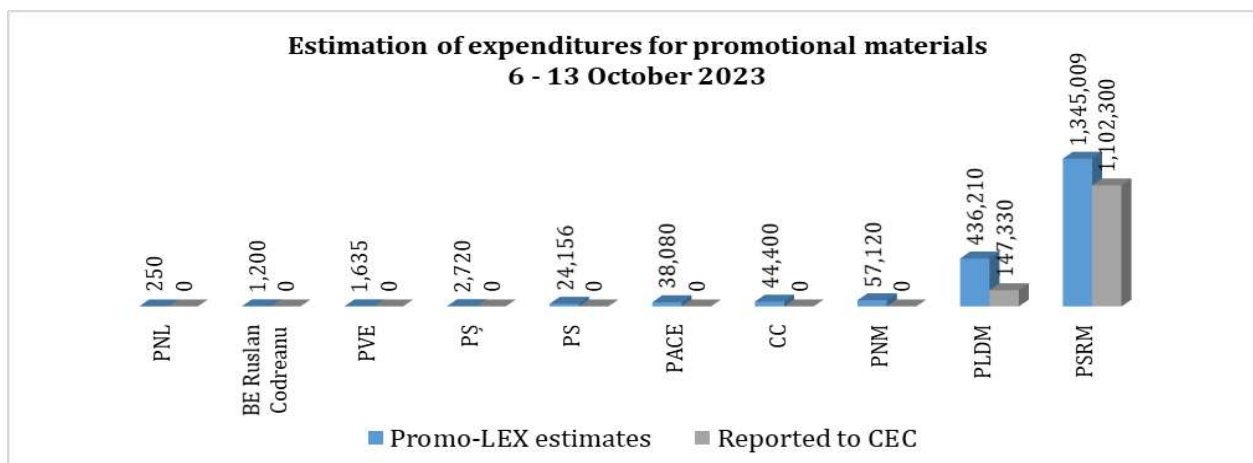
Chart no. 13



8.3.1.2. 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, expenditures of at least **701,150 lei** were estimated for 10 electoral competitors (see chart no. 14).

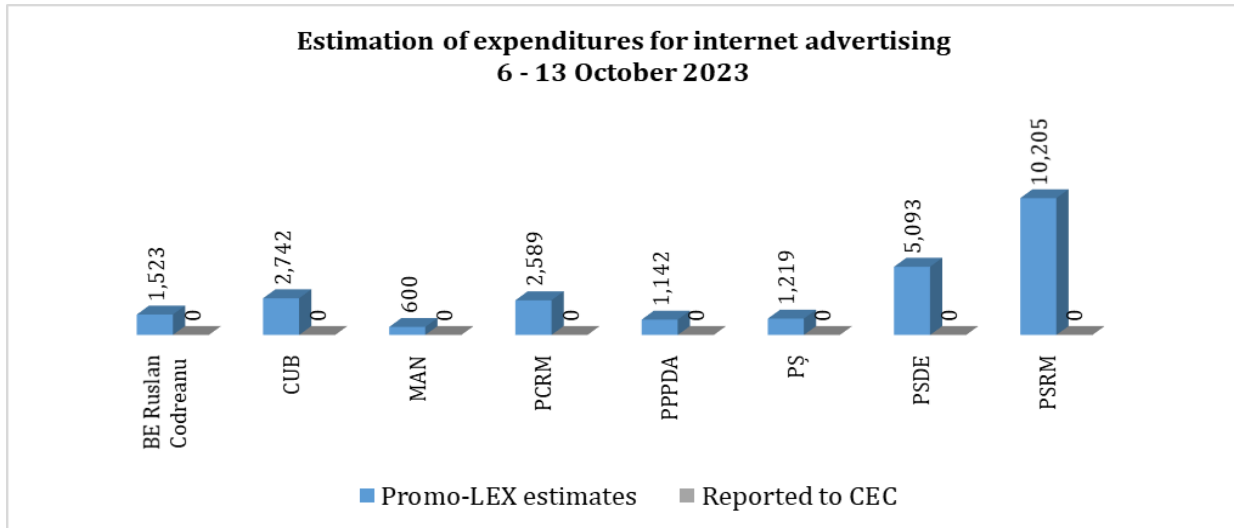
Chart no. 14



8.3.1.3. 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, expenditures of at least **25,114 lei** were estimated for 8 electoral competitors (see chart no. 15).

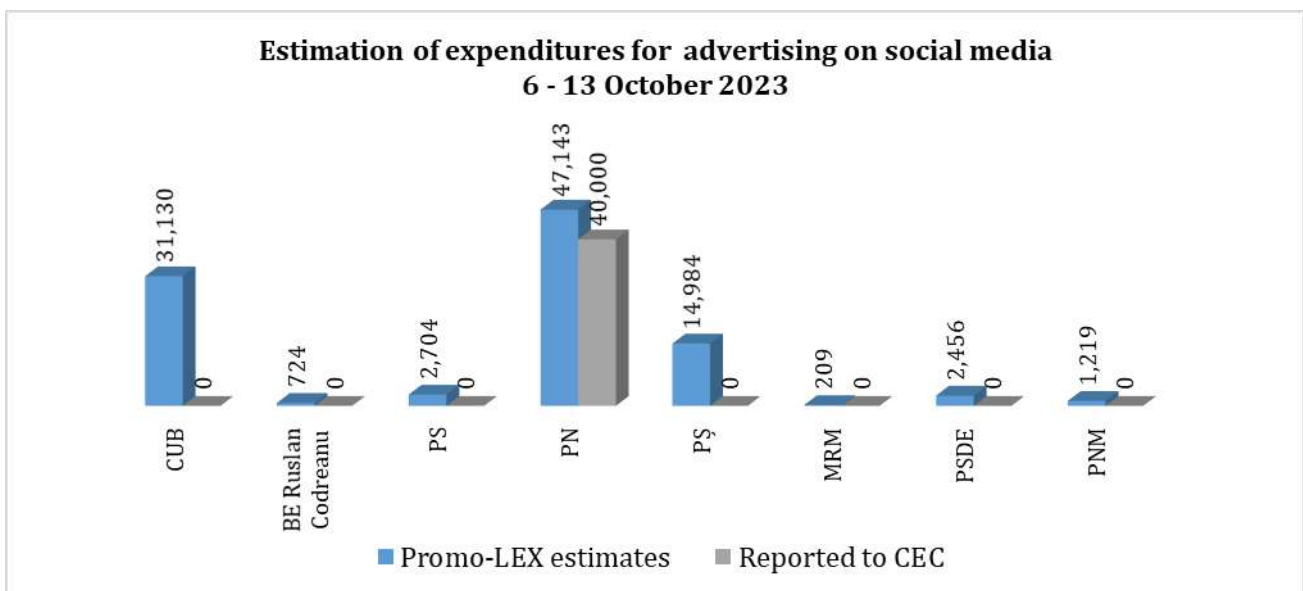
Chart no. 15



8.3.1.4. Estimation of expenditures for social media advertising

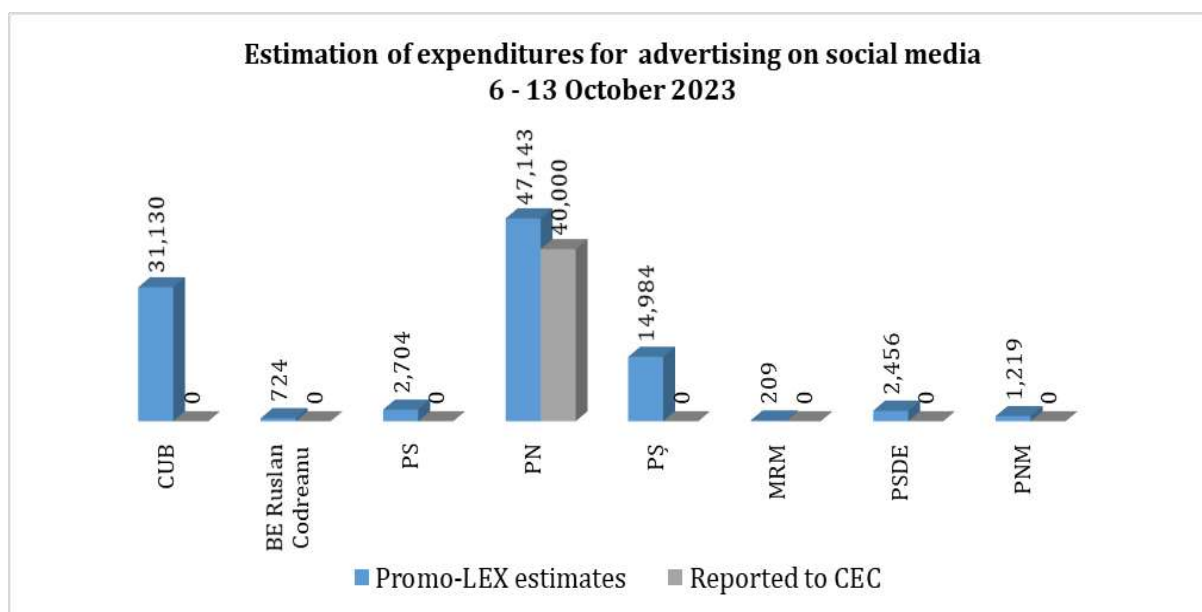
As in previous elections, sponsored advertising on social media is widely used. Based on the information identified in the public reports available on Meta, it was estimated that at least **60,569 lei** were spent on promoting 8 electoral competitors (see chart no. 16).

Chart no. 16



8.3.1.5. Estimation of expenditures for campaigners' rewards

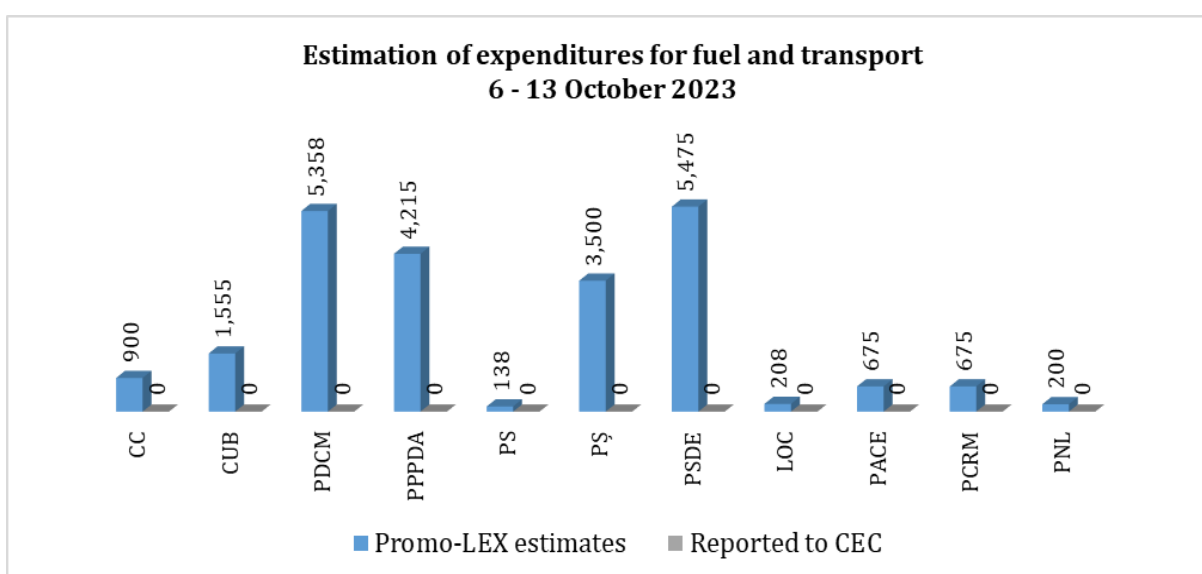
Promo-LEX observers reported on the involvement of campaigners in electoral campaign activities by 11 electoral competitors. Of these, only one (PN) reported spending on campaigners' rewards. For the other 10 competitors, spending of at least **114,752 lei** was estimated (see chart no. 17).



8.3.1.6. Estimation of expenditures for fuel and transport

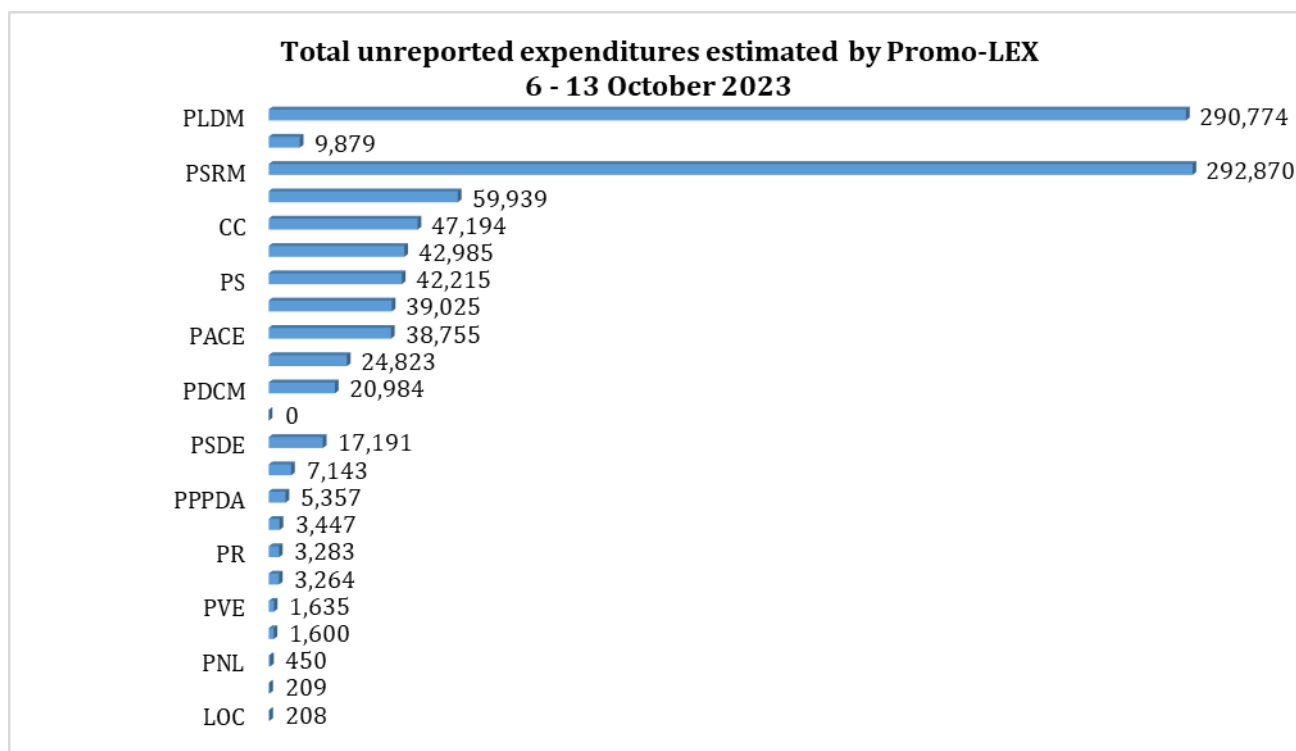
During the monitored period, Promo-LEX observers reported campaign activities involving the travel of electoral competitors or their deployed/delegated persons to the localities of the Republic of Moldova, which resulted in transport expenditures. Based on this information, it was estimated that 11 electoral competitors incurred expenditures amounting to at least **22,898 lei** (see chart no. 18).

Chart no. 18



8.3.2. Conclusions on civic monitoring of electoral campaign financing

In the context of the above, based on the reports of Promo-LEX observers, a total amount of at least 953,228 lei was estimated for activities carried out by 22 electoral competitors in the electoral campaign, which was not identified on the CEC page in the financial reports up to 13 October 2023 (their publication status on 18 October 2023, 14:00) - see chart no. 19.



Thus, of the total expenditures estimated by Promo-LEX, 31% were estimated for PSRM and PLDM, followed by PNM - 6% and CC - 5%. According to the destination of the estimated expenditures, most of them were for promotional materials - 74%, followed by those for rewards for campaigners - 12%.

IX. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

9.1. Hate speech, sexist language and intolerant messages against electoral competitors and/or politicians

On 9 October 2023, on his YouTube channel watched by more than 127 thousand people (content also distributed on his personal Facebook page with more than 310 thousand followers), Renato Usatii, president of PN, candidate for the office of councillor of the mun. of Balti on behalf of PN and former mayor of the mun. of Balti, justified the use of violence against Vlad Filat, president of PLDM, former Prime Minister of the Republic of Moldova (2009-2013) and allegedly corrupt politicians on the basis of political affiliation, saying:

„Renato Usatii: *And Usatii should have stood in front of you today in a white shirt, with крохмаль (tr.n. starch) on his collar, so that he stands стоўка (tr.n. straight), like Vlad Filat, you know. Only I'll be as you see me, Mr. Gonța. But I won't be a pederast like Filat, you know?*

Gheorghe Gonta: *Oh, God, come on, not like this, please.*

Renato Usatii: *Mr. Gonta! Mr. Gonta! After this wretch, who got out of prison, I was sorry for him as a man, but when I saw where he had just arrived, poor Marcela Paladi, the girl who lost her legs, you tricked her and shoved her... You, Filat, you were a filth, you robbed this country. You even robbed your relatives, Filat.*

Gheorghe Gonta: *But maybe the girl wanted to run for office...*

Renato Usatii: *Again Mr. Gonta, you stole. I know what a psychologist and what a hypnotist and, once again I repeat, what a pederast Filat is!”⁶³*

„[...] Again, I thought jail really does change a lot of people, you know. He almost fooled me too, he didn't even start. That he's dying of cancer, that he's going away and doesn't have anything left... That your parents should know that Plahotniuc did it all.

Gheorghe Gonta: *All right, all right, it's over.*

Renato Usatii: *Give me a break. Mr. Gonta, it's not over. Once again, they should be treated with dichlofos (tr.n. dichlorvos - insecticide, chemical substance), but better with серная кислота (tr.n. sulphuric acid) to put to...”⁶⁴*

On 5 October 2023, Alexei Lungu, interim mayor of Orhei, president of PȘ and journalist, used sexist language, promoting gender stereotypes, in relation to Arina Spataru, president of ALDE, former member of the Parliament of the Republic of Moldova in the 2019-2021 legislature, during the show "The Fourth Power" on National 4 TV, where he said:

“Do you know what Arina Spataru did? She probably tried to clear the air after she had a deal with Ilan Sor. Arina Spataru, I don't know her personally, I haven't seen her, I don't know her. In general, I find this figure strange. Well, she wants to be a political figure, but she probably won't become more than a lady who makes tasty pancakes.”⁶⁵

9.2. Hate speech against LGBT people

⁶³ Renato Usatii, „The power is in truth! 5 Сила в Правде! 5”, min.: 01:33:56, <https://www.youtube.com/watch?v=523CWuw7rS0&t=15s>.

⁶⁴ Renato Usatii, „The power is in truth! 5 Сила в Правде! 5”, min.: 01:37:40, <https://www.youtube.com/watch?v=523CWuw7rS0&t=15s>.

⁶⁵ Alexei Lungu, the show „Fourth power”, Național 4, min.: 46:28, https://www.youtube.com/watch?v=kHPv8_3TmoY.

People from the LGBT community continue to be the target of hate speech and incitement to discrimination by some electoral competitors, such as Maxim Morosan, candidate of the PSRM for the office of mayor of mun. Balti, and Alexandru Gustoi, candidate of the Party of Communists of the Republic of Moldova for the office of mayor of mun. Balti.

On 5 October 2023, during the show „Вечерний разговор” (Evening Talk) on the TV channel TVC21, also broadcast on YouTube (watched by over 19 thousand people), Maxim Morosan used hate messages („We have this LGBT filth”), incitement to violence („We’re saying that we’re going to meet them so that once they come, they get what they came for, in full and don’t come here again”) and incitement to discrimination against LGBT persons („If anyone wants such sexual freedom, I suggest you go outside the territory of the Republic of Moldova towards Europe”), stating:

Moderator: “You talk a lot about LGBT and your opinion that you think that LGBT propaganda, it has a detrimental effect on traditional values, on the unformed minds of our children. I have this question. If you become the mayor of Balti, how will you communicate with the activists? In principle, they are supported by the republican authorities. If, for example, they come to you, submit an application to hold a democratic event?”

Maxim Morosan: “I’ll definitely sign it. Of course I will.”

Host: „Will you authorise it?”

Maxim Moroşan: „I will. I will authorise them personally, I will meet them with the others. I will be in the front rows that will meet them.”

Host: “I think you’re joking, but it’s not a happy welcome.”

Maxim Morosan: “Well, we’re not saying how. We’re saying that we’re going to meet them so that once they come, they get what they came for, in full and don’t come here again. Because look, really LGBT and everything that is happening today is an abomination, filth, decay of society. And taking this opportunity, I want to address those who support LGBT today in our government. I wish each of you, who views it as normal and is ready to sign and support the LGBT movement - I believe, and I wish that each of your children, whether it’s a boy or a girl, to have someone of the same sex come to bed with him or her at night. That’s what you brought them up for. And those who don’t have children, it’s all clear there. They have different passports. And they do it to destroy our integrity, our children, our faith. And we will not let that happen.

Host: “[...] Well, I for one am not personally aggressively against it, but I am against aggressive propaganda that really tries to overshadow our traditional values.

Maxim Morosan: “I am an Old Believer, so I do not understand. I was born in the Soviet Union, and I am proud of that, and I believe that a man should live with a woman, and a woman should live with a man. And what they are trying to sell us today is not normal.”

Host: “But someone considers it freedom of expression, but really we have in Moldova, 96% of people who are deeply religious and we have very different values and of course there is a certain dissonance.”

Maxim Morosan: („If anyone wants such sexual freedom, I suggest you go outside the territory of the Republic of Moldova towards Europe. You’ll have more than enough freedom there.”⁶⁶

[...] „If someone would ask me now, what do we have from the European Union? What do we have, we have all the old Opels, Mercedes, Volkswagens - all the European junk we have today. What do we have here? We have this LGBT filth that they’re trying to force on us.”⁶⁷

⁶⁶ Maxim Morosan, the show «Вечерний разговор» (Evening Talk), TVC21, min.: 38:35, <https://www.youtube.com/watch?v=bwU3sexNzy0&list=UULFM7NCS8IV8eZTm4fWf95ISw&index=14>

⁶⁷ Maxim Morosan, the show «Вечерний разговор» (Evening Talk), TVC21, min.: 01:08:41, <https://www.youtube.com/watch?v=bwU3sexNzy0&list=UULFM7NCS8IV8eZTm4fWf95ISw&index=14>

The justification of hatred, discrimination and violence against LGBT people was done through antagonistic discourse (Us vs Them; normality vs abnormality) and by referring to religion (orthodoxy) and traditional values. At the same time, the host promoted prejudice against LGBT people and supported the justification of hatred by referring to religious beliefs of the majority of the population, according to her.

Alexandru Gustoi, on the show „Interview with the candidate for the office of mayor of mun. Balti, Alexandr Gustoi” from the news portal www.nordnews.md, published on 12 October 2023, said:

Alexandru Gustoi: „...oh, we have democracy, we clap for each other, but at the same time democracy is not LGBT festivals. For some reason, I haven't seen in recent times, in short, in the last 7-8 years, a family festival for people to march...”

Host: “No one is forbidding it to be organised.”

Alexandru Gustoi: “Yeah, but that’s the problem, that nobody... for some reason we’re in favour of somebody there, somebody goes there to our place to... brainwash us, our children, that same-sex is good, even though you know, it’s not good at all, it’s a question of well somebody wants to fuck, let him fuck at home, but don’t put that culture of somebody on us... it’s not democracy....”

Host: “Don’t you think that is what democracy is all about, if LGBT wants to organise their festival they organise it, if you want to organise a family festival you organise it, everyone participates in what they like.”

Alexandru Gustoi: „No. Let’s put it this way. Participate in what we like, that can’t happen, because we can participate in what we have values. The value we have is family. That’s how we were brought up, in Soviet times it was the family - the unit of society, it’s...”

Host: “They have values - love.”

Alexandru Gustoi: “What kind of love? They call it love? It’s not like I’m going out on a... somewhere and shout that I love this or that. Don’t impose on us Christians, on us people of faith, Orthodox Christians, don’t impose on us what you want to have at home, please. At home, stay at home, do what you want, but why take it to the street, shout, raise flags, sorry, somehow for me it’s a bit wild. If it’s normal for someone, I don’t know, then we should live where European values are, you know? I’m tolerant, maybe, of such people, but the question is that when they don’t show in public their... I don’t know, man with man, I don’t understand, normal people won’t understand it...”⁶⁸

Alexandru Gustoi’s speech is also a speech inciting discrimination, justifying the limitation of the right to freedom of assembly by respecting the Christian religion and traditional values, but also associating LGBT people with „abnormality” and „primitivism”.

⁶⁸ Alexandru Gustoi, online show, LIVE | Interview with the candidate for the office of mayor of mun. Balti, Alexandr Gustoi, news portal www.nordnews.md, min.: 30:23, <https://nordnews.md/ru/live-intervyu-s-kandidatom-na-post-mera-mun-belcz-aleksandrom-gustym/?fbclid=IwAR1ctvfnO8uJNiiSWRrqYGkAJFGk3DHXs9vLMA6cQGPvxYLxvDVXRHK29Uo>

RECOMMENDATIONS

Central Electoral Commission and lower electoral bodies:

1. Examination and delivery of decisions in a short period of time so that the complainants are able to benefit from the right to an effective remedy.
2. We reiterate our recommendation that all contestations, notifications, requests and decisions thereon should be published within a short period of time.
3. Ensuring compliance with the legal provisions on the deadlines and format for publication of financial reports of electoral competitors.
4. Verification of cases of alleged registration of the list of candidates for the office of level I councillor with deviations from the rule regarding compliance with the minimum quota of 40%.

Electoral bodies and courts:

5. Priority consideration of contestations related to registration or non-registration of electoral competitors, so that they can eventually run the electoral campaign and voters can get to know the candidates.

Public Services Agency:

6. 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.

Local public administration authorities

7. Drafting, approval and publication of provisions suspending mayors (and other relevant functions) or delegating powers, without depersonalising the names/profiles of the persons concerned, as this is information of public interest to society/community.

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)
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 Optiune Istorica (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 built 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)
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 authorized to participate in electoral procedures

Table no. 1.1. Observers accredited by CEC⁶⁹

National Observers				Total
Promo-LEX Association	684	Moldovan Institute for Human Rights	30	721
Association for Urban Safety and Mediation of Moldova	5	Association for Participatory Democracy „ADEPT”	2	
International observers and experts				
Embassy of the Czech Republic	2	Embassy of the Republic of Lithuania	4	107
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	3	Embassy of the Republic of Turkey	5	
Central Electoral Commission of Georgia	3	Central Electoral Commission of the Republic of Lithuania	2	
Permanent Electoral Authority of Romania	1	Supreme Election Council of the Republic of Turkey	2	
State Electoral Commission of the Republic of Croatia	2	Central Electoral Commission of the Republic of Albania	2	
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 Kazakhstan	3	
Central Electoral Commission of the Republic of Azerbaijan	3	National Electoral Committee of the Republic of Estonia	2	
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	41	European Network of Election Monitoring Organisations (ENEMO)	9	
Swiss Cooperation Office/Representation of the Embassy of the Swiss Confederation	1	Association Pro Democratia Club Targu Neamt	1	
Confirmed interpreters				
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	29			29

Table no. 1.2. Journalists confirmed by CEC⁷⁰ 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	24
Regional television „Gagauziya Radio Televizionu”	9	Regional television „ITV Moldova”	12
News portal Ziuadeazi.md	2	News portal Est Curier (East Courier)	4
		Total	89

Table no. 1.3. Authorisation of opinion polls and exit polls⁷¹

Authorisation to carry out opinion polls		10
„IMAS-CERCETARE ŞI STRATEGII” SRL		1
„INTELLECT GROUP” SRL		1

⁶⁹ [Accreditation](#) of observers.

⁷⁰ [Confirmation](#) of journalists.

⁷¹ [Authorisation](#) of opinion polls exit-polls.

„DATE INTELIGENTE” SRL	3
SC „MAGENTA CONSULTING” SRL	1
„MLD MEDIA” SRL	1
Î.M. „C.B.S.-RESEARCH” S.R.L.	3
Authorisation to publish opinion polls	5
Public Association Institute for Public Policy	1
„DATE INTELIGENTE” SRL	1
National Democratic Institute for International Affairs, Washington, Chisinau branch	3
Refusal to carry out opinion polls	1
„INTELLECT GROUP” SRL	1

Table no. 1.4. Approval of messages of public interest⁷²

UN Women	1 video spot
National Child Abuse Prevention Centre	1 video spot
Public Association Centrul CONTACT (Centre CONTACT)	1 informational-educational video spot
Central Electoral Commission	7 video spots 1 information brochure 1 information leaflet 3 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”	1 information video spot
Total	19

⁷² [Approval](#) of messages of public interest.

Annex 2. Registration of candidates for the office of mayor (ECEC I)

No. of/o.	ECEC	Total candidates	Men	%	Women	%
1	Anenii Noi	118	73	62%	45	38%
2	Bălți	12	9	75%	3	25%
3	Basarabeasca	32	19	59%	13	41%
4	Briceni	100	72	72%	28	28%
5	Cahul	133	94	71%	39	29%
6	Călărași	115	84	73%	31	27%
7	Cantemir	101	73	72%	28	28%
8	Căușeni	113	80	71%	33	29%
9	Chișinău	145	117	81%	28	19%
10	Cimișlia	93	66	71%	27	29%
11	Criuleni	118	83	70%	35	30%
12	Dondușeni	95	64	67%	31	33%
13	Drochia	143	104	73%	39	27%
14	Dubăsari	59	42	71%	17	29%
15	Edineț	145	92	63%	53	37%
16	Fălești	139	85	61%	54	39%
17	Florești	205	153	75%	52	25%
18	Glodeni	101	74	73%	27	27%
19	Hîncești	159	105	66%	54	34%
20	Ialoveni	100	68	68%	32	32%
21	Leova	68	47	69%	21	31%
22	Nisporeni	98	71	72%	27	28%
23	Ocnîța	89	62	70%	27	30%
24	Orhei	179	126	70%	53	30%
25	Rezina	116	84	72%	32	28%
26	Rîșcani	141	104	74%	37	26%
27	Sîngerei	130	94	72%	36	28%
28	Șoldănești	92	66	72%	26	28%
29	Soroca	160	109	68%	51	32%
30	Ștefan Vodă	88	60	68%	28	32%
31	Strășeni	78	53	68%	25	32%
32	Taraclia	46	36	78%	10	22%
33	Telenești	99	71	72%	28	28%
34	Ungheni	179	129	72%	50	28%
35	ATUG	112	87	78%	25	22%
Total		3901	2756	70%	1145	30%

Annex No.3. Financial reporting by political parties to CEC

Competitor	Treasurer's registration	Report at beginning of campaign	Opening „Electoral Fund” account	Deadline 06.10.2023	Deadline 13.10.2023
ALDE	06.10.2023				-
BE R.Codreanu	03.10.2023		12.10.2023	info	-
CC	06.10.2023		29.09.2023	-	-
CUB	06.10.2023		05.10.2023	06.10.2023	13.10.2023
LOC		06.10.2023	02.10.2023	06.10.2023	13.10.2023
MAN	06.10.2023	06.10.2023	29.09.2023	07.10.2023	13.10.2023
MPSN	17.10.2023				-
MRM	30.09.2023		04.10.2023	06.10.2023	13.10.2023
NOI	17.10.2023				-
PACE					-
PAS	30.09.2023	26.09.2023	28.09.2023	07.10.2023	13.10.2023
PCRM	06.10.2023	07.10.2023	04.10.2023	missing	13.10.2023
PDCM	30.09.2023		27.09.2023		13.10.2023
PDMM			02.10.2023	07.10.2023	13.10.2023
PL	06.10.2023	07.10.2023	info	info	info
PLDM	30.09.2023	01.10.2023	27.09.2023	06.10.2023	13.10.2023
PN	06.10.2023	06.10.2023	05.10.2023	06.10.2023	13.10.2023
PNL	12.10.2023				-
PNM	09.10.2023		12.10.2023		-
PONA	06.10.2023				-
PPDA	12.10.2023		13.10.2023	info	
PPFD	13.10.2023		12.10.2023		-
PPM	09.10.2023		02.10.2023	-	-
PPN	12.10.2023		13.10.2023	info	info
PPPDA	07.10.2023	05.10.2023	05.10.2023		13.10.2023
PPVP		30.09.2023			-
PR	10.10.2023		29.09.2023	06.10.2023	13.10.2023
PS	12.10.2023		09.10.2023	info	-
PSDE	06.10.2023	06.10.2023	29.09.2023	06.10.2023	13.10.2023
PSRM	06.10.2023	25.09.2023		07.10.2023	13.10.2023
PȘ	06.10.2023		11.10.2023	06.10.2023	13.10.2023
PVE	12.10.2023		info	missing	info

Annex no.4. Publication of reports on the CEC website as of 18 October 2023 at 14:00

The screenshot shows a web browser window with the URL a.cec.md/ro/sustinerea-financiara-15240.html. The page title is "Susținerea Financiară". On the left, there is a sidebar with dates: 05 Noiembrie 2023, 20 Octombrie 2019, 14 Iunie 2015, 5 Iunie 2011, 3 Iunie 2007, 25 mai 2003, and 23 mai 1999. The main content area lists various political parties with links to their financial support information. A large, faint watermark "ALEXANDRU * CENTRALĂ" is visible across the page.

Prima / ... / 05 Noiembrie 2023 / Susținerea Financiară

Susținerea Financiară

- Partidul Politic Partidul Social Democrat European [informație săptămâna 1](#) [săptămâna 1 \(corectat\)](#) [săptămâna 2](#)
- Partidul Comunistilor din Republica Moldova [informație săptămâna 2](#)
- Miscarea Profesionistilor „Speranta - Hojeșqar” [săptămâna 1](#)
- Partidul Liberal [informație](#) [informație](#)
- Partidul Politic „Partidul Societăților din Republica Moldova” [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic Partidul Verde Ecologist [informație](#) [informație](#) [informație](#)
- Partidul politic „Partidul nostru” [informație săptămâna 1](#) [săptămâna 2](#) [săptămâna 2 \(corectat\)](#)
- Partidul Liberal Democrat din Moldova [informație săptămâna 1](#) [săptămâna 1 corectat](#) [săptămâna 2](#)
- Partidul „Patriota Moldovei” [informație](#)
- Partidul Politic Partidul „RENAȘTERE” [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic „Platforma Demnitate și Adevăr” [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic „FORȚA DIASPOREI” [informație](#)
- Partidul Politic „Partidul Acțiune și Solidaritate” [informație săptămâna 1](#) [săptămâna 1 \(corectat\)](#) [săptămâna 1 corectat](#) [săptămâna 2](#)
- Partidul Politic „Partidul Acțiunii Comune - Congresul Civic” [informație](#)
- Partidul Politic Partidul Democrat Modern din Moldova [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic „Pentru Oameni, Natură și Animale” [informație săptămâna 1](#)
- Partidul Politic „Partidul Dezvoltării și Consolidării Moldovei” [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic „SANSĂ” [informație](#) [informație](#) [săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic Coaliția pentru Unitate și Bunăstare [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic Mișcarea Alternativă Națională [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul politic Partidul Național Moldovenesc [informație](#)
- Partidul Politic Liga Orașelor și Comunelor [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic MIȘCAREA RESPECT MOLDOVA [informație săptămâna 1](#) [săptămâna 2](#)
- Partidul Politic „Democrația Acasă” [informație](#) [informație](#) [informație](#)
- Partidul Politic „NOD” [informație](#) [informație](#)
- Partidul Politic „PARTIDUL SCHIMBĂRII” [informație](#) [informație](#)
- Blocul Electoral „Rușii din Cătrean” [informație](#) [informație](#)

14°C Mostly cloudy Search 14:12 18.10.2023