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REPORT No 1

Observation Mission of the New Local Elections of 20 May 2018

Monitored period: 20 March - 17 April 2018

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The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the donors' view.

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INTRODUCTION

Report No 1, drawn up as a result of the activity of the Promo-LEX Observation Mission (OM) for the new local elections of 20 May 2018, covers the activity of long-term observers (LTO) between 20 March – 17 April 2018.

The new local elections will be held in the following settlements: Chisinau municipality, Balti municipality, Leuseni township, Hincesti district, Volovita township, Soroca district, Jora de Mijloc township, Orhei district, Nemteni village, Hincesti district, Pirlita township, Ungheni district.

Report No 1 is an interim report, the general purpose of which is to ensure the overall improvement of the electoral process in progress. This interim report has the following reference objectives: real-time quality diagnosis of procedures for the organisation and conduct of the elections for a predetermined period of time; awareness raising of the electoral stakeholders; identifying the positive and negative trends in the electoral process.

This report is developed by the central team of the Promo-LEX OM, and is based on the findings of LTOs from the Observation Mission and describes the activity of all stakeholders involved in the organization and conduct of elections: public authorities, electoral bodies, political parties, citizens who file their candidacy for the position of mayor, as well as civil society.

This report refers to the international standards developed by UN, OSCE, European Commission For Democracy through Law, European Union and Council of Europe. The preliminary recommendations for public and electoral authorities, election candidates/participants in referendum and other stakeholders are made at the end of this report in order to improve the electoral process.

OBSERVATION METHODOLOGY

The Promo-LEX Observation Mission (OM) of the new local elections of 20 May 2018 is a project carried out by Promo-LEX Association under the Civic Coalition for Free and Fair Elections. Promo-LEX Association is a Non-Government Organization that aims at developing the democracy in the Republic of Moldova (RM), including the Transnistrian region, by promoting and defending the human rights, monitoring the democratic processes, and strengthening the civil society.

The monitoring of the electoral process takes place during the election period and is performed by eight long-term observers (LTOs) in all those 7 constituencies established for the new local elections of 20 May 2018. On the elections day, Promo-LEX will delegate one short-term observer (OTS) in each of the 375 opened polling stations (PS). All the observers involved in the monitoring process are trained during the seminars organized by the Promo-LEX Mission and sign the Code of Conduct¹ of the Promo-LEX Independent National Observer, undertaking to act quickly, in good faith and in a non-partisan manner. The central team of the Association coordinates the activity of all the observers.

The official and public information, including the observers' standardized reports, drawn up according to the Promo-LEX Methodology, based on the visits planned in each settlement in the area of responsibility, visits to electoral bodies and reports of events worked out outside the visits planned, in cases when the observers notice electoral events, served as source for the drafting of public reports by the OM. During the planned visits, observers collect the information from discussions, meetings with interlocutors and review of the official documents.

Promo-LEX OM is not a political opponent for the election candidates involved in the electoral process, it is not an investigation body and does not assume the express obligation to support its findings by evidence. However, the observers' reports are accompanied, as much as possible, by photo and video evidence that can be made available only to law enforcement bodies upon proper requests and never to election candidates. Promo-LEX Mission manages the web platform www.monitor.md, where each

¹ <https://promolex.md/4689-codul-de-conduita-al-observatorilor-electorali-promo-lex/>

citizen can report on the electoral activities. The Mission's observers verify them during the next visit planned in the settlement, where such activities were reported.

Promo-LEX OM is carried out under the 'Democracy, Transparency and Accountability Program', which is supported financially by the United States Agency for International Development (USAID). Hate and discriminatory speeches are monitored under the 'Consolidation of a platform for the development of activism and education in the area of human rights in Moldova' Project, funded by the Justice and Human Rights Department of Soros Foundation Moldova. The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donors' view.

SUMMARY

During 20 March-17 April 2018, the Promo-LEX Observation Mission (OM) for the new local elections of 20 May 2018 had eight long-term observers and one national coordinator. The Report is drafted on the basis of public and official information as well as on the basis of the analysis of the templates filled in by Promo-LEX observers and namely: 53 visit templates, 108 event templates, 8 visit templates for the visit at the level-one and level-two ECC.

The elections are organized in two level-two constituencies and in five level-one constituencies. At the time of drafting the Report, according to the Promo-LEX observers, 12 election candidates were registered for the position of mayor – nominated by 8 political parties (PDM – 3; PSRM – 2; PPPDA – 2; PL – 1; PPDA – 1; PPCNM – 1; PPS – 1 and PVE – 1). In the case of two level-one ECC – Nemteni and Leuseni – no election candidate was registered during the monitored period. Depending on the settlement, most of them were registered in Chisinau municipality – 7, followed by: Balti – 2; Jora de Mijloc, Pirlita and Volovita – 1 candidate per each.

The new local elections have an explicit legal framework. However, Promo-LEX OM warns about certain aspects that leave room for interpretation, identified during the previous OM, which regretfully we not clarified so far: submission of the certificate of integrity in the process of registration without any delays; legal and explicit regulation of the way the citizens with domicile and residence shall vote, by removing interpretable notions and situations; voting of the active duty servicemen deployed in the settlement in which they have their domicile, where the elections are held, respectively, etc.

Additionally, we draw attention to the need for a fair approach of the collection of signatures in support of candidates for the position of mayor. Promo-LEX OM reiterates the need to force, like in case of presidential election, all candidates for the position of mayor, to provide signatures in support of the candidate, and not only the independent ones.

In the same train of thoughts, we believe that the current formula for calculating the number of signatures necessary to fill in the subscription lists in support of candidates for the position of mayor of large settlements should be reviewed. We identified a problematic situation concerning the observance of the electoral legislation referring to the possible cases of use of the image of state institutions or public authorities for electoral advertising purposes.

Regrettably, women do not benefit from advantages in collecting the signatures – compared to parliamentary elections.

Elections are conducted in accordance with the lawfully settled circumstances and deadlines. We note that out of seven mayors whose position became vacant, five mayors submitted resignation letters or they resigned for various reasons and two mayors passed away.

To organise and hold the new local elections of 20 May 2018, over the monitored period, CEC adopted 38 decisions related to: approval of the Timetable, establishment of seven level-one and level-two ECC; accreditation of 106 national Promo-LEX observers and an international observer, etc. ECC established 375 PS for the new local elections of 20 May 2018. Gender statistics show a higher presence of women in the membership of the ECC: out of 53 members, 64% are women, and 36% are men. The share of management positions does not undergo significant changes: 61.90% – women and 38.10% – men.

At the same time, we draw attention to certain issues that, in our opinion, are about to be solved by the electoral management bodies. Taking into account the sensitivity of the topic concerning the State Register of Voters (SRV) and the list of voters, we reiterate the position of Promo-LEX OM, namely: if there are differences between SRV data and lists of voters based developed based on the register, their origin is explained so as not to leave room for interpretations.

It is regrettable that the Chisinau ECC No 1 obstructs the activity of the Promo-LEX observers by prohibiting making photographic records of electoral documents held by the electoral body, documents that are relevant to the monitoring of the electoral process (CMECC's decisions and minutes, files of the

candidates). In this context, we call on electoral bodies of any level to observe the status of observers during the electoral process. We hope that this case of law violation by an electoral body is an isolated one, an exception, and that is not part of a systemic attitude towards the observers – a key element in ensuring the fairness and legitimacy of the electoral process.

The role of local public administration (LPA) in monitoring the new local elections was related to the organisation of the elections: appointing the members of level-one and level-two ECC; providing special places for electoral posters and venues for meetings with voters; participating in the identification of PS locations that are public property.

We appreciate the high percentage out of 31 level-one and level-two LPAs (including sector prices) which, according to Promo-LEX observers, achieved the following: they approved decisions on electoral posters – 83.87% (26 out of 31); arranged places for posters – 93.55% (29 out of 31); approved decisions on venues for meetings with voters – 80.65% (25 out of 31). At the same time, we regret that not all LPAs complied with the legal requirements. We would also like to draw attention to the low percentage of LPAs that published the decisions on electoral displays (32.26%) and those on venues reserved for meetings with voters (29.03%).

The monitored period covered at least three types of promotion activities specific for the start of the election period: *political activities of parties in order to appoint candidates, activities for collecting signatures conducted by independent candidates, and electioneering activities of already registered candidates.*

We note an increased activism of the candidates and potential candidates for the position of mayor during the initial stage, which is mainly concentrated in Chisinau and Balti municipalities. From the total number of 89 activities found, 73 took place in Chisinau municipality and 16 – in Balti municipality. Their classification, depending on their activity allows us to conclude that the most used were promotion/electioneering activities by using tents (32), distribution of political/electoral materials (21) and meetings with citizens/voters (12). Broken down by candidates, we see that the activities concerned particularly: PSRM (43), S. Radu (18) and PPPDA (10).

In the context of the political promotion/electoral activities, at least *two situations that could be qualified as abusive use of administrative resources were found: when collecting signatures in support of Silvia Radu, and during the promotion campaign of the PDM candidate from Volovița township.*

Additionally, Promo-LEX observers reported at least *two cases that could be qualified as electoral gifts, and both of them involved the PSRM candidate for the position of Mayor of Balti municipality.*

According to Promo-LEX OM estimates, the potential election candidates spend at least MDL 478,890 for election activities before their registration. At the same time, the OM underscores that, although the electioneering during the period before the election campaign can have a noticeable impact on voters, the expenses made during it cannot be seen as campaign expenses and do not refer to the threshold established by CEC for the election. According to the legislation in force, these expenses must be reflected in the half-yearly report of political parties filed with CEC on 15 July 2018.

The mission also found that after the registration as election candidates, at least 2 of them (Ion Ceban – PSRM and Reghina Apostolova – PPS) spend money for election activities after their registration as candidates in the elections. The minimum estimated amount is at least MDL 160,441, of which: PSRM – MDL 151,703; PPS – MDL 8,738. At the same time, Promo-LEX reports that no election candidate opened an ‘Electoral Fund’ account, which implies the violation of the legislation by spending money that do not come from the ‘Electoral Fund’ account, or they were not reflected because of the neglect of CEC that did not publish this data.

In the context of the local elections of 20 May 2018, Promo-LEX OM also monitored cases of hate and discriminatory speech in the messages of the candidates, as well as sexist speeches and other forms of public intolerance. The cases identified by the observers concerned both directly appointed candidates and those who used electoral political messages. According to Promo-LEX OM, the PSRM candidate,

Ion Ceban, used the hate speech in his messages. On the other hand, the candidate appointed by PPPDA, Andrei Nastase, was the target of sexist, discriminatory and violent messages. The 'unionism' (the idea of unification of the Republic of Moldova with Romania) was one of the political issues that provoked most of hate and discriminatory speeches and incidents at the beginning of the election period.

Promo-LEX OM notes that the civil society organisations and electoral management bodies did not promote that civil activism intensively during the election period for the new local elections. In this context, the Promo-LEX Association, through the civic and electoral education component, intends to conduct campaigns to foster the informed and conscious voting among citizens of the settlements where elections will be held.

With respect to covering the elections by the on-line information sources, compared to the new local elections from the previous years, the election of 20 May 2018 generated more media interest especially because elections will also be organised in Chisinau and Balti municipalities. The most visualised information refers to the adoption of CEC's decision on the conduct of the new local elections on 20 May 2018 and on the appointment/registration procedures of the candidates.

I. LEGAL FRAMEWORK

The new local elections have an explicit legal framework. Nonetheless, Promo-LEX OM warns about some aspects, the clarification of which, in our opinion, would improve considerably the quality of the process. They were largely reflected in the previous monitoring reports and, unfortunately, were not clarified so far. These are: submission of the certificate of integrity in the process of registration without any delays; legal and explicit regulation of the way the citizens with domicile and residence shall vote, by removing interpretable notions and situations; voting of the active duty servicemen deployed in the settlement in which they have their domicile, where the elections are held, respectively, etc.

In addition, we draw attention to the need for a fair approach of the collection of signatures based on subscription lists, exclusively for independent candidates. Promo-LEX OM reiterates the need to force, like in case of presidential election, all candidates for the position of mayor to provide signatures in support of the candidate. In the same train of thoughts, we believe that the current formula for calculating the number of signatures necessary to fill in the subscription lists in support of candidates for the position of mayor to lower the threshold for bigger settlements. For example, according to Promo-LEX, for Chisinau, the number of 10,000 signatures required for Chisinau and Balti is exaggerated, compared to at least 500 signatures requested from a candidate for the position of MP in a single-member constituency.

In addition, a problematic situation concerning the observance of the electoral legislation refers to the possible cases of use of the image of state institutions or public authorities for electoral advertising purposes.

1.1. Legal Context

The legal basis for organising new local elections is established by Article 150(1) of the Electoral Code. Therefore, new elections should be held in the following cases:

- a) the local council has resigned, has been dissolved, or has remained with less than 1/3 of the number of members established by the Law on Local Public Administration;
- b) the mayor resigned, was dismissed or is not able to exercise his/her mandate any longer, including because of the deprivation of the right to occupy certain positions, on the basis of a final court judgment;
- c) after the repeated election the council and/or mayor has not been elected;
- d) if an administrative-territorial reorganisation was conducted and, as a result, local public administration bodies (councils, mayors) have to be elected in the newly established administrative-territorial units.

Also, the conditions for the early termination of the mandate are not provided by Article 28(2)(a) of the Law No 436-XVI of 28 December 2006 on Local Public Administration and by Article 5(4)(e) of Law No 768-XIV of 2 February 2000 on the Status of Local Elects.

In the context of the new local elections, note that the elections of 20 May 2018 that *are the last new local elections to be held until the general local elections that are expected to be held in June 2019*. In this respect, according to Article 150(2) of the Code, if a mayor's position is vacant in the last year before the end of mandate's term, the new elections are not conducted.

Similarly, according to Article 6(3) of the Law on the Status of Local Elected Officers, the mandate of the local elected officer instead of another local elected officer who did not exercise the mandate, ends once the mandate of the predecessor expires, which means that the mayor's mandate elected on 20 May 2018 will last appreciatively one year.

Considering the above-mentioned facts, CEC took note of the circumstances found in certain settlements and adopted the following decisions on setting the date of the new general local elections of the mayor from the:

- Leuseni township, Hincesti district, No 1193 of 20 October 2017;
- Volovita township, Soroca district, No 1194 of 20 October 2017;
- Jora de Mijloc township, Orhei district, No 1220 of 31 October 2017;
- Nemteni village, Hincesti district, No 1317 of 27 December 2017;
- Pirlita township, Ungheni district, No 1407 of 13 February 2018;
- Chisinau municipality (general mayor) No 1446 of 12 March 2018;
- Balti municipality, No 1447 of 12 March 2018.

We note that of seven mayors whose position became vacant, five mayors submitted resignation letters or they resigned for various reasons and two mayors passed away.

As regards the establishment of the date of the new elections, CEC referred to its decision No 706 of 13 September 2011 on carrying out the new local elections, with further amendments, which sets out the date of new elections on the second or third Sunday of May and November of each year. Thus, by the above-mentioned decisions, CEC set the day of local elections on 20 May 2018, the second Sunday of May.

1.2. Problematic Issues on Implementing the Legal Framework

1.2.1. Collection of Signatures by Independent Candidates for the Position of Mayor: Exaggerated Number of Signatures for Balti and Chisinau and Unfair Approach

As regards the collection of constituency signatures, Promo-LEX OM also draws attention on some aspect, which in our opinion are very important: *the number of signatures and subjects required by law to collect signatures.*

Concerning the *number of signatures required to be collected*, we remind that Article 138(1) of the Electoral Code, as a special rule, provides that citizens of the Republic of Moldova may nominate themselves as independent candidates for mayor provided they are supported by five percent of the district voters, and between 150 voters and 10,000 voters. In the opinion of the Association, the required quota is acceptable for the absolute majority of the constituencies from the Republic of Moldova. Things are different in case of settlements with a large number of voters. *It is the example of Chisinau and Balti municipalities, where candidates have to submit subscription lists with at least 10,000 and 5,516 signatures, respectively.*

Promo-LEX OM insists on the fact that in the case of *Chisinau and Balti municipalities the required number of signatures that must be collected is exaggerated.* For comparison, the Article 86 of the Electoral Code stipulates that to be registered by the ECC, *the candidate for the position of MP* in the single-member constituency shall submit subscription lists containing signatures *of minimum 500* and maximum 1,000 supporters who have the right to vote.

We note that in order to be a candidate for the position of mayor, one is required by law to collect at least 10,000 signatures, but for the position of MP – at least 500. Analyzing the phenomenon, even by reporting it to the number of single-member constituencies established based on the municipalities, we find that, hypothetically, in case of Chisinau, which has 11 single-member constituencies, a candidate for the position of MP would need about 5,500 signatures, basically twice less than for the position of mayor. In case of Balti municipality, which has two single-member constituencies, a candidate would need at least 1,000 signatures – 5.5 times less than to run for the position of mayor.

Another important aspect of the problem are the categories of subjects that are required by law to collect signatures for the registration. The Electoral Code stipulates that only independent candidates shall collect signatures on the basis of subscription lists in order to submit their applications, both in case of local elections and new elections. Therefore, **Promo-LEX OM reiterates its position according to which, all candidates for the position of mayor shall collect signatures, not just the independent candidates.** In this respect, we opt for a fair approach of the status of candidate and

registration conditions. By analogy, we remember that, according to Article 113(1) of the Electoral Code, to be registered by the Central Electoral Commission, *all the candidates for the position of President of the Republic of Moldova shall lodge subscription lists.*

1.2.2. Unfair Attitude Towards Independent Women Candidates for the Position of Mayor, Compared to independent Women Candidates for the Position of MP

Promo-LEX OM believes it is regretful that women candidates for the position of mayor do not benefit from the same benefits in collecting signatures on subscription lists, like in case of women candidates who collect signatures for parliamentary elections.

We remember that according to Article 86(1) of the Electoral Code, in the parliamentary elections, to be registered by the ECC, the candidate in the single-member constituency shall submit subscription lists containing signatures of minimum 500 and maximum 1,000 supporters with the right to vote. By way of derogation from that paragraph, a woman candidate may be registered if she submits the signatures of minimum 250 and maximum 500 supporters with the right to vote from the constituency where she candidates.

By analogy, we believe that the legislator should equally address these situations and amend the Electoral Code in order to allow women candidates for the position of mayor to collect twice less signatures in their support.

1.2.3. Use of Public Authorities' Image for Electoral Advertising Purposes

Using the image of some personalities or public authorities in the country and abroad or of international organisations in political campaigns has already become a common practice for Moldovan politicians. Promo-LEX Association has repeatedly reported such situations, including during the monitored elections. In this respect, the new local elections of 20 May 2018 seem to be no exception.

Thus, the candidate for the position of General Mayor of Chisinau municipality – Ion Ceban, aired an electoral spot in which Igor Dodon appears as the President of the Republic of Moldova and openly advertises the candidate for the position of mayor, managing this way to make an image transfer from the position he occupies. Note that Article 52(8) of the Electoral Code provides that: ‘Images representing state institutions or public authorities of the country, other states or international organisations cannot be used for the purpose of electoral advertising. [...]’

At the same time, we would question the possibility of the President of the Republic of Moldova to support an election candidate appointed by a political party, as long as Article 123(2) of the Electoral Code requires him to quit any membership of any political party during the stage of mandate validation.

To observe the electoral legislation in force and to maintain fairness among the candidates, we urge election candidates to refrain from using such instruments and to conduct their campaigns according to their electoral programs.

In the same context, we note that, although Constantin Codreanu was not yet registered as a PUN candidate as of the date that the report was developed on, he announced his intention to run for the position of General Mayor of Chisinau municipality. On 11 April 2018, Constantin Codreanu publicly launched his electoral program being openly supported and actively promoted by the former President of Romania – Traian Basescu, which now does not constitute a violation but risks to become one on the registration day of the candidate. We specify that the picture representing both politicians may be found on various promotional materials of PUN, which hypothetically may affect the electoral campaign as well.

Note that Traian Basescu is a foreign citizen, who has been the President of Romania for 10 years and is very popular in the Republic of Moldova, and this cannot be ignored in the context of an image transfer during an election campaign.

1.2.4. Implementing the Recommendations made by Promo-LEX in the Monitoring Process of the New Local Elections

As a result of the monitoring of the new local elections, Promo-LEX developed a set of recommendations aimed at improving the quality of the electoral process. Unfortunately, most of the recommendations were not reflected in the process of amending the legislation. As regards the new local elections, we also note that, in accordance with the Promo-LEX recommendations, the legislator excluded local authorities from the category of authorities that can authenticate the subscription lists.

We would like to mention three examples of recommendations that were prepared for the new local elections of 19 November 2017 and which are still not implemented²:

- *Amend the Electoral Code so as to give the active duty servicemen fulfilling the in-term military service in a unit located in the same locality where their domicile is and where the elections are conducted, the possibility to be admitted to the electoral process.* In the same context, the express regulation of electoral rights of active duty servicemen in a local referendum is required.
- *An explicit regulation in the Electoral Code is required on how the citizens having valid domicile and residence visa and citizens who do not have both domicile and residence visa vote on the election day.* This is extremely important not only to standardise the legal framework, but also to avoid the interpretation of rules and adoption of decisions providing temporary solution to the issue that is convenient to certain political forces.
- *Assess the capacities and prepare in advance the procedure for coping with the new procedural challenges determined by the legislative amendments and the need to issue certificates of integrity, to not delay the candidates registration process.* As regards the presentation of the integrity certificates by election candidates, we note that CEC, which is to obtain the certificates of integrity in a centralised manner from NIA, has repeatedly issued a Circular requesting the ECC to send the information about the persons who submitted registration files.

² https://promolex.md/wp-content/uploads/2017/11/RAPORT-nr.1_02.11.2017_final_web.pdf

II. ELECTORAL BODIES

To organise and hold the new local elections of 20 May 2018, over the monitored period, CEC adopted 38 decisions related to: approval of the Timetable, establishment of seven level-one and level-two ECCs; accreditation of 106 national Promo-LEX observers and an international observer, etc. ECC established 375 PS for the new local elections of 20 May 2018.

Taking into account the sensitivity of the topic concerning the State Register of Voters (SRV) and the list of voters, we reiterate the opinion of Promo-LEX OM, namely: if there are differences between SRV data and lists of voters based developed based on the register, their origin is explained so as not to leave room for interpretations.

It is regrettable that the Chisinau ECC No 1 obstructs the activity of the Promo-LEX observers, and we call on electoral bodies of any level to observe the status of observers during the electoral process. We hope that this case of law violation by an electoral body is an isolated case, an exception, and that is not part of a systemic attitude towards the observers and their rights – a key element in ensuring the fairness and legitimacy of the electoral process.

Gender statistics show a higher presence of women in the membership of the ECC: out of 53 members, 64% are women, and 36% are men. The share of management positions does not undergo significant changes: 61.90% – women and 38.10% – men.

2.1. Activities of the Central Electoral Commission

2.1.1. CEC decisions. General Overview

To organise the new local elections of 20 May 2018, CEC adopted 38 decisions. Thus, due to the legal circumstances regarding the organization of new elections, 7 decisions were adopted to set the date of the elections in those 7 settlements throughout the country.

On 12 March 2018, CEC adopted the Decision No 1449 approving the Timetable of the activities related to the organization and conduct of the new local elections in certain settlements of 20 May 2018. Also, CEC adopted other 21 decisions and decided: to convene a member who do not work on a permanent basis in the CEC and distribute the tasks among the members of the CEC during the election period; on the list of parties entitled to participate in the new local elections of 20 May 2018; to convene and exonerate certain members of the ECC of the election campaigns for the organisation and conduct of new local elections of mayors; employ the staff in the councils' offices; on the general threshold for the funds that can be transferred on the account 'Electoral Fund' of the election candidate during the new elections; on the amount of the interest-free credit granted to election candidates during the new local elections; on the budget allocated for the organisation and conduct of the new elections for the position of General Mayor of Chisinau and Balti municipalities; on confirmation of representatives of certain parties with right to consultative vote within CEC during the election campaign of new local elections and on confirmation of persons in charge of financial matters (treasures) from certain parties, for the period of the election campaign of the new local elections; on certain new samples of electoral documents for the new local elections of 20 may 2018 and to accredit national and international observers.

CEC adopted another nine decisions establishing the level-two and level-one constituencies, all the Electoral Constituency Councils (level-one and level-two ECC) and changed the structure of one of them.

2.1.2. CEC Circulars

On 31 March 2018, before the actual submission of candidates' files, CEC issued the Circular No CEC 8/2153, which makes clear for electoral bodies the manner of proceeding when the candidate submits to ECC the set of documents required for registration, except for the certificate of integrity. Thus, the Council must receive the documents submitted and immediately inform CEC by means of a letter signed by the President of ECC, containing the candidate's name, surname and patronymic, position and place of work, as well as a copy of his/her identity document.

Also, CEC establishes whether ECC can adopt the decision on examining the candidate's file only after receiving the answer from NIA, given through CEC.

2.1.3. Establishment of Level-One Constituencies and their Electoral Councils

On 20 March 2018, in compliance with the Electoral Code and the timetable, CEC adopted the Decision No 1471 on the establishment of level-two constituencies for the conduct of the local elections of 20 May 2018 as follows:

- constituency of Leuseni township No 20/22, Hincesti district;
- constituency of Nemțeni village No 20/28, Hincesti district;
- constituency of Jora de Mijloc township No 25/16, Orhei district;
- constituency of Volovita township No 29/34, Soroca district;
- constituency of Pirlita township No 35/29, Ungheni district.

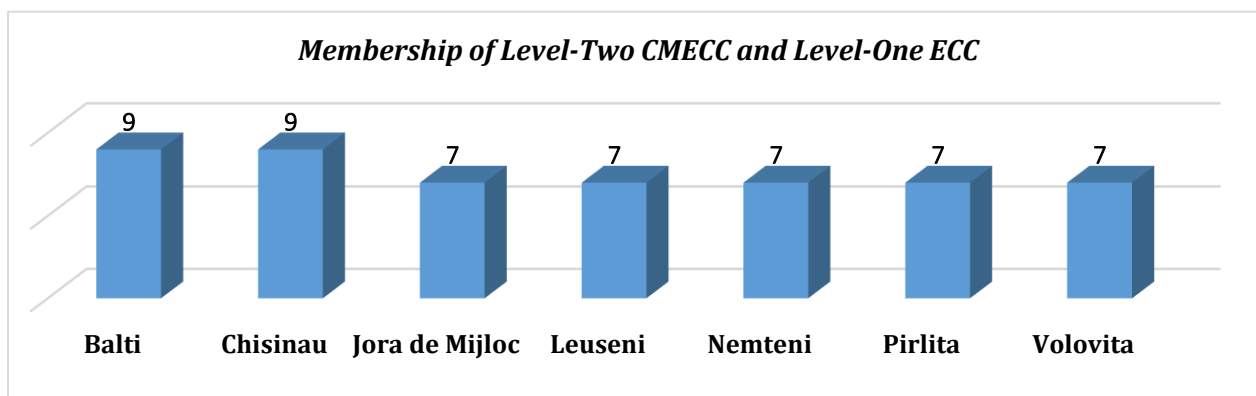
On April 10, 2018, the CEC adopted the Decisions No 1521, 1522, 1523, 1524 and 1525 through which level-one ECCs were established. All those five level-one ECCs established have seven members – the minimum number provided by law (from 7 to 11 members). Four level-one ECCs have per four members from local councils, and one ECC has three members. It should be noted that only three of five Parliamentary parties – PD, PLDM and PSRM, delegated one member to all councils. PL also delegated one member in a level-one ECC.

2.1.4. Establishment of Level-Two Constituencies and their Electoral Councils

By the same Decision No 1471 of 20 March 2018, the CEC established the level-two constituencies for the conduct of the new local elections of 20 May 2018 for the position of General Mayor of Chisinau municipality and for the position of Mayor of Balti municipality, as follows:

- constituency of Chisinau municipality No 1;
- constituency of Balti municipality No 2;

On 30 March 2018, CEC adopted the Decisions No 1486 and 1487 through which the Chisinau ECC No 1 and the Balti ECC No 2 were established, each of them having per nine members. The Chisinau ECC No 1 comprises: one member from five Parliamentary parties, namely: PCRM, PD, PL, PLDM and PSRM; two members from the Chisinau Court of Law and two members from the Registry of Electoral Officials (REO). We specify that the Municipal Council did not use the right to delegate members to ECC.



At the same time, the ECC of Balti municipality No 2 comprises: one member from four Parliamentary parties – PCRM, PD, PL, PSRM; two members from the Balti Court of Law; two members from Balti Municipal Council and one member from REO.

2.1.5. Changes to ECC Membership

On 17 April 2018, the CEC Decision No 1546 modified the membership of level-one ECC of Nemteni. Thus, on 13 April 2018, the PDM filed an application on the inclusion of another party member after one member previously delegated by PDM resigned.

2.1.6. Observer Accreditation

According to Article 68(4) of the Electoral Code, observers from competent nongovernmental organisations from the Republic of Moldova shall be accredited by decision of the CEC or the ECC.

CEC examined one request for observers accreditation and adopted decisions on the accreditation of 106 national observers from Promo-LEX Association in order to monitor the local elections of mayors of 20 May 2018 in certain settlements. Also, CEC also adopted a decision on the accreditation of an international observer from the Embassy of the People's Republic of China in the Republic of Moldova for the elections in question.

2.1.7. Management of the State Register of Voters

We remind that the lists of voters are drawn up on the basis of the State Register of Voters (SRV) developed in accordance with the State Register of Population data. These lists contain the name of all citizens with the right to vote, who are domiciled or reside on the territory of a polling station.

The issue of the quality of lists of voters in the context of organisation and conduct of the local elections is as important as for national elections, but much more exposed to potential vicious risks generated by the 'migration of voters'. The phenomenon of 'artificial migration' of voters was identified and described by the Promo-LEX Observation Mission of the general local elections of 14 June 2015 and is believed to be determined mainly by the organised registration of the residence in another settlement³. At the same time, from the practice of monitoring the new local elections between 2015 and 2017, the Promo-LEX Association concludes that no 'migration of voters' phenomena were identified. Promo-LEX will also monitor this issue in the context of the new local elections of 20 May 2018.

The only available data we have during the monitoring period for the Report No 1 are the data from SRV, while the lists of voters are still being updated. Tables 1 and 2 show the difference between the

³ <https://promolex.md/wp-content/Raport-final-electoralala-2015.pdf>

figures contained by SRV and by the lists of voters in the period between 2016 and 2018 according to the example of Chisinau and Balti municipalities.

Table 1. Dynamics of the number of voters in Chisinau municipality

Source	Date	Number of voters	SRV Difference/List of voters
State Registry of Voters ⁴	13 September 2016	643,186	- 18,713
Voters in the main lists of voters ⁵	8 October 2016	624,473	
State Register of Voters ⁶	1 September 2017	647,203	- 17,368
Voters in the main lists of voters ⁷	3 November 2017	629,835	
State Register of Voters ⁸	31 March 2018	632,450	

First, we repeatedly express our confusion that was also mentioned in our previous reports, which eventually did not generate any reactions from the responsible authorities. The Association refers to the significant and unjustified difference of 18,713 voters in 2016 and 17,368 voters in 2017 between the number of voters in the SRV and the one from the lists of voters generated by it in case of Chisinau municipality, as well as the gap of 4,214 voters between the SRV data and the lists of voters generated for Balti Municipality in the presidential election between October-November 2016. Once again we draw attention on the fact that in order to ensure the transparency and integrity of electoral processes, it is crucially important for the responsible authorities to explain clearly and conclusively the nature of these mutations. In addition, we hope that in the case of the new local elections of 20 May 2018 such gaps will not exist.

Table 2 Dynamics of the number of voters in Balti municipality

Source	Date	Number of voters	SRV Difference/List of voters
State Registry of Voters ⁹	13 September 2016	108,783	- 4,214
Voters in the main lists of voters ¹⁰	8 October 2016	104,569	
State Registry of Voters ¹¹	1 September 2017	110,485	
State Registry of Voters ¹²	31 March 2018	105,291	

Another important aspect of the problem results from the analysis of SRV data evolution between September 2016 and March 2018. Note that for the first time in the period between 2016-2017-2018, we note a decrease in the number of voters in SRV for Chisinau (643,186 - 647,203 - 632,450) and Balti (108,783 - 110,485 - 105,291).

We also believe it is necessary to draw some important conclusions on the overall content of the SRV for a full understanding of the cases specified above (see Annex 1). Thus, according to SRV, during September 2017 and March 2018, the number of citizens with right to vote assigned per constituencies decreased by 44,536 voters. Therefore, we note that in all level-two ATUs the number of voters decreased. But apparently, the total number of voters in the SRV paradoxically increased by 3,664. This increase in the total number of voters is caused by the considerable increase in a relatively short period of time of the number of voters with no domicile or residence – by 47,685. The figure of

⁴ <http://cec.md/index.php?pag=news&id=1042&rid=17752&l=ro>

⁵ <http://www.cec.md/r/procese-verbale/prezidentiale2016/>

⁶ <http://www.cec.md/index.php?pag=news&id=1042&rid=20576&l=ro>

⁷ file:///C:/Users/Promolex%201/Downloads/public_publications_20031781_md_hot_nr.pdf

⁸ <http://www.cec.md/index.php?pag=news&id=1042&rid=21770&l=ro>

⁹ <http://cec.md/index.php?pag=news&id=1042&rid=17752&l=ro>

¹⁰ <http://www.cec.md/r/procese-verbale/prezidentiale2016/>

¹¹ <http://www.cec.md/index.php?pag=news&id=1042&rid=20576&l=ro>

¹² <http://www.cec.md/index.php?pag=news&id=1042&rid=21770&l=ro>

203,368 voters with no domicile, or 6.7% of the total number of SRV (except for ATU on the left bank of the Nistru River) is an alarming, increasing number, which raises concern, especially in the context of the near parliamentary elections on the basis of mixed-member electoral system¹³.

2.1.8. Training of Electoral Officials

In the context of implementation of the Timetable, during the monitored period, the Center for Continuous Electoral Training (CCET) conducted a series of training activities for the good organisation and conduct of the new local elections of 20 May 2018. We refer to the training of the members of level-two ECC from Chisinau (31 March) and Balti (2 April) municipalities. Also, during 11-13 April 2018, CCET conducted the training of the members of level-one ECCs established for the new local election.

2.2. Activity of Level-One and Level-Two Electoral Constituency Councils

2.2.1. Work Schedule

During 20 March - 17 April 2018, except for the days off, Promo-LEX observers visited once each of those seven level-one and level-two ECCs. Following these visits, it was found that five ECCs were operating according to the approved work schedule (offices were open), and the offices of two ECCs (Nemteni and Leuseni) were closed.

According to Article 28(8) of the Electoral Code, within three days since the establishment date of ECCs, its members shall elect by secret vote the President, the Deputy President and the Secretary of the Council, and shall immediately communicate to CEC the results of these elections. Promo-LEX OM points out that **Chisinau ECC No 1, which was established on 30 March 2018, was unable to submit the minutes on the election of ECC's management by 17 April 2018 (last reporting day).**

According to Article 28(9) of the Electoral Code, within four days from the establishment date, ECC shall make public the names of their members, the location of their office and the means of contacting them. Promo-LEX observers reported that all seven ECCs did not inform the public about the membership and their working schedule.

2.2.2. Obstruction by ECC of Chisinau Municipality of the Promo-LEX Observers' Activity

On 11 April 2018, the national observer of the Promo-LEX Association, Maria Cazacu, addressed the CMECC No 1 with the request to make photo recordings of electoral documents held by the electoral body, which are relevant to the monitoring of the electoral process (CMECC's decisions and minutes, files of the candidates).

The representatives of the electoral body refused to accept the observer's request, arguing that the observer's status allows to examine the Council's acts only on-site, by taking notes and pictures, and to film only the venue where the electoral body carries out its activity. When the observer was refused to take pictures, he/she asked for copies of the electoral documents. This request was also denied.

Note that during the previous elections, also monitored by the Promo-LEX Association, the electoral bodies allowed immediately the observers to make copies of the acts issued by the electoral bodies as well as of the documents from the candidates' files (including CMECC). On this occasion, *the Secretary of the Council, Vitalie Miron, said that previously, the permission was given by mistake and with deviation from the procedure.* In our opinion, this approach is inadmissible and outrageous.

¹³ EFFECTS OF THE MIXED-MEMBER ELECTORAL SYSTEM. CASE STUDY: Limitation of the Constitutional Right to Elect of the Voters with no Domicile or Residence. <https://promolex.md/10404-efectele-sistemului-mixt-studiu-de-caz-limitarea-dreptului-constitutional-de-a-alege-al-alegatorilor-fara-domiciliu-sau-resedinta/?lang=ro>

A similar situation occurred again on 12 April 2018. The observers Maria Cazacu and Eugeniu Osipov have repeatedly requested CMECC No 1 to give free access to Council's acts (CMECC's decisions and minutes, files of the candidates) and to allow them to take pictures. This time they were also refused.

As a result, Promo-LEX observers exercised their right provided by Article 68 of the Electoral Code and by point 18 of the Regulation on the Status of Observers and their Accreditation and filed a notification to CMECC Chisinau No 1.

In their defense, the authors of the notification invoked, among others, the right expressly provided by the Article 68 of the Electoral Code to **'have access to all electoral information'** and to **'take photos and video by notifying the chairperson of the electoral body'** In their notification, the observers asked the CMECC Chisinau No 1 to acknowledge the violations committed, to facilitate the shooting of the CMECC decisions and minutes, as well as of the files of the candidates and to cease the vicious practice of creating obstacles in order to hinder the activity of the observers.

On 14 April 2018, Chisinau CMECC No 1, send an e-mail to Promo-LEX and provided an answer to the notification previously filed. The main line of justification for the refusal of the electoral body is focused on the protection of personal data of the election candidates. It should be noted that the provisions on the protection of personal data are not applicable, for example, to the minutes and the decisions taken by the electoral bodies, and certain acts from the candidates' files are even going to be published. For these reasons, we are sure that in his letter, Petru Harmaniciu, the Chairperson of CMECC Chisinau No 1, misinterpreted the rights of the national observer as well as Law No 133 of 8 July 2011 on Personal Data Protection

In order to ensure observance of their rights, the observers notified the chairperson of CEC and asked her opinion on the situation described, reiterating the arguments set out in the initial notification. When we published this Report, no response was received from CEC.

At the same time, we would like to mention the example Balti Municipality Electoral Constituency Council No 2, which showed openness to Promo-LEX observers and allowed them to make pictures of the requested documents. However, in such situations, the uneven application of the law in only one constituency ruins the image of this institution.

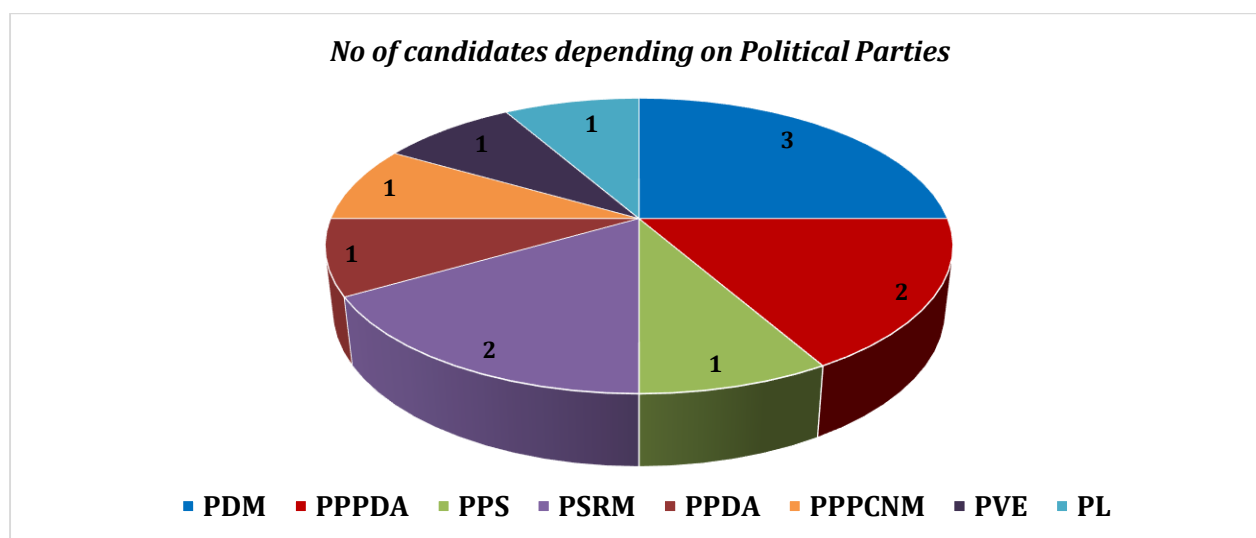
2.2.3. Registration of Candidates for the New Local Elections

According to the Promo-LEX observers, by 17 April 2018, 12 election candidates were registered to run in the new local elections for the position of mayor of 20 May 2018. All the candidates were appointed by political parties (see Chart 2 and Table 3). During the monitored period, no election candidate was registered in the level-one ECC No 2 (Nemteni and Leuseni)

Table 3. Candidates for the position of mayor in the new local elections (as of 17 April 2018)

No	Election candidate	Political affiliation	Settlement
1.	Nastase Andrei ¹⁴	'Dignity and Truth Platform' Political Party	Chisinau municipality
2.	Rosco Alexandr	'Our Home – Moldova' Political Party	
3.	Apostolova Reghina	'SOR' Political Party	
4.	Costiuc Vasile	'Democracy at Home' Political Party	
5.	Munteanu Valeriu	Liberal Party	
6.	Ceban Ion	'Party of the Socialists from the Republic of Moldova' Political Party	
7.	Stratila Victor	'Green Environment Party' Political Party	
1.	Spataru Arina	'Dignity and Truth Platform' Political Party	Balti municipality
2.	Usatii Alexandr	'Party of the Socialists from the Republic of Moldova' Political Party	
1.	Terentii Lucia	Democratic Party of Moldova	Jora de Mijloc twp., Orhei d.
1.	Babutac Stanislav	Democratic Party of Moldova	Pirlita twp., Ungheni d.
1.	Nistrean Ghenadie	Democratic Party of Moldova	Volovița twp., Soroca d.
-	-	no candidate registered by 17 April 2018	Leuseni twp., Hincesti d.
-	-	no candidate registered by 17 April 2018	Nemteni v., Hincesti d.

Chart 2

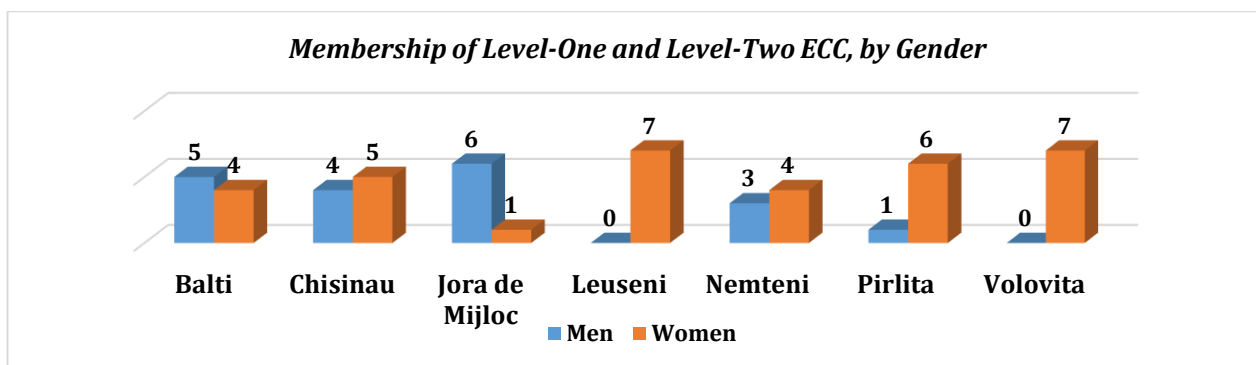


2.2.4. Membership of Level-One and Level-Two ECCs, by Gender

The Promo-LEX OM assessed the level of compliance with the Law on Gender Equality when appointing the members of level-two and level-one ECCs. Thus, it was found of 53 members, 64% are women and 36% – men (see Chart 3).

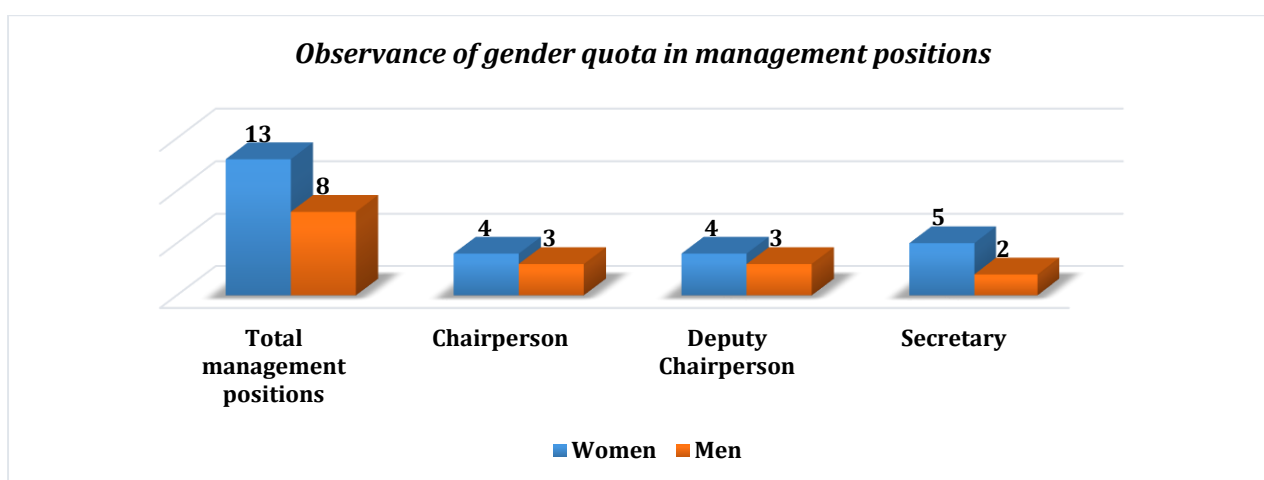
¹⁴ The list is presented according to the information placed on the site of Chisinau ECC in section Registered Candidates: https://www.chisinau.md/pageview.php?l=en&idc=971&t=/Alegeri-locale-2018/font-color0097D0Consiliul-the-constituency-election-election-municipal-Chiinau-nr1font/Candidates_registered_

Chart 3



At the same time, we note that 61.90% of ECC chairpersons were women (see Chart 4).

Chart 4

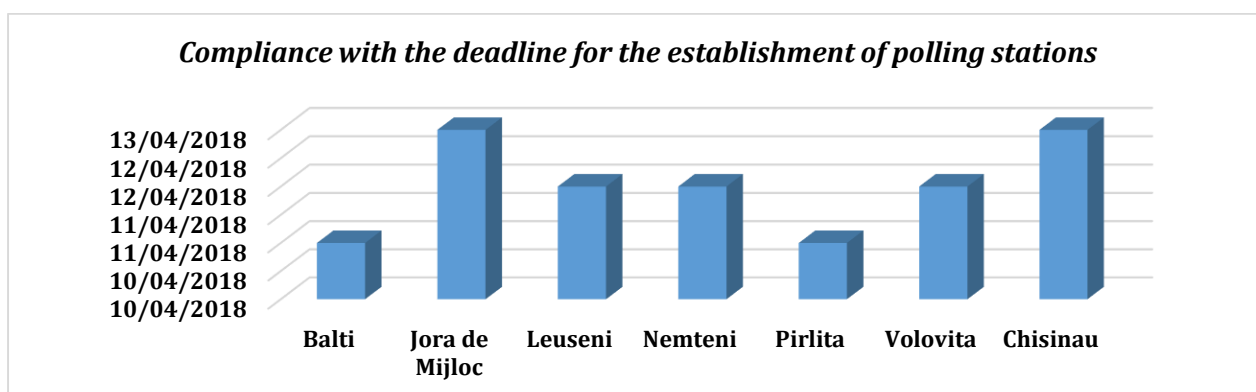


2.2.5. Establishment of PSs

According to Article 30 of the Election Code, polling stations (PS) shall be established by level-one and level-two ECCs, on the basis of LPA proposals, at least 35 days prior to the election date. According to the Timetable approved by CEC, the deadline for the establishment of PSs was set for 14 April 2018.

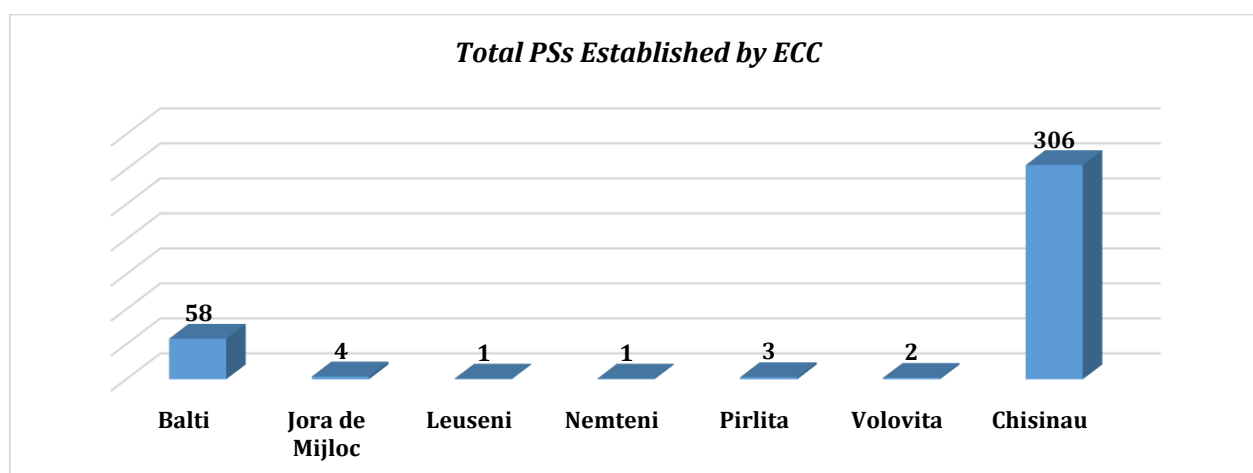
Based on the information submitted by Promo-LEX observers, all level-one ECCs met the deadline set for the establishment of PSs (see Chart 5).

Chart 5



To organise the new local elections of 20 May 2018, ECC established 375 PSs (see Chart 6).

Chart 6



2.2.6. Registration of representatives with the right to consultative vote

According to Article 15(1) of the Electoral Code, election candidates may appoint one representative with the right to consultative vote in the electoral bodies, which registered them, as well as in lower-level electoral bodies for the duration of the electoral campaign.

Thus, according to the findings of Promo-LEX observers, the representatives with right to consultative vote of candidates were registered in a single ECC, for the period of new local elections, according to Table 4.

Table 4. Representatives with the right to consultative vote registered by level-one and level-two ECCs

No	ECC	Political formation which appointed
1.	Chisinau municipality	PPDA (1); PL (1); PSRM (1); PPS (1)

At the same time, we note that PSRM appointed representatives with right to consultative vote within CEC (CEC Decision No 1537 of 17 April 2018).

2.2.7. Observer Accreditation

According to Article 68(1) of the Electoral Code, the electoral constituency council shall accredit an observer to monitor elections, upon the requests filed for that purpose by election candidates. According to the reports submitted by the Promo-LEX observers, no ECC had issued accreditations for observers as of the publication date of this Report.

2.2.8. Access to Public Information on Registered Candidates

According to Article 29(g) of the Electoral Code, the Electoral Constituency Council shall ensure public access to the candidates' declarations of income and property during local elections, and shall publish the reports on financing electoral campaigns. Additionally, according to point 13 letters g) and n) of CEC Regulation on the activity of the electoral constituency council, the latter guarantees the public access to the income and assets declaration of the candidates *in the local elections* and publishes the reports on the funding of electoral campaigns of the *independent candidates on the official websites of the appropriate local public authorities*.

The monitoring of the previous new local elections showed that the electoral councils established for the organisation of the new local elections did not ensure in any case the publication on the Internet

of the income and assets declaration of the candidates, nor did they publish on the LPA's websites the reports on the funding of electoral campaigns of independent candidates. Thus, we noticed the undervaluation of the principle of transparency of public information.

As regards the new local elections of 20 May 2018, we only confirm the partial observance of these provisions at the time that this Report was published. Only the councils from the Chisinau and Balti constituencies placed the candidates' income declarations. The information issued by NIA at the request of the CEC is also not placed, which makes the information containing data from the integrity certificates inaccessible to the general public. In the case of other settlements, all this information is missing. We believe that observance of the electoral legislation and the transparency principles should not depend on the size of the settlement.

Moreover, there are questions and concerns about the conditions and the possibility to implement these provisions of the Election Code in the context of the next parliamentary elections that will be conducted on the basis of the mixed-member electoral system. The Article 85(3) of the Electoral Code provides that the candidates to the position of Member based on single-member constituencies, including independent candidates, shall be registered with the electoral constituency councils. According to Promo-LEX, there is a real risk that ECC, as non-permanent electoral body, will violate the law and will fail ensure the publication of election candidates' declarations of income and assets, integrity certificates and the reports on the funding of election campaigns.

III. PUBLIC ADMINISTRATION

The role of local public administration (LPA) in the monitored new local elections related to the organisation of the elections: appointing the members of level-one and level-two ECC; providing special places for electoral posters and venues for meetings with voters; participating in the identification of PS locations that are public property.

We appreciate the high percentage out of 31 LPAs which, according to Promo-LEX observers, achieved the following: they approved decisions on electoral posters – 83.87% (26 out of 31); arranged places for posters – 93.55% (29 out of 31); approved decisions on venues for meetings with voters – 80.65% (25 out of 31). At the same time, we regret that not all LPAs complied with the legal requirements. We would also like to draw attention to the low percentage of LPA that published the decisions on electoral posters adopted (32.26%) and those on venues reserved for meetings with voters (29.03%).

3.1. Election Organisation Activities Involving Local Public Authorities (LPA)

During the monitored period, LPA was involved in the following types of activities provided by the law in force, according to the responsibilities on the electoral process organization:

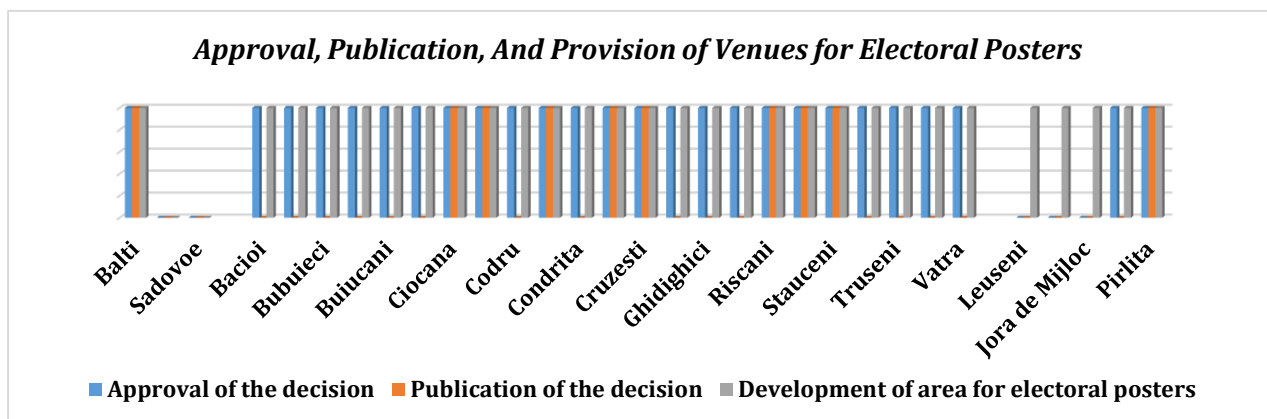
- appointing the members of level-one and level-two ECCs;
- providing special places for electoral posters and venues for meetings with voters;
- participating in identification of offices for PSs, public property;

3.2. Establishment of Places for Electoral Posters and Venues for Meetings with Voters

According to Article 52(9) of the Electoral Code, the local public administration authorities shall establish and ensure, within 3 days since the initiation of the election period, the minimum number of special places for electoral posters, the minimum number of venues for meetings with voters. These decisions/provisions shall be immediately displayed at the offices of these authorities and made known to the interested subjects through media and other available means of communication.

Promo-LEX observers found that during 20 March - 17 April 2018, out of 31 LPAs involved, 26 took decisions on the establishment of the minimum number of special places for electoral posters, and 10 of them published the decision in question. However, it was reported that 29 LPAs provided the necessary venues for the placement of electoral posters (see Chart 7).

Chart 7



In accordance with the Regulation on the Location of Electoral Advertising and Political Promotion Materials on Advertising Billboards, an area of 1m² is provided for each election candidate for electoral advertising purposes. Of 29 LPAs that arranged area for electoral posters, in 9 cases, it was found that the arranges area is insufficient for all election candidates (Tuseni, Cricova, Ghidighici, Ciorescu, Stauceni, Gratiești, Vatra, Condrita and Riscani sector).

In the same context, according to Promo-LEX observers, only 25 LPAs of 31 took decisions/issued resolutions on the provision of special venues for the meetings of the candidates with voters. However, only 9 LPAs published the information in question (see Chart 8).

Chart 8

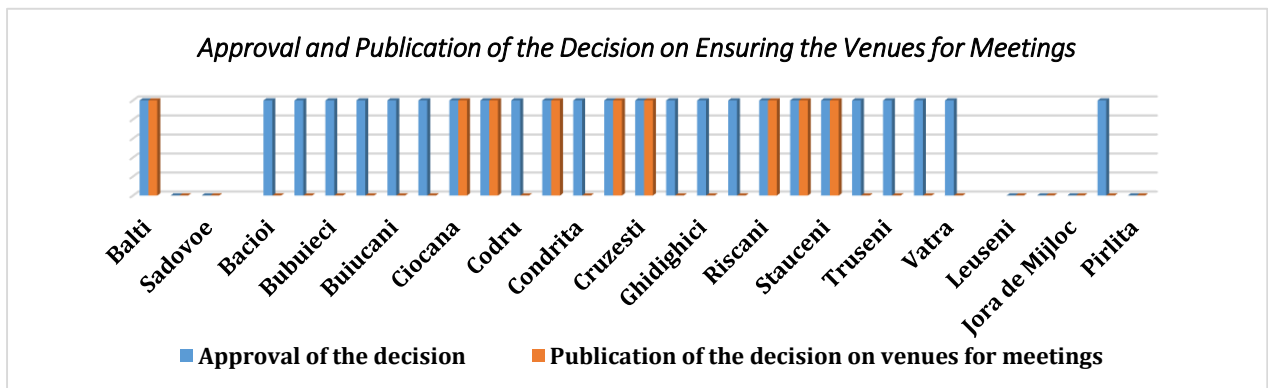
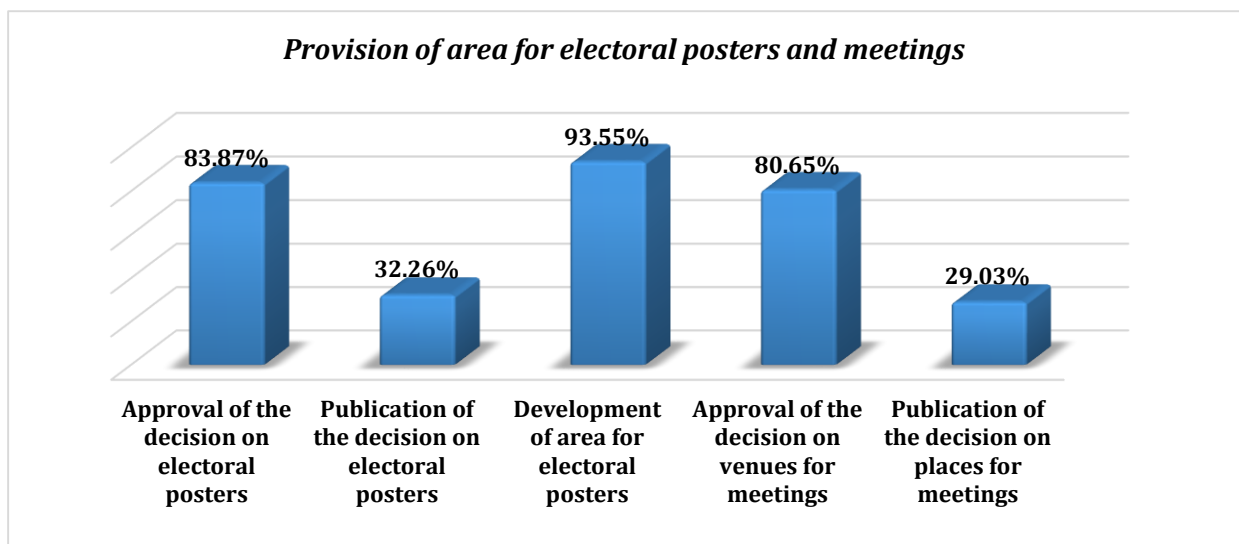


Chart 9 reflects the share of the observance of provisions on providing area for electoral posters and special venues for meetings of the candidates with the voters.

Chart 9



IV. ELECTION CANDIDATES

The monitored period covered at least three types of promotion activities specific for the start of the election period: political activities of parties in order to nominate candidates, activities for collecting signatures conducted by independent candidates, and electioneering activities of already registered candidates.

We note an increased activism of the candidates and potential candidates for the position of mayor during the initial stage. So far, all 89 identified activities took place in Chisinau (73) and Balti (16) municipalities. The classification, depending on their activity allows us to conclude that the most used were promotion/electioneering activities by using tents (32), distribution of materials with political/electoral content (21), and meetings with citizens/voters (12). Broken down by candidates, the activities concerned particularly: PSRM (43), S. Radu (18) and PPPDA (10).

In the context of the political promotion/electoral activities, at least two situations that could be qualified as abusive use of administrative resources were found: when collecting signatures in support of Silvia Radu, and during the promotion campaign of the PDM candidate from Volovița township.

In addition, Promo-LEX observers reported at least two cases that could be qualified as electoral gifts, and both of them involved the PSRM candidate for the position of Mayor of Balti municipality.

4.1. Promotion Activities

According to Promo-LEX observers, at least 89 political/electoral promotion activities related to the new local elections of 20 May 2018 were organised during the monitored period (73 – in Chisinau, 16 – in Balti). Of these, at least 43 were organized by PSRM; 18 – by Silvia Radu (activities to collect signatures); and 10 – by PPPDA (see Table 5).

The most used promotion tools are the tents, which were used in 32 cases as means for: collecting signatures in support of independent candidates, political promotion of parties and electioneering in support of already registered candidates.

Table 5. Electoral activities

Type of activity	PSRM	PPPDA	PL	PN	PPS	PUN	S. Radu	S. Tofilat	Total
Press conference	4	1	0	1	2	2	0	1	11
Tents	11	1	0	2	0	0	18	0	32
Distribution of electoral materials	17	0	0	0	0	4	0	0	21
Meetings with citizens	6	4	0	0	2	0	0	0	12
Election Spots/TV programmes	3	3	1	0	0	2	0	0	9
Electoral gifts	2	0	0	0	0	0	0	0	2
Telephone electoral survey	0	1	0	0	0	0	0	0	1
Openings, ribbon cuttings, etc.	0	0	0	0	1	0	0	0	1
Total activities	43	10	1	3	5	8	18	1	89
Total activities	43	10	1	3	5	8	18	1	89

4.2. Cases that Can be Qualified as Use of Administrative Resources during the Election Period/Campaign

Promo-LEX observers reported two situations that may be qualified as use of administrative resources. Thus, in case of the candidate for the position of mayor – Silvia Radu, we note her presence at Chisinau ECC on 11 April 2018, during working hours, to pick up the lists of voters. We specify that

until the date when this Report was published, she was fulfilling the duties of the interim mayor of Chisinau municipality.

The second case happened in Volovita twp. and in Alexandru cel Bun v. (as part of Volovita township Mayoralty). We found that on 13 April 2018, the roads from the church to the cemeteries from the settlement were built and the fences of both cemeteries were rehabilitated (from metal netting). The special vehicles of 'Drumuri Soroca' were used to perform the construction works. The construction works of the fence from Alexandru cel Bun v. were supervised by a person driving a car with registration number of RM A 171.

Local people from both settlements we discussed with, claim that both roads and fences of the cemeteries were built with the support of PDM.

4.3. Cases that Can be Qualified as Electoral Gifts

Promo-LEX observers reported at least two cases that could be qualified as electoral gifts, and both of them involved the current PSRM candidate for the position of Mayor of Balti municipality.

Thus, on 6 April 2018, the candidate appointed by PSRM (on 5 April 2018) for the position of mayor of Balti municipality – Alexandr Usatii, posted pictures from PSRM office where he made donations to veterans and pensioners from Balti. The Easter gifts were donated with the participation of the candidate appointed by PSRM, on behalf of Galina Dodon and her charitable foundation 'Din Suflet' [From the Heart].

Also, on 10 April 2018, the same PSRM candidate, Alexandr Usatii, attended a meeting with 50-70 veterans and elderly people at the House of Veterans form Balti municipality. During this meeting, the appointed candidate offered gifts – bags with food products, on behalf of Galina Dodon and her charitable foundation 'Din Suflet' [From the Heart].

4.4. Outdoor/Promotional/On-line Advertising

The Promo-LEX observers identified at least 149 cases where the participants in the new local elections used these types of advertising in their electioneering activity (125 cases in Chisinau municipality, 24 cases in Balti municipality). A number of 76 cases concerned PSRM, 39 cases – PPP, and 19 cases – Silvia Radu (see Table 6).

Table 6

<i>Type of promotional advertising</i>	<i>PSRM</i>	<i>PPPDA</i>	<i>PL</i>	<i>PN</i>	<i>PPS</i>	<i>PUN</i>	<i>S. Radu</i>	<i>TOTAL</i>
Billboard	37	0	1	0	22	0	0	60
Street banners	6	0	0	0	15	2	0	23
Online banners	0	0	0	0	0	1	0	1
Newspapers	17	0	0	0	0	0	0	17
Jackets/caps/shirts/scarves	11	1	0	1	1	1	19	34
Flags	3	1	0	1	1	1	0	7
Flyers/Brochures/Calendars	1	1	0	0	0	4	0	6
Placards	1	0	0	0	0	0	0	1
TOTAL	76	3	1	2	39	9	19	149

In case of PSRM, the most used type of advertising were billboards, newspapers, which were distributed by people wearing signs of PSRM branding (vests, caps, etc.). In case of PPP, the most used were billboards and street banners.

V. FINANCING OF THE ELECTION CAMPAIGN

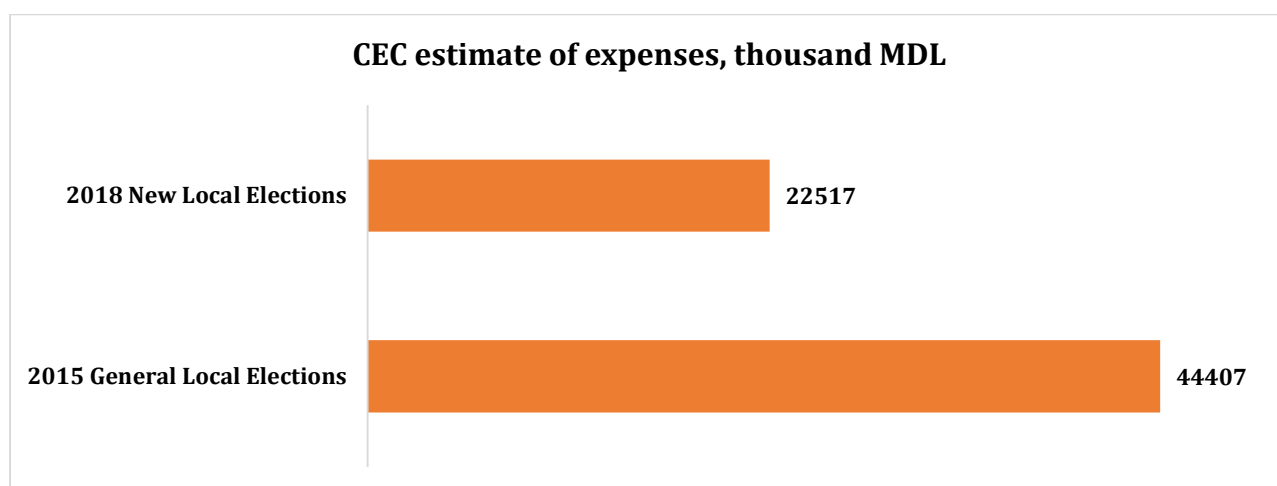
The Promo-LEX OM underscores that, although the electioneering during the period before the campaign can have a noticeable impact on voters, the expenses made during it cannot be seen as campaign expenses and do not refer to the threshold established by CEC for the election in question. According to the legislation in force, these expenses must be reflected in the half-yearly report of political parties filed with CEC on 15 July 2018.

At the same time, Promo-LEX reports cases of unlawful electioneering, and since no registered candidate opened an 'Electoral Fund' account, this implies the violation of the legislation by spending money that do not come from the Fund account, or they were not reflected because of the neglect of CEC that did not publish this data.

5.1. Budget of the Electoral Commission for New 2018 Local Elections

In line with Decision No 1448 approving the budget for the organisation and conduct of the new local elections for the position of General Mayor of Chisinau and Balti municipalities on 20 May 2018 (including round II), the CEC budget was approved in the amount of MDL 22,516,630¹⁵, for 375 polling stations (about MDL 60,044 per PS). By comparison, in 2015, the budget for the local elections was MDL 44,406,900¹⁶ for 1,981 polling stations (about MDL 22,416 per PS).

Chart 10



5.2. Regulation of Election Campaign Financing

5.2.1. Legal Framework

The financing of election campaigns is regulated by the Electoral Code, Law No 249 on Political Parties and CEC Regulation on Financing of Election Campaigns, adopted by CEC Decision No 3352 of 4 May 2015.

5.2.2. Amount of the Provided Loan

According to Article 37(1) of the Electoral Code, the state shall provide interest-free loans to election candidates. On 30 March 2018, by Decision No 1489, the CEC established the interest-free loan amount for the ECs. Thus, MDL 25,000 can be provided to each party, social-political organisation and electoral block; and MDL 5,000 – to each independent candidate. According to the findings of Promo-LEX OM, none of the ECs requested and received any loan from the state.

¹⁵ http://www.cec.md/files/files/1448devizcheltuieli_251976.pdf

¹⁶ https://promolex.md/wp-content/uploads/2016/06/doc_1432883349.pdf

Promo-LEX notes that during four years CEC did not present or justify the formula, according to which the amount of the loan was set. Promo-LEX OM reports that the amount of the loan did not increase over the last 4 years and reiterates the issue of the gap between the living standards and the inflation.

5.2.3. Election Funds and Treasurers

According to Article 37(a) of the Electoral Code, to fund the election campaign, each election candidate shall open a bank account to be specified as an 'Electoral Fund', on which the participants shall transfer their own funds and those received from individuals and legal entities of the country. According to Article 38(2)(a) of the Electoral Code, the election candidate shall notify CEC about the person in charge of their finance. The account entitled 'Electoral Fund' may be opened before the registration of the election candidate, provided that any receipts into and payment out of this account be allowed only after the registration of the election candidate.; the election candidate who does not open an 'Electoral Fund' account at the bank shall inform the Central Electoral Commission about it and shall conduct campaign or promotion activities that do not involve financial expenses.

According to Promo-LEX OM, of 12 EC, only 4 confirmed their treasurers to CEC by 17 April 2018 and no election candidate opened an 'Electoral Fund' account. Moreover, by 17 April 2018, CEC did not create a special heading on its official website for the publication of reports and financial documents during the campaign (see Table 7).

Under these circumstances, Promo-LEX OM draws authorities' attention on the violation of the legislation by the candidates who run in the elections. They spend money that do not come from the 'Electoral Fund' or the expenses were not reflected because of the neglect of CEC that did not publish this data.

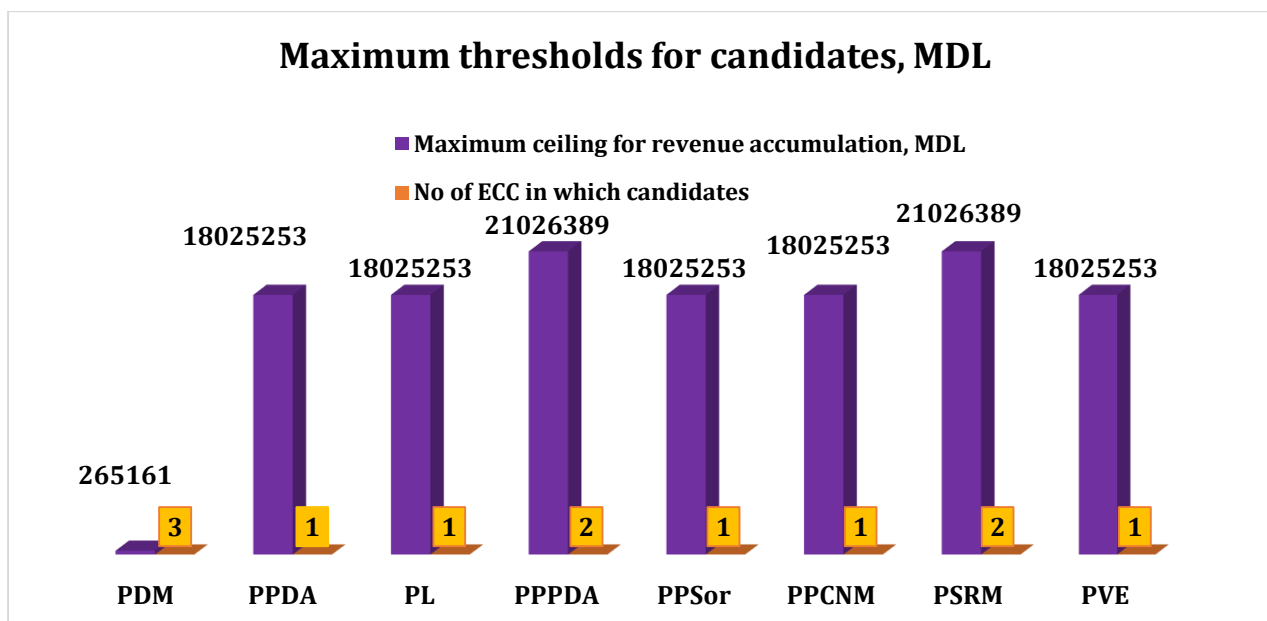
Table 7. Appointment of treasurers and opening of the 'Electoral Fund' accounts

Political affiliation of candidates	No of candidates in elections	Date of registration of election candidates	Date of confirmation of treasurers by CEC/level-one ECC	Date of opening the 'Electoral Fund' accounts
PSRM	2	12 April 2018	17 April 2018	-
PPPDA	2	11 April 2018	17 April 2018	-
PN	0	-	-	-
PL	1	11 April 2018	-	-
PPS	1	11 April 2018	17 April 2018	-
PDA	1	11 April 2018	-	-
PDM	3	13 April 2018	17 April 2018	-
PVE	1	17 April 2018		
Total	8	-	-	-

5.2.4. Maximum Threshold for Revenue Collection

According to Article 38(2)d) of the Electoral Code, as well as the CEC Decision No 1488 of 30 March 2018 establishing the general threshold for the funds that can be transferred on the 'Electoral Fund' account of the election candidate in the new local elections of 20 May 2018, a coefficient multiplied by the number of voters from the constituency in which the new local elections are held is taken as basis for calculation. The average salary per economy for the year preceding the year of new local elections – 2017, was taken as the reporting basis for setting the coefficient, the amount of coefficient being of 0.5% of the said average salary (MDL 5,697.10)¹⁷.

¹⁷ According to the data of the National Bureau of Statistics, the average salary per economy in 2017 amounted to MDL 5,697.10,



The amounts of thresholds from Table 8 were reached by multiplying the coefficient of MDL 28.49 (0.5% of the average salary per economy for 2017, or MDL 5,697.10) by the number of voters of the seven ECCs – two level-two ECCs and five level-one ECCs (see Chart 11. The cumulated thresholds of election candidates – parties and independent candidates and Table 8 – Maximum thresholds for revenue collection per constituency).

According to Promo-LEX OM, the current calculation basis is inclusive for the independent candidates, where the established thresholds create them equal conditions for use of funds in the constituencies where they compete with the candidates of other political parties.

Table 8. Maximum thresholds for revenue collection per constituency

No	Constituencies	Registered candidates	Threshold coefficient, MDL	No of voters	Maximum established threshold, MDL
1.	Chisinau municipality	PSRM, PPPDA PL, PPS, PPDA, PPCNM	28.49	632,687	18,025,252.6 3
2.	Balti municipality	PSRM, PPPDA	28.49	105,340	3,001,136.60
3.	Leuseni twp., Hincesti d.	-	28.49	1,858	52,934.42
4.	Nemteni v., Hincesti d.	-	28.49	1,489	42,421.61
5.	Jora de Mijloc twp., Stefanesti v., Orhei d.	PDM	28.49	3,282	93,504.18
6.	Volovita twp., Soroca d.	PDM	28.49	1,646	46,894, 54
7.	Pirlita v., Ungheni d.	PDM	28.49	4,376	124,762.24

5.2.5. Submission of the Statement on the Own Funds from the Party's Account at the Beginning of the Election Period to the CEC

According to Article 38²(6¹) of the Electoral Code, at the beginning of the election period, the political parties intending to submit the documents for registration as election candidates and to transfer their

own funds held on their account to the 'Electoral Fund' account shall submit to CEC a financial statement according to the sample established by the Commission in Article 38²(1).

Promo-LEX OM notes that until 17 April 2018, no party submitted the financial statements on their own funds accrued until the beginning of the election period – 20 March 2018, with the indication of the revenues, expenses as well as the donors thereof. Promo-LEX acknowledges that this situation can also be caused by the failure CEC to publish the statements, despite its obligation to publish them within 48 hours after receiving them.

5.3. Financial Reporting of Election Candidates

According to Article 43 (1) of the Electoral Code, the political parties, electoral blocks and independent candidates shall submit to the CEC during the election campaign, weekly, and in case of parliamentary and presidential elections, within three days following the opening of the 'Electoral Fund' account, and subsequently, once a week, a report on funds raised and expenses incurred during the election campaign, both in electronic format and on paper, signed by the authorised person. The sample of the report is approved by CEC. Independent candidates in the local elections shall present to the relevant electoral constituency council, within three days following the opening of the 'Electoral Fund' account, and once in two weeks hereinafter, reports on funds raised and expenses incurred during the election campaign, according to the sample report approved by CEC. According to Article 43(4) of the Electoral Code and point 18 of the Regulation on Financing of Election Campaigns, the statements received by CEC shall be published on the Commission's website within 48 hours of receipt.

Promo-LEX OM notes that during the reporting period, according to the Timetable, the election candidates were not required to submit financial statements to CEC or ECC.

5.4. Expenses of Potential Election Candidates Found by Promo-LEX Observers Before their Registration

According to the findings of the Promo-LEX observers, during 20 March - 17 April 2018 (reporting period), eight potential election candidates (PPPDA, PL, PSRM, PPS, PUN, PN, Silvia Radu, Sergiu Tofilat) conducted various electoral activities that incur some expenses. The minimum estimated amount is of at least MDL 478,890: PSRM – MDL 264,700; PPS – MDL 164,600; PPPDA – MDL 21,480; Silvia Radu – MDL 14,400; PL – MDL 4,000; PUN – MDL 5,510; Sergiu Tofilat – MDL 2,400; PN – MDL 1,800 (see **Chart 12 and Annex 2**).

The Promo-LEX OM underscores that, although the electioneering during the period before the campaign can have a noticeable impact on voters, the expenses made during it cannot be seen as campaign expenses and do not refer to the threshold established by CEC for the election in question. According to the legislation in force, these expenses must be reflected in the half-yearly report of political parties filed with CEC on 15 July 2018.

5.4.1. Expenses for Electoral Gifts

According to Promo-LEX OM findings, at least one potential EC (Alexandr Usatii) made electoral gifts in the form of Easter bags, under the aegis of the foundation 'Din Suflet' [From the Heart]. They reported at least 100 units. The cost of an unit is at least MDL 200. *Expenses of at least MDL 20,000 were reported in total.*

5.4.2. Expenses on Outdoor Advertising

To estimate the expenses for the street billboards, the market value of prices for different panel models was checked. This, the minimum monthly fee to place one street billboard of 6x3m² is at least MDL 6,660; one street billboard of 6x12 m²/20X10 m² – at least MDL 10,000; one billboard 24x3m² MDL 20,200; one LED billboard – MDL 7,770; one street billboard of 3x6m² – at least MDL 4,000; one banner of 1.5X2m² – at least MDL 2,000; one tent – MDL 800; one placard 30x90 cm² – MDL 200.

Street billboards

According to the Promo-LEX OM findings, at least five potential EC (PSRM – Ion Ceban, Alexandr Usatii, PL – Valeriu Muntean, PPS – Reghina Apostolova, PUN – Constantin Codreanu) paid for street billboards.

PSRM – Ion Ceban – seven billboards of 3x2m², nine billboards 3x6m², one billboard of 24x3m², one billboard of 12x6m²; Alexandr Usatii – 10 billboards 6x3m²

PPS – Reghina Apostolova – 17 billboards 3x6m², one billboard of 24x2m², three billboards of 12x3m², three billboards of 3x4m², eight banners of 2x2m²;

PL – Valeriu Muntean – one billboard of 3x4m².

The activities of potential candidates revealed the following estimated expenses: Valeriu Munteanu (PL) – at least MDL 4,000; Alexandr Usatii (PSRM) – at least MDL 66,000; Ion Ceban (PSRM) – MDL 101,900; Reghina Apostolova (PPS) – MDL 164,600.

Tents

PN – 2 units, PSRM – 6 units. (Ion Ceban – 5 units, Alexandr Usatii – 1 unit), potential candidate, Silvia Radu – 18 tents.

Therefore, the costs incurred would be the following: PN – MDL 1,600; Ion Ceban (PSRM) – MDL 4,000; Alexandr Usatii (PSRM) – MDL 800; Silvia Radu – MDL 14,400.

5.4.3. Expenses for Promotional Advertising

The calculation of expenses for promotional and printing advertising was done by multiplying each type of promotional material, reported by Promo-LEX observers, by the minimum prices identified on the market. The checks reveal that the estimated minimum monthly price of a unit of A3 newspaper is of MDL 0.48, for 30-50,000 printed copies, one 30 seconds spot – EUR 500 (MDL 10,000); the cost of a unit of A5 flyer – MDL 0.5, one minute of airtime on www.privesc.eu – EUR 4 (MDL 80).

Video spots

PL – Valeriu Munteanu – 1 spot (on Easter holidays – duration of 1.54 minutes); PUN – Constantin Codreanu – 1 spot with duration of 7 seconds; PPPDA – 1 spot (for Silvia Radu, 32 seconds), 1 spot (on Easter holidays – duration 22 seconds); PSRM – Ion Ceban (duration 8.56 minutes), Alexandr Usatii (duration 6.25 min).

Therefore, the estimated costs are as follows: Valeriu Munteanu (PL) – MDL 10,000; Andrei Nastase (PPPDA) – MDL 20,000; Ion Ceban (PSRM) – MDL 10,000 and Alexandr Usatii (PSRM) – MDL 10,000.

Press conferences¹⁸

PPP – 1 unit with a duration of 12.10 minutes, PPPDA – 1 unit with a duration of 18.50 minutes, potential EC Sergiu Tofilat – 1 unit with a duration of 30 minutes, PSRM – Ion Ceban – 2 units with a duration of 25 minutes, PUN – 2 units with a duration of 68.88 minutes.

The costs estimated by the Promo-LEX OM are: Reghina Apostolova (PPS) – MDL 868; Andrei Nastase (PPPDA) – MDL 1,480; Sergiu Tofilat – MDL 2,400; Ion Ceban (PSRM) – MDL 2,000, Constantin Codreanu (PUN) – MDL 5,510.

¹⁸ According to the spoken statements of the www.privesc.eu management, the media coverage and the live broadcast of political parties'/election candidates' events were performed against payment.

Newspapers and printed materials

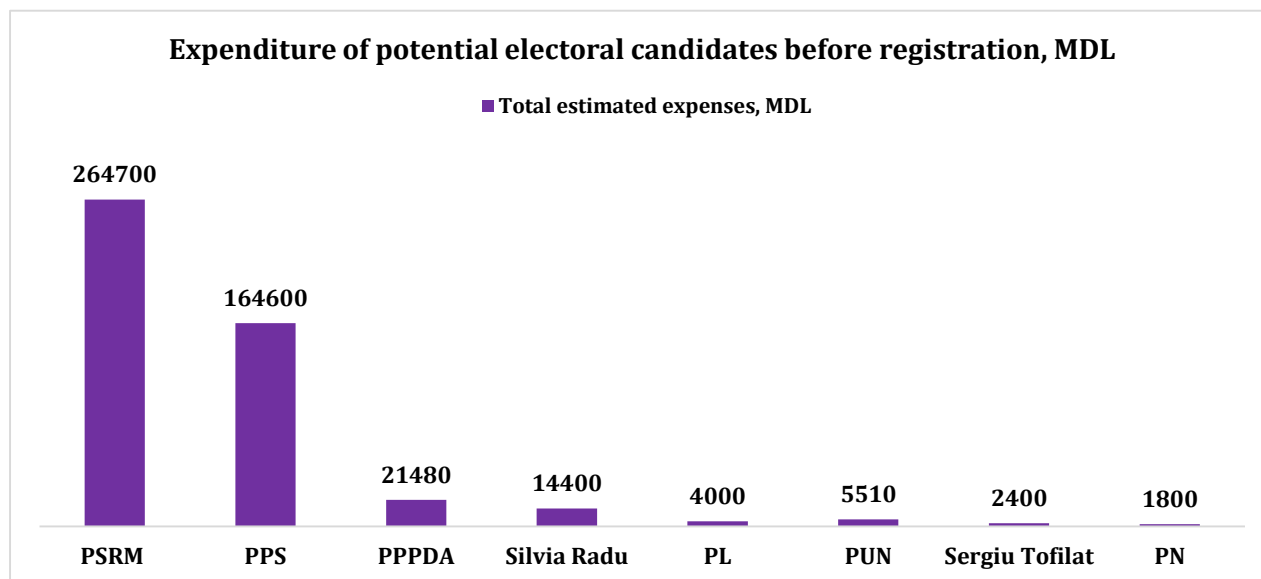
PSRM – party newspaper ‘Socialistii’ [The Socialists] – A3 color format, order 394, pr. 50,000 copies
PUN – format A5 calendars, 7x10m², without typographical data.

Expenses estimated by Promo-LEX OM for PSRM newspapers are of at least MDL 24,000.

5.4.4. Expenses for Volunteers

Silvia Radu – 32 volunteers, PPP – 15 volunteers, PSRM – 12 volunteers, Sergiu Tofilat – 2 volunteers.
MO Promo-LEX was not able to estimate the expenses for volunteer work in order to include them in the Report No 1, but will do so at the end of the election campaign.

Chart 12



5.5 Expenses of Election Candidates found by Promo-LEX observers after their Registration

According to the MO Promo-LEX findings, during 12-17 April, 2018, at least 2 EC (Ion Ceban – PSRM and Reghina Apostolova – PPS) paid for electoral activities. The estimated minimum amount is of at least MDL 160,441: PSRM – MDL 151,703, PPP – MDL 8,738 (**see Chart 13 and Annex 3**).

5.5.1. Expenses on Outdoor Advertising

Street billboards

According to Promo-LEX OM findings, at least 2 potential EC (PSRM – Ion Ceban, Alexandr Usatii, PPS - Reghina Apostolova) spend money for street billboards.

PSRM – Ion Ceban – 10 billboards 6x3m², 10 billboards 3x2m², 18 placards 30x90cm²; Alexandr Usatii – 1 LED board 2x3m²; PPS – Reghina Apostolova – 1 LED board 2x3m².

According to the estimates of Promo-LEX OM, the expenses are as follows: Alexandr Usatii (PSRM) – MDL 7,700; Ion Ceban (PSRM) – MDL 109,600; Reghina Apostolova (PPS) – MDL 7,700.

Tents

PSRM – 5 units (Ion Ceban), which costed about MDL 4,000.

5.5.2. Expenses for Promotional Advertising

Video spots

PSRM – Ion Ceban – 31 seconds spot; the estimated expenses are at least MDL 10,000.

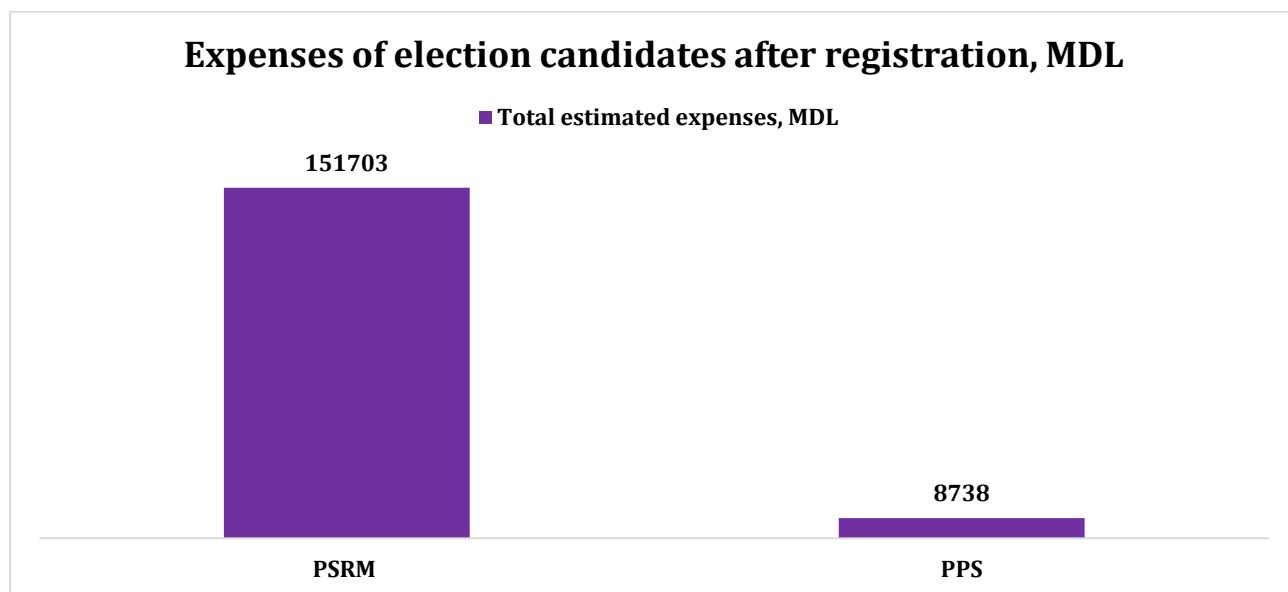
Press conferences

PPP – 1 unit with the duration of 12.10 minutes; the estimated spending are at least MDL 968; PSRM – Ion Ceban – 2 units with the duration of 68.88 minutes, the estimated expenses are at least MDL 5,510.

Newspapers

PSRM – party newspaper ‘Socialistii’ [The Socialists] – A3 format, 23 pages, order 404, pr. 35,000 copies, paid from the Electoral Fund, the estimated expenses are at least MDL 16,800.

Chart 13



VI. HATE AND DISCRIMINATORY SPEECH

Taking into account the trends of the past election campaigns and the need for plenary monitoring of the election candidates' behaviour, Promo-LEX OM believes it is necessary and relevant to monitor the cases of hate and discriminatory speech in candidates' messages. Promo-LEX has also monitored sexist discourses and other forms of public intolerance. The cases identified by the observers concerned both directly appointed candidates and the electoral political messages. According to Promo-LEX OM, the PSRM candidate, Ion Ceban (PSRM), used the hate speech in his messages. On the other hand, the candidate appointed by PPPDA, Andrei Nastase, was the target of sexist, discriminatory and violent messages. The 'unionism' (the idea of unification of the Republic of Moldova with Romania) was one of the political issues that provoked most of hate and discriminatory speeches and incidents at the beginning of the election period.

6.1. Monitored Forms of Intolerance

According to Article 3(5) of the Law on the Freedom of Expression, the guarantees of freedom of expression do not extend over hate or violence speeches.¹⁹ Subsequently, the forms of expression that fall within hate speech set out in Articles 2 and 3(3-5) are prohibited by law.

The Law on Ensuring Equality regulates another prohibited form of expression – instigation to discrimination, which according to Article 2 of the Law represents any behaviour by which an individual, applies pressure or has a behaviour aiming to discriminate a third person, based on criteria stipulated by this Law.²⁰

In addition to the hate and discrimination speech, Promo-LEX has also monitored sexist speeches and other forms of public intolerance.

6.2. Description of Identified Cases

6.2.1. Cases Concerning the Appointed Candidates for the New Local Elections of 20 May 2018

In the context of the new local elections of 20 May 2018, the Promo-LEX Association recorded several messages that contain various forms of public intolerance, hate and discriminatory speech.

On 10 April 2018, during the TV programme 'Politica' [Politics]²¹ of TV8 channel, Ion Ceban, the candidate appointed by PSRM stated he would not admit unionist marches in Chisinau if he becomes mayor. This statement is a direct incitement to discrimination and a violation of the constitutional rights of supporters of this social-political movement.

The portal blocknot-moldova.md published an article that uses sexist and discriminatory messages against the candidate appointed by PPPDA for the position of mayor of Chisinau – Andrei Nastare, as well as against Maia Sandu and Renato Usatii, entitled: 'Political Prostitutes: Nastase, Sandu and Usatii, Forced an Inhabitant From Balti to Attack the Parliament of Moldova'.²² The piece of news uses gender-based prejudices and supports violent behavior, based on the political affiliation of the concerned persons.

The Facebook page, 'Times New Moldova', published on 4 April 2018 a video entitled 'The Fool from the Village Annoys People From Chisinau'.²³ This is a collage in which the hero of the film 'Leon' shoots through the door the candidate appointed by PPPDA for the position of mayor of Chisinau municipality – Andrei Nastase. Although the spot is done in a satirical form of expression, it promotes violent

¹⁹ [Alw No 64 of 23 April 2010 on the Freedom of Expression](#)

²⁰ [Law No 121 of 25 May 2012 on Ensuring Equality](#)

²¹ <https://goo.gl/cqDi4L>

²² <https://goo.gl/zwJp1X>

²³ <https://goo.gl/mtkAdG>

messages against an election candidate and does not contain any accompanying information that would explain the humorous nature of the post.

6.2.2. Political Cases at the Beginning of the Election Period

The 'unionism' and the idea of unification of the Republic of Moldova with Romania was one of the political issues that provoked most of hate and discriminatory speeches and incidents. Even if most cases do not refer expressly to the elections of 20 May 2018, the way in which these messages are promoted by the actors involved and concerned, fostered the exploitation of the subject and its use in elections.

On 24 March 2018, the Party of Socialists published²⁴ the newspaper 'Unionismul dezbină Moldova' [Unionism Divides Moldova] on its website. The text is aggressive in some places and refers to unionism and those who share its ideas as dangerous for Moldova, history, heritage and other values. The text contains subjective and manipulative information, which places supporters of unionism in a denigrating light, suggesting that they are liars, corrupt, and traitors to the fatherland. Also, the text refers to the statements of President Igor Dodon, according to which a civil war could break out in Moldova because of the unionism. It also refers to the statements of PDM MP, Corneliu Dudnic, who would be ready to use guns to defend Gagauzia if the unification happens.

On 9 April 2018, a post containing a symbolic image with a person hanging on a noose with the inscription 'UNIREA' [UNIFICATION] was placed on a Facebook page entitled 'Unionismul Trece Patria Ramine' [Unification passes, our homeland stays]. The picture is accompanied by a description in Russian language, according to which the same thing – the hanging, will happen to 'unionist fascists' after the parliamentary elections. The post gathered over 700 comments and over 190 shares, which reveals that hate messages are widely spread. At the same time, the post had a double effect: it spread hate in public space and provoked harsh reactions among supporters of 'Unionism', who in turn also incite to discrimination and violence against Russians and Russian speakers. Meanwhile, the post was deleted, but it managed to be widely advertised.²⁵

On 10 April 2018, the portal *vocebasarabiei.md* published an article entitled 'Socialistii incita la violenta si ii amenita pe unionisti' [Socialists incite to violence and threaten the unionists].²⁶ Although there is no confirmation regarding the author of the page 'Unionismul Trece Patria Ramine' [Unification passes, our homeland stays], the title of the article deliberately uses the negative messages promoted on this page and associates them with the Party of Socialists.

On 10 April 2018, the website Independent Press published an article entitled: 'SURSE: MAIA SANDU AR URMA SA APARA CU UN BARBAT IN PUBLIC PANA LA ALEGERI. VREA SA ASCUNDA ORIENTAREA EI HOMOSEXUALA!' [SOURCES: MAY SANDU IS EXPECTED TO APPEAR IN PUBLIC WITH A MAN UNTIL THE ELECTIONS. SHE WANTS TO HIDE HER HOMOSEXUAL ORIENTATION].²⁷ The article refers to gender-based prejudices related to the social role of men and women, and presents the LGBT community in a negative light.

Maia Sandu was also targeted by several public messages that use sexism and gender-based stereotypes, especially on the Facebook page – 'Times New Moldova'. In one posts, Maia Sandu appears in a picture with the inscription: 'Te iubesc. Cand esti singura și disperata' [I love you. When you are alone and desperate].²⁸ We remind you that Maia Sandu supports Andrei Nastase in the election campaign for the position of General Mayor of Chisinau municipality. Therefore, this also could be considered an indirect attack against Nastase as a candidate.

²⁴ <http://socialistii.md/category/gazeta/>

²⁵ See e.g.: <https://goo.gl/dWVTJF>

²⁶ <https://goo.gl/GMLgge>

²⁷ <https://goo.gl/tmHQY2>

²⁸ <https://goo.gl/Nv7DCQ>

VII. CIVIC EDUCATION AND INFORMATION

Promo-LEX OM notes that the civil society organisations and electoral management bodies did not promote that civil activism intensively during the election period for the new local elections. In this context, the Promo-LEX Association, through the civic and electoral education component, intends to conduct campaigns to foster the informed and conscious voting among citizens from the settlements where elections will be held.

With respect to covering the elections by the on-line information sources, compared to the new local elections from the previous years, the election of 20 May 2018 generated more media interest especially because elections will also be organised in Chisinau and Balti municipalities. The most visualised information refers to the adoption of CEC's decision on the conduct of the new local elections on 20 May 2018 and on the appointment/registration procedures of the candidates.

7.1. Activities for Apolitical Mobilisation of Voters in the context of New Local Elections

In the context of the local elections of 20 May 2018, Promo-LEX Association will conduct the campaign 'IESI la VOT!' [COME to VOTE], through the component of civic and electoral education.

The purpose of the campaign is to contribute to the apolitical mobilisation of voters and to promote informed and conscious voting among RM citizens with a right to vote, in the settlements where the new local elections will be held. The campaign will take place between 20 April-3 June 2018 and will cover all the administrative-territorial units where new local elections will take place.

The campaign will be conducted by the Local Campaign Coordinators and by the Promo-LEX volunteers. In Chisinau, the campaign is expected to be conducted in partnership with the civil association 'Primaria Mea' [My Mayoralty].

The campaign 'Iesi la Vot!' [Come to Vote] will include the following activities:

- 'door-to-door' activities where voters from the settlements in question will be informed about the elections and candidates and will be encouraged to participate in the elections;
- outdoor information activities and dissemination of information materials on elections;
- Town Hall-type electoral public debates, with the participation of election candidates and voters. In total, 8-10 debates are planned for the first and second round;
- TV and Radio interventions and web banners, through which voters in the settlements concerned will be informed about the elections and will be encouraged to participate.

7.2. Coverage of Campaign for New Local Elections

Compared to the new local elections organised in the previous years, the elections of 20 May 2018 generated more media interest from information sources from the Republic of Moldova, mainly due to the conduct of elections in Chisinau and Balti municipalities, which are among the most populated settlements in the Republic of Moldova.

The most advertised event by the online publications, with reference to the monitored process, is the adoption of CEC decision on conduct of new local elections of 20 May 2018. This aspect was disseminated by at least 24 national and international news sites. The second aspect of the electoral process that generated media interest from Internet information sources is the appointment and registration of candidates, reflected by at least 17 national news sites.

RECOMMENDATIONS:

To the Parliament of the Republic of Moldova:

1. Amend the electoral legislation to force all candidates (independent, appointed by parties and electoral blocs) to submit subscription lists with supporters in order to be registered as a candidate for the position of mayor, analogically with the registration procedure of the candidates for the position of President of the Republic of Moldova.
2. Amend the Article 138 of the Electoral Code to review the formula for calculating the number of signatures necessary to be registered as a candidate for the position of mayor. The current formula is one that burdens the process of filling in the subscription lists for constituencies with a larger number of voters (starting with 20,000, for example). It is also extremely demanding for settlements as Chisinau and Balti municipalities.
3. Supplement Article 138 of the Electoral Code with provisions that would allow women candidates for the position of mayor to collect twice less signatures in their support, analogically with the derogation from the general rule applied during parliamentary elections.
4. We reiterate the need to amend the Code to provide the possibility so as the active duty servicemen fulfilling the in-term military service in a unit located in the same locality where their domicile is and where the elections are conducted, to be admitted in the electoral process.
5. We reiterate the need for a strict legal regulation in the Electoral Code concerning the way in which the citizens with domicile and residence valid at the same time on the day of the election and of those without residence and residence vote. This is extremely important not only to standardise the legal framework, but also to avoid the interpretation of rules and adoption of decisions providing temporary solution to the issue that is convenient to certain political forces.

To the Central Electoral Commission and other Lower-Level Electoral Bodies:

1. Ensure the observance of existing legislation regulating the rights of observers and give up the practice of creating obstacles to the process of monitoring the elections by classifying the public information to protect the personal data.
2. Ensure the observance by ECC of the electoral law on the transparency of information about candidates. It is absolutely necessary to analyse the failure of ECC to observe electoral legislation on ensuring public access to the candidates' declarations of income and assets during local elections, and the publication of the reports on financing electoral campaigns. The Association states that the Commission must come up with proposals either to amend the legislation or to develop real mechanisms in order to ensure the implementation of the existing legal provisions. The consistent toleration by a public authority of cases of non-compliance with the legal provisions in its responsibility area is not in line with the law.
3. The Promo-LEX OM recommends to develop, discuss and implement a clear formula for establishing the amount of interest-free loan provided by the state, which could be updated after each elections.
4. Comply with the legal provisions on the obligation to check and supervise the reporting procedure, the correctness and accuracy of the reports on the financing of electoral campaigns.
5. Publish the financial reports and documentation on the funding of election campaign on the official website of CEC in due time.

To Election Candidates:

1. Avoid cases of hate and discriminatory speech, sexist speeches and other forms of intolerance in messages and speeches given in public during electoral and political activities.
2. Reflect of all financial expenses made during the election campaign.

LIST OF ABBREVIATIONS

para. – paragraph
NIA – National Integrity Agency
LPA – Local Public Administration
Art. – Article
EOPS – Electoral Office of the Polling Station
twp. – township
CEC – Central Electoral Commission
ECC – Electoral Constituency Council
CMECC – Chisinau Municipality Electoral Constituency Council
IC – Independent Candidate
ord. – order
Mr. – Mister
ET – Event Template
VT – Visit Template
let. – letter
m² – square meter
OM – Observation Mission
mun. – municipality
No – Number
t. – Town
OSCE – Organization for Security and Cooperation in Europe
OSCE/ODIHR – OSCE Office for Democratic Institutions and Human Rights
LTO – Long-Term Observer
STO – Short-Term Observer
PCRM – Party of Communists of the Republic of Moldova
p. – point
PDM – Democratic Party of Moldova
PL – Liberal Party
PN – ‘Our Party’ Political Party
PNL – Liberal National Party
PPEM – ‘People’s European Party of Moldova’ Political Party
PPRM – People’s Party from the Republic of Moldova
PSRM – ‘Party of the Socialists from the Republic of Moldova’ Political Party
d. – District
REO – Registry of Electoral Officials
RM – Republic of Moldova
v. – Village
PS – polling station/stations
pr. – print run
TV – television
ATU – Administrative Territorial Unit
u. – unit
USAID – United States Agency for International Development

Annex 1. Comparison of data of SRV of 01.09.2017 vs SRV of 31.03.2018

Level-two Administrative Territorial Units	1 September 2017	31 March 2018	Difference
Anenii Noi	70,005	69,249	-756
Balti	110,485	105,291	-5,194
Basarabasca	24,513	24,102	-411
Briceni	61,779	60,902	-877
Cahul	99,944	98,619	-1,325
Cantemir	49,882	49,577	-305
Calarasi	62,735	61,898	-837
Causeni	80,162	79,319	-843
Chisinau	647,203	632,450	-14,753
Cimislia	50,782	50,184	-598
Criuleni	59,782	59,615	-167
Donduseni	34,603	33,907	-696
Drochia	70,688	69,651	-1,037
Dubasari	39,937	39,781	-156
Edinet	65,420	64,412	-1,008
Falesti	72,551	71,788	-763
Floresti	71,992	71,212	-780
Glodeni	47,533	46,958	-575
Hincesti	99,744	99,097	-647
Ialoveni	84,389	84,115	-274
Leova	43,583	43,053	-530
Nisporeni	53,479	53,193	-286
Ocnita	42,159	41,033	-1,126
Orhei	101,106	99,744	-1,362
Rezina	39,340	38,808	-532
Riscani	53,891	53,419	-472
Singerei	71,086	70,073	-1,013
Soldanesti	33,354	32,977	-377
Soroca	79,222	78,493	-729
Stefan Voda	57,770	56,981	-789
Straseni	77,370	76,713	-657
Taraclia	35,236	34,656	-580
Telenesti	56,411	55,905	-506
Ungheni	91,988	90,450	-1,538
ATU Gagauzia	133,583	131,546	-2,037
TOTAL	2,873,707	2,829,171	-44,536
No registered domicile/residence	155,683	203,368	47,685
Administrative-territorial units from the left bank of Nistru river and Bender municipality	225,971	226,486	+515
TOTAL SRV	3,255,361	3,259,025	3,664

Annex 2. Electoral Expenses of Potential Election Candidates

cel puțin 4 000
cel puțin 66 000
cel puțin 101 900
cel puțin 164 600

MDL

VALERIU MUNTEAN (PL)
ALEXANDR USATÎI (PSRM)
ION CEBAN (PSRM)
REGINA APOSTOLOVA (PPȘ)

Panouri stradale



ALEXANDR USATÎI (PSRM)
100 PACHETE CU BUNURI

cel puțin 20 000
MDL

cel puțin 800
cel puțin 4 000
cel puțin 14 400

MDL

Alexandr Usatii (PSRM) - 1 unit.
ION CEBAN (PSRM) - 5 unit.
SILVIA RADU - 18 unit.

Corturi



Ziare de partid



ION CEBAN (PSRM) -
50 000 ex.

cel puțin 24 000
MDL

?
?
MDL

nu au putut fi identificate informațiile

CONSTANTIN CODREANU
(PUN) - flyere fără date
ANDREI NĂSTASE (PPPDA) -
flyere fără date

Pliante/flyere-calendar



Voluntari



SILVIA RADU (CI) - 32
REGINA APOSTOLOVA (PPȘ) - 15
ION CEBAN (PSRM) - 12
SERGIU TOFILAT (CI) - 2

?
MDL

nu au putut fi făcute estimări

?
MDL

nu au putut fi identificate informațiile

ANDREI NĂSTASE (PPPDA) - 1
sondaj telefonic (contract cu
Starnet)



Sondaje

Conferințe de presă



CONSTANTIN CODREANU (PUN)
ANDREI NĂSTASE (PPPDA)
REGINA APOSTOLOVA (PPȘ)
ION CEBAN (PSRM)
SERGIU TOFILAT (CI)

5 510
1 480
868
2 000
2 400

MDL

20 000
10 000
10 000
10 000

MDL

ANDREI NĂSTASE (PPPDA) - 2
VALERIU MUNTEAN (PL) - 1
ALEXANDR USATII (PSRM) - 1
ION CEBAN (PSRM) - 1

Spoturi electorale



Bannere online








CONSTANTIN CODREANU (PUN)
VALERIU MUNTEAN (PL)

?
MDL

nu au putut fi făcute estimări

Annex 3. Estimated Electoral Expenses of Registered Candidates

<p>cel puțin 7 770 cel puțin 109 600 cel puțin 7 770</p> <p>MDL</p>	<p>ALEXANDR USATÎI (PSRM) ION CEBAN (PSRM) REGINA APOSTOLOVA (PPȘ)</p>	<p>Panouri stradale</p> 
<p>cel puțin 4000</p> <p>MDL</p>	<p>ION CEBAN (PSRM) - 5 unit.</p>	<p>Corturi</p> 
<p>Ziare de partid</p> 	<p>ION CEBAN (PSRM) - 35 000 ex.</p>	<p>cel puțin 16 800</p> <p>MDL</p>
<p>5 510 968</p> <p>MDL</p>	<p>ION CEBAN (PSRM) REGINA APOSTOLOVA (PPȘ)</p>	<p>Conferințe de presă</p> 
<p>Spoturi electorale</p> 	<p>ION CEBAN (PSRM) - 1</p>	<p>10 000</p> <p>MDL</p>