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Advancing democracy and human rights



coalitia civică pentru alegeri libere și corecte

FINAL REPORT

Observation Mission
of the Presidential Election
in the Republic of Moldova
of 1 (15) November 2020

Published on 4 February 2021

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The responsibility for the view shared in this Report belongs to Promo-LEX Association and does not necessarily reflect the opinion of donors. If there are any discrepancies between the text in Romanian and its translation, the provisions formulated in Romanian shall prevail. The content of this document can be subject to editing.

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EXECUTIVE SUMMARY

Political context. The Republic of Moldova is a parliamentary republic, but the President of the state is elected by universal suffrage. Even if the authority of the President of the Republic of Moldova is limited, the electoral competition for this position determines an increased mobilisation of the electorate.

The pre-election period was marked by a series of processes and phenomena of a socio-political nature with an impact on elections: political floor-crossing, especially from one parliamentary faction to another; lack of a stable formal parliamentary majority, with the subsequent call upon the need for early parliamentary elections; the impact of the pandemic on the efficiency of government policies; bringing geopolitical issues back into the electoral discourse of contenders.

Legal framework. The legal framework governing the elections of the President of the Republic of Moldova has not undergone substantial changes since the last presidential elections. Promo-LEX believes that due to a faulty public consultation process, the opportunity to make amendments at the beginning of the electoral period was missed, which would respond, even if partially, to Constitutional Court's communications submitted in 2016. At the same time, it bears mentioning that the CEC has tried, within the limits of its authority, to address certain issues included in the communications, such as: organisation of illegal transportation of voters, corruption of voters and the involvement of religious denominations in elections.

Among the repetitive legal issues identified in this election, the ones worth mentioning are the lack of clear regulations regarding the beginning of the election period and the required conditions for political parties to have the right to nominate candidates. The lack of regulations regarding the support, including material support, by a political party of an independent candidate, the uncertainties regarding signature sheets verification requirements, including electronic verification, as well as the lack of legal provisions regarding the conduct of the campaign for the second round of elections, are also some of the major legal issues.

At the same time, certain legal omissions were identified in these elections: contradictory provisions in the Electoral Code and the Administrative Code on reviewing and settling electoral complaint; neglecting the need to adjust the Electoral Code provisions to the pandemic conditions; faulty definition of the notion of election contender in presidential elections.

Electoral bodies. During the pandemic, CEC held meetings predominantly in a mixed format, which did not affect the decision-making process. For the presidential elections, CEC accredited 2,018 national observers and 332 international observers. The Promo-LEX Association accredited 1,246 observers (62% of the total national observers). Compared to previous national elections, during the pandemic there is a decrease in the number of accredited observers. Also, 15 observers from a civil society association were not accredited by the Commission without a clear justification for their decision.

The lower-level electoral bodies (DEC II – 36 and PEB – 2 143) were established within the legally prescribed terms, except for the DEC No 3 Bender. DEC II, with the exception of DEC No 13 Donduseni, were opened during the visits of the Promo-LEX LTOs. Compliance with the work schedule was poorer in the case of PEBs, so that in 27% of visits PEBs' offices were closed during office hours. Accessibility for people with reduced mobility remains a problem

for DEC (56%) and PEB (73%) offices. Gender representation in lower-level electoral bodies, especially in PEBs (82% women and 18% men), remains unbalanced. Also, not all lower-level electoral bodies complied with the pandemic-related requirements. The observance of the temperature-taking procedure was especially lacking, being complied with only by 64% of DEC and 26% of PEBs.

The establishment and geographic distribution of PSs abroad was made on the basis of legal provisions and established indicators. As to the PSs for citizens from the transnistrian region, it is beneficial to place them in the proximity of the region's crossing points, but the mechanism used to establish the number of PSs is not clear. In this context, pre-registration is an extremely important procedure, which requires more explicit regulation.

Promo-LEX OM reiterates the lack of transparency in the Register of Electoral Officials (REO) maintenance by CEC. Based on the registration experience of the PEBs in Chisinau and those abroad, as well as the lack of access to REO, Promo-LEX believes that there may be reasonable doubts about the compliance of its maintenance mechanism with the legal provisions in the field.

Electoral complaints. Complaints review remains a problem for the electoral process in the Republic of Moldova. The high rate of inadmissibility of appeals seriously affects society's trust in these procedures and equal opportunities for contenders.

20 complaints and 68 notifications were filed with CEC, but they were not registered and reviewed as complaints. The subjects of appeals relate especially to illegal electioneering, election campaign financing and the use of administrative resources. As to the complaints settlement, we found that about 75% of them were declared inadmissible by the CEC.

According to Promo-LEX observers, 38 complaints were lodged with level-two DEC. The topics addressed are especially the ones about exclusion/inclusion in the lists of voters and illegal electioneering. As to the complaints settlement, according to observers, only 15% of complaints were accepted. Observers reported only two complaints submitted to PEBs.

Promo-LEX observers reported at least 50 electoral complaints being filed with the courts. The topics most frequently addressed by the applicants were: inclusion/exclusion from the lists of voters, registration of IGs and election campaign financing. As regards the rulings issued by the courts, all the actions lodged were dismissed as unfounded or declared inadmissible.

Candidates nomination and registration. CEC registered eight contenders in the electoral race for the position of President of the Republic of Moldova. The presidential elections of 1 (15) November 2020 were competitive.

As part of the nomination procedure 13 IGs were registered. Even though two requests were repeatedly reviewed by CEC, all applicants had the opportunity to collect signatures in the signature sheets. Nine nominated candidates submitted documents for registration, including the required number of signatures. Eight of them were registered. Of the four IGs that did not submit applications for registration to CEC, three are of the independent candidates.

Of the eight registered candidates, seven were nominated by political parties and an electoral bloc, and only one was an independent candidate, but he was also openly supported by the ruling political party. Only two women were nominated and registered as candidates.

State register of voters and the lists of voters. CEC ensured the transparency of SRV data by regularly publishing information on the number of voters. In this election too, the number of citizens with the right to vote in the SRV increased, but to a lesser extent, compared to previous years. We remind that since 1999 in the Republic of Moldova there is a negative natural population growth.

The increase in the total number of voters is mainly due to the growing numbers of voters without domicile/residence and those in the transnistrian region. On the other hand, the number of voters in other ATUs of the Republic of Moldova, as a whole, is decreasing.

The Promo-LEX OM found that the observers' access in full to the main lists of voters was limited in the case of about 20% of the visited PEBs. The voter lists arrived to 42% of the PEBs with a delay. Among the issues reported by observers related to the quality of the main lists of voters are: presence of deceased persons and wrongful assignment of voters to another PS from the same or even from a different settlement.

Public administration. LPAs were involved in the organisation of the elections of 1 (15) November 2020 by fulfilling their duties established by the electoral legislation: appointing DEC and PEB members; providing the lower-level electoral bodies with venues and materials needed for their activity; providing designated sites for electoral posters and meetings with voters, etc.

We draw attention to the issues that affect the degree of information of citizens on the conduct of the electoral process. Thus, according to observers, only 389 LPAs (43%) approved the decision on electoral posters and only 378 LPAs (42%) approved the decision on providing venues for meetings with voters. Most of them – 314 (83%) – provided venues for meetings with voters free of charge. Promo-LEX observers found also that not all LPAs knew their duties with regards to how voters should declare their new place of residence.

Promo-LEX OM found that at least 355 PEBs (18%) established on the territory of the Republic of Moldova have no member appointed by the local councils, even if the law requires that three candidates are to be nominated by the LPAs.

In addition, for the first time during the Promo-LEX observation mission, in the context of establishing in the transnistrian region PSs for the presidential elections of 1 (15) November 2020, a situation was observed when certain LPAs refused to cooperate with CEC and DECs on the subject of establishing polling stations.

Election contenders. The election contenders demonstrated increased activism during the election campaign. At the same time there were cases of activities of electoral nature before the legal term. The number of campaign activities did not diminish during the pandemic, being partly moved online.

In the election campaign, observers identified at least 2,164 promotional activities being conducted, the most common types being: dissemination of electoral materials (49%), meetings with voters (21%) and display of electoral posters (10%). According to Promo-LEX OM, most activities were carried out by Igor Dodon (IC) – 783 (36%), Maia Sandu (PAS) – 471 (22%) and Renato Usatii (PN) – 334 (15%).

Election campaigns still make use of administrative resources. The observers reported at least 114 such cases, of which: 86 (75%) in the case of Igor Dodon (IC), 14 (12%) – Violeta Ivanov

(PPS), 7 (6%) – Tudor Deliu (PLDM), 4 (4%) – Maia Sandu (PAS) and 3 (3%) – Andrei Nastase (PPPDA). Most cases refer to the involvement of public sector employees in the election campaign during their working hours (61 cases – 54% of the total number) and election contenders taking credit for works/services performed from public money (33 cases – 29% of the total number). Compared to the presidential elections of 2016, there is almost a doubling of cases, although in comparison with the parliamentary and local elections of 2019, there is a decrease in the number of cases.

During the election period, Promo-LEX observers also identified at least nine cases that could be regarded as offering electoral gifts, which is three times less than in previous presidential elections.

Other identified violations include: promotion using the image of foreign officials and state symbols (17 cases); non-compliance with public health rules established by the extraordinary public health commissions (65 cases); the use of electoral advertising in violation of legal provisions (57 cases); using the image of religious cults in the election campaign (14 cases); intimidation and the use of violence in the electioneering process (12 cases).

Financing of election campaign. In the current presidential elections it was repeatedly documented the refusal on the part of certain banking institutions to open an ‘Electoral Fund’ account at the request of a contender (in this case – Violeta Ivanov (PPS)). The ‘Electoral Fund’ account is the only instrument that can be used to track the money used for the election campaign. In this respect, the refusal to open the account, in fact, limits the activity of the party/candidate, including to participate in the elections. Moreover, Promo-LEX found that the current format of reporting in-kind donations does not allow to include their value in the balance of revenues. Another issue raised refers to the failure to report the expenses for the delegation of electioneers, even though Promo-LEX OM identified their involvement in the election campaign of the contenders. Moreover, no election contender submitted their signed declarations of volunteering.

The total amount of the revenues reported by the election contenders during the election campaign accounted for MDL 25.9 million. Most revenues were reported by Renato Usatii (PN) – 36%, followed by Maia Sandu (PAS) – 23% and Igor Dodon (IC) – 17%. The main sources of funding are: donations made by individuals, including citizens of the Republic of Moldova living abroad (82%), donations in commodities, works or services (11%), own funds (6%) and donations from legal entities (1%).

Depending on the intended use of the expenses, most of them were reported as being spent for advertising (TV, radio, digital, outdoor, etc.) – 63%, followed by expenses for promotional materials (newspapers, leaflets, vests, caps, etc.) – 28% and for transportation – 3%.

The activities carried out by the eight election contenders in the electoral campaign that were not reported to CEC, are estimated by Promo-LEX OM as totalling at least MDL 9,099,163. Of these, we found that 56% belong to Igor Dodon (IC), 23% – Violeta Ivanov (PPS), 13% – Maia Sandu (PAS), 4% – Andrei Nastase (PPPDA), 2% – Tudor Deliu (PLDM), 1% each – Renato Usatii (PN) and Octavian Ticu (PUN), less than 1% – Dorin Chirtoaca (BE Unirea).

Compared to previous elections, Promo-LEX OM found that the current elections were characterized by a lower transparency of expenses made and reported during the election campaign. For the 2020 presidential elections, about 39% of the total expenses reported to CEC failed to be reported, for the 2016 presidential elections this share being 13%.

Hate speech. Promo-LEX OM continued to monitor hate speech and incitement to discrimination during the presidential elections of 1 (15) November 2020 too. Overall, 420 cases of hate speech and incitement to discrimination were recorded. Compared to other election campaigns, this one stands out through its large number of instigating messages and statements.

There were 199 instances when the instigating messages were coming from the candidates. The election contenders who gave the greatest number of intolerant speeches in the public space were: Renato Usatii (PN) – 152 instances (76%), Igor Dodon (IC) – 23 instances (12%) and Andrei Nastase (PPPDA) – 14 instances (7%).

On the other hand, there were 221 instances when contenders were affected by hate speech and incitement to discrimination during the election campaign. Thus, Igor Dodon (IC) with 112 instances (51%) and Maia Sandu (PAS) with 80 instances (36%) were the contenders most targeted by intolerant speech.

Electoral education and training activities. In the context of the presidential elections of 1 (15) November 2020, Promo-LEX Association and other three organisations that received sub-grants from the Association, carried out at least 121 activities of voter information, education and apolitical mobilisation for the citizens of the Republic of Moldova having the right to vote.

The activities targeted young people, voters of the transnistrian region and the diaspora. These included posts, articles, video news, video reports, information and mobilisation videos, vlogs, debates, talk shows, election quizzes and informational web platforms. Because of the sanitary and epidemiological restrictions imposed amid the COVID-19 pandemic, activities were carried out predominantly online and were advertised on social media.

During the reporting period, CICDE and CEC carried out 369 online training activities, as well as face-to-face, and at least 225 information activities (periodicals, participation in radio/TV shows, video materials, process simulations, etc.) on organising and conducting presidential elections.

The election day (first and second rounds). Promo-LEX OM witnessed high civic activism of voters, who showed up to vote even amidst the pandemic in greater numbers than for the 2016 election. Especially the people who voted in the polling stations abroad stood out. Promo-LEX OM reiterates the need to implement some additional and alternative voting mechanisms for citizens with the right to vote, staying abroad.

Overall, the PSs operated according to the office hours. Overall, votes were counted in a quick, ordered and calm manner. The PSs were not heated properly, especially those outside Chisinau municipality Promo-LEX OM repeatedly pointed out that a part of PEBs disregarded all legal requirements for vote-counting.

During the two rounds, observers reported 980 incidents (499 in the first round, 481 in the second) – a slight decrease compared to the 2016 presidential elections (1053 incidents) and 2019 parliamentary elections (1118 incidents), though in these two elections the process was monitored by more observers. Promo-LEX OM expresses its concern regarding 23 cases, at least, of obstructing the free observation process in polling stations. In addition, the observation process in the election day was affected by isolated cases of observers intimidation by the Police and electoral officials. We also draw the attention to cases/rumours of awards given to voters (36) and instances of organised voter transportation (87), flagged in particular at the

PSs set up for voters from the transnistrian region. In terms of quantity, the most frequent reported incidents involve taking a picture of the ballot papers and other violations of secrecy of vote (167), non-compliance with COVID-19 protection measures (110) and deficiencies in the operation of “Elections” SAIS (96).

The results of parallel vote counting for the presidential election in the Republic of Moldova do not reveal any significant differences between the final data presented by CEC and final data obtained by Promo-LEX.

Post-election period. After the conclusion of the second round of elections and until the confirmation of the election results several appeals were made in court, but until the validation of the mandate by the Constitutional Court the courts did not issue rulings finding violations in the electoral process that influenced the election results. Promo-LEX reiterates its position that the provisions of the Electoral Code on final review of complaints are not quite explicit and leave room for interpretation regarding whether the period of examination of complaints by ordinary courts is included in the 10 days that the Constitutional Court has at its disposal or not.

On 23 November 2020, CEC submitted to the Constitutional Court the notification regarding the confirmation of the election results and the validation of the mandate of President of the Republic of Moldova. On 10 December 2020, the Constitutional Court, by its Decision No 30, confirmed the results of the elections of the President of the Republic of Moldova of 15 November 2020 and validated the election of Ms Maia Sandu as President.

INTRODUCTION

The observation mission for Moldova Presidential Election of 1 (15) November 2020 is a project implemented by Promo-LEX Association as part of the Civic Coalition for Free and Fair Elections. Promo-LEX Association is a non-governmental organization that aims at developing the democracy in the Republic of Moldova, including the transnistrian region, by promoting and defending the human rights, monitoring the democratic processes, and strengthening the civil society.

The observation of the electoral process was carried out during the electoral period by the central team, comprising 27 long-term observers and also 42 long-term observers (LTO) assigned to corresponding regions. On the election days of 1 and 15 November 2020, Promo-LEX delegated one short-term observer (STO) in each of the 608 polling stations (PSs) selected from a sample established by a sociological company. Moreover, static observers were delegated to all 42 polling stations set up for the voters from the transnistrian region to exercise their rights to vote. For observing the elections in the PSs set up abroad were delegated 52 (in the first round) and 61 (in the second round) observers (in total 139 PSs set up abroad). The electoral process in the polling stations, in their immediate vicinity, including on the access routes to the polling stations, were also monitored by 80 mobile teams comprised of 160 observers. In addition to the first round, in the second round, for the monitoring chiefly of the settlements where the citizens from the transnistrian region had voted, Promo-LEX seconded 8 observers trained in monitoring public assemblies. A total of 940 observers from the total of 1,246 recruited by Promo-LEX and accredited by CEC were involved in the actual election observation process.

All observers involved in the monitoring process were trained during the seminars organized by Promo-LEX Mission. They signed the Code of Conduct¹ of the Promo-LEX Independent National Observer, assuming the commitment to act efficiently, in good faith and in a non-partisan manner. Promo-LEX observers were also trained in protection standards in the context of the COVID-19 pandemic. The central team of the Association coordinates the activity of observers.

The OM Observation Report for the election day was developed on the basis of the STO findings, submitted in two special forms: periodic reporting form and incident reporting form. Observers sent their reports via SMS, which were stored on web platform www.data.promolex.md for further processing. The accumulated information was analysed by the central team and was presented in the form of reports and press releases.

Promo-LEX Mission also manages the public web platform www.electoral.monitor.md, which stored, on the election day, relevant information (including photo/video, with no personal data) from observers' reports. In addition, any individual had the possibility to upload on this platform their alerts about electoral activities.

Promo-LEX OM for Moldova Presidential Election of 1 (15) November 2020 is a project implemented by Promo-LEX Association as part of the Civic Coalition for Free and Fair Elections. Promo-LEX OM is not a political opponent for the election contenders involved in the electoral

1 [Code of Conduct](#) of Promo-LEX National Independent Observer.

process, it is not an investigation body and does not assume the express obligation to support its findings by evidence. Nonetheless, the observers' reports are accompanied, as much as possible, by photo and video evidence. These can be made available only to law enforcement bodies on the basis of proper requests and never to election contenders. At the same time, electoral authorities shall deal with the violations, including the alleged ones, presented in this report as prescribed in Article 22 (1)(q) and Article 68 (5) of the Electoral Code, treating them as observers' notifications to be reviewed according to their competence.

The Promo-LEX Association has been observing elections since 2009. The observation mission of the Presidential Election in the Republic of Moldova of 1 (15) November 2020 is the 20th mission organised by Promo-LEX. All Promo-LEX observation missions involved at least 14,400 national observers. In addition, the Association employees and members have an extensive international experience and participated in the observation of elections, as part of International Missions in Armenia, Estonia, Georgia, Germany, Macedonia, United Kingdom, Montenegro, Norway, Romania, Serbia, Sweden, Ukraine, etc.

In 2005 Promo-LEX became the member of the Coalition for Free and Fair Election (CALC). In 2009, the Association joined the European Network of Election Monitoring Organizations (ENEMO), in 2010 – the Global Network of National Election Observers (GNDEM), and in 2013 it became a founding member of the European Platform for Democratic Election (EPDE).

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.

The Mission is conducted and the report is developed with the financial support of the United States Agency for International Development (USAID) via the 'Democracy, Transparency and Accountability' Program, the Good Governance Department of Soros Foundation-Moldova under 'Monitoring the Presidential Elections of 1 November 2020' Project, and the Council of Europe under 'Support for civic observation of 2020 Presidential Election in polling stations abroad'. 'Hate speech' component is supported by Justice and Human Rights Department of Soros Foundation-Moldova under 'Consolidation of a platform for the development of activism and education in the area of human rights in Moldova – stage IV' Project.

The opinions set out in the public reports and press releases of Promo-LEX OM are those of the authors and do not necessarily reflect the donors' view. The content of this report can be subject to editing.

I. POLITICAL CONTEXT

The Republic of Moldova is a parliamentary republic, but the President of the state is elected by universal suffrage. Even if the authority of the President of the Republic of Moldova is limited, the electoral competition for this position determines an increased mobilisation of the electorate.

The pre-election period was marked by a series of processes and phenomena of a socio-political nature with an impact on elections: political floor-crossing, especially from one parliamentary faction to another; lack of a stable formal parliamentary majority, with the subsequent call upon the need for early parliamentary elections; the impact of the pandemic on the efficiency of government policies; bringing geopolitical issues back into the electoral discourse of contenders.

In the presidential elections of 1 (15) November 2020, was elected the sixth President of the Republic of Moldova. Constitutionally, the head of state has limited powers. The Republic of Moldova is a parliamentary republic, but the President of the state is elected based on an universal, equal, direct, secret and freely expressed vote. The executive power is exercised by the Government, led by a Prime Minister and the President of the Republic of Moldova, and the legislative power is represented by the Parliament. The government is accountable to the Parliament.

From a political point of view, the pre-election period was marked by *political floor-crossing* of the Members of Parliament. This phenomenon could be explained both by the weak institutionalization of the party system in the Republic of Moldova, as well as by the possibility of political corruption or intimidation of MPs. At the beginning of the election period, less than half of the term of the current legislature, about 20% of the elected officials left their parliamentary factions².

The lack of a stable formal parliamentary majority was also a feature of the pre-election political context. In these circumstances, the Constitutional Court was consulted about the possibility of holding early parliamentary elections on the same day as the presidential elections³. The Court dismissed this possibility though.

The pandemic context and the effectiveness of government policies in the field were one of the main issues debated in the public space during the pre-election period. The conduct of the elections during the COVID-19 pandemic influenced the content of the candidates' electoral discourse, as well as the conditions of conducting the election campaign of each contender.

Also, the political context of the presidential elections was marked by the *return to the political agenda of geopolitical issues*. Compared to the general local elections of October 2019, when an electoral agenda focused on such topics as oligarchization/capture of state institutions prevailed, in the Presidential Election the traditional geopolitical issues reappeared ('East vs West', 'Russian Federation vs EU', etc.).

² For details, see the [Report No 1](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, pages 8-9.

³ [The interpretation of the Constitution](#) regarding the possibility of concomitant presidential and parliamentary elections.

II. LEGAL FRAMEWORK

The legal framework governing the elections of the President of the Republic of Moldova has not undergone substantial changes since the last presidential elections. Promo-LEX believes that due to a faulty public consultation process, the opportunity to make amendments at the beginning of the electoral period was missed, which would respond, even if partially, to Constitutional Court's communications submitted in 2016. At the same time, it bears mentioning that the CEC has tried, within the limits of its authority, to address certain issues included in the communications, such as: organisation of illegal transportation of voters, corruption of voters and the involvement of religious denominations in elections.

Among the repetitive legal issues identified in this election, the ones worth mentioning are the lack of clear regulations regarding the beginning of the election period and the required conditions for political parties to have the right to nominate candidates. The lack of regulations regarding the support, including material support, by a political party of an independent candidate, the uncertainties regarding signature sheets verification requirements, including electronic verification, as well as the lack of legal provisions regarding the conduct of the campaign for the second round of elections, are also some of the major legal issues.

At the same time, certain legal omissions were identified in these elections: contradictory provisions in the Electoral Code and the Administrative Code on reviewing and settling electoral complaint; neglecting the need to adjust the Electoral Code provisions to the pandemic conditions; faulty definition of the notion of election contender in presidential elections.

2.1. Statement of the legal issues identified in the interim reports

The legal framework governing the presidential elections in the Republic of Moldova has not undergone substantial changes since the last presidential elections. Amendments could have been made by approving the draft law No 263 of 19 June 2020, which was intended to be voted and entered into force until the presidential elections of 1 November 2020⁴.

During the monitoring period, Promo-LEX OM identified a number of legal concerns. Their solving would allow to prevent and overcome potential risks, which could jeopardize the proper conduct of the voting procedures. The most relevant legal deficiencies identified during the election period and reflected in the interim reports were:

- failure to adjust the provisions of the Electoral Code following the addresses of the Constitutional Court formulated in 2016⁵ and to the current pandemic conditions⁶;

⁴ [Report](#) No 1. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 11-12.

⁵ Ibidem, pages 16-17.

⁶ Ibidem, pages 17-18.

- the lack of clear regulations regarding the beginning of the election period⁷, the establishment of the date of elections and of the necessary conditions for having the right to nominate candidates⁸;
- faulty definition of election contender in presidential elections⁹;
- faulty legal framework regarding the participation in the elections of the President-in-Office¹⁰ and his suspension from office in order to ensure equal opportunities for all election contenders¹¹;
- lack of regulations regarding the support, including material support, by a political party of an independent candidate¹²;
- uncertainties regarding signature sheets verification requirements, including electronic verification¹³;
- lack of legal rules on conducting the campaign for the second round of elections¹⁴.

2.2. Legal uncertainties found in the context of the conclusion of electoral procedures

After the conclusion of the electoral procedures, Promo-LEX OM compiled a number of additional legal deficiencies, not reflected in the interim reports, identified following an overall analysis of the legal framework of the already held elections.

2.2.1. Failure of CEC to pass decisions due to not meeting the required number of votes

In the presidential election, in at least three relevant instances CEC failed to pass decisions because the draft decisions did not win the required number of votes. The draft decisions addressed:

- application for registration of the initiative group supporting the candidate to the position of President of the Republic of Moldova¹⁵;
- National observers accreditation¹⁶;
- amendment of the Regulation on the operation of the Video Recording System in the polling stations¹⁷.

According to Article 18 of the Electoral Code, the Central Electoral Commission passes decisions by a majority vote of the members. At the same time, CEC members who do not

7 Ibidem, pages 14-15.

8 [Report](#) No 2. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 32-33.

9 Ibidem, pages 12-13.

10 Ibidem, pages 10-11.

11 [Report](#) No 4. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 13-14.

12 Ibidem, pages 12-13.

13 [Report](#) No 3. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 13-15; [Report](#) No 4. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 25-26.

14 [Report](#) No 7. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 9.

15 [Minutes](#) of the CEC meeting of 7 September 2020.

16 [Minutes](#) of the CEC meeting of 10 November 2020.

17 [Minutes](#) of the CEC meeting of 28 October 2020.

agree with the decisions adopted have the right to express their opinion in writing, which shall be annexed to those decisions. CEC decisions, adopted within the limits of its authority, are administrative acts of individual or normative nature, enforceable for lower electoral bodies, for the lower-level electoral bodies, for the public authorities, enterprises, institutions and organisations, for people in positions of accountability, parties, other social and political organisations and their bodies, as well as for all citizens.

According to Item 56 of the Regulation on the operation of the Central Electoral Commission¹⁸: when reviewing a draft decision, the Commission has the right **to adopt it or postpone its examination to be returned for revision to the members** of the Commission who developed the draft, with the involvement of other members of the Commission if needed. When **reconsidering** a draft decision, the corrections made after the preliminary examination shall be introduced. Item 62 of the Regulation provides that the draft decisions or proposals rejected by the members of the Commission **cannot be examined at the same meeting**.

Taking into account the cited legal provisions, we conclude that in the absence of a sufficient number of members' votes on a draft decision, the Commission has several mechanisms at its disposal to finally pass a decision:

- a) postpone the examination so that the draft decision is returned for revision to CEC members who developed the draft and its subsequent re-examination;
- b) review the draft decision rejected at another meeting.

Thus, we are of the opinion that the Commission's replies regarding the failure to adopt decisions due to the absence of the required number of votes are unfounded, especially in the absence of efforts to improve the draft decision and without a clear justification for refusing to pass a decision. In other words, the refusal to pass a decision, especially one requested by voters or observers, could be interpreted as evading its duties. In any case, the Commission's decision to dismiss a draft must be justified and not just on the basis of aspects related to the voting procedure.

A case demonstrating this is the accreditation of national observers on behalf of 'Forta Veteranilor' CSO. The accreditation request was submitted on 5 November. According to the minutes of the CEC meeting of 10 November 2020¹⁹ the draft decision to accredit the observers did not meet the required number of votes, 3 members voting in favour, 3 members abstained and 3 were absent. During the meeting, it was alleged that on election day, in the public space appeared information about several violations of the observer status committed by the president of the association as well as observers.

With respect to the situation described, we would like to mention that there is no Commission's finding regarding observer status violation or accreditation revocation, there is not a member in the Commission who is against the accreditation of observers, but still, the accreditation request gets rejected, without a clear justification and without putting it on another meeting's agenda for review.

Therefore, in accordance with the legal provisions²⁰, in the case of a request for accreditation of observers, the Commission was to issue either an accreditation decision or to reject the accreditation request with a proper justification, and not to exonerate itself from the

¹⁸ [The Regulation](#) on the operation of the Central Electoral Commission.

¹⁹ [Minutes](#) of the CEC meeting of 10 November 2020.

²⁰ Item 13, 16 of the Regulation on the Status of Observers and their Accreditation Procedure.

responsibility to take a decision in this matter. Moreover, the absence of a decision rejecting the request for accreditation deprives the applicant of his right to an effective remedy, namely to challenge the CEC decision.

Considering the above mentioned, we recommend that electoral bodies take an active role in the electoral process, that they settle in an efficient, clear and justified manner the submitted requests without evading their legal duties by invoking CEC procedural rules.

2.2.2. Vague provisions of the Electoral Code and the Administrative Code regarding the examination and settlement of electoral complaints

The need for explicit regulation of filing, review and settlement of complaints at all stages of the electoral process and in all types of elections was established by the Constitutional Court already in 2016²¹. However, except for adapting the legal rules, initially to the mixed electoral system, and later to the proportional system and the approval of the Administrative Code, the legislature did not intervene to regulate matters. Moreover, although Article 257 (3) of the Administrative Code stipulates that the Government, within 6 months from the publication of this Code²², shall draw up and present to the Parliament proposals for alignment of the legislation in force with this code, this did not happen in relation to the Electoral Code.

In the presidential election, the application of the rules in force on electoral complaints further highlighted the issue of electoral disputes, especially with regard to the contradictory provisions of the Electoral Code and Administrative Codes. According to Article 73 (7) complaints submitted to court shall be reviewed pursuant to the Civil Procedure and Administrative Codes.

Thus, the provisions of the Administrative Code and those of the Electoral Code are at least unclear regarding:

A. The observance of the preliminary procedure. According to Article 71 (1) – (3) of the Electoral Code, before filing a complaint in court, it should be first filed with the electoral body that is hierarchically higher than the one the complaint is against. Complaints regarding the action/inaction of election contenders, complaints on the acts/actions of an electoral office regarding the exercise of the right to vote or regarding the election administration on election day, complaints on print mass-media are filed directly in the court. At the same time, according to Article 72 (3), the complaints regarding the actions and decisions of the Central Electoral Commission and the Broadcasting Coordination Council shall be submitted, without observing the preliminary procedure, to the Chisinau Court of Appeal.

According to Article 162 (3) the subject of a preliminary request can be the annulment in whole or in part of an unlawful or null individual administrative act (dispute) or the issuance of an individual administrative act (claim for obligation). At the same time, according to Article 163(c), the procedure for examining a preliminary request is not carried out if the law expressly provides for legal recourse.

21 [Recommendation](#) No PCC-01/139e-34/1 of 13 December 2016 – „(...) The Court found the absence of legal provisions that would establish competent authorities to examine electoral complaints submitted after the election day, as well as the subject matter of disputes that could be referred to common law courts for settlement. It is also not clear the procedure for examining complaints voiced on the election day, but not filed in court on the same day. (...)” <https://bit.ly/2FF17Bu>

22 [The Administrative Code](#), published on 17 August 2018 in the Official Gazette.

According to Articles 206 and 208 of the Administrative Code, the subject of an administrative proceeding action can be:

- a) annulment in whole or in part of an individual administrative act (**dispute**);
- b) to compel a public authority to issue an individual administrative act (**claim for obligation**). If preliminary proceedings are not provided for by law, a claim for obligation is admissible only if the appellant has previously submitted a request to the competent public authority for the issuance of an individual administrative act;
- c) to compel an action, to allow an action or to refrain from an action (**a claim for implement of an obligation**) – a claim for implement of an obligation is admissible only if the appellant has previously submitted to the competent public authority a request for compelling an action, for allowing an action or for refraining from an action;
- d) establish the presence or absence of a legal relationship or the nullity of an individual administrative act or an administrative contract (**claim for establishment**) – a claim for establishment is admissible only if the appellant has previously submitted a request for establishment to the competent public authority; or
- e) annulment in whole or in part of a regulatory administrative act (**claim for regulatory control**).

Note that according to Article 207(2)(e), non-compliance with the preliminary procedure or failure to file the respective requests serves as grounds for declaring the complaint inadmissible. In the presidential election, non-compliance with the preliminary procedure served as grounds for courts declaring the inadmissibility of complaints at least five times out of 45²³ (11% of the number of inadmissibility resolutions issued by the first instance court). We may conclude, therefore, that although the Administrative Code allows the examination of cases without observing the preliminary procedure for cases expressly provided by the Electoral Code, the courts applied the respective legal rules differently.

B. The requirements that need to be met for complaint settlement in court. The requirements established by the Electoral Code pursuant to Articles 71-72 for filing a complaint in court refer to the complainant (voter or election contender), the deadline for filing a complaint (3 days from the moment when the decision was issued or the action occurred/inaction was identified) and the subject-matter jurisdiction of the courts.

However, in addition to the requirements stipulated in the Electoral Code, the Administrative Code provides in Article 207(2)(e) that an administrative proceeding action is declared inadmissible especially **when the appellant could not allege the violation of a right by administrative activity, of a right or of a freedom established by law**. Thus, in the case of application of this rule, the election contender or the voter should justify in what way the administrative activity of the respective electoral body violated a right or an obligation. Promo-LEX OM found that in the presidential election these grounds for inadmissibility of complaints were put forward at least 14 times by the courts and at least five times by CEC. In the case of the latter, the Mission found the Administrative Code to be applied for the settlement of complaints, grounds of inadmissibility being invoked, to the neglect of the Regulation on complaints settlement, approved by CEC itself, and the Electoral Code.

²³ Two cases of filing complaints on election day, three cases of filing complaints on CEC decisions and actions.

We believe that the requirement established by the Article 207(2)(e) shall be considered met ab initio, regardless of the subject who files the complaint. Thus, ensuring that the electoral process is carried out correctly and in accordance with legal provisions is in the interest of each voter, election contender or electoral body. Any violation of the Electoral Code could be considered a violation of the right of the voter to choose and of the election contender to be elected.

Note that according to the Decision of the Plenum of the Supreme Court of Justice No 4 of 24 September 2016²⁴, the occurrence of a dispute is usually conditioned by the existence of an alleged violation of electoral legislation which, in the opinion of persons who consider their certain rights or freedoms to be violated, may influence the election results or prevent voters from exercising freely the right to vote or have an impact on the right to be elected.

We remind that according to the Code of Good Practice in Electoral Matters, the appeal procedure should be simple and free of formality, particularly in terms of establishing the admissibility of complaints²⁵. At the same time, according to international standards²⁶, given the public nature of the electoral process, allowing complaints in the public interest should be taken into account by allowing the stakeholders to challenge any illegal action or omission in the electoral process.

Moreover, Promo-LEX OM is of the opinion that the provisions of the Administrative Code should be applied only insofar as they do not conflict with those set forth in the Electoral Code.

Taking into account the above mentioned, we recommend to the Parliament to amend and adjust the provisions on electoral complaints from the Electoral Code in order to address any conflict of rules and to ensure the exact regulation of the appeal procedures for each type of elections. At the same time, we recommend that the Supreme Court of Justice issue an advisory opinion on how to appeal, review and settle electoral disputes based on the Electoral Code and Administrative Code.

24 [The Decision](#) of the SCJ Plenum No 4 of 24 September 2016 on the application by the courts of certain provisions of the Electoral Code.

25 [Code](#) of Good Practice in Electoral Matters, item 3.3.b.

26 [Handbook](#) for the Observation of Election Dispute Resolution, OSCE/ODIHR, p. 15.

III. ELECTORAL BODIES

During the pandemic, CEC held meetings predominantly in a hybrid format, which did not affect the decision-making process. For the presidential elections, CEC accredited 2,018 national observers and 332 international observers. The Promo-LEX Association accredited 1,246 observers (62% of the total national observers). Compared to previous national elections, during the pandemic there is a decrease in the number of accredited observers. Also, 15 observers from a civil society association were not accredited by the Commission without a clear justification for their decision.

The lower-level electoral bodies (36 level-two DEC's and 2,143 PEB's) were established within the legally prescribed terms, except for the DEC No 3 Bender. The level-two DEC's, with the exception of DEC No 13 Donduseni, were opened during the visits of the Promo-LEX LTO's. Compliance with the work schedule was poorer in the case of PEB's, so that in 27% of visits PEB's' offices were closed during office hours. Accessibility for people with reduced mobility remains a problem for DEC (56%) and PEB (73%) offices. Gender representation in lower-level electoral bodies, especially in PEB's (82% women and 18% men), remains unbalanced. Also, not all lower-level electoral bodies complied with the pandemic-related requirements. The observance of the temperature-taking procedure was especially lacking, being complied with only by 64% of DEC's and 26% of PEB's.

The establishment and geographic distribution of PS's abroad was made on the basis of legal provisions and established indicators. As to the PS's for citizens from the transnistrian region, it is beneficial to place them in the proximity of the region's crossing points, but the mechanism used to establish the number of PS's is not clear. In this context, pre-registration is an extremely important procedure, which requires more explicit regulation.

Promo-LEX OM reiterates the lack of transparency in the Register of Electoral Officials (REO) maintenance by CEC. Based on the registration experience of the PEB's in Chisinau and those abroad, as well as the lack of access to REO, Promo-LEX believes that there may be reasonable doubts about the compliance of its maintenance mechanism with the legal provisions in the field.

3.1. CEC Activity

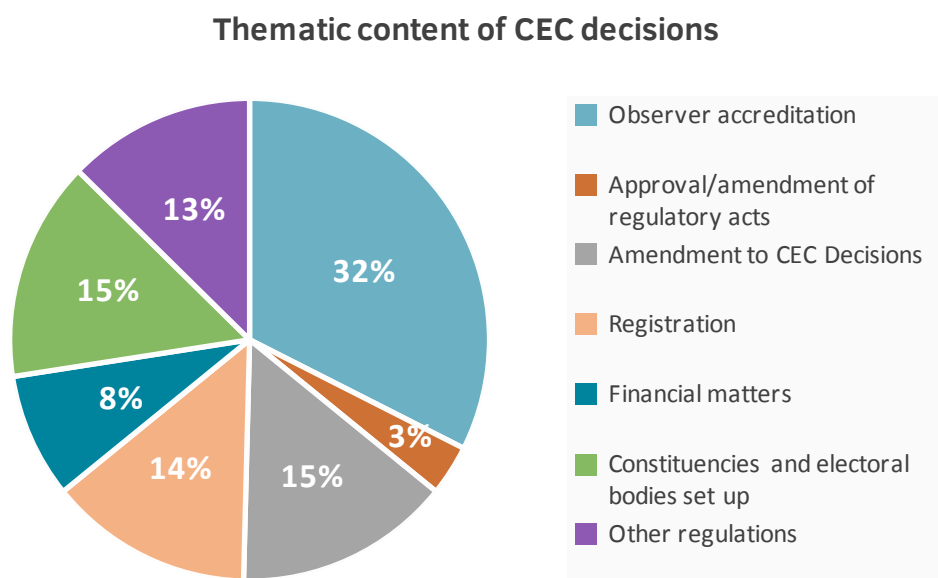
3.1.1. CEC decisions relevant for the organisation and conduct of the presidential election

By Decision No 65 of 21 May 2020, the Parliament of the Republic of Moldova set the date of 1 November 2020 for holding the elections of the President of the Republic of Moldova. Between 21 May and 23 November 2020²⁷, CEC met in a hybrid format in 47 meetings, of which 22 ordinary and 25 extraordinary, with a total of 262 decisions adopted for the organisation and conduct of the presidential election in the Republic of Moldova of 1 (15) November 2020.

²⁷ On 23 November 2020, CEC approved the Report on the results of the Moldova Presidential Election of 1 November 2020.

Thematic content of adopted decisions. Most decisions adopted were on the accreditation of observers – 85 (32%) and the establishment of constituencies and lower-level electoral bodies – 39 (15%) (see Chart 1).

Chart 1



3.1.2. The measures taken during the pandemic

For the organisation of elections in the pandemic, CEC developed the Guidelines on COVID-19 prevention measures during the election period²⁸, but the approval was made by NEPHC on 12 August 2020. The provisions focused in particular on the operation of electoral bodies with an emphasis on election day, but not so much regulated the behaviour of candidates during the election campaign.

The Guidelines were adopted in violation of the legal provisions regarding the conduct of public consultations²⁹. In the opinion of Promo-LEX, the content of the Guidelines at the time of adoption was confusing in some cases, which affected, at least in the case of the observation mission, the training of observers. With this in mind, Promo-LEX recommended in Report No 1 CEC to be the one to approve the Guidelines with prior approval of the document by NEPHC³⁰.

Note that by adopting the NEPHC Decision No 34 of 13 October 2020³¹, the Guidelines have undergone changes. Thus, in accordance with Item 1.1(6), CEC ensured the purchase and equipping lower-level electoral bodies with protection masks, including for all voters on election day, disinfectant, thermometers, etc. Also, the provisions of this Decision focused on the following:

28 [Instruction](#) on Organisation and Conduct of Elections by Central Electoral Commission Amidst the COVID-19 Pandemic.
 29 [Opinion of the Promo-LEX Association](#) on the disregard of the National Extraordinary Public Health Commission for the public consultation commenced by the Central Electoral Commission with respect to organising elections amidst a pandemic.
 30 [Report No 1](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 20.
 31 [NEPHC Decision](#) No 34 of 13 October 2020, Items 3 and 4.

- access of voters in the polling station and electoral bodies office shall be granted only to voters wearing a protective mask;
- people showing symptoms of acute respiratory infection shall not be allowed into the polling stations before 3 p.m.;
- people with clinical symptoms will be allowed into the polling stations after 3 p.m. provided that they wear mask and gloves;
- voters voting abroad and those residing on the left bank of Nistru river will be allowed into the polling stations regardless of their health condition;
- voters that are in self-isolation will vote at their place of residence, by submitting a request in this respect to the electoral office of the polling station where the voter is registered as living/residing.

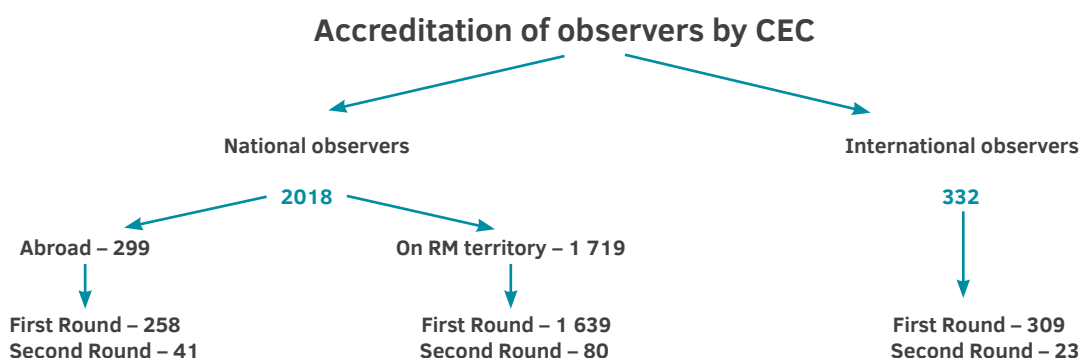
After the election, on 11 December 2020, CEC decided to provide to the Ministry of Health, Labour and Social Protection the protective equipment to prevent the spread of COVID-19 infection which was purchased and not used during the presidential election³².

3.1.3. Accreditation of observers and registration of trustees by CEC

Observer accreditation Pursuant to the CEC decisions on the accreditation of observers, for monitoring Moldova presidential election of 1 (15) November 2020, the electoral authority accredited 2,350 observers, of which 2,018 national observers and 332 international observers (see Scheme 1)³³. Of the total number of national observers, Promo-LEX Association accredited 1246 (62%) (see Annex 1).

Also, during the reference period, the electoral authority amended the Regulation on the Status of Observers and their Accreditation Procedure³⁴. The draft amendment was not submitted for public consultations as the legal provisions require, but it was discussed with Promo-LEX OM representatives. In accordance with the Promo-LEX recommendation stated in its Second Report, the amendment focuses on allowing the accreditation of national observers in polling stations established abroad not only on the basis of passports, but ID cards too.

Scheme 1



32 [CEC Decision](#) No 4535 of 11 December 2020 on providing to the Ministry of Health, Labour and Social Protection some protective equipment to prevent the spread of COVID-19 infection.

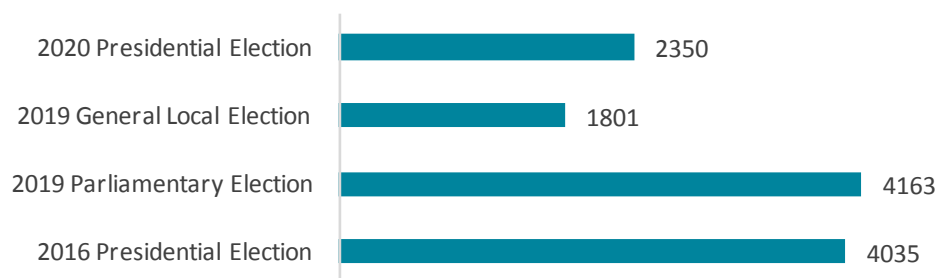
33 In the case of the request from 'FORTA VETERANILOR' CSO regarding the accreditation of 15 persons as national observers to monitor the second round of the presidential elections of 15 November 2020, CEC did not adopt the accreditation decision.

34 [Decision](#) amending Item 9 of the Regulation on the Status of Observers and their Accreditation, approved by Central Electoral Commission Decision No 332/2006.

The comparative analysis of the total number of observers accredited by the electoral authority for monitoring the presidential election of 1 (15) November 2020 reveals an increase of 23% compared to the general local elections of October 2019, as well as a decrease of 42% compared to the presidential elections of October 2016 and of 44% compared to the parliamentary elections of February 2019 (see Chart 2). However, it should be pointed out that the small number of Promo-LEX accredited observers was in line with mission’s plans, which was not supposed to fully cover all polling stations, but to be performed solely on the basis of a representative sample. Moreover, the Promo-LEX Mission was extended beyond the initial plans by delegating static observers to polling stations where voters from the transnistrian region voted, but also by involving in the monitoring process 160 observers as part of 80 mobile teams. As to other observation missions, the dynamics are partly due to the pandemic, which determined such international missions, as OSCE/ODIHR and PACE, to limit their presence or even withdrew from observing³⁵. In this context, it bears mentioning that at the initiative of the CEC, international observers and foreign journalists were able to enter the Republic of Moldova even if they came from states classified as ‘red zone’, being exempted from the obligation to quarantine for 14 days³⁶.

Chart 2

Dynamics of observers accredited by CEC



Registration of trustees. Pursuant to Item 1 of the Decision of 3 September 2020 on establishing the number of trustees of election contenders in the elections for the office of the President of the Republic of Moldova of 1 (15) November 2020, the maximum number for each election contender is 585 trustees.

We found that only three candidates made use of this right. Out of the total of 590 registered trustees, most of them were nominated by Renato Usatii (PN) – 418 persons. Also, Octavian Ticu (PUN) registered 96 persons and Tudor Deliu (PLDM) – 76 persons.

Promo-LEX OM repeatedly draws attention to the fact that the candidates deliberately involve people in positions of accountability in their electoral campaign, including during their leave period, without registering them as trustees³⁷. We must distinguish between the role trustees play in the electioneering process and that of a citizen.

35 [Report No 5](#), Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 15.

36 [Decision](#) of the National Extraordinary Public Health Commission No 29 of 7 September 2020.

37 [Report No 5](#), Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 37.

3.1.4. Circular letters

In order to organise and conduct the presidential elections properly, the electoral authority drew up, published and sent to the electoral bodies, the representatives of the LPAs, the election contenders and other stakeholders involved 7 circular letters clarifying the electoral procedures. These referred to: clarifications regarding the activity of the lower-level bodies, including on the subject of COVID-19 (*CEC 8/2840, CEC-8/3173, CEC-8/3332*); LPAs responsibilities in organising elections (*CEC 8/2696, CEC 8/2784*); financing the campaigns of the election contenders (*8/2796*) and clarifications on the need to comply with the legislation when dealing with certain problematic aspects (*CEC-8/3014*).

The Circular Letter No 8/2796 of 15 September 2020 on receiving donations and making expenses caused the most controversy³⁸. In the opinion of Promo-LEX, CEC exceeded its powers in the process of organisation and conduct of the election campaign. In addition, these actions of CEC may be qualified as an attempt to change the rules of election campaign financing and to limit the rights of candidates. Even if, as recommended by Promo-LEX, CEC did not revoke the issued circular, it did not apply it in the campaign either.

3.1.5. Establishing the print run of ballot papers

According to Promo-LEX findings, the number of the ballot papers was established according to the number of voters from the SRV with domicile/residence. For both election rounds, the same number of ballots for PSs established on the territory of the Republic of Moldova were printed. Major differences can be noticed in the PSs where more people vote on additional lists, such as Chisinau municipality. Also, the number of ballot papers printed for the transnistrian region was twice smaller than the number of registered voters. At the same time, the difference of 500 ballot papers in Taraclia district seems inexplicable³⁹.

With regard to establishing the print run of ballot papers for the polling stations abroad, CEC decided to print 556,000 ballot papers for the first round of elections and 671,500 of ballot papers for the second round of presidential elections (see Annex 2). For the second round, the number of ballot papers was increased for 55 PSs (40%), in the case of 134 PSs (96%) being printed 5,000 ballot papers (the maximum number allowed by law)⁴⁰. We would like to mention that in the current presidential elections, the highest participation rate was recorded for the citizens of the Republic of Moldova living abroad (first round – 150,022 voters, second round – 263 177 voters).

38 [Report No 2](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 13-14.

39 [Report No 5](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 18.

40 [Report No 7](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 15.

3.2. Activity of Level-Two District Electoral Councils

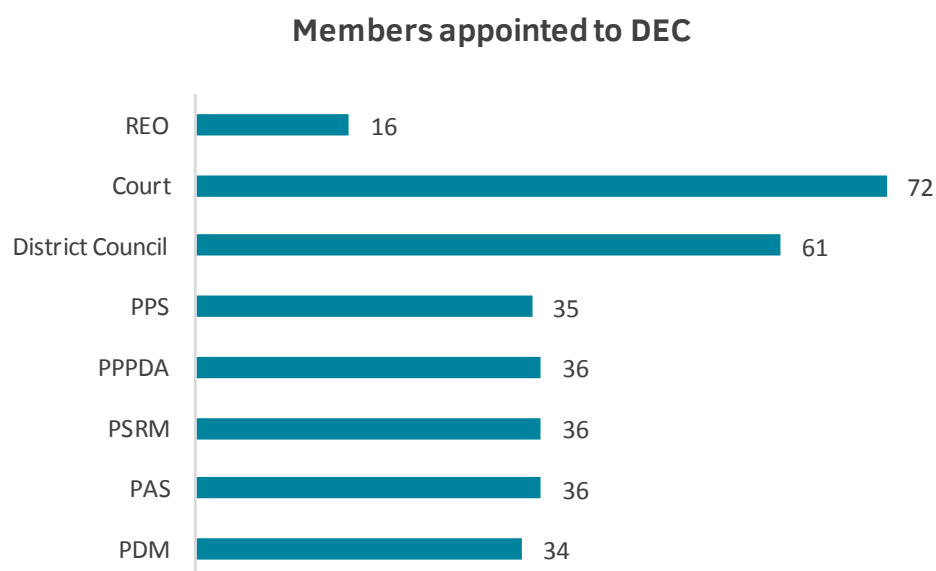
3.2.1. Establishment and membership of DECs

In line with the Electoral Code and with its Schedule, CEC established 37 level-two constituencies and 36 district electoral councils within the legally prescribed terms. Note that Bender DEC was not set up even for this presidential election.

Out of all the electoral councils, 35 level-two DECs consisted of 9 members. Chisinau Municipality DEC No 1 consisted of 11 members. Given the pandemic, CEC recommended⁴¹ the level-two LPAs and courts to not appoint as members of the electoral bodies people that are over 63 years of age and/or are in the risk groups. According to the observers, in one DEC (No 14, Drochia), this recommendation was perceived as an obligation⁴².

Chart 3 illustrates the appointment of members to the electoral body by entities that have this right. Three parliamentary parties – PPPDA, PSRM and PAS – delegated members to all DECs.

Chart 3



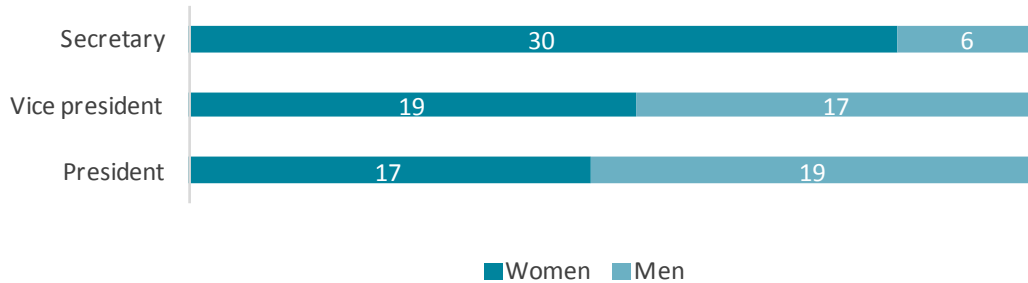
There was gender imbalance in the structure of councils: 212 (65%) – women and 114 (35%) – men. At the same time, gender balance was ensured when appointing people to managerial position, although we see that it’s mainly women that are appointed to the secretary position (83%) (see Chart 4).

41 Letters of the electoral authority No [CEC - 8/2598](#) and No [CEC - 8/2599](#) of 18 August 2020.

42 [Report No 4](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 18-19.

Chart 4

Insuring gender balance in management positions at DEC



Changes to DEC membership. Promo-LEX OM reports changes in the nominal structure of at least 16 level-two DECs⁴³. Namely, around 11% of the members of these electoral bodies were replaced, most of them being designated by political parties (see Annex 3).

3.2.2. Compliance with the activity schedule

Between 14 September and 15 November 2020 the Promo-LEX observers carried out 320 visits during working hours. According to the submitted information, the office of the electoral council was open in case of 306 visits, while during 14 visits the office of 8 DECs was closed, namely: No 13 Donduseni (5), No 20 Hancesti (2) and No 6 Briceni, No 19 Glodeni, No 29 Soroaca, No 30 Straseni, No 33 Taraclia, No 37 for the left bank of Nistru River (one time each). Promo-LEX OM would like to note that during all five visits during working hours the office of DEC No 13 Donduseni was closed.

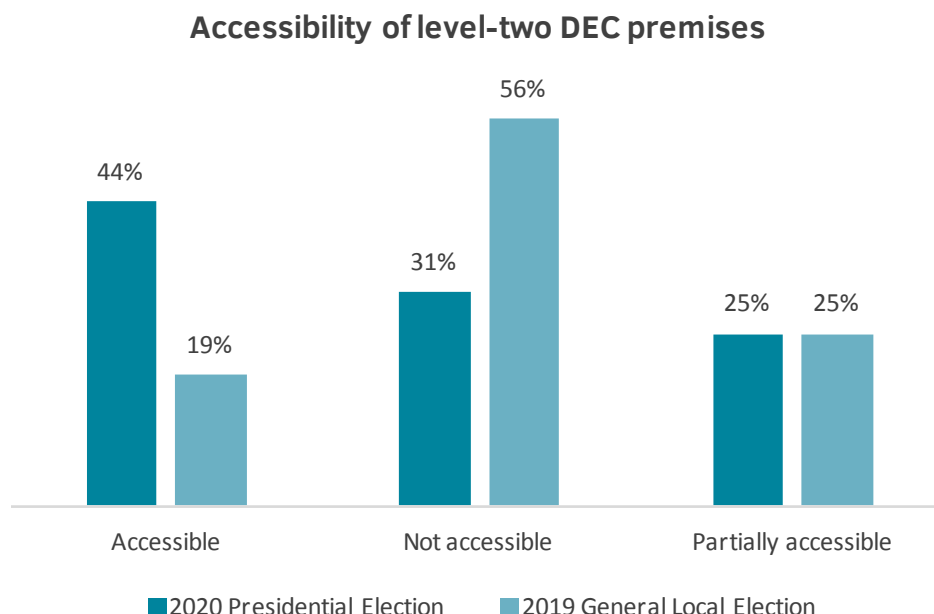
3.2.3. Accessibility of premises

In their visits to level-two DECs, Promo-LEX observers also assessed their accessibility on the basis of three criteria: accessible (a ramp at least 90 cm wide and a handrail about 75 cm high), partially accessible (ramp available, but no handrail), and inaccessible (both elements are missing). According to the reports of Promo-LEX observers, of the 36 level-two DECs, only 16 (44%) are accessible to groups of vulnerable people.

Still, by comparison, we see that progress was made compared to the general local elections of 20 October 2019 (see Chart 5).

⁴³ DECs: Chisinau, Anenii Noi, Cahul, Calarasi, Causeni, Cimislia, Criuleni, Falesti, Ialoveni, Orhei, Sangerei, Soroaca, Straseni, Soldanesti, Taraclia, for settlements on the left bank of Nistru River.

Chart 5



3.2.4. The activity of the level-two DECs amidst the pandemic

In line with the Instruction on Organisation and Conduct of Elections by Central Electoral Commission Amidst the COVID-19 Pandemic, Promo-LEX observers monitored the extent to which DECs meet the requirements. According to their observations, there have been deficiencies in terms of complying with the requirements.

On the existence of electoral officials’ temperature monitoring register: out of the 36 level-two DECs visited during the observation period, six councils⁴⁴ (17%) did not have a register for monitoring the temperature of electoral officials, while other two councils⁴⁵ had it, but did not fill it out.

On taking the temperature of DEC visitors: at least 13 electoral councils⁴⁶ (36%) did not take the temperature of DEC visitors during their work.

On displaying information about the health protection measures: only the office of DEC No 12 Criuleni did not have information on display regarding the health protection measures during the COVID-19 pandemic.

Moreover, when it comes to infection cases among electoral officials, observers reported that members of at least 9 level-two DECs⁴⁷ were found to be infected with COVID-19. Note that the activity of the electoral body was not affected by that.

44 DECs: Cimislia, Criuleni, Edinet, Hancesti, Ialoveni, Rascani.

45 DECs: Cahul, Dubasari

46 DECs: Balti, Basarabasca, Briceni, Cahul, Chisinau, Criuleni, Drochia, Edinet, Hancesti, Ialoveni, Straseni, Taraclia, UTAG.

47 DECs: Anenii Noi, Briceni, Cimislia, Falesti, Nisporeni, Orhei, Rascani, Soroca, Ungheni.

3.2.5. Observer accreditation and registration of representatives with the right to consultative vote by the DEC

According to Promo-LEX observers, level-two DEC accredited at least 5,306 observers on behalf of election contenders, who would monitor the presidential election⁴⁸, which is a 34% decrease compared to the presidential election of 2016. Also, there have been registered 174 representatives with the right to consultative vote, i.e. a 72% increase compared to the presidential election of 2016. According to the findings, around 96% of the observers were designated by four contenders: Maia Sandu (PAS), Igor Dodon (CI), Renato Usatii (PN) and Violeta Ivanov (PPS) (see Table 1).

Table 1. Number of observers and representatives with the right to consultative vote (DEC)

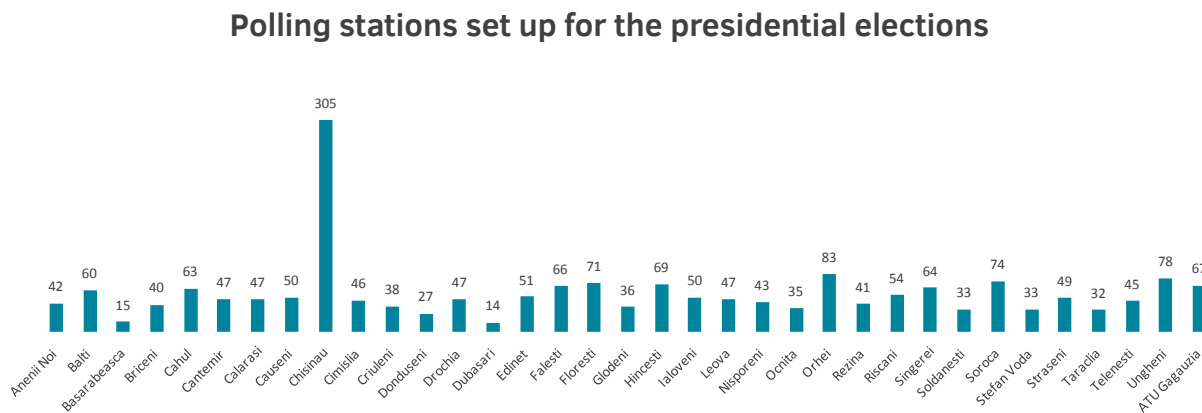
Applicant for accreditation/registration	Maia Sandu (PAS)	Igor Dodon (IC)	Renato Usatii (PN)	Violeta Ivanov (PPS)	Andrei Nastase (PPPDA)	Tudor Deliu (PLDM)	Octavian Ticu (PUN)
Number of observers	1,429	1,413	1,181	1,055	151	77	–
Number of representatives with the right to consultative vote	37	82	20	29	3	2	1

In this context, Promo-LEX OM found at least one case (DEC Criuleni) where the decisions on accreditation of observers were published in violation of the legislation on personal data protection⁴⁹.

3.2.6. Setting up polling stations (PSs)

According to Article 30 of the Electoral Code and point 10 of the Calendar Schedule, level-two DEC established 1,962 PSs within the legally prescribed terms. Most of PSs are in Chisinau Municipality (305), followed by the districts of Orhei (83), Ungheni (78) and Soroca (74) (see Chart 6).

Chart 6

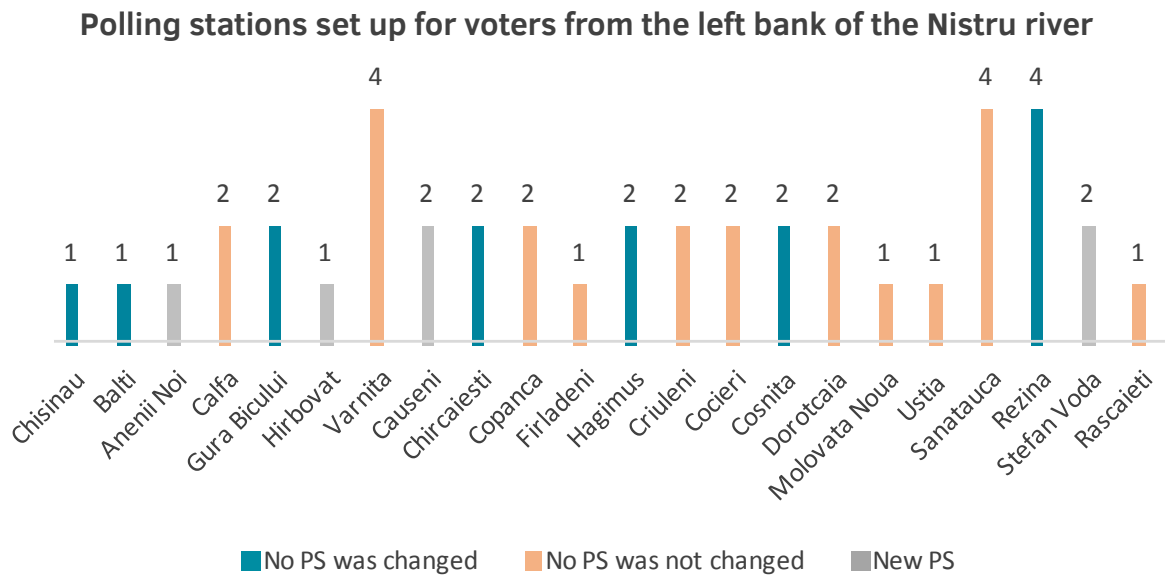


48 Chisinau (720), Soroca (316), Orhei (273), UTAG (261), Falesti (260), Cahul (246), Balti (240), Rezina (219), Sangerei (218), Floresti (213), and Edinet (204).

49 Decisions of DEC No 12 Criuleni on accreditation of observers [No 7.2](#) of 14 October 2020, [No 10.1](#), [No 10.2](#), [No 10.3](#), [No 10.7](#) of 23 October 2020.

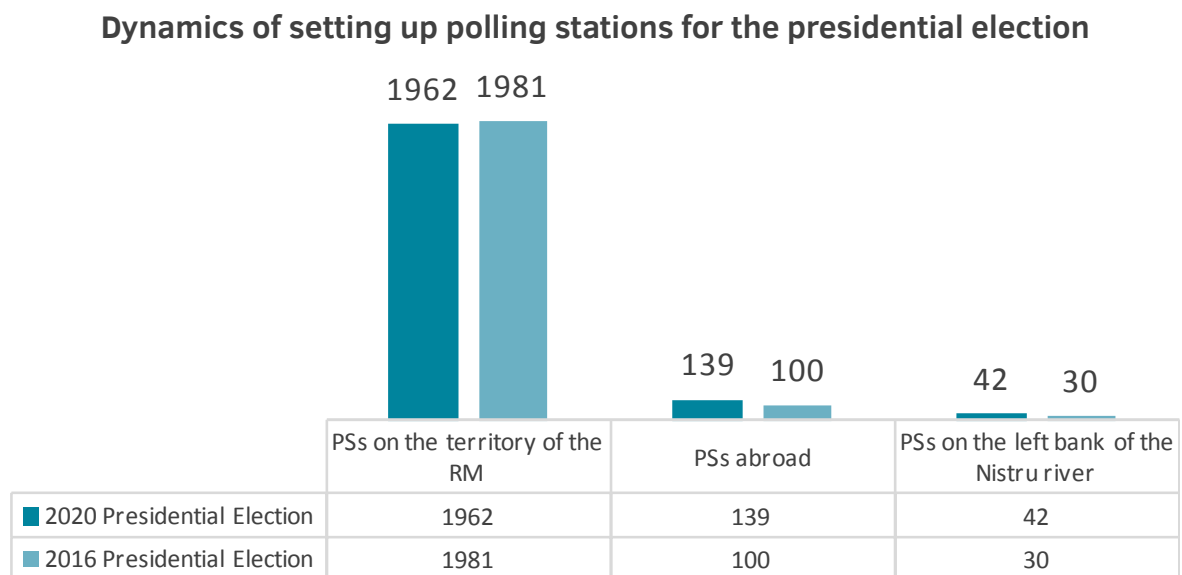
At the same time, CEC, to ensure the right to vote of voters who were abroad on the election day, as well as the right to vote of voters from the transnistrian region, established 139 PSs outside the Republic of Moldova⁵⁰ and 42 PSs for the voters on the left bank of Nistru River (Transnistria), Bender municipality and certain settlements of Causeni district (see Chart 7)⁵¹.

Chart 7



The comparative analysis of the total number of polling stations established for the presidential election of 1 (15) November 2020 reveals an increase with 39 PSs of the polling stations abroad and 12 PSs for the left bank of Nistru River, as well as a decrease with 19 PSs on the territory of the Republic of Moldova as compared to the presidential election of 2016 (see Chart 8).

Chart 8



50 CEC Decision No [4300](#) on the establishment of polling stations abroad for the election of the President of the Republic of Moldova of 1 November 2020.

51 CEC Decision No [4301](#) on the establishment of 42 PSs for voters living in settlements on the left bank of Nistru River (Transnistria), Bender municipality and certain settlements of Causeni district.

3.2.7. *Issues with setting up polling stations for transnistrian region*

As much as 42 PSs were established for voters from the transnistrian region. Most of them were located closed to the settlements in the region. At the same time, the mechanism for the establishment of PSs is still unclear and non-transparent. Even if the legal framework sets certain criteria, including the preliminary registration, for these elections, CEC did not present details on how to use them and on their share. We recommend CEC, based on the mathematical model applied for organising the PSs abroad, to present an information note about the mechanism used in case of PSs organised for the citizens for the right to vote from the transnistrian region.

Also, at the beginning of the election period, Promo-LEX OM expressed its concern regarding the difficulties that LPAs could encounter in establishing polling stations for the citizens from the transnistrian region, provided that NEPHC recommendations on protection against COVID-19 are observed⁵².

Moreover, the veterans of the war on the Nistru River also spoke about the operation of the polling stations. They filed a collective request to CEC and expressed their disagreement towards the organisation that number of PSs for the transnistrian region in Varnita, Sanatauca and Rezina settlements⁵³. Also, we mention the ‘call to mobilization’ of the candidate Andrei Nastase (PPPDA) to avoid the ‘fraud of the vote’ in those stations⁵⁴.

In this context, Promo-LEX urged all citizens of the Republic of Moldova to refrain from obstructing the activities of electoral bodies and law enforcement agencies and to act within the limits provided by the legal framework in force⁵⁵.

Regarding the movement of the citizens of the Republic of Moldova residing in the transnistrian region, note that the secessionist administration from Tiraspol allowed the crossing of the administrative line by citizens who want to exercise their right to vote on the election day (for both rounds of elections), between 7:00 a.m. and 10:00 p.m.

3.2.8. *Setting up PSs abroad*

On 26 September 2020, 139 PSs were established abroad by CEC Decision No 4300⁵⁶, (with 16 PSs more than for the previous elections) to ensure that the citizens who will be abroad at the time of the election will be able to exercise their right to vote with the indication of the fact that they applied the formula proposed by Promo-LEX and developed by ADEPT on the basis of those three criteria provided by the legal framework⁵⁷. Despite the numerous requests of the Civic Coalition for Free and Fair Elections (CALC)⁵⁸, note that CEC did not hold public, official and transparent consultations involving all stakeholders with regards to the

52 [Report 2](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 23.

53 [Collective Request](#) of the war veterans and inhabitants of the village, Varnita village of 20 October.

54 [Call](#) to mobilisation of Andrei Nastase of 28 October 2020.

55 [Report No 5](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 24.

56 CEC [Decision](#) No 4300 of 26 September 2020 on the establishment of polling stations for the election of the President of the Republic of Moldova of 1 November 2020.

57 [Report No 3](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 23.

58 [Request](#) of CALC sent to CEC on 8 September 2020 and [the Call](#) of CALC addressed to CEC on 15 September 2020.

draft decision establishing PSs abroad. We may conclude, therefore, that the establishment of polling stations abroad was negotiated and analysed by CEC and MFAEI alone. Also CEC's reference to the establishment of PSs abroad according to the formula proposed by Promo-LEX and developed by ADEPT is not completely true⁵⁹.

Thus, the analysis of the PSs set up abroad found that in 21 countries the number of PSs established by CEC meets the number of the PSs estimated by Promo-LEX. In two countries – the Russian Federation and Italy, CEC and MFAEI decided to increase the number of PSs in Italy (+1) and to decrease the number of PSs in the Russian Federation (-5). Moreover, we believe that CEC should have proposed and decided on the establishment of more PSs in the United Kingdom (+2), the Russian Federation (+6), Canada (+1), Israel (+1) and Poland (+2). On the other side, fewer PSs were to be established in France (-1), Italy (-1), Romania (-2), Spain (-1) and the USA (-5)⁶⁰. Thus, the approved decision establishing PSs abroad was based on the formula proposed by Promo-LEX for calculating the number of PSs in the case of 21 states, while in 15 states exceptions were applied (the number of PSs being either smaller or bigger).

We appreciate, however, CEC efforts to provide a detailed description of the process of setting up of PSs abroad. It is thus for the first time since Moldovan citizens can vote abroad that the body in charge of establishing PSs abroad described in detail the actions taken to set them up: starting with the establishment of an inter-institutional working group consisting of CEC and MFAEI representatives, and up to the detailed description of the formula underpinning the estimation of PSs needed.

In the opinion of Promo-LEX, despite all criticism hurled in the process, the establishment of polling stations abroad for the presidential election was the most transparent this time in comparison with previous years when PSs were set up abroad. Still, we believe that for a greater transparency CEC should have published systematically the primary documentation on the basis of which PSs were set up abroad, while involving all relevant stakeholders. The speculations and suspicions of several electoral stakeholders were the consequence of not having carried out consultations.

The preliminary registration was one of the topics that generated discussions regarding the establishment of PSs abroad. Compared with the parliamentary election of 2019, in the context of the presidential elections of 2020 we notice a higher activism of the citizens of the Republic of Moldova who reported to be abroad the on election day. Thus, if 24,125 pre-registrations were made in 2019, than 60,035 new pre-registrations were made as of 16 September 2020. Hence, as many as 35,910 new pre-registrations were made during 2020⁶¹.

The activism of citizens caused suspicions, sometimes reasonable, about the use of mechanism in bad faith. It is about establishing more PSs in a certain country without knowing for sure that those who pre-registered, particularly according to the collective applications on paper, will be in the country where they registered on the election day. During the hearing for the

59 [Report No 3](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 21.

60 In the USA, for example, during the second round of elections, 9,837 individuals voted in those 12 PSs (in 2019 – 4,317 voters).

61 [Report No 2](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 19-20

validation of the elections by the Constitutional Court of 10 December 2020⁶², the Chair of CEC announced that they asked MIA and ISS to check the suspicions, but after the verifications made by ISS, no violations were identified.

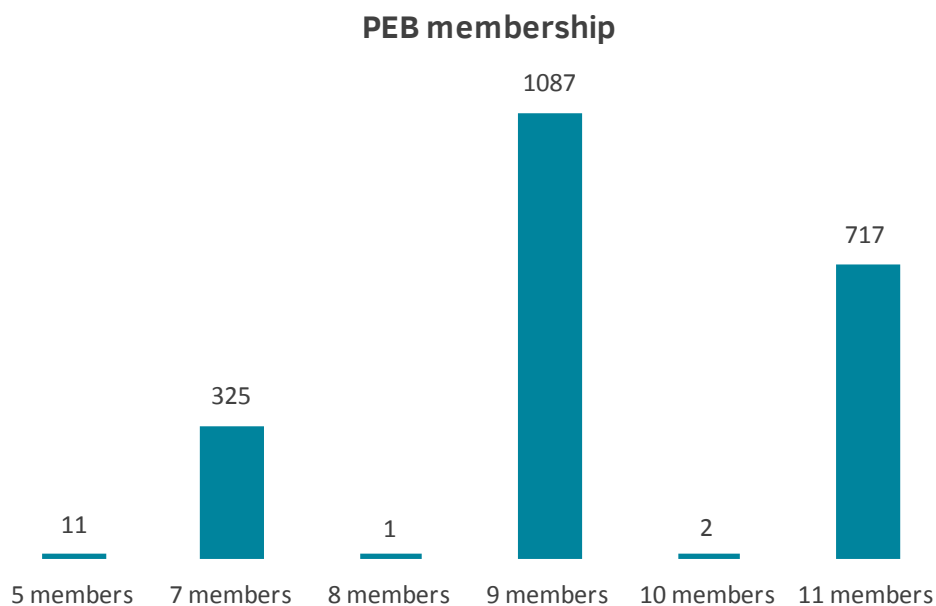
In this context, note that during the presidential elections, Promo-LEX found⁶³ a series of gaps in the process of preliminary registration of voters, which can affect the quality, efficiency and credibility of the process. Thus, we believe it is imperative to revise the Regulation on Preliminary Registration in order to regulate clearly the following issues: validity term of the preliminary declaration; mechanisms to inform voters on the validity of preliminary registration for several elections; before each election, repeated information about the validity of the declaration for voters with such declarations filed for previous elections, including information about the possibility to annul such a declaration.

3.3. Activity of precinct electoral bureaus (PEBs)

3.3.1. PEB membership

Promo-LEX OM found that out of the total of 2,143 PEBs, three bureaus for Chisinau constituency did not have an odd number of members (PEB 1/137, 1/138, 1/245) (see Chart 9). Chart 10 illustrates the appointment of members to the electoral body by entities that have this right.

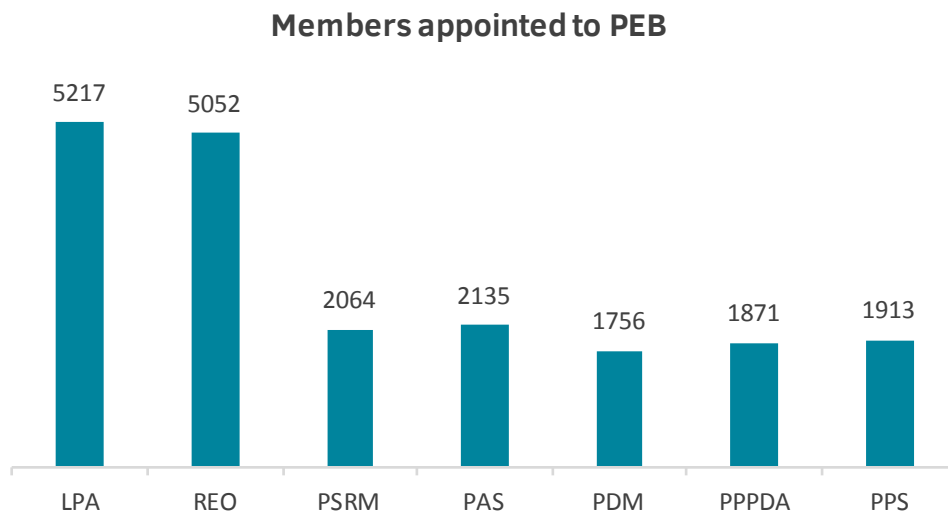
Chart 9



62 [Hearing](#) of the Constitutional Court for the validation of the Presidential Election in the Republic of Moldova.

63 [Report](#) No 1. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 21.

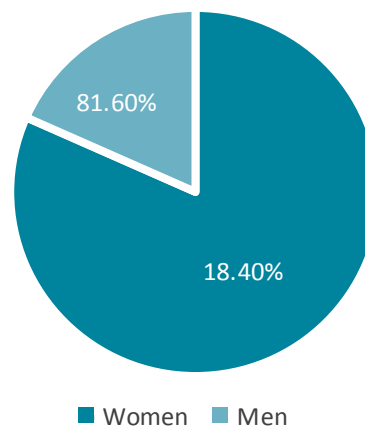
Chart 10



Having analysed the Decisions on the establishment of 2,143 PEBs, we noticed that women outnumbered men markedly (see Chart 11).

Chart 11

PEB membership by gender



The analysis regarding the gender imbalance in the PEB membership is presented in Table 2.

Table 2. Ensuring gender balance within PEB

PEB membership – male member		PEB membership – female member	
0 (zero) male members	468 PEBs	0 (zero) female members	0 PEBs
1 male member	669 PEBs	1 female member	6 PEBs
2 male members	486 PEBs	2 female members	7 PEBs
3 male members	259 PEBs	3 female members	33 PEBs

With regard to the election of PEB management, Promo-LEX OM found at least 32 cases when the open voting procedure was not observed when electing the management⁶⁴.

Changes to PEB membership Promo-LEX OM found the change of PEB membership in at least 400 PEBs (19%). Among the causes of the modifications we note: at request (437 cases); the absence at two consecutive meetings (19 cases); refusal to execute DEC decisions (3 cases); electioneering (2 cases); other causes (74 cases) (see Annex 3). Also, it was reported that the at least 7 PEBs increased their membership with 1-4 members (Cimislia DEC No 11 – PEB 11/10 and DEC No 37 for settlements from the left bank of Nistru River: 4, 15, 36, 37, 38, 39).

We want to mention at least two cases of establishment between the first and the second round of elections, against the legal rule of the P (13/1 Donduseni town and 13/5 Baraboi v., Donduseni d.). The reason was the infection with COVID-19 of certain members and respectively, the isolation of the other ones after the election day. Moreover, in one case (PEB 29/20) it was requested the full change of the membership⁶⁵ after finding the lack of 200 ballot papers during the counting of the ballot papers that were not used on 1 November 2020.

3.3.2. Compliance with the activity schedule

Promo-LEX observers made 2,662 visits thus monitoring the operation of 1,888 PEBs (94%). According to the observers, during 711 visits (27%) the PEBs headquarters were closed during the working hours. Most often, the following PEBs were closed: constituency No 1 Chisinau (144 out of 335 visits), No 37 for the settlements on the left bank of Nistru River (53 out of 65 visits), No 20 Hancesti (29 out of 53 visits), No 28 Sangerei (45 out of 97 visits), No 9 Calarasi (24 out of 57 visits), No 21 Ialoveni (27 out of 66 visits) and No 14 Drochia (26 out of 64 visits).

3.3.3. Location and accessibility of PSs premises

According to point 4 of the Guidelines on PS Infrastructure, the polling stations are usually established in premises that are owned by the state or by ATU. In addition, for the presidential election, in the context of pandemic, CEC recommended to identify other public premises, other than the educational institutions.

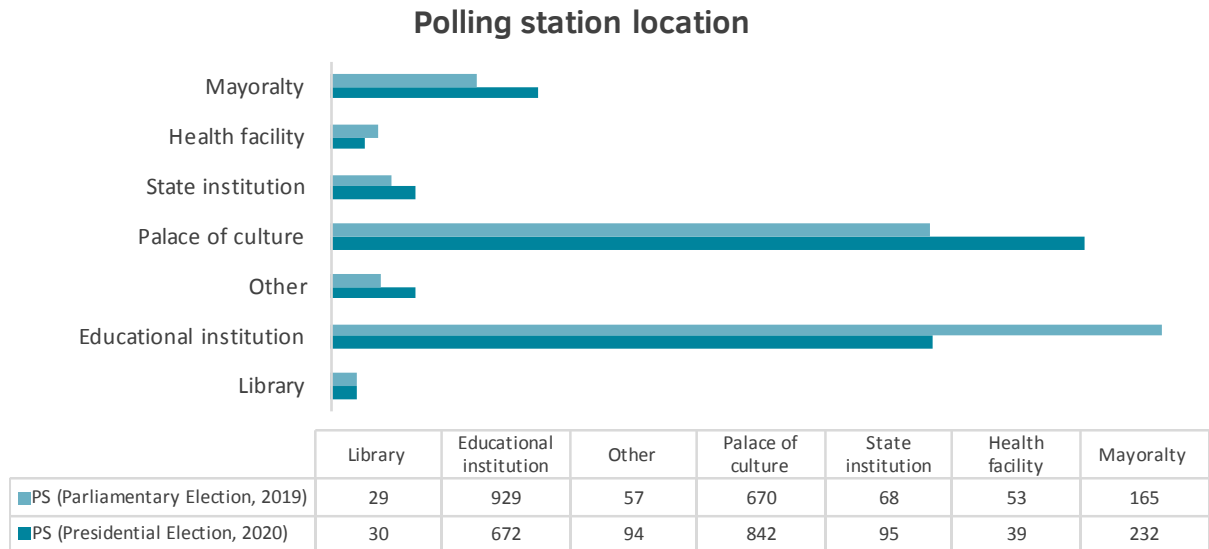
Thus, during the presidential election of 2020, according to the observers, about 33% of the polling stations were organised in the educational institutions, by 13% less as compared to the parliamentary elections of 24 February 2019 (see Chart 12)⁶⁶. Respectively, the number of polling stations established in culture houses, mayoralities, etc. increased.

64 PEB: 2/59 Balti; PEB 6, 6/7, 6/11, 6/12, 6/14, 6/15, 6/16, 6/19, 6/22, 6/25, 6/26, 6/30, 6/32, 6/33, 6/37, 6/39, 6/40 – Briceni; PEB 7/17, 7/22 – Cahul; PEB 13/1, 13/23 – Donduseni; PEB 16/13 – Edinet; PEB 19/26 – Glodeni; PEB 20/7 – Hancesti; PEB 22/22, 22/36, 22/37 – Leova; BESV 27/25, 27/37, 27/44 – Rascani; PEB 32/32 – Stefan Voda.

65 [Letter](#) No CEC-8/3291 din 6 November 2020.

66 Additionally, according to the Order of the Ministry of Education Culture and Research No 1112 of 9 October 2020, the managers of educational institutions where polling stations were established, restricted the access of students, pupils and employees between 31 October and 2 November 2020, and ensured the sanitation of the spaces used and the organisation of the teaching activities online on 2 November 2020.

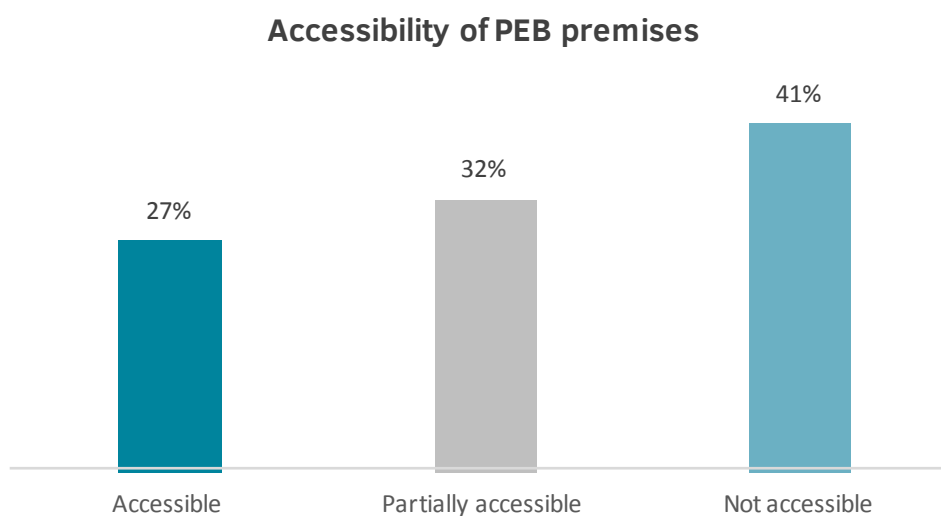
Chart 12



According to Promo-LEX OM observers, at least in 299 cases, the address of PSs were not similar to those from the previous elections. In case of at least 42 PSs, the headquarters was changed during the operation⁶⁷. Promo-LEX OM highlight that these modifications should be done in due time and with prior information of voters.

In their visits to level-two PEBs, Promo-LEX observers also assessed their accessibility on the basis of three criteria: accessible (a ramp at least 90 cm wide and a handrail about 75 cm high), partially accessible (ramp available, but no handrail), and inaccessible (both elements are missing). According to the reports of Promo-LEX observers, of the 1,888 PEBs, only 515 (27%) were accessible to groups of vulnerable people (see Chart 13).

Chart 13



67 Based on DEC's decisions: No 1 Chisinau; No 6 Briceni; No 7 Cahul; No 11 Cimislia; No 12 Criuleni; No 14 Drochia; No 15 Dubasari; No 20 Hancesti; No 21 Ialoveni; No 22 Leova; No 23 Nisporeni; No 25 Orhei; No 26 Rezina; No 28 Singerei; No 33 Taraclia; No 34 Telenesti; No 36 ATU Gagauzia; No 37 for the settlements on the left bank of Nistru River.

3.3.4. Specificity of the activity in the context of the pandemic

To ensure the protection measures of PEBs members during the election period and on both elections day, CEC distributed protection products and equipment against COVID-19 as follows: masks – 620,000 pieces, gloves – 415,000 pairs, protection suits – 25,200 pieces, face shields – 92,250 pieces, thermometers – 2,500 pieces and 53.4 tons of sanitizers.

However, Promo-LEX OM still found shortcomings in the observance of the protection and prevention measures against COVID-19 infection by the electoral bureaus. Thus, only 807 PEBs (43%) out of 1,888 that were visited, had and filled in a *register for monitoring the temperature of electoral officials*. Only 481 bureaus (26%) measured the *temperature of PEBs visitors*. *The information about the health protection rules* was displayed in the premises of at least 1,371 electoral bureaus (73%).

With regards to confirmed infection cases among the electoral officials, according to the observers, the members of at least 74 PEBs were diagnosed with COVID-19 and at least one electoral official died (Chairperson of PEB 6/29, Briceni).

3.3.5. Participation of PEB members in electioneering

Promo-LEX observers reported at least one case when PEB members engaged in electioneering activities. It is about the polling station from Baurci_Moldoveni, Cahul district, where the member appointed by PPS was distributing electoral materials of the candidate Violeta Ivanov (PPS) alongside with invitations to vote.

IV. ELECTORAL COMPLAINTS

Complaint review remains an issue of the electoral process in the Republic of Moldova. The high rate of inadmissibility of appeals seriously affects society's trust in these procedures and equal opportunities for contenders.

As much as 20 complaints and 68 notifications were filed with CEC, but they were not registered and examined as complaints. The subjects of appeals relate especially to illegal electioneering, election campaign financing and the use of administrative resources. As to the complaint settlement, we found that about 75% of them were declared inadmissible by the CEC.

According to Promo-LEX observers, 38 complaints were filed with level-two DEC. The topics addressed are especially the ones about exclusion/inclusion in the lists of voters and illegal electioneering. As to the complaints settlement, according to observers, only 15% of complaints were accepted. Observers reported only two complaints filed with PEBs.

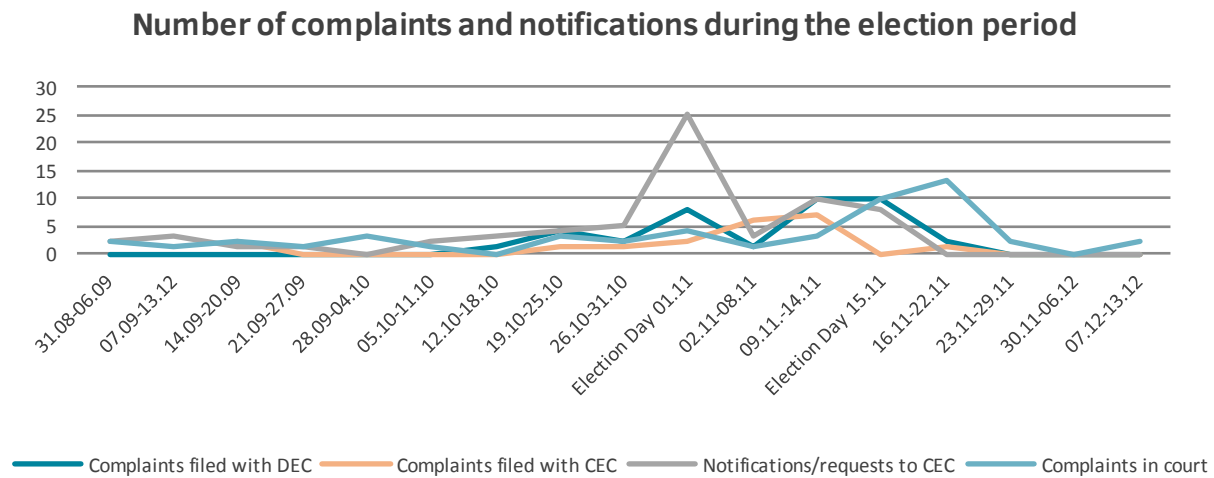
Promo-LEX observers reported at least 50 electoral complaints being filed with the courts. The topics most frequently addressed by the applicants were: inclusion/exclusion from the lists of voters, registration of IGs and election campaign financing. As regards the rulings issued by the courts, all the actions filed were dismissed as unfounded or declared inadmissible.

4.1. Examining the complaints in the context of presidential elections: general overview

During the election period, the voters, the election contenders as well as other subjects filed at least 50 complaints with the courts, 88 complaints and notifications with CEC and other 38 complaints with DEC.

Most of complaints were filed on the election days on 1 November 2020 (39) and 15 November 2020 (28) and during the period between the two rounds (41). However, in the Chart 14 it can be noticed that the contenders claimed their rights starting with the first week during which the contenders were nominated and registered and continued including after the conformation of the election results. This conforms the need to review the provisions of the Electoral Code regarding the duration of the election period, the subjects with the right to file electoral complaints during the entire election period and the accurate regulation of the methods and deadlines for setting the complaints after the election day.

Chart 14



4.2. Complaints filed with CEC

As much as 20 complaints⁶⁸ were filed with CEC, but they were not registered accordingly and published on the website and 68 notifications (inquiries, petitions, applications, complaints) that invoke the violation of a right, but were not registered and examined as complaints.

Promo-LEX OM stated in the Progress report No 3⁶⁹ that it is not clear thus what is the understanding of CEC when it comes to recording inquiries, requests, notifications as electoral complaints or not. The Mission found that certain complaints were not registered and published in the section 'Electoral complaints' although the complaints of this type were registered accordingly during other elections.

The Mission believe that similarly to Article 166(6) of the Code of Civil Procedures⁷⁰, applied to the summons, any notifications, applications, complaints – regardless of the document's name – must be treated and thus registered as electoral complaint if it invokes certain violations of the electoral process. Moreover, neither the Electoral Code, nor the Regulation on Examination and Settlement of Complaints do not provide for a special method of settlement of the notifications, inquiries or petitions filed in the election period. *Thus, when settling the complaints, the Commission should have take into account the existing legal framework, applicable to electoral complaints.*

Starting, particularly, from the high number of notifications (68) as compared to the number of registered complaints (20), we found that the failure to register and settle the filed complaints in the manner prescribed by the law in force, affects the right of the electoral subjects to an effective remedy and reduces the predictability of the electoral process. At the same time, it was found that the Commission did not follow a clear procedure in examining and settling the notifications, which had a negative impact on the transparency and predictability of the electoral process.

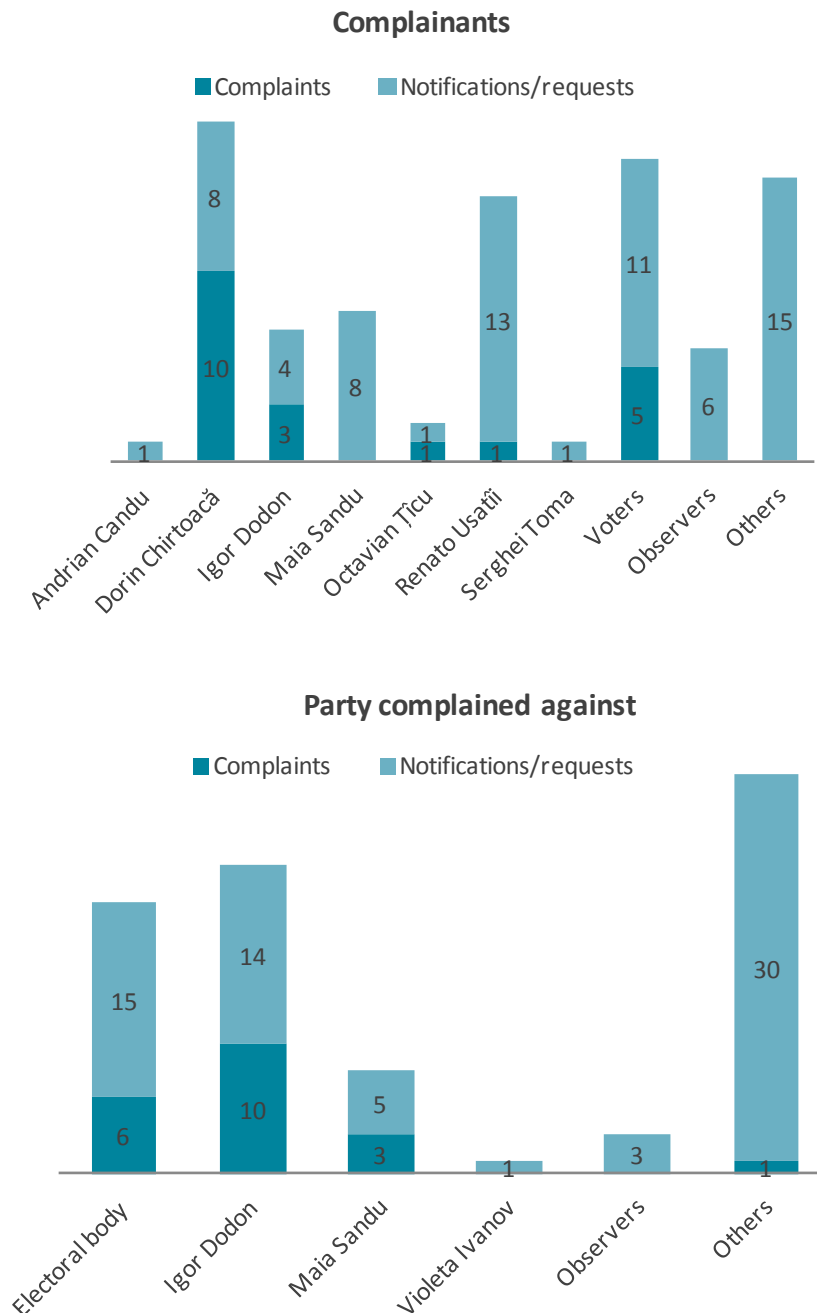
68 Before 18 December 2020, on CEC's [website](#) in the section Complaints, there were filed 19 Complaints, but according to the [Report](#) of CEC on the results of the Presidential Election in the Republic of Moldova of 1 November 2020, the Commission received 20 complaints.

69 [Report](#) No 3. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 30.

70 Article 166(6) of the Code of Civil Procedure: the summons or the request to exercise a remedy is valid even if it has an incorrect name.

As regards **the entities who filed complaints and notifications**, note that the election contenders and candidates filed with CEC at least 51 complaints and notifications, the voters filed 16 complaints and notifications, the observers – 6 notifications and 15 notifications were filed by other entities. Most of complaints were filed against the actions/inactions of the election contenders and candidates (33) and against the actions/inactions and the decisions of electoral bodies (Chart 15).

Chart 15



The complaints and notifications filed with CEC were mainly about exercising the right to vote, unreported funds of election campaign funding, abusive use of administrative resources and conduct of election campaign.

Table 3. Subject of complaints

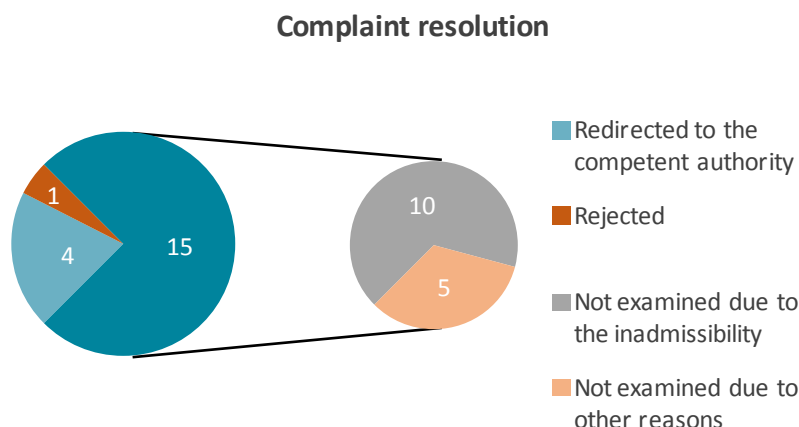
Subject of the complaint	Complaints	Notifications/ inquiries	Total
Registration/failure to register IGs, the election contenders	0	4	4
Collecting Signatures	0	1	1
Undeclared funds or election campaign funding	6	4	10
Conduct of illegal electioneering	4	7	11
Conduct of electoral meetings	0	2	2
Abusive use of administrative resources	4	6	10
Counting and tabulation of votes	1	0	1
Corruption of Voters	0	1	1
Organised transportation of voters	1	1	2
Management of elections	3	1	4
Refusal to issue the voting rights certificate	1	0	1
Exercising the right to vote	0	12	12
Dissemination of denigrating materials	0	1	1
Other	0	28	28
Total	20	68	88

After examining the complaints, CEC issues one decision in case of a complaint, which was rejected as unfounded. Four complaints were sent for examination to the authority that has such remit⁷¹. Note that one complaint that was not even published on CEC's website, was not examined by CEC and sent to the Constitutional Court to be solved⁷². However, the High Court concluded that it was not competent to control an alleged omission of CEC, which is actually the responsibility of Chisinau Court of Appeal. Thus, the complaint was not examined even if it was filed before the legal term.

71 2 – General Police Inspectorate, General Prosecutor's Office, 1 – DEC, 1 – Constitutional Court.

72 [Report](#) on the results of the Moldova Presidential Election of 1 November 2020, p. 89.

Chart 16



At the same time, in case of other 15 complaints, they were not examined because the Commission found them inadmissible because it does not meet the formal requirements, including on the basis of the provisions of the Administrative Code (10) or referred to another complaint or notification that would be linked with the object of the complaint (4) or invoked other reasons in order to not examine it. Note that according to the Code of Good Practice in Electoral Matters, the appeal procedure should be simple and free of formality, particularly in terms of establishing the admissibility of complaints⁷³. Thus, we found that the actions of the Commission for declaring 75% of the complaints as inadmissible could be interpreted as being against the international recommendations in the electoral field.

As regards the observance of the **terms for settling the complaints**, we would like to mention that four complaints were settled or an answer was issued the same day, for eight complaints an answer was issued within 1-3 days and a complaint was settled within four days. Contrary to the provisions of the Article 73(2) of the Electoral Code⁷⁴, CEC issued an answer within 5-9 days in case of six complaints concerning the election campaign funding (4) and electioneering (2), although they were not examined on the merits. In case of one complaint, the two-day term necessary to send it for examination to the authority that has such remit was exceeded with one day, contrary to the Article 72(5) of the Electoral Code.

Moreover, contrary to the imperative rule from the Article 73 of the Electoral Code on settling the complaints no later than the election day, in case of five complaints, the Promo-LEX OM found they were filed before the second round of elections, but an answer was issued after 15 November 2020. Note that four out of five complaints targeted the undeclared funds of the election campaign funding. Thus, we want to mention that it is important to settle the complaints and the notifications, including regarding the election campaign funding, before the election day due to the impact of electoral sanctions on the results of the elections and in order to ensure that the voters make a conscious choice on the election day.

⁷³ Code of Good Practice in Electoral Matters, item 3.3.b.

⁷⁴ The complaints against the actions/inactions of the election contestants shall be examined within 5 calendar days from the submission, but no later than the election day.

Having analysed the solutions for the received notifications, according to the correspondence documents of CEC, which were available for 37 out of 68 notifications, at least 10 notifications were sent for examination to the authority that has such remit⁷⁵; at least 1 notification was sent back without being examined because they did not meet the admissibility criteria. At the same time, in at least 12 cases, no violations were found or the reported ones were not confirmed; in one case the notification was found to be unfounded due to insufficient evidence, and in two cases the Commission warned the observers about the need to observe the legal provisions. One notification was rejected by CEC as unfounded.

Although the term for the issuance of an answer or for settling the notifications and inquiries varied between 0 and 31 days, and in case of most notifications, an answer was issued within five days. At the same time, in case of at least 10 notifications, an answer was provided within more than five days. Note that Promo-LEX OM expressed its concern regarding the settlement of the notifications filed in the election period after way too long unjustified periods⁷⁶.

Also, please note that from 29 October 2020 until 2 December 2020, the Commission failed to publish its correspondence on the CEC website. This, in conjunction with not registering the notifications as complaints and not publishing them, respectively, lead to the significant decrease in the transparency of the electoral process.

Although the notifications are aimed to announce CEC about the violations identified in the electoral process, they are not registered as complaints and they are not published at all or are published with big delays only in the section intended for entry/exit correspondence and not in the section related to elections. Promo-LEX OM found that during the presidential elections the number of notifications was higher than the number of complaints.

We recommend to the Parliament to amend the Electoral Code and expressly set a rule according to which any notification, application, complaint – regardless of the document's name – must be treated as an electoral complaint if it reports certain violations of the electoral process. At the same time, they also should include a rule establishing the obligation to publish the complaints within 48 hours from their receipt.

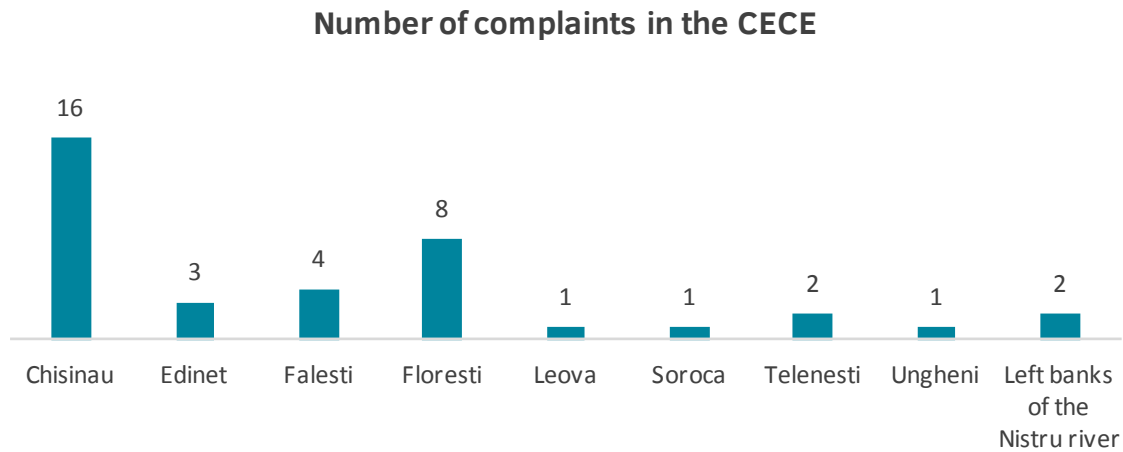
4.3. Complaints filed to the lower-level electoral bodies (level-two DEC and PEBs)

According to Promo-LEX observers, only two complaints were filed in case of PEBs and in case of level-two DECs – **38 complaints** were filed; most of them to Chisinau DEC – 16, and Floresti – 8.

⁷⁵ The number of notifications filed to the competent authority: MIA – 2, GPI – 6, DEC – 2.

⁷⁶ [Report](#) No 4. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 26.

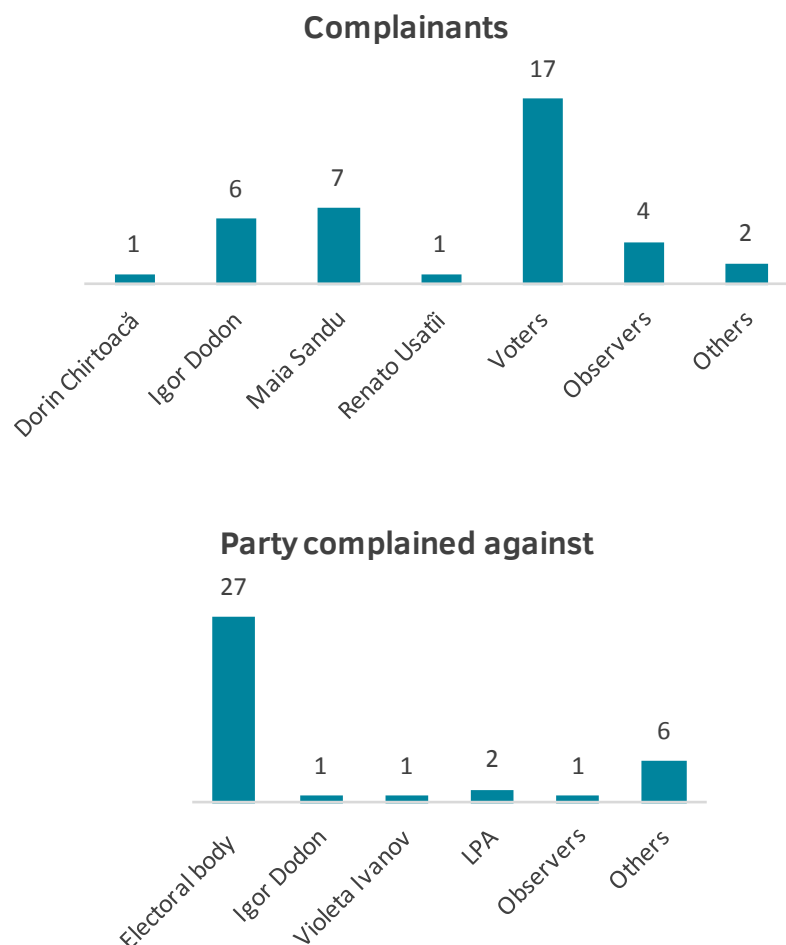
Chart 17



As regards the entities that filed the complaints, it was found that 15 complaints were filed by the representatives of the election contenders, 17 – by voters, 4 – by observers and the rest were filed by other stakeholders of the electoral process (see Chart 18).

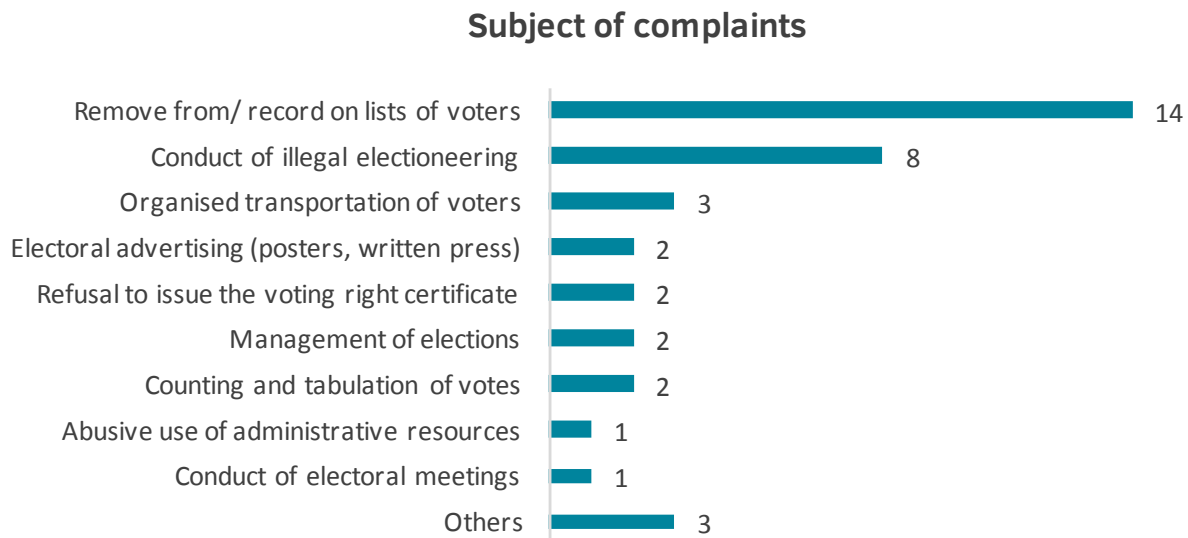
Most of complaints were filed against the actions/inactions and decisions of the electoral bodies (27). Seven complaints were filed against the actions/inactions of the election contenders.

Chart 18



The complaints filed with DEC were mainly about conducting illicit electioneering and the exclusion/inclusion individuals on the lists of voters, including about voting at the place of stay. Note that complaints concerning the exclusion of individuals from the list of voters for voting at the place of stay were filed with the court too.

Chart 19



As regards the **solutions adopted**, based on the information about 21 complaints, note that as compared to CEC, DEC were strictly guided by the Regulation on Examination and Settlement of Complaints by the electoral bodies in the election period and they examined most of the complaints. Thus, DEC adopted decisions to reject complaints in at least 12 cases, redirected the complaints to the competent in at least five cases, admitted at least three complaints and returned at least one complaint.

Table 4. Comparative data on the solutions issued

Solutions to complaints	Electoral bodies	
	DEC	CEC
Rejected	12	1
Admitted	3	0
Redirected to the competent authority	5	4
Not examined due to the inadmissibility of the complaint or for other reasons	1	15
Total	21	20

As regards the observance of the **terms for settling the complaints**, we would like to mention that 20 complaints were settled or an answer was issued the same day, of which 14 were filed on the election days. At the same time, at least six complaints were settled within one day, at least three complaints – within two days, and one – within four days.

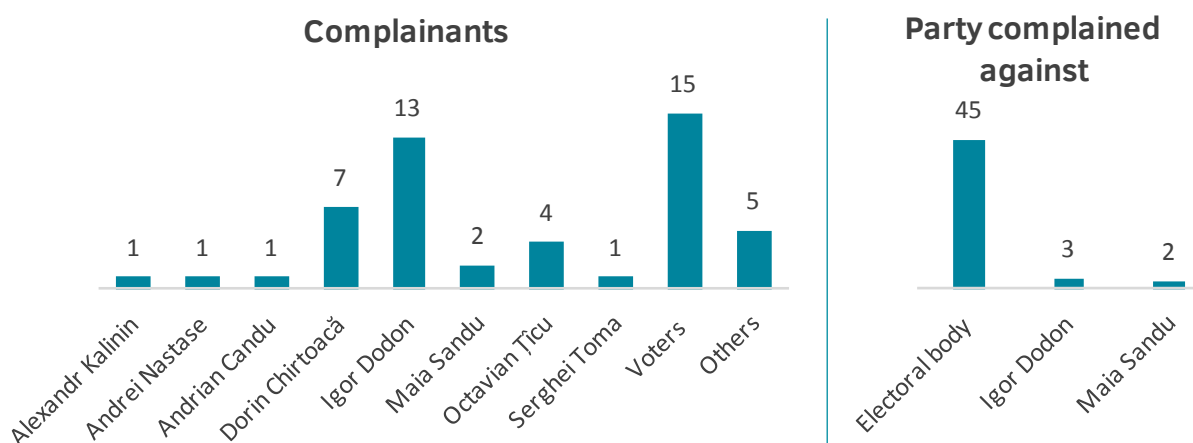
Note that contrary to the Article 73(2) of the Electoral Code, in case of one complaint filed against the actions/inactions of the electoral bodies, the settling term of three days was exceeded with two days.

4.4. Court disputes

According to Promo-LEX observers, during the election period at least 50 electoral complaints were filed with the courts. As regards the **entities that filed the complaints**, it was found that 30 complaints were filed by the election contenders and candidates (their representatives), 15 – by voters, and the rest were filed by other entities.

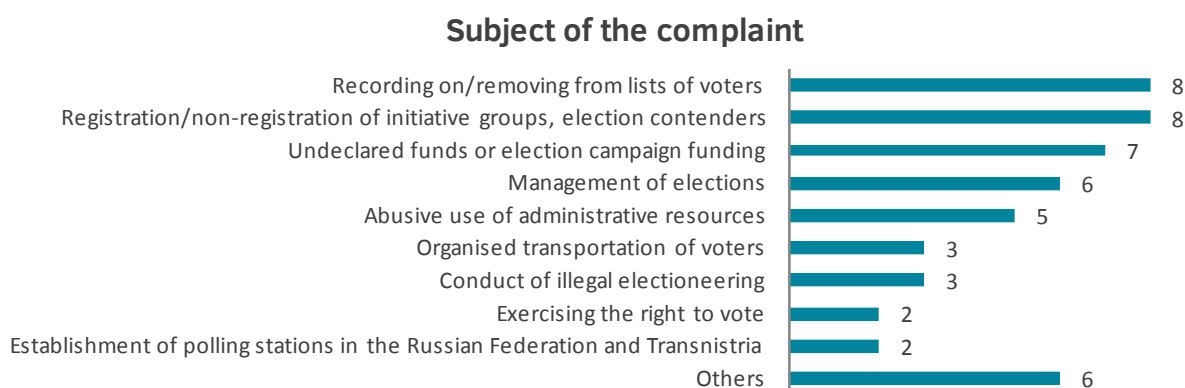
Most of complaints were filed against the actions/inactions and decisions of the electoral bodies and their members (45), of which 30 – against CEC and 15 – against the electoral bureaus and councils. Other five complaints were filed against the actions of the election contenders.

Chart 20



The complaints filed with the courts mainly targeted the registration/ failure to register the initiative groups or the election contenders (8), inclusion/exclusion from the lists of voters, including for voting at the place of stay (8) and the use of undeclared funds of election campaign funding (7).

Chart 21

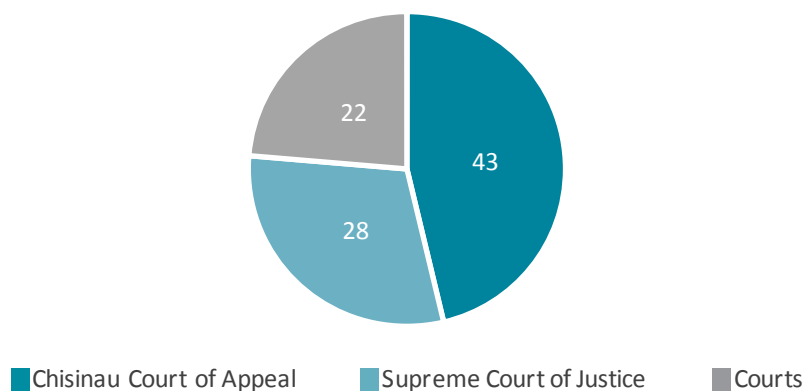


As regards the **adopted solutions**, the first instance courts and the appeal courts ruled in case of the filed complaints at least 25 decisions, 63 resolutions and 5 judgements. Of these, at least 11 resolutions (12% of the total number of issued legal acts) were issued by courts through which they shifted the responsibility or solved the conflict of interest, while one judgement, four resolutions and two decisions (8%) were issued during the repeated examination of the dispute, following the cancellation of previous judicial acts (Annex 5).

Promo-LEX OM pointed out in the Report No 5⁷⁷ that the existence of negative conflicts of competence at the level of electoral bodies determines the delay of the settlement of electoral disputes and can lead to the violation of the right to an effective remedy. According to the Code of Good Practice in Electoral Matters it is indispensable that the provisions concerning the appeals, particularly those related to the competence and responsibility of different courts to be clearly regulated by law in order to avoid any negative or positive conflict of competence. *To this end, we recommend the electoral authorities and the courts to avoid declining the competence and the legislator – to amend the Electoral Code, in conjunction with the Administrative Code, in order to avoid any doubt about the jurisdictional competence of the courts*

Chart 22

Court documents issued on electoral litigations



As regards the rulings issued by the courts, they rejected as unfounded 21 (23%) applications (CCA – 10, SCJ – 11); found inadmissible 53 (57%) applications (judges – 15; CCA – 31, SCJ – 7); admitted seven (8%) applications (SCJ) cancelling those issued by lower courts.

Promo-LEX OM found the trend to declare the complaints inadmissible already in the Progress Report No 3⁷⁸. Therefore, the appeals were not examined on the merits as they did not comply with the format requirements established by the Administrative Code. The Mission reiterated that the right to effective remedy shall be ensured to election contenders, voters and other electoral stakeholders. We remind that according to the Code of Good Practice in Electoral Matters, the appeal procedure should be simple and free of formality, **particularly in terms of establishing the admissibility of complaints**; also, in order to avoid the inadmissibility decisions, particularly in politically sensitive cases, any formality should be eliminated⁷⁹.

77 [Report](#) 5. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 27.

78 [Report](#) No 3. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 32.

79 [Code](#) of Good Practice in Electoral Matters, item 3.3.b., Explanatory Report, item 96.

As regards the observance of the **terms for settling the complaints**, we would like to mention that at least 20 complaints were settled or an answer was issued the same day, of which 12 were filed on the election days. At least 44 complaints were solved within 1-3 days, 15 complaints – within 4-5 days, and 10 complaints – within 6-11 days.

Promo-LEX OM found a high number of cases when the term for settling the complaints was exceeded (21.5%). Thus, in violation of the Article 73(1)(2) of the Electoral Code, the term for examination and settlement of the complaints was exceeded at least in 20 cases. For example, the Chisinau Court exceeded two times the term of three days with 1-4 days, the Chisinau Court of Appeal exceeded three times the legal term of three days with 1-5 days and six times the legal term of five days with 1-6 days. The SCJ exceeded two times the three-day term with 1-6 days.

According to Article 73(4) of the Electoral Code, the complaints filed with the courts on the election day shall be examined the same day. Thus, as regards the complaints filed on the election day, we found that most of them were examined and settled the same day. Nonetheless, in violation of legal provisions cited, two complaints that were filed on the election day were settled the next day. At the same time, it was found at least one case when the complaint was filed before the second round of elections, but was settled after the second round, although according to the law the complaints shall be settled no later than on the election day.

Given the above mentioned, Promo-LEX OM reiterated the need to regulate the filing, review and settlement of complaints and the competence of electoral bodies or of courts after the election day and between the rounds of elections for different types of voters.

V. ELECTION CONTENDER NOMINATION AND REGISTRATION

CEC registered eight contenders in the electoral race for the position of President of the Republic of Moldova. The presidential election of 1 (15) November 2020 was competitive.

As part of the nomination procedure 13 IGs were registered. Even though two requests were repeatedly reviewed by CEC, all applicants had the opportunity to collect signatures on signature sheets. Nine nominated candidates submitted documents for registration, including the required number of signatures. Eight of them were registered. Of the four IGs that did not submit applications for registration to CEC, three represented independent candidates.

Of the eight registered candidates, seven were nominated by political parties and an electoral bloc, and only one was an independent candidate, but he was also openly supported by the ruling political party. Only two women were nominated and registered as candidates.

5.1. Nomination deadline and notion of election contender

According to Article 1 of the Electoral Code, the term election contender in presidential elections applies to candidates running for president of the Republic of Moldova, registered by CEC. To this end, Article 113 of the Electoral Code stipulates that all candidates shall submit signature sheets containing the signatures of at least 15,000 and not more than 25,000 voters from at least half of level-two ATUs of the Republic of Moldova.

According to legal provisions⁸⁰, the nomination of candidates shall begin 60 days before the election day and end 30 days before it. According to CEC Schedule⁸¹, the nomination of candidates was supposed to take place between 1 September and 1 October 2020.

5.2. Situations that can be qualified as nomination of candidates before the legal deadline

In the context of the presidential election, there have been noticed at least six cases that Promo-LEX OM qualified as nomination of contenders before the legally provided time frame (1 September 2020): Andrei Nastase (PPPDA) – 01 March 2020; Maia Sandu (PAS) – 18 July 2020; Octavian Ticu (PUN) – 25 July 2020; Dorin Chirtoaca (BE Unirea) – 29 June 2020; Renato Usatii (PN) – 27 August 2020; Tudor Deliu (PLDM) – 28 August 2020)⁸².

⁸⁰ Article 41(1) of the [Electoral Code](#): Nomination of candidates. In parliamentary and presidential elections, the process of candidate nomination shall start 60 days before the election day and end 30 days before the election day.

⁸¹ [Schedule](#) of organisation and conduct of the Presidential Election in the Republic of Moldova of 1 November 2020, Item 22.

⁸² Reports No 1 (page 27) and 2 (page 26). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

5.3. Registration of initiative groups supporting election contenders

According to Article 114(2) of the Electoral Code⁸³, and to Item 24 of the CEC Schedule⁸⁴, IG registration applications could be submitted between 1 September and 11 September 2020. During the mentioned period there have been registered 13 IGs (see Table 5). In case of two IGs, as the submitted documentation failed to meet the legal provisions, were registered after a repeated submission of the application⁸⁵.

Table 5. Registered IGs supporting election candidates

No	Political affiliation	Candidate	Application date	Registration date	Decision
1	PLDM	Deliu Tudor	01.09.2020	03.09.2020	4,167
2	PN	Usatii Renato	01.09.2020	03.09.2020	4,168
3	PPPDA	Nastase Andrei	01.09.2020	03.09.2020	4,169
4	PAS	Sandu Maia	02.09.2020	03.09.2020	4,171
5	Pro Moldova	Candu Andrian	02.09.2020	03.09.2020	4,172
6	PUN	Ticu Octavian	02.09.2020	03.09.2020	4,174
7	BE Unirea	Chirtoaca Dorin	02.09.2020	03.09.2020	4,175
8	PPS	Ivanov Violeta	07.09.2020	09.09.2020	4,187
9	IC	Costas Ion	07.09.2020	09.09.2020	4,188
10	IC	Oboroc Constantin	07.09.2020	09.09.2020	4,189
11	IC	Dodon Igor	09.09.2020	11.09.2020	4,192
12	POM	Toma Serghei	09.09.2020	11.09.2020	4,193
13	IC	Kalinin Alexandr	10.09.2020	11.09.2020	4,231

Of the 13 nominated candidates we note that nine were nominated by political formations (8 parties and one electoral bloc), respectively four candidates were nominated by citizens (independent candidates).

From gender standpoint, in the electoral race registered only two IGs (15%) supporting women candidates: Maia Sandu IG (PAS) and Violeta Ivanov IG (PPS). We hence notice a low representation of women as contenders for the position of President of the Republic of Moldova. For comparison purposes, note that five women candidates were registered in the 2016 presidential election, accounting for 42% of the total number of registered candidates (5 out of 12).

83 Article 114(2) of the Electoral Code: The list of members of an initiative group, where the leader of such group is specified, shall be filed with CEC 50 days before election day at the latest, by the person proposed as candidate for President of the Republic of Moldova.

84 [Schedule](#) of organisation and conduct of the Presidential Election in the Republic of Moldova of 1 November 2020, Item 24.

85 [Report](#) No 2. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 27.

5.4. Election contender registration

Out of the 13 registered IGs, only 9 filed the application for the registration of election contenders in due time (see Table 6). In case of the other 4 IGs, for various reasons, the signature collection was not completed and they failed to apply for registration⁸⁶.

Table 6. Election Contender Registration

No	Candidate	Political affiliation	IG registration	Application submitted to CEC	CEC decision	No of signatures	Null and void signatures
1	Usatii Renato	PN	03.09.2020	07.09.2020	1236 of 13.09.2020	24,105	14%
2	Nastase Andrei	PPPDA	03.09.2020	07.09.2020	4235 of 13.09.2020	25,000	17%
3	Candu Andrian	Pro Moldova	03.09.2020	10.09.2020	4,263 of 18.09.2020	25,000	rejected
4	Deliu Tudor	PLDM	03.09.2020	14.09.2020	4272 of 19.09.2020	21,396	18%
5	Dodon Igor	IC	11.09.2020	21.09.2020	4303 of 28.09.2020	25,000	9%
6	Ivanov Violeta	PPS	09.09.2020	22.09.2020	4305 of 29.09.2020	25,000	15%
7	Sandu Maia	PAS	03.09.2020	23.09.2020	4307 of 30.09.2020	25,000	11%
8	Ticu Octavian	PUN	03.09.2020	29.09.2020	4321 of 05.10.2020	19,703	18%
9	Chirtoaca Dorin	BE Unirea	03.09.2020	29.09.2020	4322 of 05.10.2020	23,930	25%

Consequently, we see that out of the nine filed applications, with respect to eight candidates CEC adopted decisions to register the election contenders, while in one case it rejected the registration (Andrian Candu, Pro Moldova)⁸⁷. Out of eight registered candidates, seven were nominated by political formations and only one was an independent candidate – Igor Dodon (IC), who – according to Promo-LEX observers and statements of the candidate himself and of the PSRM – was also supported/promoted by this political party⁸⁸. Only two of the registered candidates are women (25%).

In comparison with the presidential election of 2016, when 12 candidates were registered, the number of contenders in 2020 decreased. Also, the share of women candidates decreased from 42% (5 candidates) in 2016 to 25% (2 candidates) in 2020.

Given the aforementioned, *Promo-LEX believes that in terms of contender registration, the presidential election of 1 (15) November 2020 was competitive and the voters had the possibility to analyse and express their political preference, as there has been a variety of registered election contenders, with diverse political ideologies and electoral platforms.*

86 [Report No 3](#). Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 27.

87 The reason of rejection was that the signatures on the submitted signature sheets did not comply with the legal provisions. Of the total 29 level-two ATUs in which signatures were collected, the lists of only 12 level-two ATUs (of the 18 mandatory ones) met the validity conditions of the minimum required 600 signatures. The rest of the lists from 17 level-two ATUs did not meet the legal requirements (there were less than 600 valid signatures).

88 [Press release](#) on the official website of PSRM www.socialistii.md: PSRM: We urge citizens of this country to be on the side of Igor Dodon.

VI. LISTS OF VOTERS AND THE STATE REGISTER OF VOTERS

CEC ensured the transparency of SRV data by regularly publishing information on the number of voters. In this election too, the number of citizens with the right to vote in the SRV increased, but to a lesser extent, compared to the previous years. We remind that the Republic of Moldova has had a negative natural population growth since 1999.

The increase in the total number of voters is mainly due to the growing numbers of voters without domicile/residence and those in the transnistrian region. On the other hand, the number of voters in other ATUs of the Republic of Moldova, as a whole, is decreasing.

The Promo-LEX OM found that the observers' access to the full-format main lists of voters was limited in about 20% of the visited PEBs. The voter lists arrived to 42% of the visited PEBs with a delay. The issues reported by observers in relation to the quality of the main lists of voters include: presence of deceased persons and wrongful assignment of voters to another PS from the same or even from a different settlement.

6.1. Development of data in the State Register of Voters

In the context of the presidential election of 1 (15) November 2020, for the first time CEC published for four times data about the voters in the SRV. Previously they used to publish data twice a year. The dynamics regarding the total number of voters in the SRV had been uneven over the four reported months (July - October). For instance, it increased in August by about 4,000 voters, then decreased by 3,000 voters in September.

In terms of voter categories, the number of voters registered in level-two ATUs decreased, while the number of voters without domicile kept increasing (including people abroad), as did the number of voters in the transnistrian region (see Table 7).

Table 7. Dynamics of voter numbers from 2016 to 2020, on the basis of SRV data

Date	Total No of voters	Voters in level-two ATUs	Dynamics	Voters without domicile/place of residence	Dynamics	Voters in the transnistrian region	Dynamics
22.08.2016	3,237,032	2,854,557		160,673		221,842	
01.09.2017	3,255,361	2,873,707	19,150	155,683	-4,990	225,971	4,129
10.12.2018	3,265,997	2,824,874	-48,833	210,890	55,207	230,233	4,262
22.08.2019	3,285,894	2,818,228	-6,646	224,250	13,360	243,416	13,183
01.07.2020	3,285,874	2,808,009	-10,219	228,852	4,602	249,013	5,597
01.08.2020	3,286,304	2,807,728	-281	229,570	718	249,006	-7
02.09.2020	3,290,312	2,810,689	2,961	230,384	814	249,239	233
08.10.2020	3,287,140	2,798,306	-12,383	232,631	2,247	256,203	6,964

We reiterate⁸⁹ the concerns around the quality of SVR data because around 15% of the total number of voters consist of those living in the transnistrian region and of those that have no domicile (including those that migrated legally out of the country).

6.2. PEBs receiving the lists of voters and ensuring access to them

In line with Article 45 of the Electoral Code and Item 62 of CEC Schedule, the lists of voters had to be submitted to the PEBs by 12 October 2020 inclusively. According to Promo-LEX observers' reports, only 1,129 (66%) out of the 1,715 PEBs visited during 10 - 30 October 2020 received the lists of voters in due time.

As per Article 68(5) of the Electoral Code, observers shall have access to all information of electoral nature, to the lists of voters, to the minutes drawn up by the electoral bodies, etc. Despite the aforementioned legal provisions, in 399 (23%) out of the 1,715 PEBs visited during 10 - 30 October 2020 the observers could not have access to the full-format lists of voters (see Annex 4).

6.3. Issues detected by observers in relation to the lists of voters

According to the data provided by the Promo-LEX OM observers and the interviews with members of the PEBs, representatives of local public administration authorities and voters revealed a number of issues with the quality and content of the lists of voters, as follows:

- deceased persons on voter lists (290 cases);
- inaccurate addresses (89 cases);
- wrongful assignment of voters to another PS from the same or even from a different settlement (66 cases);
- voters missing from the main lists of voters (64 cases);
- wrongful assignment of a voter to a PS from a different settlement (26 cases);
- others (22 cases).

⁸⁹ [Analysis](#) of the data on the total number of voters registered in the SRV as of 1 July 2020.

Promo-LEX OM draws attention to the fact that many issues with the lists of voters are perpetuated from one election to another, thus pointing to systemic problems in ensuring the accuracy and correctness of the SRV content. For example, in the current presidential election, similarly to the general local election of 2019, at least 290 voters from Rosieticii Vechi were included in the lists of voters of Rosietici (Floresti District), which is the township seat⁹⁰.

Moreover, according to the observers, in at least eight cases CEC was requested to re-print the lists of voters (Balatina village, Glodeni district; Drochia town; Hancesti town; Ialoveni town; Nisporeni town; Rascaieti township, Stefan Voda district; Stauceni township; Tarigrad village, Drochia district).

6.4. Filling out the lists of voting at the place of stay

Another topic that Promo-LEX OM highlighted relates to the mechanism of voting at the place of stay. We remind that Item 3.2 of the Code of Good Practice in Electoral Matters⁹¹ does not recommend using mobile ballot boxes due to the high risks of fraud involved. At the same time, the pandemic could lead to an increase in the number of applications to vote at the voters' place of stay. However, official data presented by CEC denied this assumption. The share of applications filed in this context accounted for 3-4% of the total number of applications.

Presidential Elections, 2016 ⁹²		Parliamentary Election, 2019 ⁹³	2020 Presidential Elections.	
Round I	Round II		Round I	Round II
Voted – 28,362	Voted – 36,018	Voted – 35,041	Requests – 39,919 ⁹⁴ (1 616 COVID-19)	Requests – 31 145 ⁹⁵ (836 COVID-19)

Moreover, in the 2020 presidential election we did not see the trend noticed in 2016, when in the second round there was a 30% increase in the requests to vote at the place of stay compared to the first round.

The explanation of this regression in numbers may be the fact that in the second round of election PEBs, for various reasons, refused to include voters in the list of voting at the place of stay. In this regard, according to the observers, at least 10 appeals were filed with the DEC on 14-15 November in relation to at least 52 requests to vote at the place of stay. At the same time, Promo-LEX OM identified at least four cases just before the second round, when requests to vote at the place of stay were collected by unauthorised persons and PEB members refused to accept them⁹⁶.

90 [Report No 4](#). Observation Mission for the General Local Elections of 20 October 2019, p. 42.

91 [Code of Good Practice](#) in Electoral Matters. Guidelines and Explanatory Report

92 [CEC Report](#) on the results of the Moldova Presidential Election of 30 October 2016.

93 [Decision No 2420](#) of 03.03.2019 approving the Report on the results of the Parliamentary Elections in the Republic of Moldova of 24 February 2019.

94 [39,919 voters](#) requested to vote at their place of stay

95 [The Central Electoral Commission informs](#) that so far around 31,200 voters requested to vote by means of the mobile ballot box.

96 [Report No 7](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 14-15.

VII. PUBLIC ADMINISTRATION

LPAs were involved in the organisation of the election of 1 (15) November 2020 by fulfilling their duties set in the electoral legislation: appointing DEC and PEB members; providing the lower-level electoral bodies with venues and materials needed for their activity; providing designated sites for electoral posters and meetings with voters, etc.

We would like to draw your attention to the issues that affect the degree of information of citizens on the conduct of the electoral process. Thus, according to observers, only 389 LPAs (43%) approved a decision on electoral posters and only 378 LPAs (42%) approved a decision on providing venues for meetings with voters. Most of them – 314 (83%) – provided venues for meetings with voters free of charge. Promo-LEX observers found also that not all LPAs knew their duties with regards to how voters should declare their new place of residence.

Promo-LEX OM found that at least 355 PEBs (18%) established on the territory of the Republic of Moldova had no member appointed by the local councils, even if the law requires that three candidates are to be nominated by the LPAs.

In addition, for the first time in Promo-LEX OM observing elections, in the context of establishing PSs for voters from the transnistrian region for the presidential election of 1 (15) November 2020, it was noticed that certain LPAs refused to cooperate with CEC and DECs on the subject of establishing polling stations.

7.1. Election organisation activities involving LPAs

In the context of the presidential election, LPAs were involved in the following types of activities: appoint members of electoral bodies; provide suggestions on boundaries of the PSs; provide the electoral bodies with offices/premises and materials needed to ensure their appropriate function; ensure access of people with special needs to the PS premises; ensure special places for electoral posters and meetings with voters; take part in the verification of the SRV.

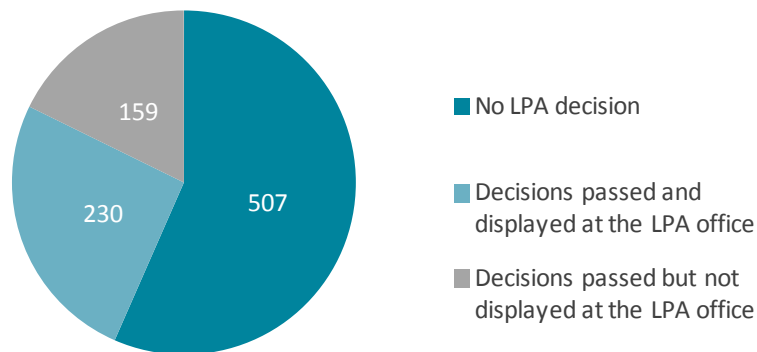
7.2. Establishing places for electoral posters and venues for meetings with voters

Article 52(9) of the Electoral Code provides for the obligation of local public administration authorities to establish and inform the relevant stakeholders, within 3 days since the beginning of the election period, about the decisions on the places for electoral posters and list of venues for meetings with voters.

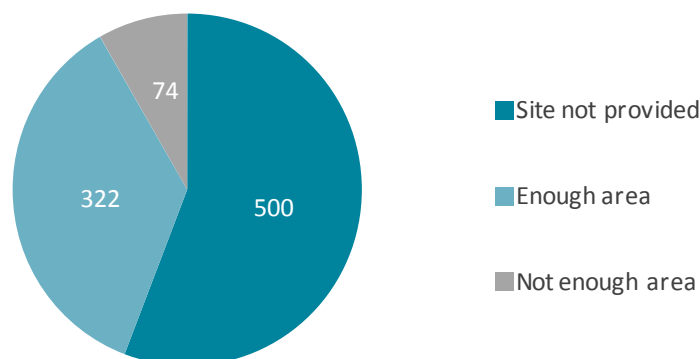
Promo-LEX OM found some gaps in LPAs performing their duties to ensure a transparent and correct electoral process on the basis of 1,154 visits to level-one ATUs that took place during 7 - 30 September and 3 - 13 November 2020.

Chart 23

Passing the decision on places for electoral posters



Providing sites for electoral posters



Passing the decision on places for electoral posters. Only 389 mayoralties (43%) adopted the decision on places for electoral posters. Only 230 decisions of these (59%) were displayed at the LPA premises. At the same time, places for posters were prepared in 396 ATUs (44%). Of these, there was enough space for electoral advertising for all election contenders (at least 1 sq.m. per election contender⁹⁷) in 322 settlements only (81%).

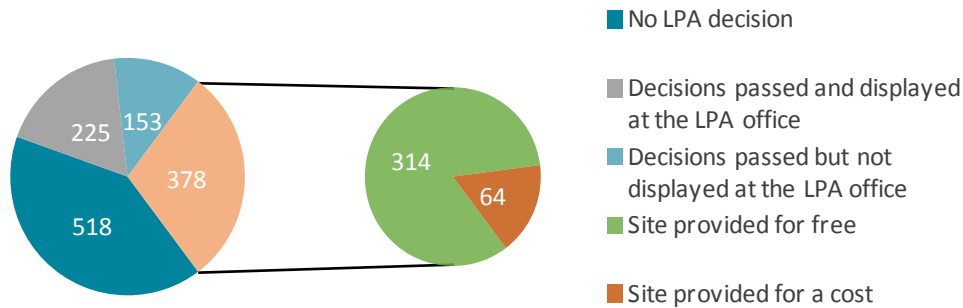
We would like to mention that in order to decide on the organisation, location and authorisation of electoral advertising within Chisinau municipality, CEC provided a number of recommendations regarding the draft Regulation on the Location of Advertising and Promotion Materials in Chisinau municipality, which was provided for public consultation by Chisinau Municipal Council.

Passing the decision on venues for meetings with voters. At least 378 mayoralties (42%) have approved decisions on venues for meeting with voters. Only 225 decisions of these (60%) were displayed at the LPA premises. Out of 378 LPAs that have approved such decisions, 314 (83%) provided for free a place of meeting with voters. On the other hand, 64 LPAs (17%) are charging from MDL 50 to MDL 1000 per hour, i.e. MDL 200 – MDL 1000 per meeting.

97 [Regulation](#) on the Location of Electoral Advertising and Political Promotion Materials on Advertising Billboards, approved by CEC Decision No 3328 of 28 April 2015.

Chart 24

Passing the decision on venues for meetings with voters



We would like to highlight that in order to reduce as much as possible the risk of COVID-19 infection, when meetings with voters took place indoors, the organisers were obliged to ensure the physical distance, ensure that people wear masks and have up to 50 participants.

7.3. LPA duties in implementing the procedure of declaration of one's new place of residence

According to Article 44(8) of the Electoral Code, people enjoying the right to vote who, after their last participation in elections, have changed their place of residence, have the right to declare their new place of residence to the local public administration body – at the latest 30 days before the next elections – in order to be registered in the list of voters at the polling station corresponding to the place of residence.

Promo-LEX OM had interviews about this procedure with representatives of 59 LPAs (32 district seats, Balti Municipality and two of its suburban settlements, Comrat Municipality, 5 city districts of Chisinau Municipality, 18 ATUs – suburban settlements of Chisinau Municipality). It turned out that representatives of at least 55 LPAs (93%) had knowledge of the procedure for declaring one's new place of residence, while representatives of at least 4 LPAs (7%) had not. It should be noted that 2 out of the 4 LPAs that were not familiar with this procedure were from among the suburban settlements of Chisinau municipality⁹⁸. The LPAs received 1,495 declarations on a new place of residence between 31 August and 29 September 2020.

Promo-LEX believes that the procedure of citizens declaring a new place of residence to the LPA, in order to be recorded in the list of voters of the PS corresponding to the place of residence would increase substantially the accuracy and reliability of the lists of voters. Therefore it is mandatory to organise information and awareness raising campaigns about this procedure for the public at large.

7.4. LPA duties in appointing members to electoral bodies

According to Article 30(10) of the Electoral Code, 3 members of the PEBs shall be nominated by local councils. The other members are to be nominated by the political parties represented

98 [Report No 3](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 33.

in the Parliament and if there are not enough members, then DEC shall fill in the missing number of members from the REO, at the suggestion of the CEC.

Having looked over the decisions establishing PEBs, Promo-LEX OM found out that not one member was appointed by the local councils in 355 PEBs (18% of the total 2004 PEBs). Of these PEBs, 305 (86%) are in Chisinau municipality. Promo-LEX OM also identified 214 electoral bureaus (11%) where the local councils appointed fewer than three members⁹⁹.

Note that the members of all PEBs set up by DEC No 1 in Chisinau Municipality were appointed either by the parliamentary political parties or on the basis of the REO. According to Promo-LEX observers, Chisinau Municipality LPA was not able to nominate any members to PEBs because the municipal council had not made a decision to such end. Therefore, the people that were supposed to be nominated by the LPA, were ultimately included as PEB members on the basis of REO. In this context, the question arises as to whether those persons were really in the REO, or whether the procedure for appointing on the basis of this register is a just perfunctory. Note that the quality of REO was already tackled by the Promo-LEX OM back during the 2016 presidential election. In its final report, the OM highlighted the 'lack of transparency in the establishment of the Register of Electoral Officials (REO) and the setting up, according to it, of lower-level electoral bodies'¹⁰⁰.

7.5. Deficiencies in the cooperation between LPAs and electoral bodies during the establishment of PSs

For the first time in the elections held in the Republic of Moldova there have been cases when the LPA refused to open a PS. Such situations related to the organisation of PSs for the transnistrian region.

To be precise, Promo-LEX observers reported at least seven settlements whose representatives disagreed to open polling stations: Stefan Voda town, Rascaieti township (Stefan Voda District), Hagimus village (Causeni District), Harbovat, Gura Bacului and Varnita villages (Anenii Noi District) and Rezina town (Rezina District).

The reasons that were invoked included: the epidemiological situation and the risk to have an infection outbreak in the community, lack of available public premises, conflicts during the previous elections, lack of a consultation of local inhabitants on these topics, etc.

In this context, Promo-LEX believes that even though, according to the law, the consultation of LPAs is not necessary for the establishment of PSs for the voters from the left bank of Nistru River, communication with local public authorities on the possibility and their availability to provide premises, equipment, consumables and human resources for the polling stations is of utmost importance¹⁰¹. The lack of communication as a reason of these emerged issues was also invoked by the Congress of Local Authorities of Moldova (CALM)¹⁰².

99 [Report No 4](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 29-30.

100 [Final report](#). Promo-LEX Observation Mission in the presidential election of Moldova of 30 October 2016, p. 25.

101 [Report No 3](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 10.

102 Note on the place and role of the local public administration authorities in the electoral process, CALC No 172 of 7 October 2020.

VIII. ELECTIONS CANDIDATES

The election candidates demonstrated increased activism during the election campaign. At the same time there were cases of activities of electoral nature before the legal term. The number of campaign activities did not diminish during the pandemic, but their structure changed and focused particularly on the online environment.

During the election campaign, observers identified that at least 2,164 promotion activities were conducted, the most common types being: dissemination of electoral materials (49%), meetings with voters (21%) and display of electoral posters (10%). According to Promo-LEX OM, most activities were carried out by Igor Dodon (IC) – 783 (36%), Maia Sandu (PAS) – 471 (22%) and Renato Usatii (PN) – 334 (15%).

Election campaigns still make use of administrative resources. The observers reported at least 114 such cases, of which: 86 (75%) – Igor Dodon (IC), 14 (12%) – Violeta Ivanov (PPS), 7 (6%) – Tudor Deliu (PLDM), 4 (4%) – Maia Sandu (PAS) and 3 (3%) – Andrei Nastase (PPPDA). Most cases refer to the involvement of public sector employees in the election campaign during their working hours (61 cases – 54% of the total number) and election contenders taking credit for works/services performed at the expense of public funds (33 cases – 29% of the total number). The number of such cases is almost twofold compared to the presidential election of 2016, although in comparison with the parliamentary and local elections of 2019 there is a decrease in the number of cases.

During the election period, Promo-LEX observers also identified at least nine cases that could be regarded as offering electoral gifts, which is three times less than in the previous presidential election.

Other identified violations include: promotion using the image of foreign officials and state symbols (17 cases); non-compliance with public health rules established by the extraordinary public health commissions (65 cases); using electoral advertising in violation of legal provisions (57 cases); using the image of religious cults in the election campaign (14 cases); intimidation and use of violence in the electioneering process (12 cases).

8.1. Promotion Activities

8.1.1. Promotion activities held before the beginning of the election campaign

According to Article 116(1) of the Electoral Code, Moldova Presidential Election Campaign is to start no sooner than 30 days before the election day. According to CEC Schedule¹⁰³, registered candidates may conduct electioneering activities during 2 - 30 October 2020.

Nonetheless, during June – August 2020, Promo-LEX monitors highlighted some activities that might qualify as activities with direct electoral impact. Thus, after 21 May 2020 (when the

¹⁰³ Schedule of organisation and conduct of the Presidential Election in the Republic of Moldova of 1 November 2020, Item 37.

date of presidential election was approved)¹⁰⁴, there have been noticed at least six campaigns with elements of electoral promotion held all over the territory of the Republic of Moldova by potential contenders, as follows: PRO Moldova and the campaign ‘Dodon pleaca!’ [‘Dodon leave!’], PN and the campaign ‘Claxonează dacă ești împotriva lui Dodon’ [‘Honk your horn if you’re against Dodon’], PUN and the campaign ‘Ce înseamnă unirea cu România’ [‘What the unification with Romania means’], and MPU with the call to identify a common unionist candidate for the presidential election, PPS and the street lighting and child playgrounds projects (taking credit for their implementation)¹⁰⁵.

8.1.2. IG Promotion Activities

According to Item 22 of the CEC Schedule¹⁰⁶, registered IGs were allowed to collect signatures in support of their candidates for the position of President of the Republic of Moldova between 1 September and 1 October 2020.

During the monitored period, Promo-LEX observers reported at least 381 activities conducted by registered IGs to collect signatures in support of nominated candidates (see Table 8). According to Promo-LEX observers, most activities were carried out by: Maia Sandu IG (PAS) – 35% (135), followed by Igor Dodon IG (IC) – 20% (78), and Andrei Nastase IG (PPPDA) – 16% (62).

Table 8. Promotion activities performed

No	Activities	Maia Sandu IG (PAS)	Igor Dodon IG (IC)	Andrei Nastase IG (PPPDA)	Violeta Ivanov IG (PPS)	Octavian Ticu IG (PUN)	Renato Usatii IG (PN)	Tudor Deliu IG (PLDM)	Andrian Candu IG (Pro Moldova)	D. Chirtoaca IG (BE Unirea)	Alexandr Kalinin IG (IC)	Constantin Oboroc IG (IC)	Serghei Toma IG (POM)	Total
1	Signature collection	63	8	20	5	16	18	8	4		1	1		144
2	Dissemination of information materials	35	41	2	8	7	1							94
3	Meetings with citizens	27	20	32		2					1			82
5	Press conferences	4	1	6			3		1	2		1	2	20
4	Door-to-door activities	3	4	1	1	4		1						14
8	Inaugurations/Consecrations		4	1	15									20
7	Flashmobs/demonstrations	3								2				5
6	Social stores				2									2
	Total	135	78	62	31	29	22	9	5	4	2	2	2	381

104 [Parliament Decision](#) No 65 of 21.05.2020 setting the date of the presidential election in the Republic of Moldova.

105 [Report](#) No 1 of the Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, page 28.

106 [Schedule](#) of organisation and conduct of the Presidential Election in the Republic of Moldova of 1 November 2020, Item 22.

Electoral political activities carried out by registered candidates before the official beginning of the campaign. As regards the candidate Andrei Nastase (PPPDA), given his registration as a candidate on 13 September 2020, at least 33 activities carried out after the registration but before 2 October (meetings with citizens, dissemination of materials, etc.) may qualify as electoral political activities. The registered candidate Renato Usatii (PN), after being registered as a candidate, also carried out two activities with electoral impact.

Endorsement of Igor Dodon (IC) by PSRM. Promo-LEX OM reported at least 21 activities (27% of the total actions assigned to Igor Dodon IG) of PSRM promoting the candidate Igor Dodon, who was nominated as an independent candidate. We reiterate that PSRM did not nominate a candidate for the presidential elections of 1 (15) November 2020.

8.1.3. Activities for the promotion of election contenders

During the election campaign (2-30 October 2020), the observers of the Promo-LEX OM reported at least 2,164 instances when advertising was used by the election contenders (see Table 9). The most common types were: the dissemination of electoral materials (49%), meetings with voters (21%) and display of electoral posters (10%).

Table 9. Election campaign activities

No	Activities	Igor Dodon (IC)	Maia Sandu (PAS)	Renato Usatii (PN)	Andrei Nastase (PPPDA)	Violeta Ivanov (PPS)	Tudor Deliu (PLDM)	Octavian Ticu (PUN)	Dorin Chirtoaca (BE Unirea)	Total
1	Dissemination of electoral materials	418	259	201	120	27	6	25	1	1,057
2	Meetings with voters	217	78	64	74	54	41	16	1	545
3	Posting of electoral posters	5	44	30	38	74	15	5		211
4	Door-to-door activities	79	61	29	10	4	1			184
5	Marches/flashmobs	50	2		4			1		57
6	Press conferences	5	20	4	7	4	2	2	6	50
7	Electoral debates		7	6	9	1	8	8	9	48
8	Social stores					3				3
9	Others	9								9
	Total	783	471	334	262	167	73	57	17	2,164

According to Promo-LEX observers, most activities were carried out by: Igor Dodon IG (IC) – 36% (783), followed by Maia Sandu (PAS) – 22% (471) and Renato Usatii (PN) – 15% (334). Moreover, depending on the regions where the campaign activities were conducted, note that 26% of them are for Chisinau municipality, 5% – Edinet, 5% – Anenii Noi and respectively, 4% – Cahul.

Thus, we found that, despite the pandemic, in general, the election campaign for the presidential election was as active as the previous ones. Also, note that during the election campaign of the presidential elections of 2016, 698 activities were reported, in the context of the parliamentary elections of 2019 – 2,829 activities and in the context of general local elections – 2,404 activities.

However, due to the pandemic, one could notice the change in the preferences of the contenders as regarding the type of conducted activities. Thus, if during the previous campaign prevailed the organisation of electoral meetings, during the election campaign for the presidential election they organised mainly activities of dissemination of electoral information materials. In addition, a significant increase was noticed as regards the activities for the promotion of the contenders on social media (see the chapter for electoral advertising).

Electoral promotion of Igor Dodon (IC) by PSRM. Promo-LEX observers reported at least 380 activities (49% of the total activities carried out by this candidate Igor Dodon (IC)) of PSRM promoting the candidate Igor Dodon, who was nominated as an independent candidate. We reiterate that PSRM did not nominate a candidate for the presidential elections of 1 (15) November 2020.

8.2. *Activities that can qualify as use of administrative resources for electioneering purposes*

Promo-LEX OM reiterates that the law in the field of the use of administrative resources during the election period remains insufficient. Despite the fact that the Observation Mission recommended constantly the authorities to review their attitude towards the issue, we found that in the context of these elections too, the issue concerning the regulation of a clear and exhaustive definition of administrative resources was not solved. That is why in the observation reports we refer, in particular, to the relevant international standards¹⁰⁷, which stipulate that ‘the use of administrative resources for partisan purposes by the governing parties and their candidates, such as the use of government positions and equipment’ should be prohibited.

In the context of the presidential elections, Promo-LEX OM, starting with the international standards in the field¹⁰⁸, identified at least 114 cases (see Chart 25) that can qualify as use of administrative resources (86 – Igor Dodon (IC), 14 cases – Violeta Ivanov (PPS), 7 cases – Tudor Deliu (PLDM), 4 cases – Maia Sandu (PAS), 3 cases – Andrei Nastase (PPPDA)), as follows:

- *use of state institutions to promote electoral initiatives* – 2 cases, both concerning the candidate Igor Dodon (IC)¹⁰⁹;
- *impossibility to delimit ordinary office duties from using the position of public dignity for electoral promotion activities* – 12 cases, all of them involving Igor Dodon IG (IC)¹¹⁰;

107 OSCE/ODIHR, [Handbook](#) for the Observation of Campaign Finance. Venice Commission’s Joint [Guidelines](#) for preventing and responding to the misuse of administrative resources during electoral processes, p. 7.

108 Report on the misuse of administrative resources during electoral processes adopted by the Council for Democratic Elections at its 46th meeting (Venice, 5 December 2013) and the Venice Commission at its 97th Plenary Session (Venice, 6-7 December 2013). <http://bit.ly/37NN607>

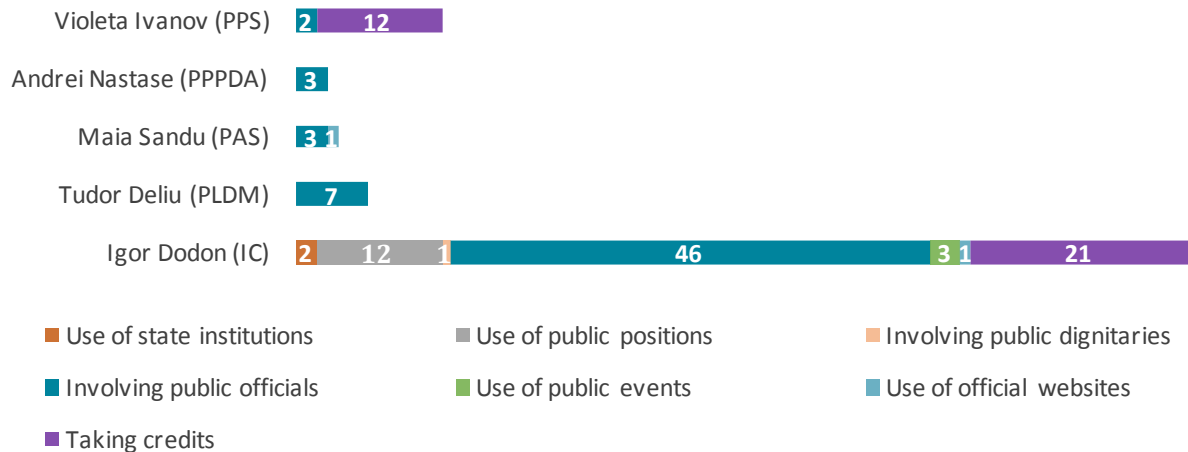
109 The first case is related to the initiative to increase the salaries of health workers, and the second case – the provision of annual bonuses to budgetary sector employees. For details see Reports No 1 (page 29) and 7 (page 23) regarding the Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

110 See [Report](#) No 3. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 36.

- *involving dignitaries in election campaigning activity* – one case, Igor Dodon (IC)¹¹¹.
- *involving public sector employees in election campaign activities during their working hours* – 61 cases (see Annex 6), of which 46 cases involving Igor Dodon (IC), 7 cases – Tudor Deliu (PLDM), 3 cases – Maia Sandu (PAS), 3 cases – Andrei Nastase (PPPDA) and 2 cases – Violeta Ivanov (PPS);
- *using public events, organised by LPAs, for electoral promotion* – 3 cases, Igor Dodon (IC)¹¹²;
- *using the official sites of state institutions to promote electoral activities* – 2 cases, of which one case – Igor Dodon (IC)¹¹³ and the second – Maia Sandu (PAS)¹¹⁴;
- *taking credit for works/services performed from public money* – 33 cases (see Annex 7), of which 21 cases involved Igor Dodon (IC) and 12 cases – Violeta Ivanov (PPS).

Chart 25

Cases regarded as use of administrative resources



Given the above mentioned, according to Promo-LEX OM, not all the election contenders had equal chances in promoting electoral messages. Note that the use of administrative resources provide an undue advantage to the candidates that use this tool in relation to other contenders, this damaging the principle of equality of chances as well as the freedom of voters to have an opinion¹¹⁵.

¹¹¹ Public support from a group of 22 district presidents and deputy presidents for the candidate Igor Dodon (IC) – see [Report No 7](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 24.

¹¹² [Report No 5](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 36.

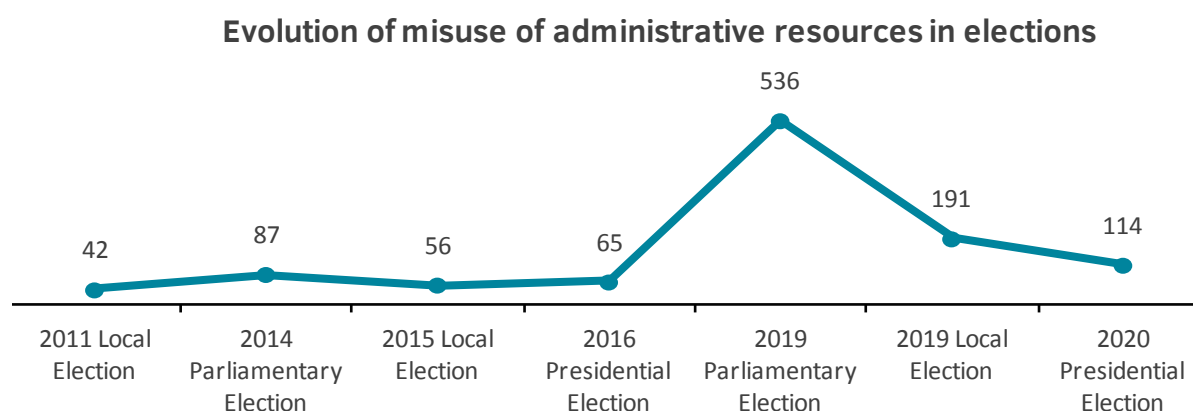
¹¹³ On 21 September 2020, a press release about the President submitting the signature sheets and his intention to fight for 4 years of mandate, was published on the official site of the Presidential Office – www.presedinte.md.

¹¹⁴ On 9 November 2020, on the official website of Rezina mayoralty, was published the message of the candidate Maia Sandu (PAS) for the mayor Rezina town, listing her commitments in the event of her accession to the office of President.

¹¹⁵ Report on the misuse of administrative resources during electoral processes adopted by the Council for Democratic Elections at its 46th meeting (Venice, 5 December 2013) and the Venice Commission at its 97th Plenary Session (Venice, 6-7 December 2013), pct. 17. <http://bit.ly/37NN607>

As regards the previous elections, we found that the number of cases of use of administrative resources diminished as compared to the parliamentary and local general elections from 2019. According to the analysed statistics, this decrease is due including to the ban in the educational institutions of activities that are not related to the educational process¹¹⁶. Nonetheless, we found that the use of administrative resources is still a problem.

Chart 26



8.3. Cases that can qualify as electoral gift giving

According to the legal provisions, offering or giving money, goods, services or other benefits in order to determine the voters to exert or not their voting rights during the parliament and local elections or referendums is considered an action of corruption of voters¹¹⁷.

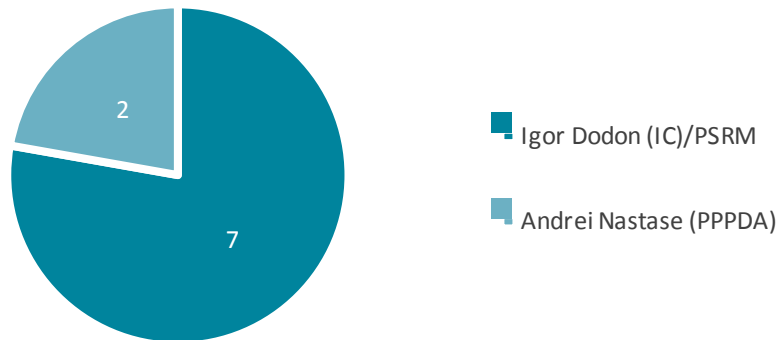
During the election period of the presidential elections, Promo-LEX OM reported at least nine cases (see Annex 8) that can qualify as offering electoral gifts, of which 5 cases took place before the beginning of election campaign (25 August – 1 October 2020) and 4 cases – during the election campaign (see Chart 27). In 7 cases was involved the candidate Igor Dodon (IC)/PSRM and in 2 cases – Andrei Nastase (PPPDA).

116 [Order No 987 of 17.09.2020](#). Ministry of Education, Culture and Research of the Republic of Moldova. On Health Protection in Educational Institutions.

117 Criminal Code of Moldova, Article 1811 – <https://bit.ly/2LnHJdm>.

Chart 27

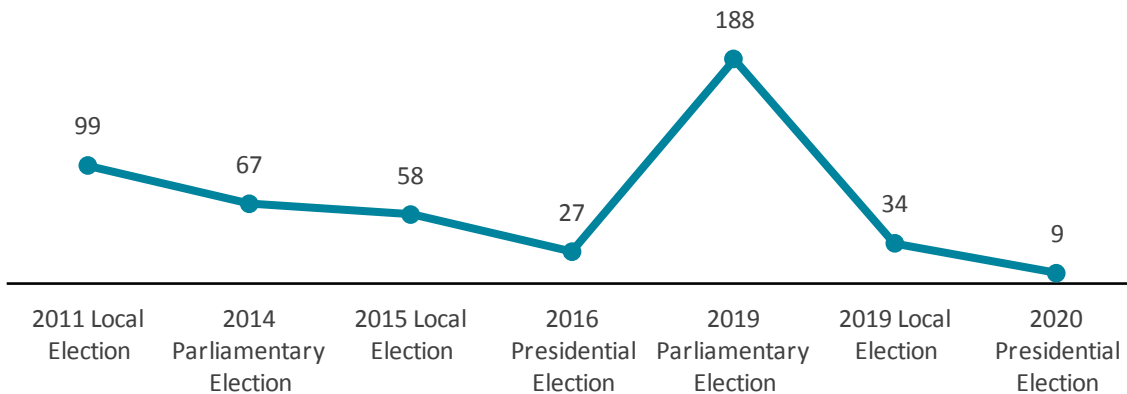
Offering presents with an electoral impact



In the same context, note that as compared to the previous elections, during the presidential elections of 1 (15) November 2020, like in case of the use of administrative resources, the number of cases of gift giving decreased significantly (see Chart 28).

Chart 28

Evolution of cases when electoral presents were given



8.4. Cases that can qualify as promotion by using images of foreign officials and state symbols

According to Article 52(8) the Electoral Code, images representing state institutions or public authorities of the country, other states or international organisations cannot be used for the purpose of electoral advertising. The combinations of colours and/or sounds that invoke national symbols of the Republic of Moldova or any other state, the use of materials with historical personalities of the Republic of Moldova or from abroad, symbols of other foreign countries or international organizations, or the image of some foreign officials is prohibited.

However, as noted in the context of the previous observation missions, according to Promo-LEX, the legislator should review the content of the restrictions in question, so that they are clearer, more explicit and take into account the general framework that regulates the freedom

of expression. When the restrictions are inappropriate and almost impossible to apply, the legislator could consider abolishing them¹¹⁸.

In the context of the presidential elections, Promo-LEX identified at least 17 cases¹¹⁹ of use of the image of foreigners, public authorities or national and international symbols. Of these, Maia Sandu (PAS) was targeted in 7 such cases, Igor Dodon (IC) – in 4 cases, in 3 cases – Dorin Chirtoaca (BE Unirea), in 2 cases – Andrei Nastase (PPPDA) and in one case – Tudor Deliu (PLDM).

8.5. Outdoor/ promotional/on-line electoral advertising

8.5.1. Use of electoral advertising during the period of activity of IGs

The observers of the Promo-LEX OM identified at least 966 situations when the outdoor/ promotional/on-line electoral advertising was used in the period of activity of IGs (see Table 10). Of these, according to Promo-LEX observers, 42% were used by Maia Sandu IG (PAS), 16% – by Igor Dodon IG (IC), 16% – by Violeta Ivanov IG (PPS) and 15% – by Renato Usatii IG (PN). Online promotion (29%), newspapers, posters, leaflets (23%) and visibility materials (19%) were the most frequently used types of advertising.

Table 10. Electoral advertising used during the period of activity of IGs

No	Advertising	Maia Sandu IG (PAS)	Igor Dodon IG (IC)	Violeta Ivanov IG (PPS)	Renato Usatii IG (PN)	Andrei Nastase IG (PPPDA)	Octavian Ticu IG (PUN)	Tudor Deliu IG (PLDM)	Andrian Candu IG (Pro Moldova)	Total
1	Sponsored advertising	129	7	30	108	4				278
2	Newspapers, folded leaflets, posters	99	89	9	5	16				218
3	Vests, aprons, bags	97	24	7	6	12	23	14	3	186
4	Tents	58	31		18	7	10			124
5	Billboards/LED	5		99		8				112
6	Banners	10		10		7	3		1	31
7	Online banners		2	1	8					11
8	Video spots	3			2	1				6
	Total	401	153	156	147	55	36	14	4	966

¹¹⁸ [Final Report](#). Observation Mission for the New Local Elections of 20 May (3 June) 2018, p. 26. [Report 3](#). Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

¹¹⁹ The cases were described in details in Reports No [2](#) (page 41), [3](#) (page 38), [4](#) (page 33) and [5](#) (page 38) regarding the Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

8.5.2. Use of advertising in the election campaign

During the election campaign, the observers of the Promo-LEX OM reported at least 7,363 instances when advertising was used in the activities aimed to promote the election contenders (see Table 11). According to observers, most activities were carried out by: Maia Sandu (PAS) – 33%, Igor Dodon (IC) – 23%, Andrei Nastase (PPPDA) – 17% and Renato Usatii (PN) – 15%.

Table 11. Electoral advertising used in the campaign

No	Advertising	Maia Sandu (PAS)	Igor Dodon (IC)	Andrei Nastase (PPPDA)	Renato Usatii (PN)	Violeta Ivanov (PPS)	Octavian Ticu (PUN)	Tudor Deliu (PLDM)	Dorin Chirtoaca (BE Unirea)	Total
1	Banners	710	7	653	96	125	250	15	7	1 863
2	Newspapers, leaflets, brochures, posters, etc.	420	670	238	308	91	42	47	1	1 817
3	Online advertising (posts, banners)	731	48	72	275	150		3		1 279
4	Jackets, bags, caps, etc.	311	525	166	205	27	16	8		1 258
5	Tents	93	287	59	68	19	2			528
6	Video spots	21	149	13	121	6		3		313
7	Street billboards	109	35	28	2	127	4			305
Total		2 395	1 721	1 229	1 075	545	314	76	8	7 363

Visibility materials (banners, billboards, boards, vests, bags, tents, etc.) – 54%, electoral materials (newspapers, posters, leaflets) – 25% and sponsored advertising – 17% were used most frequently.

8.5.3. Instances that can qualify as use of electoral advertising in violation of the law

According to Article 70(6) of the Electoral Code, electoral contenders shall be liable for the content of published or aired electoral materials. Each advertising material shall bear the name of the electoral candidate, date of publishing, turnout, name of the Publishing House. At the same time, in accordance with Section 14 of the Regulation on the Location of Electoral Advertising and Political Promotion Materials on Advertising Billboards,¹²⁰ the placement of election posters is prohibited in other places than those set by the law.

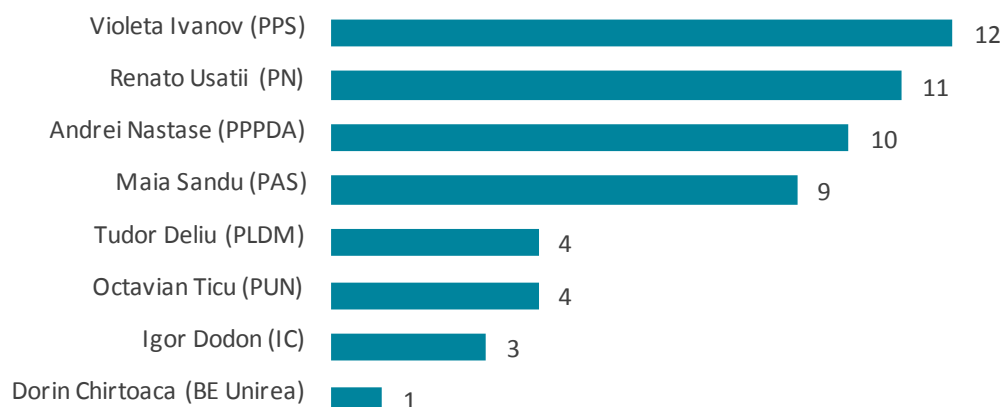
Based on the reports of Promo-LEX observers, there were identified *at least 3 cases* of use of electoral advertising without observing the requirements regarding advertising materials (1

¹²⁰ CEC Decision No 3328 of 28 April 2015 approving the Regulation on the Location of Electoral Advertising and Political Promotion Materials on Advertising Billboards.

case – Igor Dodon (IC)¹²¹, 1 case – Andrei Nastase (PPPDA)¹²², 1 case – Maia Sandu (PAS)¹²³ and 54 cases of placing the advertising in unauthorised places (see chart 29).

Chart 29

Unauthorised placement of electoral advertising



According to Promo-LEX, the use in the election period of electoral materials without correctly indicating the information about the printing house, number of copies, order, invoice and date, diminished significantly the transparency of the political party and election campaign funding. For this reason, we believe it is extremely necessary to identify and implement for the appropriate identification, reporting, investigation and sanctioning of such cases.

8.6. Cases that can qualify as use of the image of religious cults in the election campaign

During the monitoring, at least two cases when the representatives of religious cults directly got involved in the election campaign of the candidate Igor Dodon (IC)¹²⁴ and other 12 cases when Igor Dodon (IC) used the image of religious cults in the activities of electoral promotion were reported¹²⁵.

In this context, note that according to the Law on the Freedom of Thought, Conscience and Religion¹²⁶, the religious cults and their component parts shall refrain from expressing or manifesting publicly their political preferences or favouring a political party or social-political organisation.

121 The case from 'Universul' printing house when the information about the printing house that printed the material was not directly indicated. Instead, they indicated the printing house contracted by the contender to print those materials – for details see [Report](#) No 7. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020 (15 November 2020), p. 26.

122 The distribution of stickers without the data about the printing house, the print run, the date, etc. was reported in case of the candidate Andrei Nastase (PPPDA).

123 In case of Maia Sandu (PAS), before she was registered as an election contender, leaflets without data about the printing house, number of copies and date, etc. were distributed (urging people to be a volunteer in the election campaign).

124 Reports No [4](#) (page 34), [5](#) (page 39) and [7](#) (page 26). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

125 [Report](#) No 4. Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 34.

126 [Law](#) No 125 of 11 May 2007 on Freedom of Conscience, Thought and Religion.

8.7. Cases that can qualify as violation of the public health protection rules imposed by the national extraordinary public health commission (NEPHC and TEPHC)

The presidential elections of 1 (15) November 2020 were organised and conducted in the context of the restrictions imposed during the pandemic by NEPHC and by the territorial commissions for stopping the infection with COVID-19. Promo-LEX OM monitored the behaviour of the contenders, including from the perspective of the observance of the set epidemiological conditions.

Given the above mentioned, note that during the observation period, at least 65 events¹²⁷ that were conducted without observing the public health rules were identified and reported as follows:

- 53 cases aimed to promote the candidate Igor Dodon (IC): human marches (24), car marches (26), electoral meetings (3);
- 5 cases aimed to promote the candidate Andrei Nastase (PPPDA): electoral meetings (5);
- 5 cases aimed to promote the candidate Tudor Deliu (PLDM): electoral meetings;
- 2 cases aimed to promote the candidate Maia Sandu (PAS): electoral meetings.

8.8. Black PR (negative campaign) and disinformation of voters

During the observed period, negative campaign activities and assumed disinformation of voters were reported. Thus, on 3 November 2020, during a press conference concerning the relaunch of the election campaign for the second round of elections¹²⁸, the candidate Igor Dodon (IC) launched 10 key assumptions/forecasts in the campaign activities. They are all based on attack against person and on the denigration of the counter-candidate.


Later, based on those assumptions/forecasts, electoral promotional materials (posters, newspapers, etc.) were printed and distributed throughout the country. At the same time, video/audio¹²⁹ spots started to be broadcast at the radio and in the electronic media.

8.9. Cases that can qualify as use of violence in the election campaign

According to the reports drafted by Promo-LEX OM observers, at least 12 cases of intimidation/violence/vandalizing occurred with the participation of the candidates. In 11 cases the contenders and their representatives were victims of acts of violence (4 cases – Maia Sandu (PAS), 2 cases – Igor Dodon (IC), 2 cases – Renato Usatii (PN), 1 case – Violeta Ivanov (PPS), Octavian Ticu (PUN) and Andrei Nastase (PPPDA)) and in one case the victim was a citizen – administrator of a group on social media (Promo-LEX observer)¹³⁰.

¹²⁷ Reports No 4 (page 34), 5 (page 39) and 7 (page 27) regarding the Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

¹²⁸ Briefing conducted by Igor Dodon.

¹²⁹ The audio spot was broadcast at the radio stations: 

¹³⁰ Reports No 4 (page 35), 5 (page 41) and 7 (page 28). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

IX. FUNDING OF THE ELECTION CAMPAIGN

In the current presidential elections it was repeatedly documented the refusal on the part of certain banking institutions to open an 'Electoral Fund' account at the request of a contender (in this case – Violeta Ivanov (PPS)). The 'Electoral Fund' account is the only instrument that can be used to track the money used for the election campaign. In this respect, the refusal to open the account, in fact, limits the activity of the party/candidate, including to participate in the elections. Moreover, Promo-LEX found that the current format of reporting in-kind donations does not allow to include their value in the balance of revenues. Another issue raised refers to the failure to report the expenses for the delegation of electioneers, even though Promo-LEX OM identified their involvement in the election campaign of the contenders. Moreover, no election contender submitted their signed declarations of volunteering.

The total amount of the revenues reported by the election contenders during the election campaign accounted for MDL 25.9 million. Most revenues were reported by Renato Usatii (PN) – 36%, followed by Maia Sandu (PAS) – 23% and Igor Dodon (IC) – 17%. The main sources of funding are: donations made by individuals, including citizens of the Republic of Moldova living abroad (82%), donations in commodities, works or services (11%), own funds (6%) and donations from legal entities (1%).

Depending on the intended use of the expenses, most of them were reported as being spent for advertising (TV, radio, digital, outdoor, etc.) – 63%, followed by expenses for promotional materials (newspapers, leaflets, vests, caps, etc.) – 28% and for transportation – 3%.

The activities carried out by the eight election contenders in the electoral campaign that were not reported to CEC, are estimated by Promo-LEX OM as totalling at least MDL 9,099,163. Of these, we found that 56% belong to Igor Dodon (IC), 23% – Violeta Ivanov (PPS), 13% – Maia Sandu (PAS), 4% – Andrei Nastase (PPPDA), 2% – Tudor Deliu (PLDM), 1% each – Renato Usatii (PN) and Octavian Ticu (PUN), less than 1% – Dorin Chirtoaca (BE Unirea).

Compared to previous elections, Promo-LEX OM found that the current elections were characterized by a lower transparency of expenses made and reported during the election campaign. For the 2020 presidential elections, about 39% of the total expenses reported to CEC failed to be reported, for the 2016 presidential elections this share being 13%.

9.1. *Legal framework*

The election campaign funding is regulated by the Electoral Code, Law No 249 on Political Parties, Regulation on Funding the Election Contenders' Campaigns adopted by CEC Decision No 2704 of 17 September 2019 and the Regulation on the Funding of Initiative Groups for the Collection of Signatures in Support of a Candidate to an elective position or to initiate a referendum, approved by CEC Decision No 4176 of 3 September 2020.

9.2. *Regulations set by CEC in the context of election campaign*

The Regulation on Funding Initiative Groups On 3 September 2020, CEC approved a new Regulation¹³¹ on Funding Initiative Groups for Signatures Collection in Support of a Candidate for an elective position or to initiate a referendum. Promo-LEX believes that it was necessary to approve the new Regulation, adjusted to the current provisions, but this was done too late (the same day the first 7 IGs were registered). In this regard, we recommend CEC to update the regulatory acts that are relevant to elections within reasonable terms, until the beginning of the election period.

General ceiling for funds that can be transferred to 'Intended for the initiative group' and 'Electoral Fund' accounts For the initiative groups, CEC set the income accumulation threshold in the 'Intended for the initiative group' account to about MDL 1 million¹³². According to the legal provisions, income accumulation threshold in the 'Electoral Fund' account for the election contenders was set to MDL 18.93 million¹³³.

The Chart 30 reflects the evolution of the income accumulation threshold in the 'Electoral Fund' account. Thus, we found that after the amendment of the Electoral Code (August 2019) when a new threshold of 0.05% was set from the revenues provided in the State Budget Law for that year, the maximum limit set for the accumulation of revenues in the campaign is much lower as compared to the previous elections.

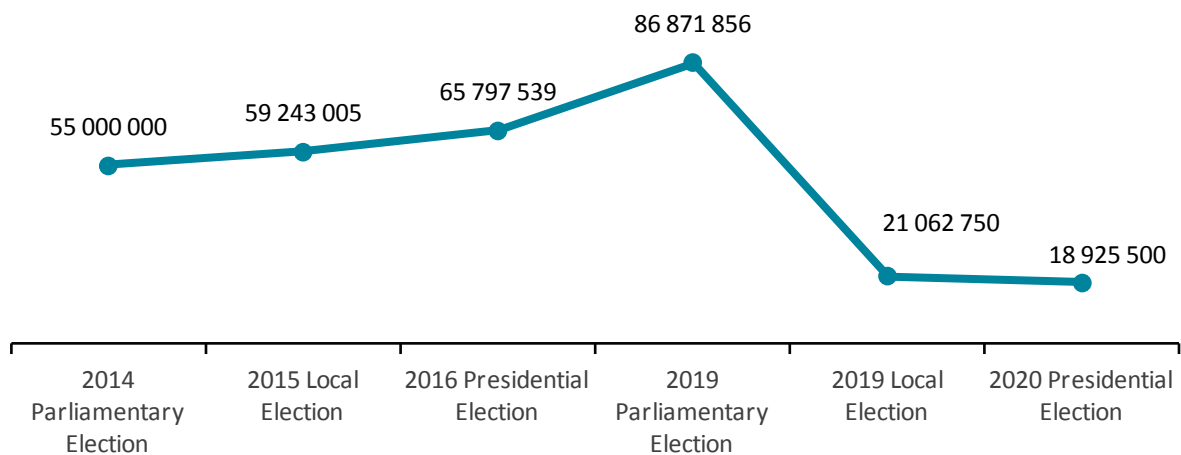
¹³¹ [Regulation](#) on the Funding of Initiative Groups for the Collection of Signatures in Support of a Candidate to an elective position or to initiate a referendum.

¹³² [CEC Decision](#) No 4152 of 1 September 2020 establishing the general ceiling for funds that can be transferred to 'Intended for the initiative group' account.

¹³³ [CEC Decision](#) No 4153 of 1 September 2020 establishing the general ceiling for funds that can be transferred to 'Intended for the initiative group' and 'Electoral Fund' accounts of election contenders for the presidential elections of 1 November 2020.

Chart 30

Evolution of ceilings for the funds that can be transferred on the “Electoral Fund” Account (MDL)



Interest-free loans for election contenders. According to the provisions laid down in Article 40 of the Electoral Code¹³⁴, CEC established the interest-free loan for election contenders in the amount of MDL 50,000¹³⁵, and the conditions for granting the loan were approved by the Ministry of Finances on 24 December 2020¹³⁶. Nonetheless, we found that no registered election contender benefited from that loan.

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

9.3.1. Financial reporting

According to the legal provisions, during the election period, the registered IG are to appoint to CEC the person in charge of funding (treasurer)¹³⁷. According to the observers, 9 IG of the 13 registered appointed treasurers¹³⁸.

Also, after 3 days after the registration, the IG informs CEC either about opening the bank account ‘Intended for the initiative group’ or about not intending to open such an account and not incurring any expenses for the activities of signature collection¹³⁹. Out of 13 registered IG, only 5 IG opened an account ‘Intended for the initiative group’¹⁴⁰, 6 IG

134 Article 40(1) of the Electoral Code envisages that the State shall provides interest-free loans to election candidates. At the same time, according to para. (3), the loans received from the state shall be paid fully or partially by the state depending on the total number of valid votes cast fore the electoral contender in the respective electoral constituency. The sum to be paid from the state budget shall be established by dividing the sum of the credit by the number of voters who participated in the elections, and then multiplying it by the number of valid votes cast for the contestant.

135 [CEC Decision](#) No 4154 of 1 September 2020 on establishing the amount of interest-free credit granted to election contenders in the elections for the office of the President of the Republic of Moldova of 1 November 2020.

136 [Order](#) No 120 of 24 September 2020 on granting interest-free loans to election contenders.

137 Article 41(2)(a) of the Electoral [Code](#).

138 No treasurers were appointed by Tudor Deliu IG (PLDM), Andrian Candu IG (PRO MOLDOVA), Dorin Chirtoaca IG (BE UNIREA), Sergiu Toma IG (POM).

139 Article 41(2) of the Electoral Code.

140 Renato Usatii IG (PN), Maia Sandu IG (PAS), Ion Costas IG (IC), Constantin Oboroc IG (IC), Igor Dodon IG (IC) opened accounts.

informed CEC about not conducting activities incurring expenses¹⁴¹, one IG (Violeta Ivanov (PPS)) informed about the lack of an answer to her request to open an account, and 1 IG (Alexandru Kalinin (IC)) did not submit any information.

The IG should submit the report on the financing of election campaign within 3 days from the moment the 'Electoral Fund' account was opened; this report should be submitted weekly¹⁴². Only 3 IG¹⁴³ of the 13 registered, submitted the initial report (3 days after opening the account). Further on, 7 IG submitted the financial reports (including two IG that stated about not conducting activities for the collection of signatures incurring expenses). The Annex 9 reflects the information on the financial reporting of IG to CEC during their work.

9.3.2. Financial Reporting of Election Candidates

According to the legal provisions, during the election period, the registered election contenders shall execute the following actions to ensure the fair reporting of election campaign funding.

- *appoint to CEC the person in charge of funding (treasurer)*¹⁴⁴.

All those eight registered candidates appointed treasurers for the election campaign.

- *within three days after the registration of the election contender, open the 'Electoral Fund' account through which the transferred financial means will be received and the expenses for the election campaign will be conducted, and inform CEC if it was opened or not*¹⁴⁵.

All eight registered candidates opened the 'Electoral Fund' account, even if two of them opened it close to the end of the election campaign. Thus, in case of the first contender – Dorin Chirtoaca (BE Unirea), the 'Electoral Fund' account was opened only on 28 October 2020. Until that date, the contender informed CEC about not opening an 'Electoral Fund' account.

In the second case, the candidate Violeta Ivanov (PPS), the 'Electoral Fund' account was opened only on 23 October 2020 due to the fact that banks denied to open this account¹⁴⁶. As a result, until the account was open, the contender reported to CEC only donations in commodities, objects, works or services. According to Promo-LEX, the refusal of commercial banks to open the 'Electoral Fund' account for the contender Violeta Ivanov (PPS) was an artificial blockage in the process of correct and transparent reporting of

¹⁴¹ Tudor Deliu IG (PLDM), Andrei Nastase IG (PPPDA), Andrian Candu IG (Pro Moldova), Octavian Ticu IG (PUN), Dorin Chirtoaca IG (BE Unirea) and Serghei Toma IG (POM) informed CEC about not incurring expenses during the signature collection.

¹⁴² Article 43(1) of the Electoral Code.

¹⁴³ Renato Usatii IG (PN), Constantin Oboroc IG (IC) and Igor Dodon IG (CI) submitted the initial reports.

¹⁴⁴ Article 41(2)(a) of the Electoral Code.

¹⁴⁵ Article 41(2) of the Electoral Code.

¹⁴⁶ In its request No CEC-8/3017 of 7 October, CEC asked the banking institutions to communicate if it was possible to open the 'Electoral Fund' account for Violeta Ivanov, and if it is not possible to open it, to inform about the legal ground that determines this fact. At least three banks (CB 'Eurocreditbank' SA, CB 'Eximbank' SA) and CB 'Moldova-Agroindbank' SA) emphasised at least two aspects: 1) under the Law on the Activity of Banks, they decided not engage in business with PPS; 2) under the Law on Preventing and Combating Money Laundering and Terrorist Financing, they referred to the fact that 'the potential client is included in the national or international list of people suspected of money laundering or who are the object of judicial proceedings being suspected of violating the law in the field of combating money laundering and terrorism financing'.

the election campaign funding. Note that this situation make impossible to ensure the transparency of revenues and expenses incurred by the contender during the election campaign.

- *submit, at the beginning of the campaign, the financial report of political parties that intend to transfer their own funds owned on their account as of the date when the election campaign began on the 'Electoral Fund' account of the contender¹⁴⁷.*

Those reports were submitted by 5 political parties that made donations in the 'Electoral Fund' account of the candidates they appointed¹⁴⁸.

- *submit the report on the financing of election campaign within 3 calendar days from the moment the 'Electoral Fund' account was opened; this report should be submitted weekly¹⁴⁹.*

Only 7 of the 8 registered candidates, submitted the initial report (3 days after opening the account), even after exceeding the deadline (see Annex 9)¹⁵⁰. As regards the submission of financial reports, we found that all the contenders submitted them (including after exceeding the deadlines).

9.3.3. Management of the financial reporting process by CEC

During the election period, CEC adopted six decisions and took note of the financial reports submitted by IG and election contenders. According to their provisions, note the following:

- *no sanctions were applied against the IG or election contenders that did not submit all the types of reports established in the legal framework or submitted the reports exceeding the legal deadlines.*

As regards this aspect, note that CEC limited only to warning/urging the election contenders to comply with the legal provisions. Nonetheless, note that IG and the contenders complied with the requests and submitted the necessary information.

- *the capacity of CEC was limited to accepting as true and fair the information about the revenues and expenses during the election period (the phrase used by CEC – 'we take note'), according to the information included in the reports submitted by IG and by the contenders, with the intervention with certain technical details in order to supplement them.*

Promo-LEX found that CEC, does not further have efficient tools and mechanisms to fully check the correctness of the information included in the reports on the funding of election campaign reported to the activities of electoral promotion developed by IG and by the contenders during the election period. For this, we believe that the current impact of CEC's activity as an independent body for the supervision and control of the financing of political parties and election campaigns is very reduced.

¹⁴⁷ Article 43(1) and (7) of the Electoral Code.

¹⁴⁸ PN, PAS, PPPDA, PLDM and PL.

¹⁴⁹ Article 43(1) of the Electoral Code.

¹⁵⁰ Violeta Ivanov (PPS) did not submit the initial report.

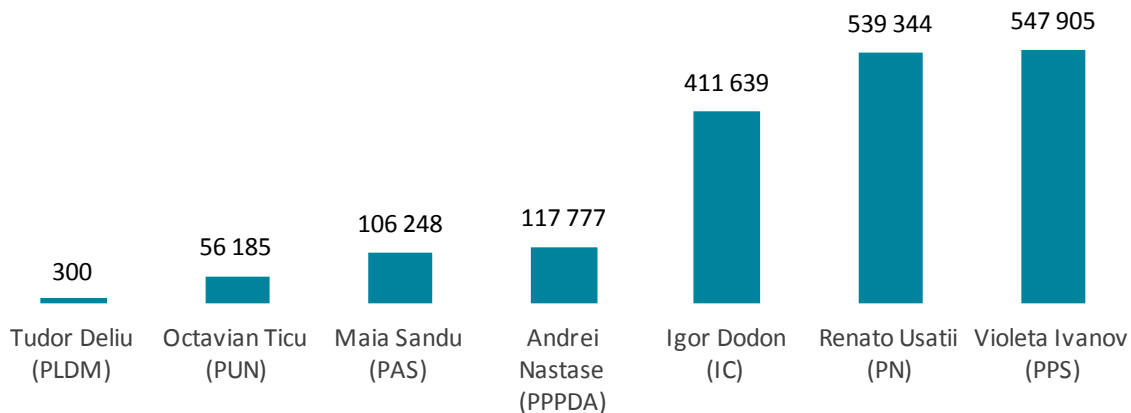
- CEC found that it lacked functional tools for the investigation and examination of the cases of non-compliant receipt of donations in money, commodities, works and services.

According to the legal provisions¹⁵¹, only the financial resources received from the work, entrepreneurial, scientific or creation activity can be used to fund the election campaigns. To check the compliance of the contenders with the mentioned rules, CEC has the right to access all the information owned by public authorities of all levels and from the state registers, including the personal data.

In the context of presidential elections of 1(15) November 2020, CEC identified over 300 cases when the election contenders received donations from individuals from the Republic of Moldova in violation of legal provisions. Thus, note that at the request of CEC, the State Tax Service informed the electoral authority that at least 303 donors individuals didn't declare any income or declared an income that is much smaller than the amount donated. The total amount donated by those individuals was MDL 1.8 million, of which 31% were donated for Violeta Ivanov (PPS), 30% – for Renato Usatii (PN) and 23% – for Igor Dodon (IC). The Chart 31 reflects all the election contenders who received such donations.

Chart 31

Donations made by donors (individuals) who had not declared any income or declared lower income than the donations made (MDL)



In this regard, CEC did not take any measures and found that it did not have functional tools to be able to investigate and examine in detail the sources of the donated amounts. Also, it was found that the related laws lacks the mechanisms assigned to any specialised body to ensure the observance of the legal provisions concerning the correlation of the donated amount with the amount of the income of an individual. As a result, in the Report summing up the results of the elections¹⁵², CEC recommended to amend the relevant regulatory acts in order to establish efficient mechanisms that would ensure the effective observance of the condition set in Article 41(1) of the Electoral Code.

¹⁵¹ Article 41(1) of the Electoral Code.

¹⁵² [CEC Decision](#) No 4519 of 23 November 2020 approving the Report on the results of the Moldova Presidential Election of 1 November 2020, pag. 96.

According to Promo-LEX, the situation described is to be regulated by the authorities as a priority. In this regard, we believe that obligation to check, manage and solve the cases of non-compliant receipt of donations by the political parties and election contenders will still be the duty of CEC, with the involvement of other relevant public institutions/authorities, depending on their competences. Note that the lack of information about the source of money donated by the individuals to the political parties and election contenders significantly diminishes the level of transparency of political party and election contenders funding.

9.4. Revenues and expenses reported to CEC

9.4.1. Initiative groups' revenues and expenses reflected in financial reports

9.4.1.1. Reported revenues and their origin

We reiterate that the reports on the revenues and expenses of IG were submitted to CEC by 7 IG out of those 13 registered¹⁵³. Of these, 4 IG reported revenues in the 'Intended for the initiative group' account and in case of 3 IG that did not open an account 'Intended for the initiative group' reported only revenues from donations in commodities, objects, works or services (Andrei Nastase IG (PPPDA), Octavian Ticu IG (PUN), Violeta Ivanov IG (PPS)).

According to Promo-LEX, the financial reporting only through donations in commodities, objects, works or services is a practice that affects significantly both the transparency of IG funding and of the election contenders. Note that those revenues cannot be checked, analysed and managed and as a result, it is difficult to assess the accuracy of the funding of the activities of IG and election contenders. Moreover, like during the previous elections, Promo-LEX found that the current format of reporting the material donations does not allow to include their value in the balance of revenues. In this regard, we the need to include the value of in-kind donations in section II of the report – turnover, so that they would be taken into account on both revenue and expenses sides¹⁵⁴.

In the same train of thoughts, we found that the form for declaring the donations in commodities, objects, works or services¹⁵⁵ is a free one and the reporting of donations is not systematised according to their intended use. Thus, according to Promo-LEX, these donations will be structured according to the format of expenditure lines in the summarising table of the report (for example: 'donations for transport', 'donations for advertising', 'donations for promotional materials', etc.), with the possibility to make a detailed list of the donations for each line.

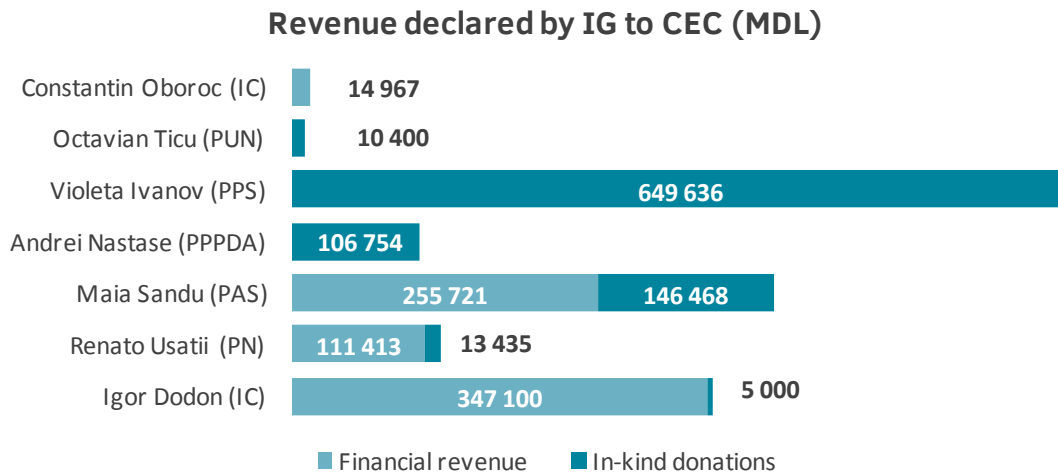
¹⁵³ Six IGs submitted notifications about not incurring expenses for the activities of signature collection. At the same time, note that 2 IG out of 7 that submitted reports (Andrei Nastase IG (PPPDA) and Octavian Ticu IG (PUN)) informed CEC about not opening the 'Intended for initiative group' account because they would not spend any money for signature collection.

¹⁵⁴ [Final Report](#). Promo-Lex Observation Mission of the parliamentary elections of 24 February 2019, p. 66.

¹⁵⁵ Annex 4, the form for donations in commodities, objects, works or services, of the Regulation on the Funding of Initiative Groups for the Collection of Signatures in Support of a Candidate to an elective position or to initiate a referendum, approved by CEC Decision No 4176 of 3 September 2020.

According to the reports submitted, the total amount of the revenues declared by IG to CEC accounted for about MDL 1.7 million, including donations in commodities, objects, works or services (see Chart 32). Most revenues were declared by Violeta Ivanov IG (PPS) – 39%, which all were donations in commodities, objects, works or services, followed by Maia Sandu IG (PAS) – 24% and Igor Dodon IG (CI) – 21% of the total revenues declared.

Chart 32

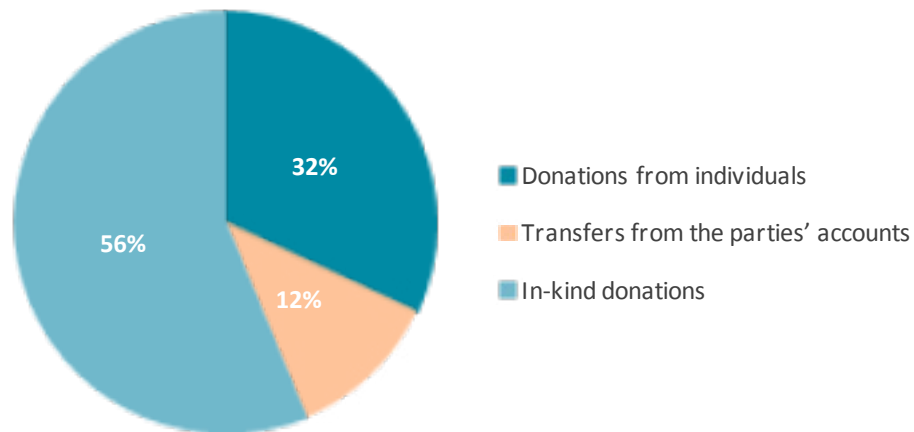


The reported revenues were raised from the following sources (see Chart 33):

- 32% (MDL 533,280) were raised from donations made by individuals, including citizens of the Republic of Moldova living abroad. Of them, 66% were made for Igor Dodon IG (CI), 21% – for Renato Usatii IG, 11% – for Maia Sandu IG (PAS), and 2% – for Constantin Oboroc IG (IC);
- 12% (MDL 195,921) were raised from own means (transfer from the account of the political party that appointed the candidate), all of them being reported by Maia Sandu IG (PAS);
- 56% (MDL 931,693) – of the donations in commodities, works or services, of which 70% were reported for Violeta Ivanov IG (PPS), 16% – Maia Sandu IG (PAS), 11% – for Andrei Nastase IG (PPPDA) and 1% – for Renato Usatii IG (PN), Igor Dodon IG (CI) and Octavian Ticu IG (PUN).

Chart 33

Sources of income declared by IG

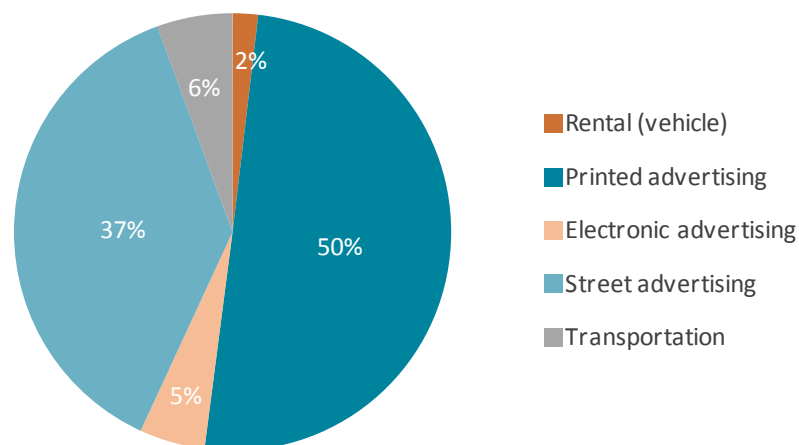


The verification of donations received by candidates in the 'Intended for the initiative group' account found that the legal thresholds were observed.

Regarding the reported donations in commodities, objects, works or services, note that after grouping them according to the intended use, it was found that 50% of them were print advertising materials, 37% – materials and services of outdoor advertising, 6% – transport expenses, 5% – advertising in electronic means and 2% – services of rental of means of transport (see Chart 34).

Chart 34

Purpose of in-kind donations

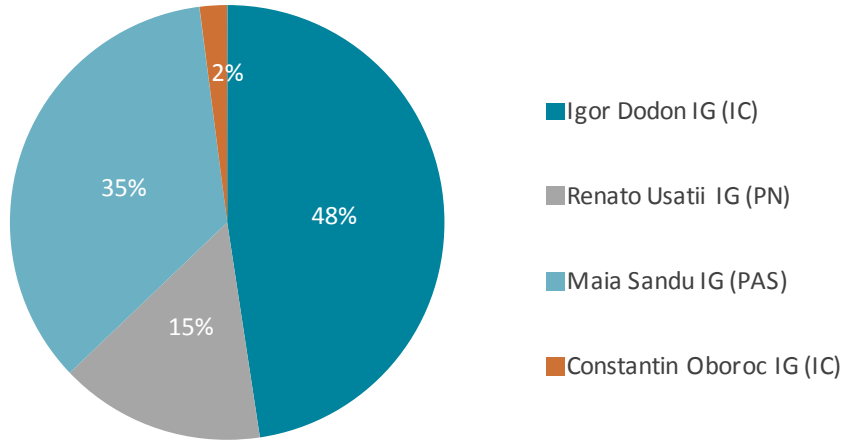


9.4.1.2. *Reported expenses and their intended use*

According to the reports submitted to CEC, 4 IG reported total expenses amounting to MDL 729 201 for signature collection (see Chart 35). Of these, 48% of expenses were reported by Igor Dodon IG (CI), 35% – by Maia Sandu (PAS), 15% – by Renato Usatii IG (PN) and 2% – by Constantin Oboroc IG (IC).

Chart 35

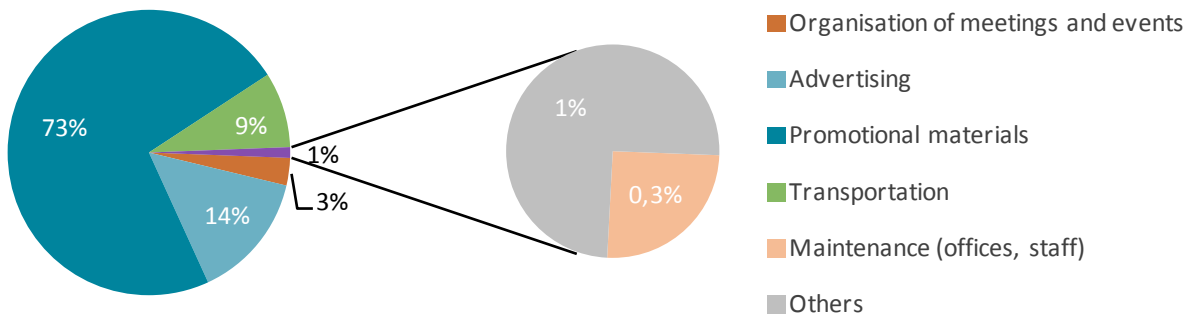
Expenses declared by IG to CEC



Depending on the intended use of the expenses, we found that most of them were reported for promotional materials (newspapers, leaflets, coats, caps, etc.) – 53%, followed by expenses for advertising – 14% and for transport – 9% (see Chart 36). The Annex 10 contains the expenses reported by each IG, according to their intended use.

Chart 36

Purpose of expenses declared by IG to CEC



Thus, we found that 87% of the total amount of expenses reported were for promotional materials and advertising – which matches the information provided by the Promo-LEX observers after conducting the field monitoring (the promotional materials and the advertising are predominant in the activities for the promotion of the candidates).

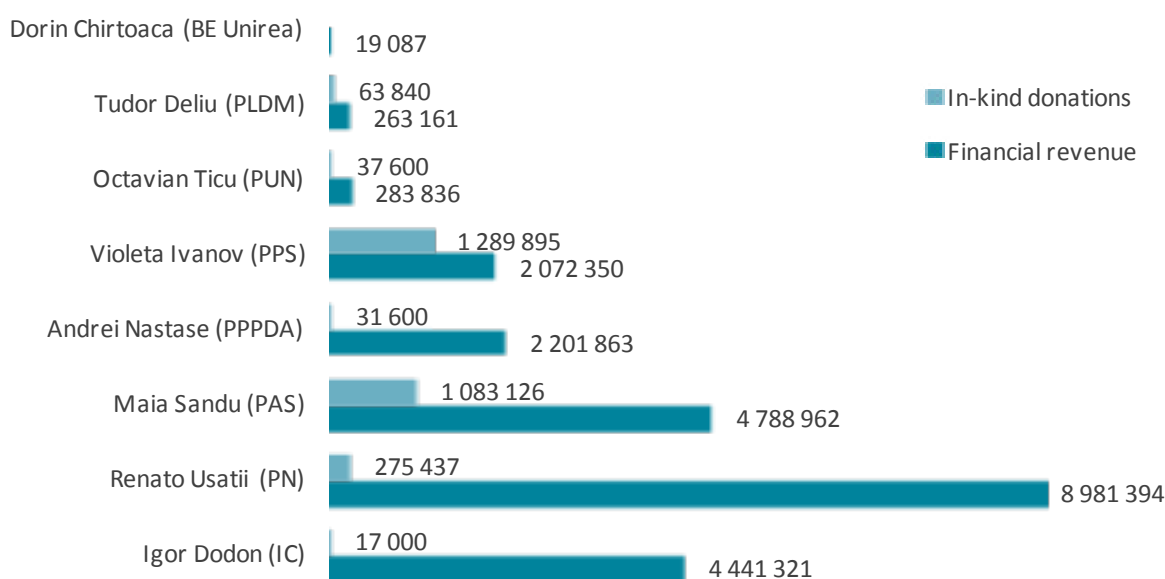
9.4.2. Revenues and expenses of election candidates reflected in reports on election campaign funding

9.4.2.1. Reported revenues and their origin

According to the reports submitted, the total amount of the revenues reported by the election contenders during the election campaign accounted for MDL 25.9 million, including donations in commodities, objects, works or services (see Chart 37). Most revenues were reported by Renato Usatii (PN) – 36%, followed by Maia Sandu IG (PAS) – 23% and Igor Dodon IG (CI) – 17% of the total revenues declared.

Chart 37

Revenue declared by election contenders to CEC (MDL)



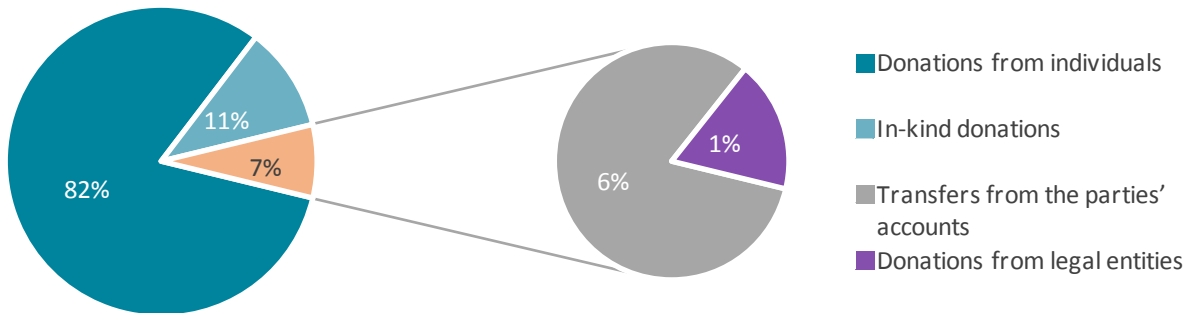
The reported revenues were raised from the following sources (see Chart 38):

- 82% (MDL 21.1 million) were raised from donations made by individuals, including citizens of the Republic of Moldova living abroad. Of these, 42% were for Renato Usatii (PN), 21% – for Igor Dodon (IC), 18% – for Maia Sandu (PAS), 10% – for Violeta Ivanov (PPS), 7% – for Andrei Nastase (PPPDA) and 1% each for Octavian Ticu (PUN) and Tudor Deliu (PLDM) respectively.
- 1% (MDL 354 650) was raised from donations made by legal entities, of which 35% were for Renato Usatii (PN), 34% – for Maia Sandu (PAS), 30% – for Andrei Nastase (PPPDA) and 1% for Octavian Ticu (PUN).
- 6% (MDL 1.6) were raised from own means (transfer from the account of the political party that appointed the candidate). Of them, 58% were for Maia Sandu IG (PAS), 35% – for Andrei Nastase (PPPDA), 6% – for Tudor Deliu (PLDM) and 1% for Dorin Chirtoaca (BE Unirea);

- 11% (MDL 2.8 million) were raised from donations in commodities, works or services, of which 46% were for Violeta Ivanov (PPS), 39% – for Maia Sandu (PAS), 10% – for Renato Usatii (PN), 2% – for Tudor Deliu (PLDM) and 1% each for Andrei Nastase (PPPDA), Igor Dodon (IC) and Octavian Ticu (PUN).

Chart 38

Sources of income declared by election contenders to CEC

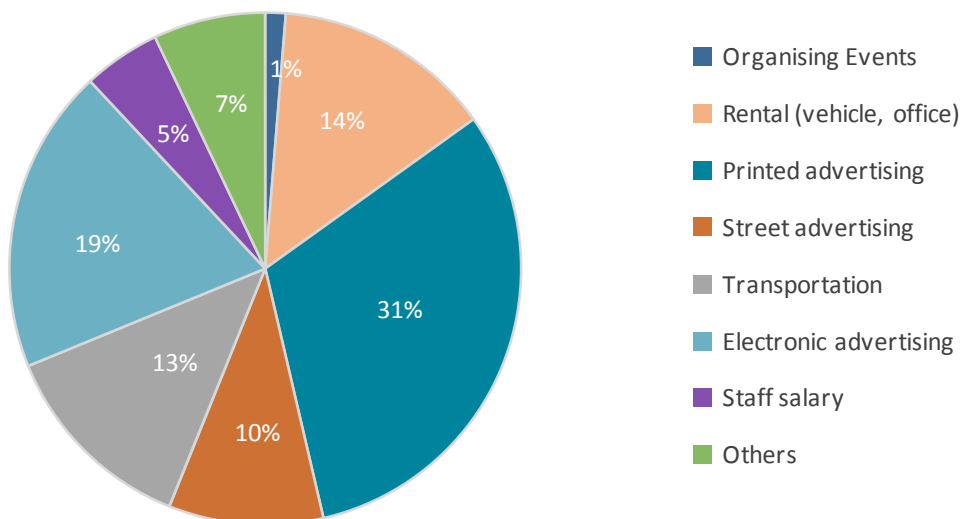


The verification of the donations received by candidates in the 'Electoral Fund' account found that the legal thresholds established were observed (for both, transfer and cash donations).

Regarding the reported donations in commodities, objects, works or services, note that after grouping them according to the intended use, it was found that 31% of them were print advertising materials, 19% – electronic advertising, 14% – rental services (cars, offices), 13% – transport expenses and 10% – outdoor advertising (see Chart 39).

Chart 39

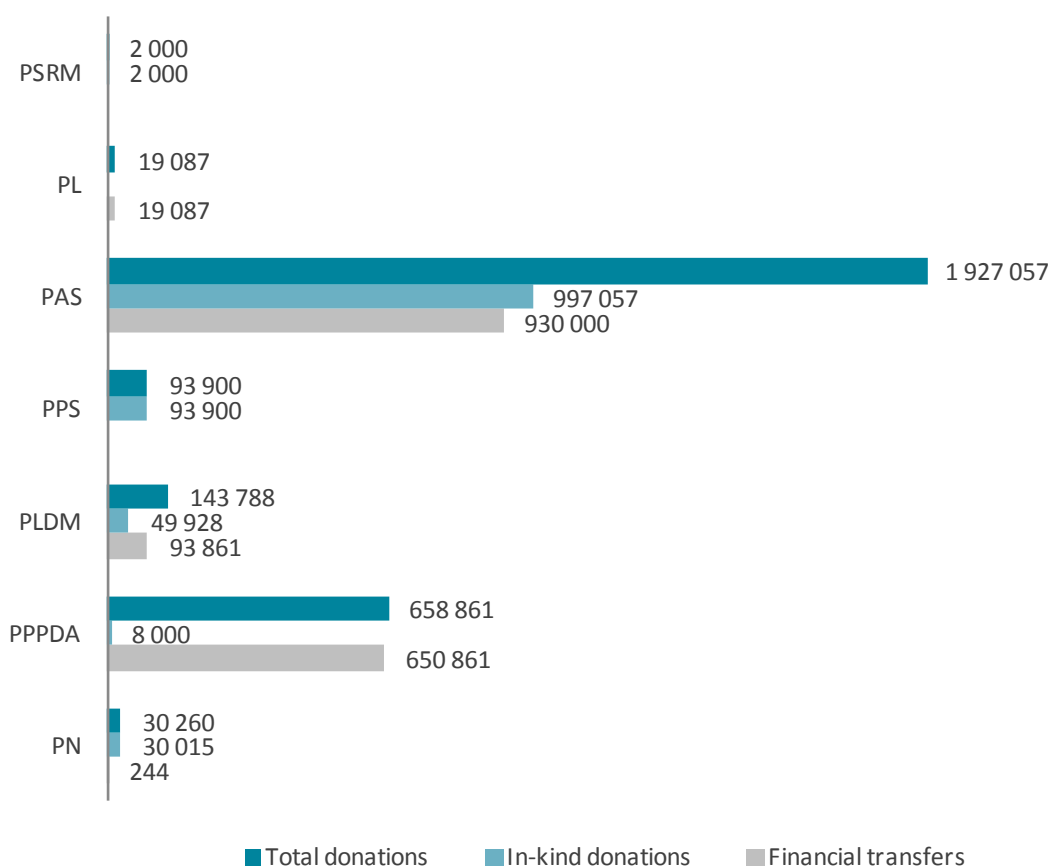
Purpose of in-kind donations



As regards the contribution of political parties in the election campaign of the appointed candidates, besides the financial support provided to them, material donations were also made. After cumulating all the types of support provided by the parties to appointed election contenders (financial transfers and material donations), we found that the total volume of the contribution of parties in the election campaign accounted for MDL 2.9 million (see Chart 40).

Chart 40

Contribution of political parties during the contenders' election campaign (financial transfers and in-kind donations) (MDL)



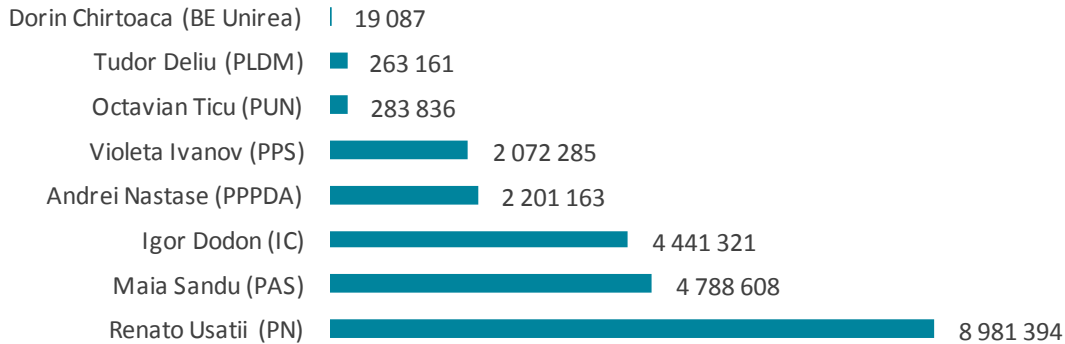
9.4.2.2. Reported expenses and their intended use

According to the reports submitted to CEC, during the election campaign, those eight registered election contenders reported total expenses in the amount of MDL 23.1 million for the activities of election campaign (see Chart 41). Of these, 39% of expenses were reported by Renato Usatii (PN)¹⁵⁶, 21% – Maia Sandu (PAS), and 19% – by Igor Dodon (IC).

¹⁵⁶ In case of the contender Renato Usatii (PN), according to Promo-LEX, the amount of MDL 1 754 840 lei spend for printing newspapers about his platform was reported incorrectly for the line of expenses 'advertising'. For this reason, the amount mentioned as expenses for advertising was taken into account when the expenses for promotional materials were estimated.

Chart 41

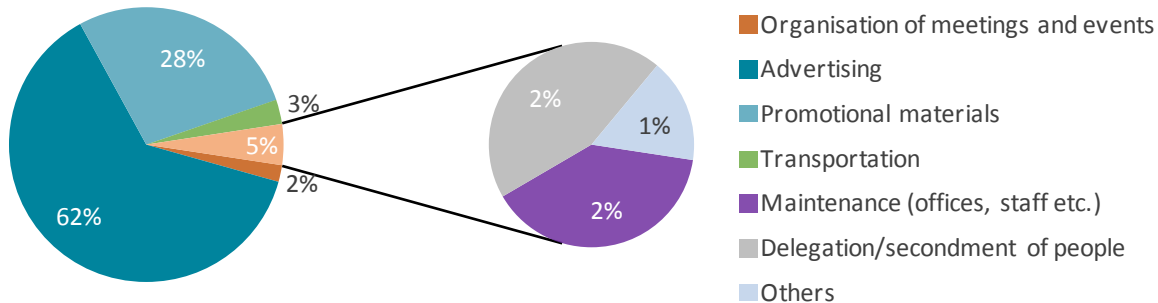
Expenses declared by election contenders to CEC (MDL)



Depending on the intended use of the expenses, we found that most of them were reported for advertising (TV, radio, electronics, outdoor advertising, etc.) – 63%, followed by expenses for promotional materials (newspapers, leaflets, coats, caps, etc.) – 28% and for transport – 3% (see Chart 42). The Annex 10 contains the expenses reported by each contender, according to their intended use.

Chart 42

Purpose of expenses declared by election contenders to CEC



Thus, we found that 91% of the total amount of expenses reported were for promotional materials and advertising – which matches the information provided by the Promo-LEX observers after conducting the field monitoring as regards the promotional materials and the advertising being predominant in the activities for the promotion of the candidates.

9.5. Civic monitoring of initiative groups and election contenders funding

Based on the reports drafted by the Promo-LEX observers, the expenses of IG and of the election contenders were estimated. After being estimated, those expenses were compared to the expenses reported to CEC in the reports on financing IG and election campaigns (including the declared donations in commodities). As a result, various categories of expenses were identified based on which the Promo-LEX estimates differ significantly from the information in the reports on financing of IG and election campaign.

As methodological references for estimating the expenses, the minimum market prices were

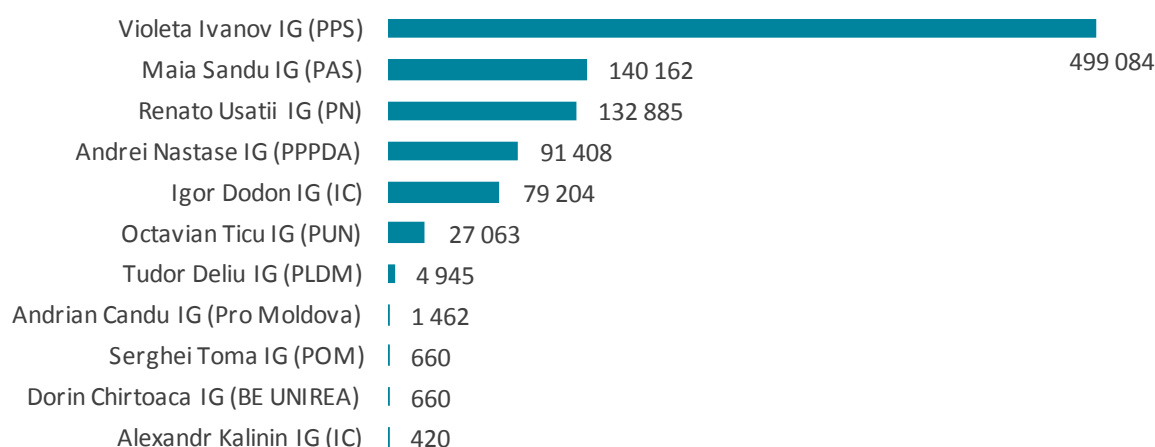
applied for each estimated line of expenses, equally for all the contenders. Thus, for the advertising in the electronic media they applied the minimum prices set for advertising on social media¹⁵⁷, for broadcast conferences¹⁵⁸ – the minimum prices for online banners; for outdoor advertising – the minimum prices for billboards, banners, prints on tents, etc.; for promotional materials – minimum price for the total print run and number for each type of reported materials (newspapers, posters, caps, vests, bags with logo, etc.); for transport – minimum cost of fuel, depending on the means of transport used and the total distance travelled; for delegation of individuals – number of reported cases when at least one electioneerer was involved and paid with minimum salary per economy calculated for one work day¹⁵⁹.

9.5.1. Estimation of initiative groups' expenses

Based on the reports of Promo-LEX observers, for the promotion activities conducted by IG, a total amount of at least MDL 977 953 was estimated as not reported to CEC (for details about the categories of estimated expenses see Annex 11).

Chart 43

Total expenses estimated by Promo-LEX as unreported by IG to CEC (MDL)



We found that 51% of the estimated unreported expenses were for Violeta Ivanov IG (PPS), 14% – for Maia Sandu IG (PAS), 14% – for Renato Usatii IG (PN), 9% – for Andrei Nastase IG (PPPDA), 8% – for Igor Dodon IG (IC), 3% – for Octavian Ticu IG (PUN) and 1% – for Tudor Deliu (PLDM).

157 In case of the social network Facebook, the owners of the platform develop systematically reports on the expenses incurred by the applicants for sponsored advertising.

158 The minimum prices per minute set for broadcasting by www.privesc.eu, IPN, etc.

159 In 2020, the minimum guaranteed salary in the real sector was MDL 2,775, and one working hour costed minimum MDL 16.42. Thus, the estimated cost of one working day was MDL 131.36.

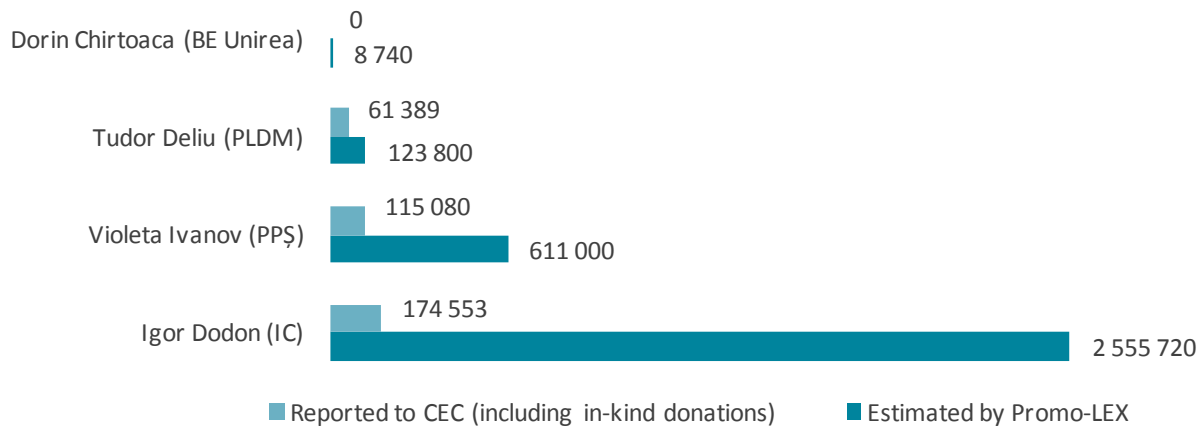
9.5.2. Estimation of election contenders' expenses

9.5.2.1. Estimation of election contenders' expenses for electronic information means

During the election campaign, Promo-LEX observers reported campaign activities through social networks (sponsored advertising)¹⁶⁰, electoral video spots editing¹⁶¹, running of online banners, launch and maintenance of websites¹⁶², and the organisation of press conferences. As a result, the total unreported expenses of 4 election contenders were estimated¹⁶³ to minimum MDL 2 948 238 (see Chart 44).

Chart 44

Estimated expenses for advertising in the electronic media (MDL)



9.5.2.2. Estimation of election contenders' expenses for promotional materials

During the election campaign, the Promo-LEX observers reported campaign activities such as distribution of electoral materials (newspapers, leaflets, posters)¹⁶⁴ and the use of materials for visibility (vests, caps, t-shirts). As a result, the total unreported expenses of 5 election contenders were estimated to minimum MDL 1 202 049 (see Chart 45).

160 For Maia Sandu (PAS) – minimum 724 sponsorships, for Renato Usatii (PN) – 265, for Violeta Ivanov (PPS) – 141, for Andrei Nastase (PPPDA) – 70, for Igor Dodon (IC) – 35, etc.

161 In case of the candidate Igor Dodon, (IC), minimum 40 video spots were produced, Maia Sandu (PAS) – 17 video spots, Renato Usatii (PN) – 17, Violeta Ivanov (PPS) – 6, Tudor Deliu (PLDM) – 2, Andrei Nastase – 2, (of which one was split in minimum 12).

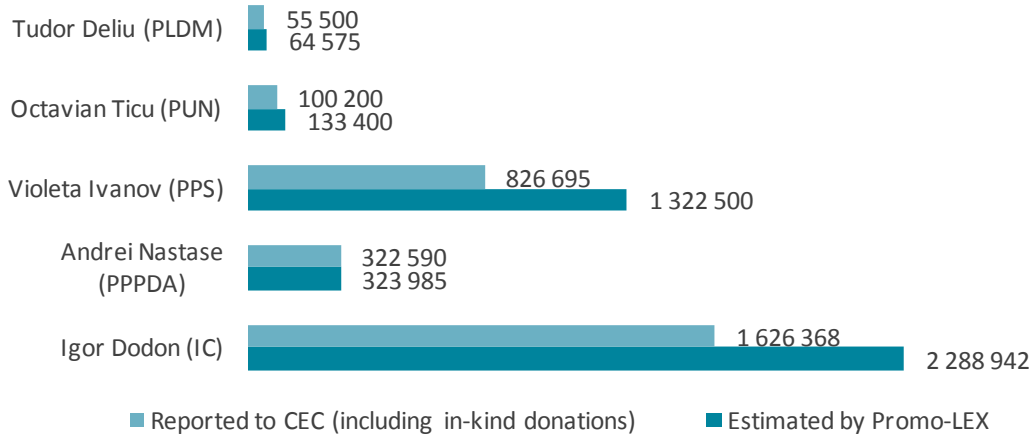
162 Maia Sandu (PAS) – 2 websites, Renato Usatii – 2 websites, one website for Andrei Nastase (PPPDA), Igor Dodon, (IC) and Violeta Ivanov (PPS) each.

163 In case of other 4 election contenders, the estimated amounts did not exceed the expenses reported by them to CEC.

164 In case of the candidate Igor Dodon (IC) there were reported: the distribution of newspapers in a total print run of 492 400 copies, leaflets (quality) – 30,000 copies, big calendars – 30,000 copies, small calendars – 30,000 copies, A4 posters – a total of 90,000 copies. In case of the candidate Violeta Ivanov (PPS) the following were reported: distribution of newspapers – total number of 480 000 copies, A4 posters – total number of 773 000 copies, leaflets – about 1 million copies in total, big calendars – 480 000 copies, small calendars – 480 000 copies.

Chart 45

Estimation of expenses for promotional materials (MDL)

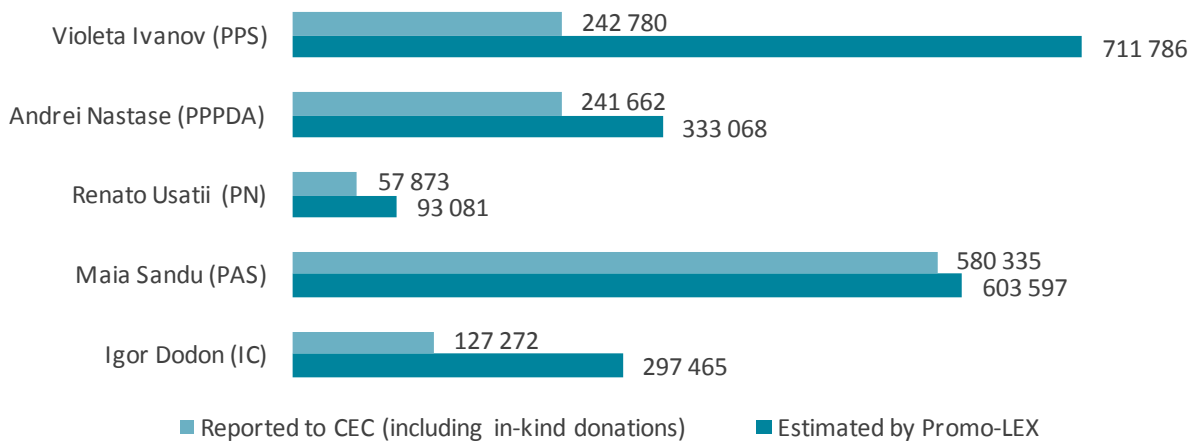


9.5.2.3. Estimation of election contenders’ expenses for the outdoor and mobile advertising

During the election campaign, the Promo-LEX observers reported campaign activities such as outdoor and mobile advertising (billboards¹⁶⁵, tents, banners, LED boards, etc.). As a result, the total unreported expenses of 5 election contenders were estimated to minimum MDL 789,074 (see Chart 46).

Chart 46

Estimated expenses for outdoor and mobile advertising (MDL)



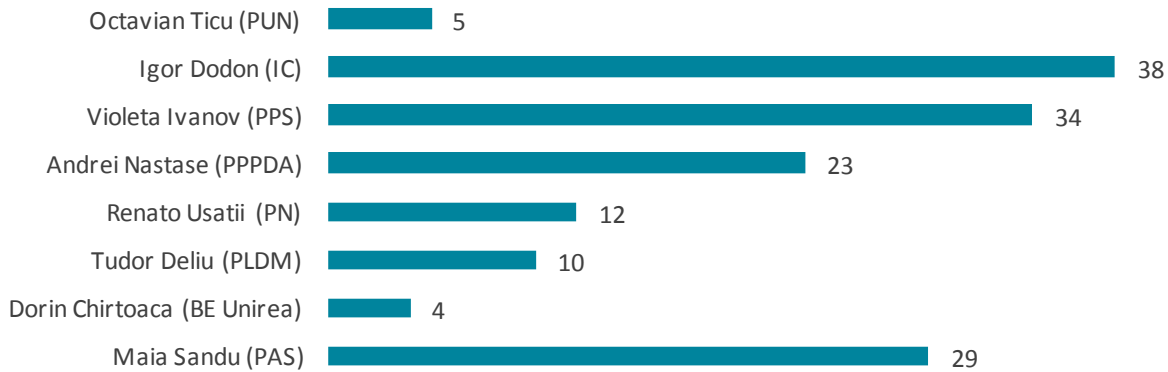
¹⁶⁵ In case of the candidate Violeta Ivanov (PPS) the observers reported 127 billboards and street billboards throughout the entire territory of the Republic of Moldova, the print of minimum 127 banners and 42 lateral sides for tents. Note that the average cost (is different depending on the size of the billboard) for printing and placing the billboard in Chisinau municipality is EUR 350 per month (print of the image and the rent of the billboard) and in the districts of the Republic – EUR 250-300 per month. In case of Igor Dodon (IC), for the first round (one month) and later, for the second round (2 weeks), they reported the use of tents (393 of lateral sides of tents), 33 billboards and 2 street billboards, minimum 7 banners. In case of Maia Sandu (PAS), for the first round (one month) and later, for the second round (2 weeks), they reported 77 billboards, 23 street billboards and the print of 710 banners.

9.5.2.4. Estimation of election contenders' expenses for headquarters and telecommunications

During the election campaign, the Promo-LEX observers reported the use of headquarters for electoral purposes by all election contenders. Thus, 155 offices were identified as being used by those eight registered election contenders. Note that the offices of a political party (PSRM) were used by the candidate Igor Dodon (IC) and the other seven election contenders used the offices of the parties that nominated them (see Chart 47).

Chart 47

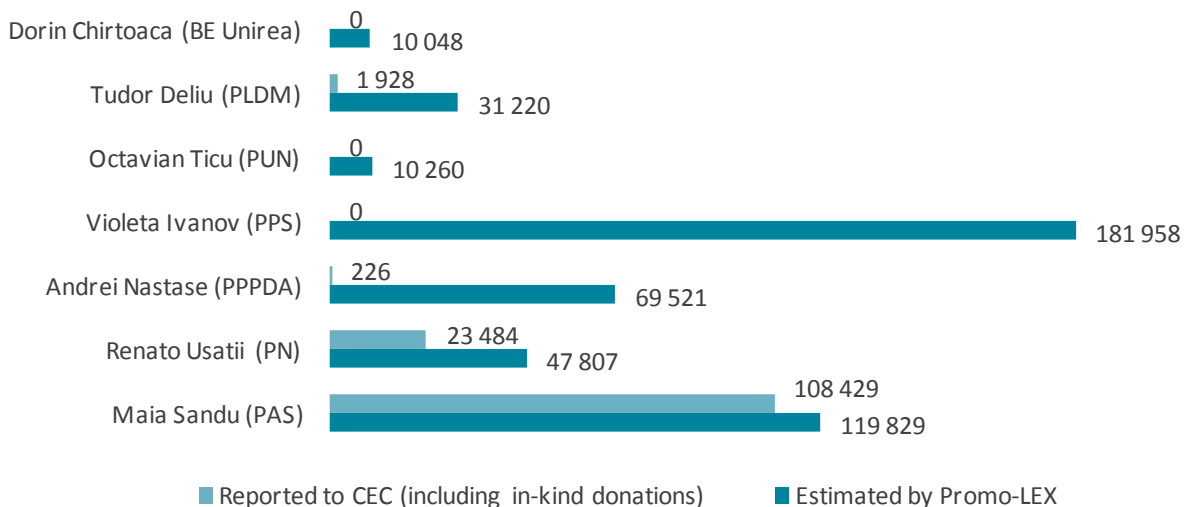
Offices used by election candidates during the campaign



In this context, Promo-LEX assessed the costs incurred by election contenders for those offices¹⁶⁶, as well as the expenses for telecommunications¹⁶⁷ for each office. As a result, the total unreported expenses of 7 election contenders¹⁶⁸ were estimated to minimum MDL 336 577 (see Chart 48).

Chart 48

Estimated expenses for campaign offices and telecommunications (MDL)



¹⁶⁶ The costs were estimated on the basis of the minimum price for the rental of a square meter in the settlement where the office is located, multiplied by the total area of that office.

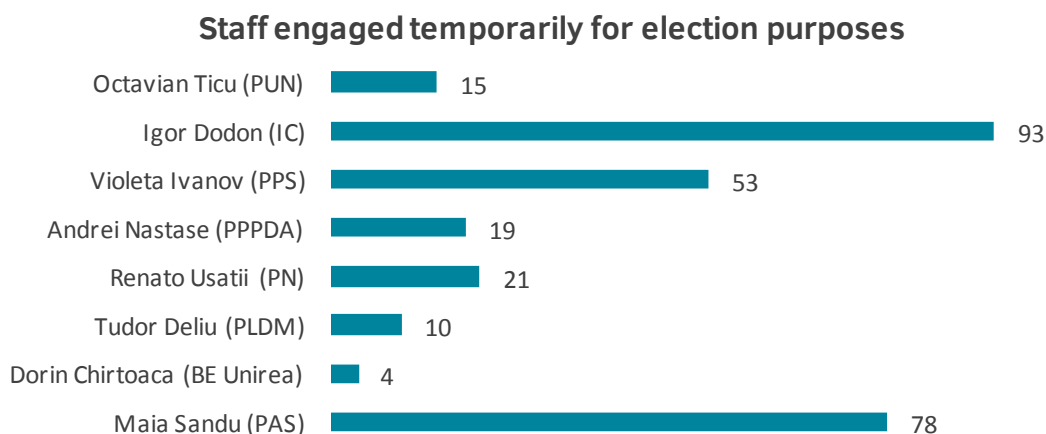
¹⁶⁷ To estimate the costs of the telecommunication services for each office, they used the minimum fee for a subscription to internet – MDL 200 per month and the minimum fee for landline telephone – MDL 12 per month.

¹⁶⁸ In case of a contender – Igor Dodon (IC) the reported expenses were higher than those estimated by Promo-LEX.

9.5.2.5. Estimation of election contenders' expenses for the remuneration of staff working during the election campaign

During the election campaign, Promo-LEX OM reported the temporary involvement of certain individuals for election purposes. Thus, at least 293 individuals (see Chart 49) were noticed to be involved by those eight registered election contenders. Note that the electoral staff of the independent candidate Igor Dodon (IC) contained members from PSRM.

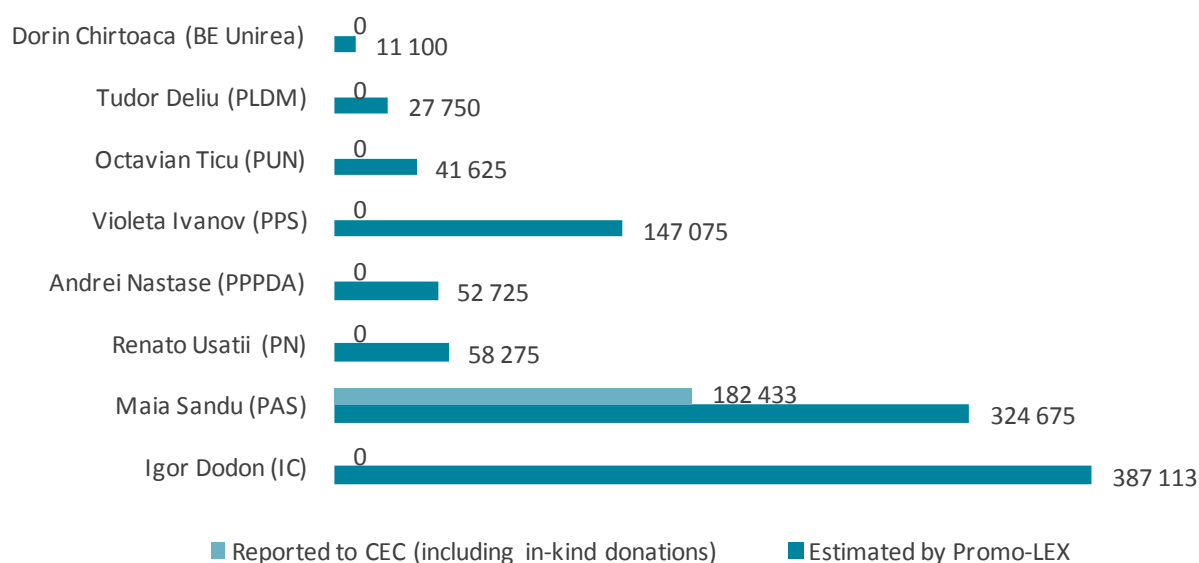
Chart 49



In this context, note that Promo-LEX assessed the costs incurred by election contenders for the remuneration of those individuals¹⁶⁹. As a result, the total unreported expenses of eight election contenders were estimated to minimum MDL 867,904 (see Chart 50).

Chart 50

Estimated expenses for the staff engaged temporarily for election purposes (MDL)

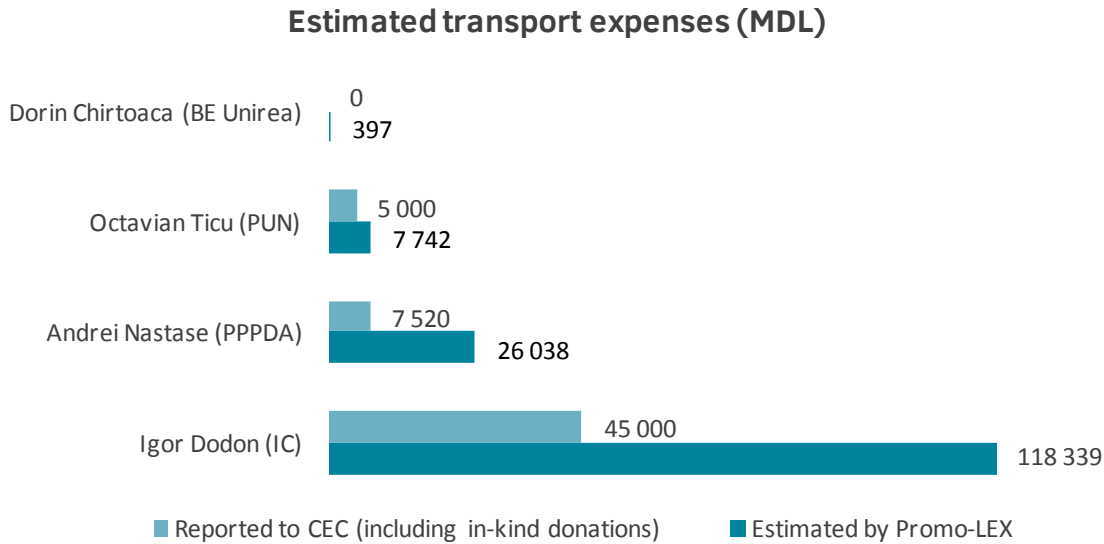


¹⁶⁹ The costs were estimated was conducted on the basis of the minimum guaranteed salary in the real sector for a month, and were calculated for each reported individual.

9.5.2.6. Estimation of election contenders' expenses for transport

During the election campaign, the Promo-LEX observers reported campaign activities that implied the movement of election contenders or of individuals delegated by them to the settlements of the Republic of Moldova, which implied expenses for transport (at least for fuel). As a result, the total unreported expenses of 4 election contenders were estimated¹⁷⁰ to minimum MDL 94 996 (see Chart 51).

Chart 51



9.5.2.7. Estimation of election contenders' expenses for delegation/secondment of people

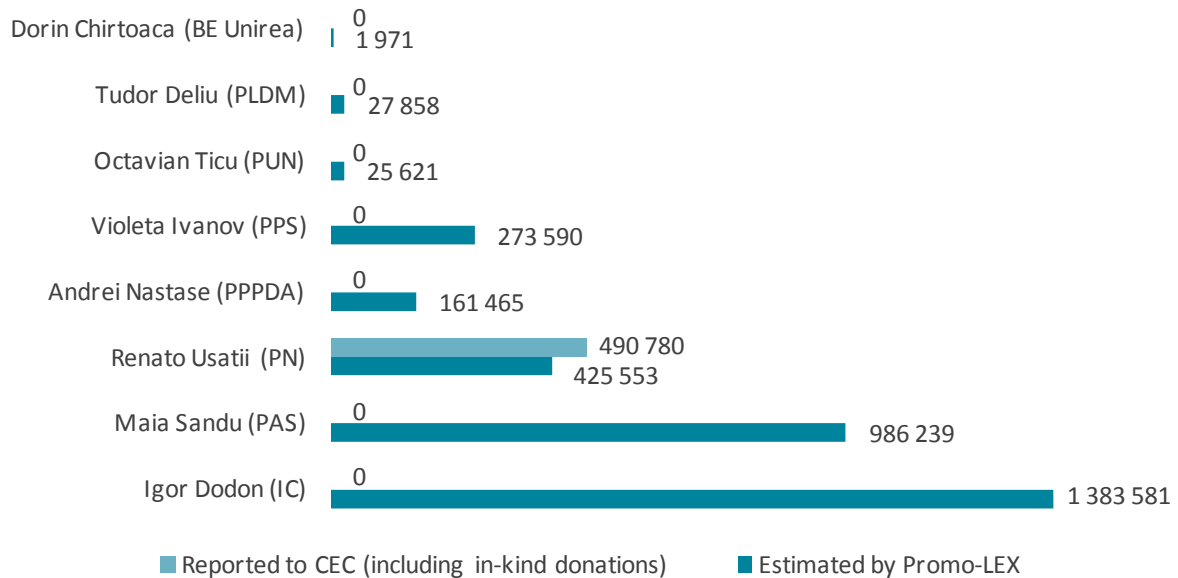
During the election campaign, Promo-LEX observers reported campaign activities with the involvement of electioneers (distribution of electoral materials), observers on the election day and of representatives with right to consultative vote in case of all eight election contenders¹⁷¹. As a result, the total unreported expenses were estimated to minimum MDL 2 860 326 (see Chart 52). Thus, we found that one single election contender – Renato Usatii (PN), reported expenses for the delegation/secondment of persons.

¹⁷⁰ In case of the candidate Igor Dodon (IC) the observers included the expenses for the means of transport used by his security service as well as by PSRM representatives who conducted campaign activities for him.

¹⁷¹ The following candidates accredited observers and representatives with consultative votes: Igor Dodon (IC) – 1773, Maia Sandu (PAS) – 1592, Renato Usatii (PN) – 1467, Andrei Nastase (PPPDA) – 196, Violeta Ivanov (PPS) – 1097, Octavian Ticu (PUN) – 52, Tudor Deliu (PLDM) – 80, Dorin Chirtoaca (BE Unirea) – 8.

Chart 52

Estimated expenses for delegation/secondment (MDL)

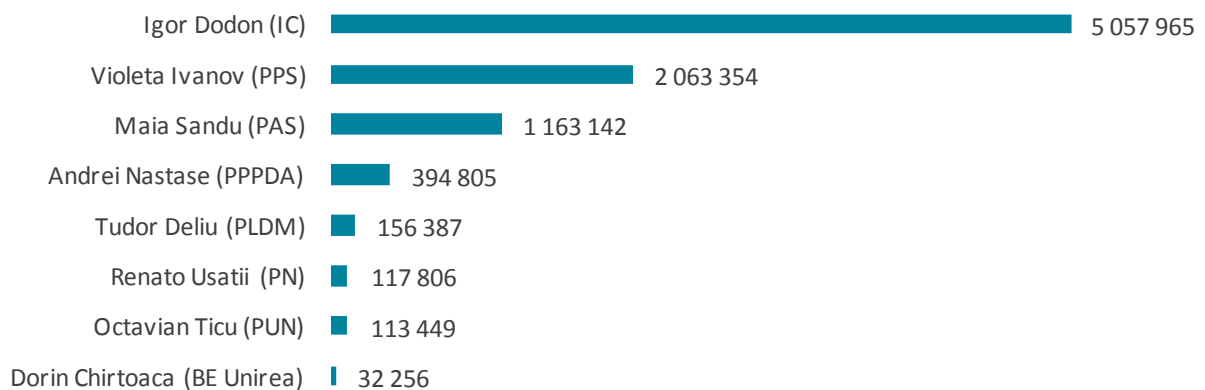


9.5.2.8. General conclusion on the estimation of election contenders' expenses

Considering the aforementioned, the activities carried out by the eight election contenders in the electoral campaign that were not reported to CEC, are estimated on the basis of Promo-LEX OM as totalling at least MDL 9,099,163 (see Chart 53).

Chart 53

Total expenses estimated by Promo-LEX as unreported by election contenders to CEC (MDL)

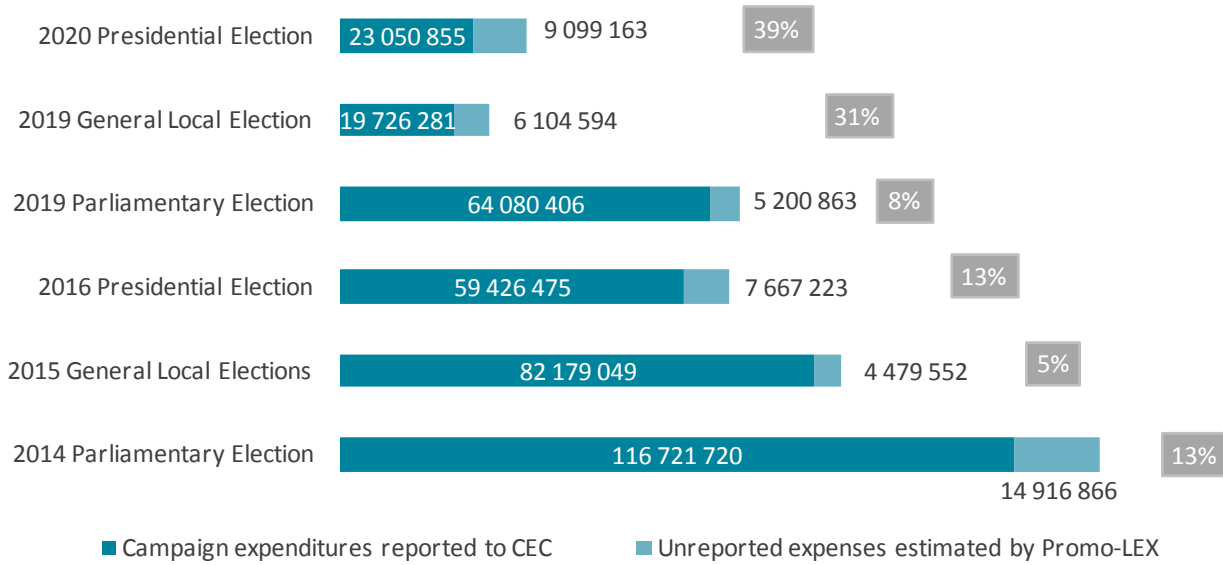


Thus, of the total expenses estimated during the election campaign as unreported, we found that 56% belong to Igor Dodon (IC), 23% – Violeta Ivanov (PPS), 13% – Maia Sandu (PAS), 4% – Andrei Nastase (PPPDA), 2% – Tudor Deliu (PLDM), 1% each – Renato Usatii (PN) and Octavian Ticu (PUN), less than 1% – Dorin Chirtoaca (BE Unirea).

Compared to previous monitored elections by Promo-LEX OM, we found that the current elections of 1 November (15 November) 2020 were characterized by a lower transparency of expenses made and reported during the election campaign (see Chart 54). Thus, if during the election campaign for the presidential election of 2016, Promo-LEX estimated that about 13% of the total expenses reported to CEC were not reported, during the election campaign for the general local elections of 2019 – about 31% of the total expenses reported to CEC were not reported, then during the election campaign for the presidential election of 2020 the unreported expenses were estimated to about 39% of the total expenses reported to CEC.

Chart 54

Evolution in terms of transparency of election campaign expenses reporting (2014 - 2020) (MDL)



X. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

Promo-LEX OM continued to monitor hate speech and incitement to discrimination during the presidential elections of 1 (15) November 2020 too. Overall, 420 cases of hate speech and incitement to discrimination were recorded. Compared to other election campaigns, this one stands out through its large number of instigating messages and statements.

There were 199 instances when the instigating messages were coming from the candidates. The election contenders who gave the greatest number of intolerant speeches in the public space were: case Renato Usatii (PN) – 152 instances (76%), Igor Dodon (IC) – 23 instances (12%) and Andrei Nastase (PPPDA) – 14 instances (7%).

On the other hand, there were 221 instances when contenders were affected by hate speech and incitement to discrimination during the election campaign. Thus, Igor Dodon (IC) with 112 instances (51%) and Maia Sandu (PAS) with 80 instances (36%) were the contenders most targeted by intolerant speech.

10.1. Methodological references

Promo-LEX OM monitored hate speech and incitement to discrimination in the context of the presidential elections of 1 (15) November 2020. The monitoring was conducted in accordance with the methodology developed to monitor the hate speech and incitement to discrimination in the public space and media in the Republic of Moldova¹⁷². The process comprised more sources to be monitored, according to the object of the monitoring¹⁷³ and was based on a broad approach of the concept of hate speech¹⁷⁴.

10.2. Candidates who used messages that instigate to hate and discrimination

In the context of the election campaign for the presidential election, as much as 420 cases of hate speech and incitement to discrimination were registered. Of them, 199 are situations when the candidates incited to hate through their messages.

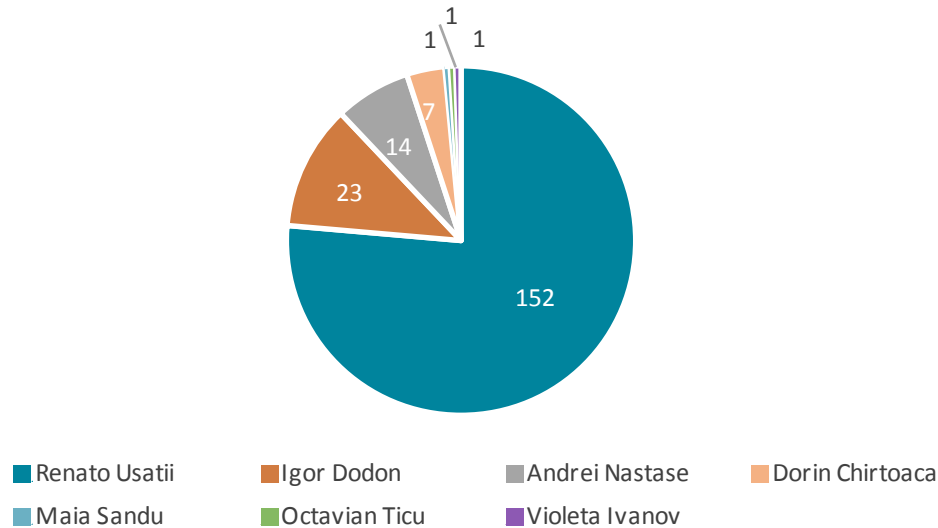
¹⁷² [Promo-LEX Report \(2019\)](#). Hate speech and incitement to discrimination in the public space and media in the Republic of Moldova; p. 6-7.

¹⁷³ Sources such as online media, TV, social media, cyber platforms for storing and sharing information, public events, public statements made by the election contenders, members of political parties and their supporters, politicians, opinions leaders, etc.

¹⁷⁴ Data were analysed and interpreted following the broad approach to the concept of hate speech, which includes legal definitions in the national and international law, as well as related concepts, such as incitement to discrimination, sexist, homophobic, racist discourse, incitement to violence, threats, support for ideologies based on the superiority of a group, defamation and public insult based on the depreciation or denigration of a group, and public promotion of intolerance.

Chart 55

Candidate who used messages inciting to hatred and discrimination



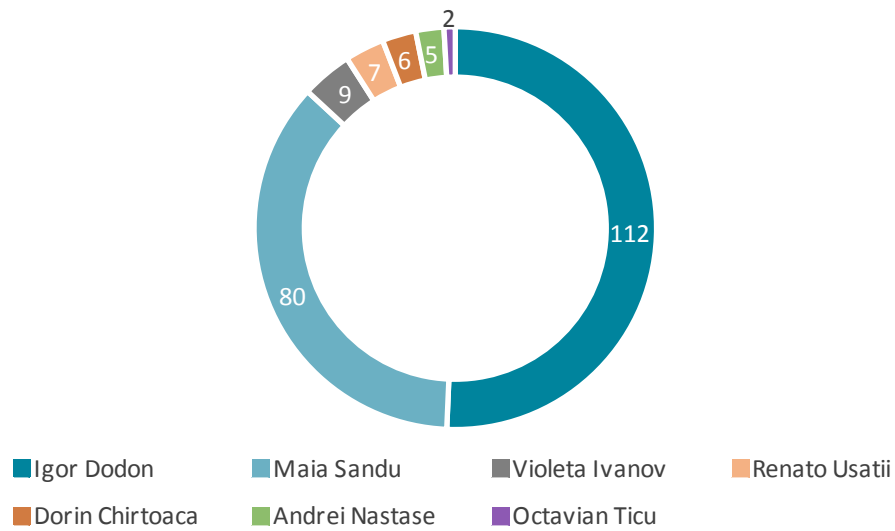
The election contenders who gave intolerant speeches in the public space are: Renato Usatii (PN) – 152 cases; Igor Dodon (IC) – 23 cases; Andrei Nastase (PPPDA) – 14 cases; Dorin Chirtoaca (BE Unirea) – 7 cases; Maia Sandu (PAS) – 1 case; Octavian Ticu (PUN) – 1 case and Violeta Ivanov (PPS) – 1 case.

10.3. Candidates targeted by hate and discriminatory speeches

According to the data of the monitoring, in 221 instances the candidates were the ones targeted by the speeches that instigate to hate. Thus, Igor Dodon (IC) with 112 instances and Maia Sandu (PAS) with 80 instances were the contenders most targeted by the hate speech and by the incitement to discrimination during the election campaign.

Chart 56

Distribution of cases by affected candidate



Also, Violeta Ivanov (PPS) was targeted in 9 cases, Renato Usatii (PN) was mentioned in 7 cases, Dorin Chirtoaca (BE Unirea) was targeted in 6 cases, Andrei Nastase (PPPDA) – in 5 cases and Octavian Ticu (PUN) was mentioned in 2 cases.

The messages of the electoral candidates contained different forms of intolerant speech and the speeches of hate and incitement to discrimination were broadcast through TV channels and through printed and online media.

The cases of hate speech generated by the electoral candidates were based on *stereotypes and prejudices against different social groups (women, people with disabilities, LGBT people, etc.)* that were used with the aim to denigrate or ridicule political opponent. Also, during the election campaign, the hate speech and incitement to discrimination *took the form of irony, threats, incitement to violence, etc. and feed up different social fears that promoted intolerance in the public space.*

XI. ELECTORAL EDUCATION AND AWARENESS

In the context of the presidential elections of 1 (15) November 2020, Promo-LEX Association and other three organisations that received sub-grants from the Association, carried out at least 121 activities of voter information, education and apolitical mobilisation for the citizens of the Republic of Moldova having the right to vote.

The activities targeted young people, voters of the transnistrian region and of diaspora. These included posts, articles, video news, video reports, information and mobilisation videos, vlogs, debates, talk shows, election quizzes and informational web platforms. Because of the sanitary and epidemiological restrictions imposed amid the COVID-19 pandemic, activities were carried out predominantly online and were advertised on social media.

During the reporting period, CICDE and CEC carried out 369 online training activities, as well as face-to-face, and at least 225 information activities (periodicals, participation in radio/TV shows, video materials, process simulations, etc.) on organising and conducting presidential elections.

11.1. Promo-LEX campaign for information, electoral education and apolitical mobilisation of Moldovan citizens with the right to vote

In the context of the presidential elections of 1 (15) November 2020, Promo-LEX Association and other three organisations that received sub-grants from the Association, carried out at least 121 activities of voter information, education and apolitical mobilisation for the citizens of the Republic of Moldova having the right to vote¹⁷⁵.

As part of the ‘aiVOT!’ Campaign, Promo-LEX Association carried out voter information activities and apolitical mobilisation of voters in the online environment. The activities targeted both the voters as beneficiaries in general and certain target groups: young voters, voters from the transnistrian region and from diaspora.

During the campaign, Promo-LEX distributed through various social networks 30 awareness-raising and motivational messages regarding the presidential elections. Besides, 11 videos promoting the importance for young people and voters from the left bank of Nistru River to vote, were released online and on TV. At the same time, Elita TV, Dnestr TV, the radio station ‘Новая Волна’ [lit. New Wave] produced and broadcast news, reports and TV shows as part of the campaign for the information of the voters from the transnistrian region. Moreover, Promo-LEX organised a contest for young people aimed to promote the voting and organised other two knowledge contests in the electoral field – a Scavenger Hunt type

¹⁷⁵ For details: [Report No 7](#) Promo-LEX OM, p. 42-43; [Report No 5](#) Promo-LEX OM, p. 62-63; [Report No 4](#) Promo-LEX OM, p. 54-55.

and a Quiz, in which 61 young people participated. Thus, 19 winners of the contests got symbolic prizes – ‘aiVOT!’ Campaign visibility materials.

In partnership with the Public Institution ‘Teleradio-Moldova’ Company, the Promo-LEX Association organised eight TV electoral debates and four radio electoral debates. The debates were attended by the candidates for the position of president and their representatives.

The organisations that received grants from Promo-LEX Association – the Association of Independent Press (AIP), Association for Participatory Democracy (ADEPT) and ‘Rockit Academy’ CSO also carried out various activities of voters information, electoral education and apolitical mobilisation.

In this context, note the initiative of the Promo-LEX OM to inform at the beginning of the election campaign, the registered candidates as well as the potential candidates about the methodology of the Mission’s activity. Thus, on 28 September 2020, the Promo-LEX Om organised an information session, which was attended only by the representatives of five potential election contenders out of the total of 13 nominated candidates/registered who were invited. Stakeholders were informed about the observation and reporting methodology of Promo-LEX OM, including on the funding of contenders. In addition, they presented a platform for observer training, accessible to all stakeholders, including contenders¹⁷⁶.

11.2. Education, training and awareness-raising activities, organised by CEC and CICDE

Training activities. In the context of presidential elections of 1 (15) November 2020, CEC and CICDE, in partnership with the National Institute of Justice, Council of Europe, INFONET Alliance, General Police Inspectorate (GPI) and the General Prosecutor’s Office (GPO), organised and conducted 369 online and face-to-face training activities as follows: of electoral officials (234 of face-to-face trainings, 116 webinars, one video conference), of the potential members of the precinct electoral bureaus outside the countries (2 video conferences), of persons in charge of managing the State Register of Voters (4 online seminars and 3 face-to-face seminars), of the operators of ‘Elections’ SAIS (3 video conferences), of judges (2 webinars), of GPI employees (2 webinars) and of GPO employees (2 webinars).

Also, CICDE developed teaching materials for PEB members and the Handbook for members of initiative groups supporting candidates for President of the Republic of Moldova. The teaching materials were adapted to the training needs in the context of the pandemic.

Information activities. CICDE conducted a series of preparatory activities for the election period, particularly as regards the peculiarities of the elections during the pandemic: four live discussions with professionals from Ukraine, Romania, Poland, Kyrgyzstan about the elections in conditions of pandemic; development of the policy-brief ‘Organisation of the elections during the COVID-19 pandemic’ and the publication of the magazine for the analysis, theory and electoral research ‘Digest electoral’.

¹⁷⁶ [Report No 3](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 54.

The activities for the information of the citizens with right to vote included: launching jointly with CEC the Call Centre for presidential elections of 1 (15) November 2020, launching of 6 podcasts entitled 'CICDE podcast' on electoral topics, attending TV and radio shows (at least 18 appearances), delivering the program of electoral practice entitled 'Accessibility of the electoral process', two simulations of the electoral process in education institutions, developing the 'Electoral dictionary', etc.

During the campaign for the information and civic education of children and their parents 'Arci's Journey to Elections, CICDE informed the voters and the future voters from 100 schools from over 50 settlements about the importance of the responsible and safe vote.

During the election period, Promo-LEX found the lack of an extensive information campaign for the citizens with the right to vote from abroad and for those from the transnistrian region of the Republic of Moldova conducted by CEC and CICDE.

XII. THE ELECTION DAY (FIRST AND SECOND ROUNDS)

Promo-LEX OM witnessed high civic activism of voters, who showed up to vote even amidst the pandemic in greater numbers than for the 2016 election. Especially the people who voted in the polling stations abroad stood out. Promo-LEX OM reiterates the need to implement some additional and alternative voting mechanisms for citizens with the right to vote, staying abroad.

Overall, the PSs operated according to the office hours. Overall, votes were counted in a quick, ordered and calm manner. The PSs were not heated properly, especially those outside Chisinau municipality Promo-LEX OM repeatedly pointed out that a part of PEBs disregarded all legal requirements for vote-counting.

During the two rounds, observers reported 980 incidents (499 in the first round, 481 in the second) – a slight decrease compared to the 2016 presidential elections (1053 incidents) and 2019 parliamentary elections (1118 incidents), though in these two elections the process was monitored by more observers. Promo-LEX OM expresses its concern regarding 23 cases, at least, of obstructing the free observation process in polling stations. In addition, the observation process in the election day was affected by isolated cases of observers intimidation by the Police and electoral officials. We also draw the attention to cases/rumours of awards given to voters (36) and instances of organised voter transportation (87), flagged in particular at the PSs set up for voters from the transnistrian region. In terms of quantity, the most frequent reported incidents involve taking a picture of the ballot papers and other violations of secrecy of vote (167), non-compliance with COVID-19 protection measures (110) and deficiencies in the operation of ‘Elections’ SAIS (96).

The results of parallel vote counting for the presidential election in the Republic of Moldova do not reveal any significant differences between the final data presented by CEC and final data obtained by Promo-LEX.

12.1. The scope and the mechanism of the observation on the election day

On the election day, in case of both rounds of elections on 1 and 15 November 2020, Promo-LEX OM delegated 608 static STO in the PS selected based on a sample. In addition, the voting procedures were monitored by 42 STO in each PS where the voters from the transnistrian region vote. The opening/closure and voting procedures, the events within the perimeter of the PS and the vote counting were monitored by 80 mobile teams made of 160 observers. Eventually, 52 and 61 static STO respectively (second round) were delegated for the PSs from abroad. Compared to the first round, Promo-LEX seconded, for the second round, four mobile teams of eight observers trained in monitoring public assemblies.

The observers reported the events through SMS. They were stored on the platform www.data.promolex.md and processed by the central team. Based on the analysed information, Promo-LEX published press releases during the election day as well as the two observation reports.

12.2. Polling stations opening and closing

The absolute majority of the PSs opened with slight delays.

Table 12. PS opening

Period	Between 6:50 a.m. and 6:59 a.m.	At 7:00 a.m.	Between 7:01 a.m. and 7:14 a.m.	After 7:15 a.m.
Number of open PSs (first round), out of 783	69 (9%)	640 (82%)	66 (8%)	8 (1%)
Number of open PSs (second round), out of 791	63 (8%)	695 (88%)	32 (4%)	1

A serious problem linked to the organisation of the elections during the cold period of the year is still the poor heating of the PSs. In its previous reports, Promo-LEX emphasized that if the state does have the possibility to ensure minimum decent conditions, the possibility to organise the elections during the warm period of the year should be analysed. Also, only half of the observed PSs had minimum access conditions for people with reduced mobility.

Table 13. Aspects related to PS accessibility

Subject	YES		NO		Total PSs	
	First Round	Second round	First Round	Second round	First Round	Second round
Is the PS accessible for persons with physical impairments?	837 (55%)	799 (52%)	684 (45%)	730 (48%)	1,521	1,529
Is the PS heat?	865 (57%)	1,015 (66%)	656 (43%)	514 (34%)	1,521	1,529
Is the polling station lit sufficiently?	769 (98%)	783 (99%)	12 (2%)	8 (1%)	781	791

As regards the closing procedures, almost all the observed PSs closed at 9:00 p.m. Promo-LEX repeatedly warns that over 20% did not comply with the rule according to which the ballot papers shall be presented to all participants in the counting process by one single member of the PEB. Also, about 15% of the PSs continue to violate the procedure of filling in the special vote counting form.

According to Promo-LEX observers, in case of 14% of the PEB, the voting and vote counting procedures were conducted in violation of the requirements for protection measures to prevent the spread of COVID-19.

Table 14. Procedure of PSs closing

Subject	YES		NO		Total PSs	
	First Round	Second round	First Round	Second round	First Round	Second round
Did the PS close at 9:00 p.m.?	694 (99%)	694 (98%)	7 (1%)	17 (2%)	701	711
Were the special forms for counting the voting results initially developed?	657 (84%)	671 (85%)	124 (16%)	120 (15%)	781	791
Did only one PEB member distribute the ballot papers to all participants for tabulation?	595 (76%)	613 (78%)	186 (24%)	178 (22%)	781	791
Was the whole process of ballot paper counting shot continuously?	768 (98%)	773 (98%)	13 (2%)	18 (2%)	781	791
In your opinion, were the voting procedures conducted in line with the requirements for protection measures against COVID-19?	672 (86%)	680 (86%)	109 (14%)	111 (14%)	781	791

12.3. Issues in ensuring the right to vote in the polling stations from abroad

The presidential elections of 1 (15) November 2020 were characterised by an increased level of activity despite the risks generated by the pandemic. We also want to note the degree of involvement of the citizens from abroad? On the day of the first round, a number of 150 022 voters voted abroad and on the second round – 263 177 voters. Compared to the previous elections we report a record of the number of voters from abroad who participated in the elections and their number almost doubled as compared to presidential elections in 2016 (138 720 voters – second round).

As a result, 9 PSs had to extend their activity during the first round¹⁷⁷ and, respectively, 5 PSs during the second round¹⁷⁸. In the same train of thoughts, note that on the day of the second round of the presidential elections, at least 8 PSs (United Kingdom – 3, Germany – 2, Italy – 2, France – 1) closed before the term because they ran out of those 5000 ballot papers¹⁷⁹. Thus, note that due to the high number of the voters from abroad it is very difficult to ensure the right to vote to all the citizens given the current voting rules.

177 France – 1 PS (1/343, Villeneuve-Saint-Georges – extended by 2 hours), Germany – 4 PSs (1/348, Berlin – extended by 1 hour; 1/349, Frankfurt on Main – extended by 1 hour; 1/351, Hamburg – extended by 2 hours; 1/353, Kassel – extended by 2 hours), Israel – 1 PS (1/358, Tel Aviv – extended by 1 hour), Italy – 1 PS (1/379, Mestre – extended by 2 hours), United Kingdom – 1 PS (1/397, Northampton – extended by 2 hours), Romania – 1 PS (1/408, Iasi – extended by 2 hours).

178 France – 1 PS (1/343, Paris – extended by 1 hour), Germany – 1 PS (1/353, Kassel – extended by 1 hour), Israel – 1 PS (1/358, Tel Aviv – extended by 1 hour), United Kingdom – 1 PS (1/396, Birmingham – extended by 1 hour), Hungary – 1 PS (1/442, Budapest – extended by 30 minutes).

179 Germany – 2 PS (PS 1/349, Frankfurt – local hour 6:00 p.m., PS 1/348, Berlin – local hour 7:20 p.m.), France – 1 PS (PS 1/344, Montreuil – local hour 6:55 p.m.), Italy – 2 PS (PS 1/367, Bologna – local hour 8:30 p.m., PS 1/369, Parma – local hour 8:45 p.m.), United Kingdom – 3 PS (PS 1/394, London – local hour 6:00 p.m., PS 1/393, London – local hour 7:00 p.m., PS 1/397, Northampton – local hour 7:35).

In this regard, being aware of the difficulties that implies the significant increase in the number of the PSs abroad¹⁸⁰, Promo-LEX believes it is necessary to review the legal framework in order to adopt additional and alternative voting conditions for the citizens who live abroad by examining opportunities such as: increasing the time for voting (from one day to two days, for example); adopting and implementing alternative voting methods (voting through correspondence, early voting or internet voting).

12.4. Incidents observed during the election day

During the election day of both rounds of presidential elections of 2020, Promo-LEX OM reported over 980 incidents. Remember that during the presidential elections of 2016, as much as 673 incidents were reported, which is with 300 less than in 2020¹⁸¹. Having compared the number of incidents by rounds of elections, we found that even if only two contenders ran for the second round, the number of reported incidents (499)¹⁸² exceeded insignificantly the figures from the first round (481)¹⁸³.

Table 15. Incident reports – qualified incidents

Total incidents reported by observers		Total incidents processed by the Central Team and included in public reports		Total cases reported that were not classified as incidents	
First Round	Second round	First Round	Second round	First Round	Second round
521	574	481	499	40	75

After analysing the incidents by categories, we found that in principle, their structure is the same as during the previous elections. In terms of quantity, the most frequent reported incidents – 167 cases – involve taking a picture of the ballot papers and other violations of secrecy of vote, non-compliance with COVID-19 protection measures – 110 cases and deficiencies in the operation of ‘Elections’ SAIS (96).

Promo-LEX OM also draws the attention on at least 23 cases of observer intimidation, including by police officers and electoral officials, found in the second round of the elections. Note also the rumours of voter bribing and cases of cash awards offered to voters from the transnistrian region upon presenting documents confirming the vote, reported by observers on the election day. The comparative analysis reveals a higher number of alleged voter bribing during the second round of the elections.

180 In case of Germany, for example, the PSs can be established only within the diplomatic missions and consular offices and as a result, it is difficult to establish a higher number of PSs.

181 [Final Report](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 30 October (13 November) 2016, p. 63-70.

182 [Report No 8](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 10-21

183 [Report No 6](#). Promo-LEX Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 10-20

Compared to the first round of the election, on 15 November 2020 the number of deficiencies in the operation of ‘Elections’ SAIS doubled. The same significant growth trend was reported with regard to incidents involving taking pictures of ballot papers or other violations of the secrecy of vote. In addition, we found the failure to settle the issue concerning the insufficient number seals for ballot boxes, moreover, the number of such incidents increased compared to 1 November 2020.

Note the higher number of problematic situations of requests to vote at the place of stay. Most of the identified issues involve submission of requests to vote at the place of stay by unauthorised persons. Another flagged deficiency involves the failure to apply the mechanism of voting by mobile ballot box for voters hospitalized in COVID-19 departments. Remind that in its intermediate Reports, Promo-LEX OM warned the electoral bodies on the need to comply with the regulatory requirements on receipt of requests to vote at the place of stay.

The high number of incidents involving organised transportation of voters remained unchanged. If compared with the first round, the number of vehicles involved was higher in the second round of the presidential elections. Like on 1 November, on 15 November 2020 most of the cases were reported in connection with the polling stations opened for voters from the transnistrian region.

On the other hand, the number of incidents related to non-compliance with COVID-19 protection and prevention measures, quality of lists of voters, and presence of advertising materials within the area of 100 m from the polling station decreased in the second round.

Table 16. Categories of incidents, dynamics during the first and second rounds

No	INCIDENT CATEGORY	NUMBER		Difference
		First Round	Second round	
1.	Intimidating observers or preventing the free observation at the polling station	10	13	+3
2.	Ballot boxes were not sealed according to the legal procedures/tearing/damage or absence of seals on ballot boxes	23	43	+20
3.	Unjustified presence of unauthorised persons inside or within 100 m from the polling station	25	28	+3
4.	Presence of advertising materials, electoral billboards and posters in the vicinity of the polling station (within the area of 100 m from the polling station)	34	9	-25
5.	Interrupted video recording of electoral procedures for polling station opening or procedures of ballot papers counting	22	24	+2

XII. THE ELECTION DAY (FIRST AND SECOND ROUNDS)

6.	Electioneering or black PR within the radius of 100 m and/or near the polling station to influence the voters	14	19	+5
7.	Rumors, attempts or even situations of in-kind or cash rewards offered to voters within the are of 100 m from the polling station in order to influence them	14	22	+8
8.	Organised voter transportation (by buses, passenger vans or other vehicles that wouldn't normally be around)	50	37	-13
9.	Failure to comply with COVID-19 protection and prevention measures	75	35	-40
10.	Deficient operation of 'Elections' SAIS (suspended functionalities; situations where 'Elections' SAIS showed that the voter had voted, although the latter claimed he had not)	35	61	+26
11.	Errors in the lists of voters	29	15	-14
12.	Taking pictures of the ballot papers, other violations of the secret ballot (submission of ID card on the basis of which the voter had already voted, inappropriate laying out of booths because of which one could see who other voters cast their vote for etc.)	59	108	+49
13.	Unjustified group voting (2 or more people were in the voting booths at the same time)	11	10	-1
14.	Unjustified termination/suspension of voting at the polling station	12	7	-5
15.	Electricity outages	8	11	+3
16.	Preventing the access of voters and organised transport to polling stations set up for the transnistrian region	6	3	-3
17.	Problematic aspects related to vote counting	15	5	-10
18.	Problematic aspects related to voting by mobile ballot box	3	21	+18
19.	Refusal to give the vote-counting protocols or intimidating the observers while issuing them	6	0	-6
20.	Acts of violence or bullying against voters or other individuals	0	9	+9
21.	Others	30	19	-11
	TOTAL	481	499	+18

12.5. Results of final vote counting by Promo-LEX

12.5.1. Accuracy of the vote counting protocols (VCP)

Promo-LEX OM analysed the accuracy of 2,135 VCP¹⁸⁴ in the first round and 2,139 VCP in the second round of the total number 2,143 issued per round. A total number of 90 mistakes were found in 43 VCP.

Table 17. Type and number of errors found

ERROR TYPE	NUMBER	
	Round I	Second round
D == F+H	6	5
E == C-D	7	2
I == C+J	12	9
H == G1+G2+G3+G4+Gn	9	7
F == D-H	6	5
J == I-C	12	9
C >= D	1	0
TOTAL ERRORS	53	37

Promo-LEX OM found that the protocols are better filled in. The number of protocols with errors increased insignificantly if compared with the general local elections of 2019, but is lower if compared with the presidential election of 2016 and parliamentary election of 2019.

Table 18. Number of Vote Counting Protocol with errors (in comparative terms)

	Presidential Election 2016, second round	Parliamentary Election 2019 ¹⁸⁵	General Local Elections 2019	Presidential Election 2020, first round	Presidential Election 2020, second round
VCP with errors	34	142	24	27	16

¹⁸⁴ The static observers and the mobile teams that attended the polling stations closing and ballot papers counting procedures received on paper 782 VCP in the first round and 791 in the second round of elections. Other 1,353 and respectively 1,348 copies of the protocols were received as a picture by long-term observers in DEC, once PEB received the protocols concerned. During the first round, eight protocols were missing, one of them was the VCP of the polling station 13/12 from Elizavetovca, Donduseni – DEC did not allow the LTO to take a picture of the protocol.

¹⁸⁵ National consistency.

12.5.2. Comparative analysis of the data on parallel vote counting performed by Promo-LEX OM and data communicated by CEC

The results of parallel vote counting for the presidential election in the Republic of Moldova do not reveal any significant differences between the final data presented by CEC and final data obtained by Promo-LEX¹⁸⁶.

Table 19. Final data, first round of election

No	Candidate name	CEC, preliminary	Promo-LEX, preliminary	CEC, final		Promo-LEX, final		Difference CEC/ Promo-LEX, final (%)
1	Renato Usatii, PN	16.90%	16.64%	227,939	16.90%	227,347	16.92%	+0.02%
2	Andrei Nastase, PPPDA	3.26%	3.08%	43,924	3.26%	43,849	3.26%	0
3	Tudor Deliu, PLDM	1.37%	1.45%	18,486	1.37%	18,348	1.37%	0
4	Igor Dodon, IC	32.61%	35.56%	439,866	32.61%	438,061	32.59%	-0.02%
5	Violeta Ivanov, PPS	6.49%	6.22%	87,542	6.49%	87,229	6.49%	0
6	Maia Sandu, PAS	36.16%	33.73%	487,635	36.16%	486,023	36.16%	0
7	Octavian Ticu, PUN	2.01%	2.12%	27,170	2.01%	27,042	2.01%	0
8	Dorin Chirtoaca, BE Unirea	1.20%	1.20%	16,157	1.20%	16,101	1.20%	0

Table 20. Final data, second round of election

No	Candidate name	Party	CEC, preliminary	Promo-LEX, preliminary, sample	CEC, final		Promo-LEX, final, 2,139 PSs		Difference CEC, final/ Promo-LEX, final (%)
1	Maia Sandu	PAS	57.72%	52.9%	57.72%	943,006	57.83%	943,626	-0.11%
2	Igor Dodon	IC	42.28%	47.1%	42.28%	690,615	42.22%	688,919	+0.06%

¹⁸⁶ The final data of Promo-LEX were calculated on the basis of 2,135 VCP in the first round and 2,139 PCV in the second round of the total 2,143.

XIII. POST-ELECTION PERIOD

After the conclusion of the second round of elections and until the confirmation of the election results several appeals were made in court, but until the validation of the mandate by the Constitutional Court the courts did not issue rulings finding violations in the electoral process that influenced the election results. Promo-LEX reiterates its position that the provisions of the Electoral Code on final review of complaints are not quite explicit and leave room for interpretation regarding whether the period of examination of complaints by ordinary courts is included in the 10 days that the Constitutional Court has at its disposal or not.

On 23 November 2020, CEC submitted to the Constitutional Court the notification regarding the confirmation of the election results and the validation of the mandate of President of the Republic of Moldova. On 10 December 2020, the Constitutional Court, by its Decision No 30, confirmed the results of the elections of the President of the Republic of Moldova of 15 November 2020 and validated the election of Ms Maia Sandu as President.

After the conclusion of the second round of the presidential elections and the announcement of the preliminary results, at least two voters submitted appeals regarding the situation in which the polling stations from abroad ran out of ballot papers. However, the appeals were not examined because the applicants did not act accordingly within those 30 minutes allocated for addressing the indicated issues.

At the same time, after conclusion of the second round of elections and until the results of the elections were confirmed, the election contender Igor Dodon, through his representatives, filed various appeals to the court expressing his disagreement towards the way the presidential elections were conducted. The independent candidate also filed to courts fact finding appeals in order to state the legal effect of the involvement of foreign individuals in the electioneering activities, the organised transportation and the corruption of voters, without challenging the actions of his counter-candidate. Until the validation of the mandate by the Constitutional Court, the courts did not issue rulings finding violations in the electoral process that influenced the election results.

On 23 November 2020, the Central Electoral Commission submitted to the Constitutional Court the notification regarding the confirmation of the results of the elections of 15 November 2020 and the validation of the mandate of President of the Republic of Moldova. Although the term of 10 days since the receipt of the documents from CEC, provided for in Article 122 of the Electoral Code, the Constitutional Court communicated on 2 December 2020 that it was not able to rule on the lawfulness of the elections due to existing complaints, still unsolved by the courts. Remember that Promo-LEX OM drew the attention during the presidential election of 2016¹⁸⁷ that the phrase ‘but not before the final settlement of complaints by the courts of law’ from the Article 122 of the Electoral Code is not quite explicit and leaves room for interpretation regarding whether the examination of complaints by the ordinary courts is a period included in the 10 days that

¹⁸⁷ [Final Report](#). Observation Mission for the Presidential Election in the Republic of Moldova on 30 October 2016, p. 18.

the Constitutional Court has or not. The complaint examination procedures in ordinary courts may leave too little time for the Constitutional Court to look into all the materials submitted by CEC.

Eight days later, on 10 December 2020, the Constitutional Court, by its Decision No 30, confirmed the results of the elections of the President of the Republic of Moldova of 15 November 2020 and validated the election of Ms Maia Sandu as of the Republic of Moldova¹⁸⁸. At the same time, the Constitutional Court submitted to the Parliament a recommendation¹⁸⁹, to emphasize the need to regulate certain prompt and immediate sanctioning mechanisms, to prevent and combat hate speeches between the election contenders, including in the online environment and social media.

On 11 December 2020, CEC approved the Decision No 4534 dissolving 36 second-level DECs and 2143 PEBs, established in order to organise and conduct the presidential election of 1 October 2020¹⁹⁰. The same day, by Decision No 4535¹⁹¹, CEC established that 94,000 protection masks and 500 protection suits that will be used during the local elections of 16 May 2021 will be stored in the warehouse provided to CEC and that the remaining protection equipment will be transmitted for free to the Ministry of Health, Labour and Social Protection.

Following the validation of the mandate, on 24 December 2020, the candidate the election of whom was validated, was sworn in front of the Parliament and of the Constitutional Court. Thus, according to Article 80(1) of the Constitution of the Republic of Moldova, the four-year mandate of the President of the Republic of Moldova started on 24 December 2020.

¹⁸⁸ [Decision](#) of the Constitutional Court No 30 of 10 December 2020 confirming the Election Results and Validating the Mandate of President of the Republic of Moldova (notification No 189e/2020).

¹⁸⁹ [Referral](#) No PCC-01/189e/597 of 10.12.2020.

¹⁹⁰ [CEC Decision](#) No 4534 of 11 December 2020 on the dissolution of the electoral bodies established for the organization and conduct of presidential elections of 1 November 2020.

¹⁹¹ [CEC Decision](#) No 4535 of 11 December 2020 on providing to the Ministry of Health, Labour and Social Protection some protective equipment to prevent the spread of COVID-19 infection.

RECOMMENDATIONS

To the Parliament of the Republic of Moldova:

1. Amend the definition of ‘election period’ in the Electoral Code as the time period commencing on the day when the date of elections is officially announced and ending on the day when the election results are confirmed by the competent bodies.
2. Amend the notion of ‘election contender’ in case of presidential elections by adding the phrase ‘political parties, socio-political organisations and electoral blocs that nominated them’.
3. Amend the Electoral Code in order to relieve of duty the nominated candidates once the signature sheets are issued.
4. Revise Article 46(2)(a) of the Electoral Code concerning the registration deadline for political parties and other socio-political organisations in order to benefit of the right to nominate the candidates for elections. It is necessary to clarify the meaning of the phrase ‘before establishing the date of election’ by reporting it precisely to the approval date of the act establishing the date of election, date when that act is published in the Official Gazette or date of that act’s entry into force.
5. Adjust the national legislation by establishing deadlines for the submission of signature sheets which would allow CEC to verify them in due time, so that all candidates start the election campaign for the presidential election within the same time frame.
6. Establish in the Electoral Code clear legal provisions on suspending from office the President of the Republic of Moldova for participating in the electoral campaign as a candidate and/or regulate the measures that should be taken to ensure equal opportunities for all contenders if the incumbent president is running for another term in office.
7. Regulate explicitly the lawfulness of a political party supporting an independent candidate, including in terms of not accepting poor reporting of election campaign financing and political parties that do not participate in elections getting involved in election campaigns.
8. Regulate strictly and unequivocally the status of a political party as a ‘voluntary association with status of legal entity’, in relation to other types of legal entities, in the context of aspects related to political/electoral financing.
9. Amend Article 43(1)a) of the Electoral Code to harmonise it with Article 29(4)b) of the Law on Political Parties by specifying exactly the donors’ personal data related to *name/surname, occupation/job or type of activity* and publishing the appropriate data.
10. Harmonise the level of sanctions issued for the illegal funding of election campaigns and violation of the rules on electoral funds management from the Contravention Code with the ones in the Criminal Code, in line with the Guidelines of the Venice Commission.
11. Include initiative groups as subjects of the sanctions set by Articles 181¹ and 181² of the Criminal Code and Articles 48¹ and 48² of the Contravention Code.

12. Resolve the referral to the Constitutional Court on regulating Article 6(5) of the Law No 86 of 11 June 2020 on Non-Commercial Organisations in accordance with the adopted decision, so that during the election campaign non-commercial organisations are prohibited from providing free services only, but are allowed to provide paid services.
13. Regulate explicitly the grounds for refusing to open accounts for election contenders by commercial banks, as well as the legal consequences on the right to be elected.
14. Amend and adjust the provisions on electoral complaints from the Electoral Code in compliance with the rules of the Administrative Code in order to address any conflict of rules and to ensure the exact regulation of the appeal procedures for each type of elections.
15. Regulate explicitly in the Electoral Code the organisation and conduct of the second round of election, especially as regards the deadline for setting the date of the second round of election and the date for starting the election campaign for the second round.
16. Consider additional conditions and mechanisms to ensure the right to vote of the citizens of the Republic of Moldova residing overseas (increase the number of voting days, implement alternative methods, etc.)
17. Provide a clear and exhaustive definition of 'administrative resources' in accordance with the relevant international standards. It is necessary to extend the period of prohibiting the use of administrative resources, as well as punishing such use, to cover not just the election campaign, but also the election/pre-election period.
18. Revise Article 52(8) of the Electoral Code so that the provided restrictions are more explicit and, compulsorily, take into account the general framework that regulates the freedom of expression.
19. Amend Article 122 of the Electoral Code to clarify whether the period of examination of complaints by ordinary courts is included in the 10 days that the Constitutional Court has at its disposal or not.
20. Develop the legal framework related to the prohibition to involve/use the image of religious cults during the election period, as well as to punish such deeds.

To the Central Electoral Commission and lower-level electoral bodies:

21. Supplement the Regulation on the Development, Management, Circulation and Updating of the Lists of Voters with provisions that would expressly regulate the statement of the place of stay as a mechanism to include voters with no domicile or residence in the main lists of voters.
22. Revise the Regulation on Preliminary Registration in order to regulate clearly the following issues: validity term of the preliminary declaration; mechanisms to inform voters on the validity of preliminary registration for several elections; before each election, repeated information about the validity of the declaration for voters with such declarations filed for previous elections, including information about the possibility to annul such a declaration.

23. Regulate expressly the preliminary registration using paper forms in order to clarify the following issues: mechanisms to inform voters who got registered using paper forms about the validity of preliminary declarations for several elections, such information being provided before every election.
24. Settle the problem regarding the need and timeliness to establish the District Electoral Council No 3, Bender.
25. Include the value of in-kind donations in section II of the report – turnover, so that they would be taken into account on both revenue and expenditure sides.
26. Structure the in-kind donations by the format of expenditure lines in the summarising table of the report.
27. Amend the Regulation on Examination and Settlement of Complaints by Electoral Bodies during the Election Period, by including the electoral bodies' duty to register any notification, application, complaint as an electoral complaint if it reports certain violations of the electoral process.
28. Amend the Regulation on Examination and Settlement of Complaints by Electoral Bodies during the Election Period, by including the duty to publish on CEC website all filed notifications and complaints, as well as their solutions within 48 hours from their registration.
29. Approve the regulatory framework on the system of checking signature sheets and procedures for checking or challenging the data provided by the system.
30. Amend Item 11 of the Regulation on the Operation of the Video Recording System in Polling Stations by ensuring the functionality of the video cameras on the election day, starting with the beginning of the preparatory electoral operations regarding the opening of the polling station and ending with the tabulation of the voting results.
31. Establish in the Regulation on Examination and Settlement of Complaints by Electoral Bodies during the Election Period some detail legal provisions on the competence of electoral bodies to settle complaints and train the electoral officials appropriately, in order to avoid competence rejection during complaint examination.

To the Supreme Court of Justice:

32. Issue a consultative opinion on how to appeal, examine and solve the electoral disputes based on the Electoral Code and Administrative Code, especially on the election day and after the election day.

LIST OF ABBREVIATIONS

para.	paragraph
CPA	Central Public Administration
LPA	Local Public Authorities
Art.	Article
PSA	Public Services Agency
PEB	Precinct Electoral Bureau
BE Unirea	UNIREA Electoral Bloc
NBM	National Bank of Moldova
CCA	Chisinau Court of Appeal
CALC	Civic Coalition for Free and Fair Elections
CEC	Central Election Commission
DEC	District Electoral Council
IC	independent candidate
twp.	township
CICDE	Centre for Continuous Electoral Training
NEPHC	National Extraordinary Public Health Commission
SCJ	Supreme Court of Justice
TEPHC	Territorial Extraordinary Public Health Commission
IG	initiative group
let.	letter
LGBT	Lesbian, Gay, Bisexual, Transsexual
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
PACE	Building Europe at Home Political Party 'PACE'

PAS	'Action and Solidarity Party' Political Party
it.	item
PL	Liberal Party
PLDM	Liberal Democratic Party of Moldova
PN	'Our Party' Political Party
PNL	Liberal National Party
POM	'People's Labour Party' Political Party
PPDA	'Dignity and Truth Platform' Political Party
PPR	'Romanian People's Party' Political Party
PPS	Sor Political Party
Pro Moldova	'PRO MOLDOVA' Political Party
PRM	Party of the Regions from Moldova
PSRM	'Party of the Socialists from the Republic of Moldova' Political Party
PUN	'National Unity Party' Political Party
REO	Registry of Electoral Officials
SRV	State Register of Voters
SRP	State Register of Population
v.	village
CB	closing balance
OB	opening balance
SAISE	State Automated Information System 'Elections'
PS	polling station
ATU	Administrative Territorial Unit
USAID	United States Agency for International Development
USB	'Union Save Bessarabia' Political Party
ATUG	Autonomous Territorial Unit Gagauzia

ANNEXES

Annex 1. Accredited observers for monitoring the presidential election of 1 (15) November 2020

Applicant institution	Total number of accredited observers	Applicant institution	Total number of accredited observers
NATIONAL OBSERVERS			
Promo-LEX Observation Mission	1,160	Embassy of the United States in the Republic of Moldova	41
'MIRAD' CSO	331	Embassy of the United Kingdom of Great Britain and Northern Ireland to the Republic of Moldova	8
'FORTA VETERANILOR' CSO	95	Delegation of the European Union to the Republic of Moldova	3
Maia Sandu, candidate for the position of president of the Republic of Moldova	27	Embassy of the Federal Republic of Germany to the Republic of Moldova	2
NDI Moldova Office in the USA CSO	16	Embassy of Japan in the Republic of Moldova	2
Centre for Consultancy and Civic Education CSO	15	Embassy of Latvia in the Republic of Moldova	1
'INFONET Alliance' CSO	13	Embassy of the Netherlands in the Republic of Moldova	1
International institute of monitoring the development of democracy, parliamentarism and observance of the electoral rights of citizens from member of the IA of CIS	3	Embassy of the Republic of Poland to the Republic of Moldova	1
NATIONAL OBSERVERS ABROAD			
Renato Usatii, candidate for the position of president of the Republic of Moldova	88	Andrei Nastase, candidate for the position of president of the Republic of Moldova	9
Promo-LEX Observation Mission	86	Igor Dodon, candidate for the position of president of the Republic of Moldova	8
Octavian Ticu, candidate for the position of president of the Republic of Moldova	51	Dorin Chirtoaca, candidate for the position of president of the Republic of Moldova	8

Maia Sandu, candidate for the position of president of the Republic of Moldova	48	Embassy of the United Kingdom of Great Britain and Northern Ireland to the Republic of Moldova	1
INTERNATIONAL OBSERVERS			
European Network of Election Monitoring Organizations (ENEMO)	81	Embassy of the French Republic to the Republic of Moldova	3
Observation Mission of the Commonwealth of Independent States (CIS)	45	Embassy of Japan in the Republic of Moldova	3
Council of the Interparliamentary Assembly of the CIS Member States	45	Embassy of Republic of Italy to the Republic of Moldova	3
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	43	Embassy of Latvia in the Republic of Moldova	3
Embassy of the United States in the Republic of Moldova	20	Embassy of the Republic of Poland to the Republic of Moldova	3
Embassy of the Russian Federation in Republic of Moldova	16	Swiss Cooperation Office/ Swiss Confederation Embassy Office in the Republic of Moldova	2
Embassy of Ukraine in Republic of Moldova	12	Embassy of the Czech Republic to the Republic of Moldova	2
Embassy of the Republic of Turkey to the Republic of Moldova	10	Norwegian Helsinki Committee	1
Delegation of the European Union to the Republic of Moldova	9	Embassy of the Netherlands in the Republic of Moldova	1
Embassy of the Federal Republic of Germany to the Republic of Moldova	4	Embassy of Hungary in the Republic of Moldova	1
Embassy of the Kingdom of Sweden to the Republic of Moldova	4	Embassy of the Republic of Austria to the Republic of Moldova	1
Embassy of the Republic of Lithuania to the Republic of Moldova	4	NDI Moldova Office in the USA CSO	1
Embassy of the United Kingdom of Great Britain and Northern Ireland to the Republic of Moldova	4		

INTERNATIONAL ELECTION EXPERTS			
Permanent Electoral Authority of Romania	3	Central Commission for Elections and Republican Referendums of the Republic of Belarus	2
Central Electoral Commission of the Republic of Uzbekistan	2	Central Electoral Commission of the Republic of Kazakhstan	1
Central Electoral Commission of the Russian Federation	2	Central Electoral Commission of the Republic of Azerbaijan	1
INTERPRETERS			
European Network of Election Monitoring Organizations (ENEMO)	52	Embassy of the Republic of Turkey to the Republic of Moldova	4
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	25		

ANNEX 2 Organisation of Polling Stations in Other Countries at the presidential election of the Republic of Moldova

No	STATE/Settlement	Polling station	Print run of ballot papers established for the first round of presidential election	Print run of ballot papers established for the second round of presidential election	Difference
1.	THE REPUBLIC OF AUSTRIA, Vienna city	1/306	3,000	5,000	+2,000
2.	THE REPUBLIC OF BELARUS, Minsk city	1/308	3,000	5,000	+2,000
3.	THE REPUBLIC OF BULGARIA, Sofia city	1/311	1,000	5,000	+4000
4.	THE CZECH REPUBLIC, Prague city	1/316	3,000	5,000	+2,000
5.	THE SWISS CONFEDERATION, Geneva city	1/320	3,000	5,000	+2,000
6.	THE REPUBLIC OF ESTONIA, Tallinn city	1/322	500	5,000	+4,500
7.	THE RUSSIAN FEDERATION, Sochi/ Krasnodar city	1/333	3,000	5,000	+2,000
8.	THE RUSSIAN FEDERATION, Lipetsk city	1/334	3,000	5,000	+2,000
9.	THE RUSSIAN FEDERATION, Tula city	1/335	3,000	5,000	+2,000
0.	THE RUSSIAN FEDERATION, Kursk city	1/336	3,000	5,000	+2,000
11.	THE RUSSIAN FEDERATION, Kostroma city	1/337	3,000	5,000	+2,000
12.	THE RUSSIAN FEDERATION, Ryazan city	1/338	3,000	5,000	+2,000
13.	THE RUSSIAN FEDERATION, Surgut/ Khanty-Mansiysk city	1/339	3,000	5,000	+2,000
14.	THE FRENCH REPUBLIC, Strasbourg city	1/342	3,500	5,000	+1,500
15.	THE FRENCH REPUBLIC, Nice city	1/345	4,000	5,000	+1,000
16.	THE FRENCH REPUBLIC, Lyon city	1/346	3,000	5,000	+2,000
17.	THE FRENCH REPUBLIC, Bordeaux city	1/347	3,000	5,000	+2,000
18.	THE FEDERAL REPUBLIC OF GERMANY, Stuttgart city	1/350	4,000	5,000	+1,000
19.	THE FEDERAL REPUBLIC OF GERMANY, Hamburg city	1/351	4,000	5,000	+1,000
20.	THE FEDERAL REPUBLIC OF GERMANY, Munich city	1/352	4,000	5,000	+1,000
21.	THE FEDERAL REPUBLIC OF GERMANY, Kassel city	1/353	4,000	5,000	+1,000
22.	ISRAEL, Ashdod city	1/359	3,000	5,000	+2,000
23.	THE ITALIAN REPUBLIC, Perugia city	1/365	3,000	5,000	+2,000
24.	THE ITALIAN REPUBLIC, Naples city	1/366	3,000	5,000	+2,000
25.	THE ITALIAN REPUBLIC, Ancona city	1/388	3,000	5,000	+2,000

26.	THE REPUBLIC OF LATVIA, Riga city	1/391	500	5,000	+4,500
27.	THE REPUBLIC OF LATVIA, Vilnius city	1/392	500	5,000	+4,500
28.	THE KINGDOM OF NORWAY, Oslo city	1/400	3,000	5,000	+2,000
29.	THE REPUBLIC OF POLAND, Warsaw city	1/401	2,000	5,000	+3,000
30.	THE PORTUGUESE REPUBLIC, Portimão city	1/403	3,500	5,000	+1,500
31.	THE PORTUGUESE REPUBLIC, Setúbal city	1/404	3,500	5,000	+1,500
32.	THE KINGDOM OF THE NETHERLANDS, the Hague	1/405	3,000	5,000	+2,000
33.	ROMANIA, Timisoara city	1/409	3,000	5,000	+2,000
34.	ROMANIA, Galati city	1/411	3,000	5,000	+2,000
35.	ROMANIA, Brasov city	1/412	4,000	5,000	+1,000
36.	ROMANIA, Constanta city	1/413	3,000	5,000	+2,000
37.	ROMANIA, Bacau city	1/414	3,000	5,000	+2,000
38.	ROMANIA, Suceava city	1/415	3,000	5,000	+2,000
39.	ROMANIA, Sibiu city	1/416	3,000	5,000	+2,000
40.	ROMANIA, Craiova city	1/417	3,000	5,000	+2,000
41.	ROMANIA, Oradea city	1/418	3,000	5,000	+2,000
42.	THE KINGDOM OF SPAIN, Valencia city	1/422	2,500	5,000	+2,500
43.	THE KINGDOM OF SPAIN, Malaga city	1/423	2,500	5,000	+2,500
44.	THE UNITED STATES OF AMERICA, Asheville city, NC	1/430	4,000	5,000	+1,000
45.	THE UNITED STATES OF AMERICA, Orlando city, FL	1/431	4,000	5,000	+1,000
46.	THE UNITED STATES OF AMERICA, Atlanta city, GA	1/432	4,000	5,000	+1,000
47.	THE UNITED STATES OF AMERICA, Minneapolis city, MN	1/435	4,000	5,000	+1,000
48.	THE KINGDOM OF SWEDEN, Stockholm city	1/437	3,000	5,000	+2,000
49.	THE REPUBLIC OF TURKEY, Ankara city	1/438	1,500	5,000	+3500
50.	THE REPUBLIC OF TURKEY, Istanbul city	1/439	3,000	5,000	+2,000
51.	UKRAINE, Kyiv city	1/440	2,000	5,000	+3,000
52.	UKRAINE, Odessa city	1/441	2,000	5,000	+3,000
53.	THE REPUBLIC OF HUNGARY, Budapest city	1/442	1,000	5,000	+4,000
54.	THE KINGDOM OF DENMARK, Copenhagen city	1/443	3,000	5,000	+2,000
55.	THE REPUBLIC OF CYPRUS, Limassol city	1/444	3,000	5,000	+2,000
Total print run for all 139 PS			556,000	671,500	115,500

ANNEX 3. The Modification of the Composition of Lower Level Electoral Bodies

Table 3.1. Changes to DEC II membership

<i>Changes to DEC membership</i>			
<i>DEC</i>	<i>No of members</i>	<i>Initiator of the modification</i>	<i>Appointment of the new member</i>
No 1 Chisinau	3	REO, PAS, Court	REO, PAS, Court
No 4 Anenii Noi	5	LPA, PPS, PAS, PPPDA, PSRM	REO, PPS, PAS, PPPDA, PSRM
No 7 Cahul	1	PDM	PDM
No 9 Calarasi	1	Court	REO
No 10 Causeni	3	REO, LPA	REO, LPA
No 11 Cimislia	1	PDM	PDM
No 12 Criuleni	2	PDM, Court	PDM, Court
No 17 Falesti	2	PSRM, PAS	PSRM, PAS
No 21 Ialoveni	1	PAS	PAS
No 25 Orhei	1	Court	Court
No 28 Singerei	3	PPS, PPPDA	PPS, PPPDA
No 29 Soroca	2	LPA, Court	LPA, Court
No 30 Straseni	2	PPS	PPS
No 31 Soldandesti	1	REO	PAS
No 33 Taraclia	6	LPA, PSRM	LPA, PSRM
No 37 for the settlements on the left bank of Nistru River	2	Court	Court

Table 3.2. Changes to PEB membership

<i>Changes to PEB membership</i>			
<i>No of excluded members</i>	<i>Initiator of the modification</i>	<i>No of included members</i>	<i>Appointment of the new member</i>
121	CEC REO	153	CEC REO
118	LPA	98	LPA
103	PAS	106	PAS
75	PPS	72	PPS
56	PPPDA	55	PPPDA
58	PSRM	58	PSRM
48	PDM	48	PDM
11	CEC		

ANNEX 4. Polling stations where the observers' access to lists of voters was limited

1	No 1/5	101	No 11/6	201	No 23/1	301	No 28/62
2	No 1/10	102	No 11/7	202	No 23/2	302	No 30/13
3	No 1/15	103	No 11/8	203	No 23/3	303	No 30/14
4	No 1/25	104	No 11/10	204	No 23/9	304	No 30/18
5	No 1/26	105	No 11/12	205	No 23/14	305	No 30/33
6	No 1/27	106	No 11/13	206	No 23/18	306	No 30/34
7	No 1/28	107	No 11/15	207	No 23/25	307	No 31/2
8	No 1/30	108	No 11/24	208	No 23/33	308	No 31/3
9	No 1/32	109	No 11/25	209	No 23/34	309	No 31/9
10	No 1/34	110	No 11/27	210	No 23/35	310	No 31/11
11	No 1/35	111	No 11/30	211	No 23/38	311	No 31/13
12	No 1/36	112	No 11/33	212	No 23/40	312	No 31/25
13	No 1/38	113	No 11/34	213	No 23/43	313	No 33/10
14	No 1/39	114	No 12/3	214	No 24/4	314	No 33/11
15	No 1/42	115	No 12/6	215	No 24/5	315	No 33/12
16	No 1/43	116	No 12/7	216	No 24/6	316	No 33/16
17	No 1/46	117	No 12/9	217	No 24/7	317	No 33/17
18	No 1/47	118	No 12/14	218	No 24/8	318	No 33/25
19	No 1/55	119	No 12/15	219	No 24/12	319	No 34/30
20	No 1/87	120	No 12/16	220	No 24/15	320	No 34/32
21	No 1/114	121	No 12/17	221	No 24/18	321	No 35/1
22	No 1/126	122	No 12/18	222	No 24/25	322	No 35/2
23	No 1/130	123	No 12/27	223	No 24/26	323	No 35/3
24	No 1/134	124	No 12/28	224	No 24/28	324	No 35/4
25	No 1/143	125	No 12/33	225	No 24/29	325	No 35/5
26	No 1/149	126	No 12/36	226	No 24/30	326	No 35/6
27	No 1/150	127	No 13/20	227	No 24/34	327	No 35/7
28	No 1/152	128	No 13/25	228	No 25/16	328	No 35/8
29	No 1/168	129	No 13/26	229	No 25/17	329	No 35/9
30	No 1/169	130	No 14/1	230	No 25/21	330	No 35/10
31	No 1/198	131	No 14/2	231	No 25/25	331	No 35/11
32	No 1/200	132	No 14/3	232	No 25/26	332	No 35/12
33	No 1/203	133	No 14/9	233	No 25/29	333	No 35/13
34	No 1/216	134	No 14/22	234	No 25/45	334	No 35/14
35	No 1/221	135	No 14/25	235	No 25/46	335	No 35/15
36	No 1/223	136	No 14/26	236	No 25/51	336	No 35/16

37	No 1/224	137	No 14/28	237	No 25/68	337	No 35/17
38	No 1/227	138	No 14/30	238	No 25/69	338	No 35/19
39	No 1/236	139	No 14/34	239	No 25/78	339	No 35/20
40	No 1/237	140	No 14/35	240	No 25/80	340	No 35/21
41	No 1/238	141	No 14/38	241	No 26/2	341	No 35/22
42	No 1/242	142	No 14/39	242	No 26/3	342	No 35/23
43	No 1/249	143	No 14/40	243	No 26/4	343	No 35/24
44	No 1/250	144	No 14/41	244	No 26/5	344	No 35/25
45	No 1/254	145	No 14/42	245	No 26/11	345	No 35/26
46	No 1/257	146	No 14/45	246	No 26/15	346	No 35/27
47	No 1/282	147	No 15/12	247	No 26/17	347	No 35/28
48	No 2/3	148	No 15/13	248	No 26/18	348	No 35/29
49	No 2/4	149	No 16/40	249	No 26/20	349	No 35/31
50	No 2/6	150	No 16/41	250	No 26/22	350	No 35/33
51	No 2/10	151	No 18/8	251	No 27/23	351	No 35/34
52	No 2/12	152	No 20/7	252	No 27/32	352	No 35/35
53	No 2/18	153	No 20/9	253	No 27/40	353	No 35/36
54	No 2/19	154	No 20/13	254	No 27/41	354	No 35/37
55	No 2/26	155	No 20/30	255	No 27/52	355	No 35/38
56	No 2/29	156	No 20/31	256	No 28/2	356	No 35/39
57	No 2/33	157	No 20/33	257	No 28/5	357	No 35/40
58	No 2/36	158	No 20/34	258	No 28/6	358	No 35/43
59	No 2/37	159	No 20/37	259	No 28/12	359	No 35/44
60	No 2/39	160	No 20/42	260	No 28/13	360	No 35/45
61	No 2/40	161	No 20/44	261	No 28/14	361	No 35/46
62	No 2/47	162	No 20/45	262	No 28/15	362	No 35/48
63	No 2/51	163	No 20/50	263	No 28/17	363	No 35/49
64	No 4/30	164	No 20/51	264	No 28/18	364	No 35/50
65	No 5/1	165	No 20/52	265	No 28/19	365	No 35/51
66	No 5/5	166	No 20/55	266	No 28/20	366	No 35/52
67	No 5/6	167	No 20/57	267	No 28/21	367	No 35/53
68	No 6/8	168	No 20/58	268	No 28/22	368	No 35/54
69	No 6/10	169	No 20/59	269	No 28/23	369	No 35/55
70	No 6/11	170	No 20/60	270	No 28/25	370	No 35/59
71	No 6/12	171	No 20/61	271	No 28/26	371	No 35/60
72	No 6/35	172	No 20/66	272	No 28/27	372	No 35/61
73	No 6/36	173	No 20/67	273	No 28/28	373	No 35/62

74	No 7/11	174	No 21/1	274	No 28/29	374	No 35/64
75	No 7/42	175	No 21/2	275	No 28/30	375	No 35/65
76	No 7/48	176	No 21/7	276	No 28/31	376	No 35/66
77	No 7/55	177	No 21/8	277	No 28/32	377	No 35/67
78	No 7/56	178	No 21/11	278	No 28/33	378	No 35/68
79	No 8/46	179	No 21/13	279	No 28/34	379	No 35/69
80	No 9/1	180	No 21/14	280	No 28/35	380	No 35/70
81	No 9/2	181	No 21/15	281	No 28/36	381	No 35/72
82	No 9/3	182	No 21/18	282	No 28/37	382	No 35/74
83	No 9/4	183	No 21/19	283	No 28/38	383	No 35/75
84	No 9/5	184	No 21/22	284	No 28/39	384	No 35/77
85	No 9/6	185	No 21/23	285	No 28/41	385	No 36/14
86	No 9/7	186	No 21/24	286	No 28/42	386	No 36/20
87	No 9/8	187	No 21/27	287	No 28/43	387	No 36/30
88	No 9/16	188	No 21/28	288	No 28/44	388	No 36/31
89	No 9/20	189	No 21/31	289	No 28/45	389	No 36/32
90	No 9/25	190	No 21/32	290	No 28/48	390	No 36/35
91	No 9/26	191	No 21/41	291	No 28/49	391	No 36/39
92	No 9/30	192	No 21/42	292	No 28/50	392	No 36/46
93	No 9/32	193	No 21/43	293	No 28/52	393	No 36/48
94	No 9/33	194	No 21/45	294	No 28/54	394	No 36/49
95	No 9/40	195	No 21/46	295	No 28/56	395	No 36/50
96	No 9/44	196	No 21/47	296	No 28/57	396	No 36/51
97	No 11/1	197	No 21/48	297	No 28/58	397	No 36/52
98	No 11/2	198	No 21/49	298	No 28/59	398	No 36/53
99	No 11/3	199	No 22/18	299	No 28/60	399	No 36/59
100	No 11/4	200	No 22/22	300	No 28/61		

ANNEX No 5. Judicial documents issued on complaints regarding elections

		Substantive examination		Call/ Recourse	SCJ recourse		Declining competence/ solving conflicts of competence	Total
		First examination	Repeated examination	First examination	First examination	Repeated examination		
Courts	resolutions	15	X	X	X	X	7	22
Chisinau Court of Appeal	resolutions	27	3	X	X	X	2	32
	judgements	4	1	X	X	X	X	5
	decisions	X	X	6				6
Supreme Court of Justice	resolutions	X	X	X	6	1	2	9
	decisions	X	X	X	17	2	X	19
Total		46	4	6	23	3	11	93

ANNEX 6. Cases qualified as the involvement of public sector employees in election campaign activities during their working hours

Contender	No	Locality	Date	Details
Igor Dodon (IC)	1	Chisinau	02.10.2020	The launching of the candidate in campaign, was also attended by Irina Vlah, Governor of ATUG, during her working hours.
	2	Chisinau, Condrita	02.10.2020	At the electoral meeting of the candidate also participated Andrei Donica, Mayor of the locality, during his working hours.
	3	Leova, Leova	05.10.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	4	ATUG, Etulia	06.10.2020	The election meetings of the regional candidate, which were organised during the working hours, were also attended by Irina Vlah, Governor of ATUG.
	5	Leova, Leova	07.10.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	6	Leova, Leova	09.10.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	7	Balti, Balti	12.10.2020	PSRM MP Alexandr Nesterovski organised an election meeting with the employees of 'Intreprinderea pentru Silvicultura Balti' SOE during their working hours.
	8	Basarabeasca, Iserlia	12.10.2020	President of the district, Piotr Puşcari, and Mayor of the community, Liudmila Rotari, disseminated electoral materials during the working hours.
	9	Anenii Noi, Ochiul Ros	14.10.2020	The local mayor, Maria Ostapenco, during her working hours, attended the voters assembly held by the PSRM MP Vitalii Evtodiev.
	10	Briceni, Grimancauti	14.10.2020	President of the district, Vitalii Lupasco, and Vice President of the district, Arcadii Dobuleac, attended the voters assembly during their working hours.
	11	ATUG, Vulcanesti	15.10.2020	Irina Vlah, Bashkan of Gagauzia, attended the voters assembly during her working hours.
	12	Cahul, Doina	15.10.2020	Vice President of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	13	Briceni, Briceni	16.10.2020	President of the district, Vitalii Lupasco, and Vice President of the district, Arcadii Dobuleac, attended the voters assembly during their working hours.
	14	Cahul, Tartaul de Salcie	19.10.2020	Vice President of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	15	Cahul, Alexanderfeld	20.10.2020	Vice President of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	16	Cantemir, Visniovca	21.10.2020	The voters assembly organised during the working hours was attended by President (Anatol Ichim) and Vice President of the district (Emil Pupazan and Iurie Mihaescu).
	17	ATUG, Comrat	21.10.2020	The town mayor, Serghei Anastasov, and the PSRM deputy Alexandr Suhodolski held a voters assembly with the employees of the 'Gospodaria Locativ-Comunala' SOE during their working hours.

Igor Dodon (IC)	18	ATUG, Ceadir-Lunga	22.10.2020	PSRM MP Fiodor Gagauz organised a meeting with the employees of the District Hospital during their working hours.
	19	Cimislia, Cimislia	22.10.2020	The employees of the National Food Safety Agency attended the electoral meeting of the candidate, during their working hours.
	20	ATUG, Congaz	22.10.2020	The local mayor, Mihail Esir, during the working hours, attended the voters assembly held by the PSRM MP Alexandr Suhodolski.
	21	Taraclia, Taraclia	22.10.2020	The electoral meeting of the candidate was attended by most of the employees of the departments of education, culture, social assistance, etc. during their working hours.
	22	Balti, Balti	22.10.2020	PSRM MP Alexandr Usatii organised a meeting with the employees of 'Moldelectrica' SOE during their working hours.
	23	Balti, Balti	26.10.2020	PSRM MP Alexandr Usatii organised a meeting with the employees of 'Calea Ferată din Moldova' SOE during their working hours.
	24	Edinet, Edinet	27.10.2020	PSRM MP Alexandr Nesterovschi organised a meeting with the employees of 'Family Doctors Center' during their working hours.
	25	Edinet, Edinet	27.10.2020	PSRM MP Alexandr Nesterovschi organised a meeting with the employees of 'Posta Moldovei' SOE during their working hours.
	26	Anenii Noi, Zolotievca	28.10.2020	The vice-mayor of the town, Valentina Chemscaia, disseminated electoral materials during the working hours.
	27	Soldanesti	29.10.2020	The electoral meeting of the candidate was attended by Vasile Macovei, the Vice President of the district, and Serghei Gorila, Mayor of Alcedar village, during the working hours.
	28	Soldanesti, Chipesca	29.10.2020	The electoral meeting of the candidate was attended by Vasile Macovei, Vice President of the district, and Serghei Gorila, Mayor of Chipesca village, during the working hours.
	29	Anenii Noi, Decalau	30.10.2020	The vice-mayor of the town, Valentina Chemscaia, disseminated electoral materials during the working hours.
	30	Balti, Balti	30.10.2020	PSRM MP Alexandr Usatii organised a meeting with the employees of 'Moldtelecom' SOE during their working hours.
	31	Edinet, Edinet	09.11.2020	PSRM MP Alexandr Nesterovschi had a meeting with the mayors of Edinet district during the working hours, in order to discuss about elections and situation in the country.
32	Cantemir, Visniovca	09.11.2020	Head of Post Office, Constantin Bessarab, was urged by the President of the District, Anatoli Ichim (appointed by PSRM) to electioneer, during working hours, for the candidate. When the former refused to succumb to these instructions, the president of the district warned him that measures were going to be taken about him. As a result, shortly after this incident, Constantin Bessarab received a phone call from the Head of the Postal Office of Cantemir District – Adela Popa – who told him in an unambiguous inflection that they would look into whether he is still fit for his current position.	

Igor Dodon (IC)	33	Stefan Voda	10.11.2020	The Deputy Director of the Territorial Social Insurance House from Stefan Voda (TSIH), Tatiana Timbalist, was engaged in electioneering during working hours by handing out printed materials inside the institution both to employees and to people present inside the institution.
	34	Leova, Leova	11.11.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	35	Briceni, Briceni	11.11.2020	Vice President of the district, Dorin Pavaloi, attended the car marching supporting the candidate, during the working hours.
	36	Leova, Leova	12.11.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	37	Edinet, Edinet	12.11.2020	During the car marching organised to support the candidate, several company cars of the local elected officials were noted (the vice-president of the district, the mayors of Bratuseni, Alexeevca, etc.).
	38	Leova, Leova	12.11.2020	Vice President of the district, Aliona Briceag, disseminated electoral materials during the working hours.
	39	Donduseni	13.11.2020	The march organised to support the candidate was attended by at least 15 mayors during their working hours.
	40	Anenii Noi	13.11.2020	Vice President of the city, Valentina Chemscaia, attended the march supporting the candidate, during the working hours.
	41	Edinet, Edinet	13.11.2020	The march organised to support the candidate was attended by Nicolae Melnic, President of the district, and Ion Nistor, Vice President of the district, during their working hours.
	42	Falesti, Falesti	13.11.2020	The march organised to support the candidate was attended by Sergiu Fintina, President of the district, and Nicolae Cazacu, Deputy Head of the territorial office of Balti State Chancellery, during their working hours.
	43	Basarabasca	13.11.2020	The march organised to support the candidate was attended by Piotr Puscari, president of the district, and Liudmila Rotari, Mayor of Iserlia village, during their working hours.
	44	ATUG, Comrat	13.11.2020	The human march organised to support the candidate was attended by at least 20 mayors from ATUG and district leaders, during their working hours.
	45	Cahul, Cahul	13.11.2020	The march organised to support the candidate was attended by president of the district, Marcel Cenusă, during working hours.
	46	Leova, Leova	13.11.2020	The march organised to support the candidate was attended by Vice Presidents of the district (Aliona Briceag and Rodica Hasan) and mayors from Colibabovca, Romanovca, Sarateni, Tomaiul Nou during their working hours.

Maia Sandu (PAS)	47	Stefan Voda, Volintiri.	24.09.2020	The mayor of the community asked LPA employees to give print information materials (leaflets) of the candidate to everyone who visits the mayoralty.
	48	Chisinau, Botanica	28.10.2020	Organising an electoral meeting with the employees of 'Regia Transport Electric' ME, Trolleybus Park No 2, during their working hours.
	49	Chisinau, Buiucani	29.10.2020	Organising an electoral meeting with the employees of 'Regia Autosalubritate' ME, during their working hours.
Tudor Deliu (PLDM)	50	Singerei, Biruinta	08.10.2020	The electoral meeting of the candidate was attended by Vice President of the district, Iulian Erimei, during working hours.
	51	Telenesti, Chistelnita	08.10.2020	The electoral meeting of the candidate was attended by the Mayor of Telenesti town, Vadim Lelic, and by the Mayor of the locality, Constantin Ciobanu, during their working hours.
	52	Straseni, Lozova	21.10.2020	The electoral meeting of the candidate was attended by Lilian Botnaru, Mayor of the community, during his working hours.
	53	Edinet, Edinet	21.10.2020	The electoral meeting of the candidate was attended by the mayors from Gaspar, Parcova and Viisoara, during their working hours.
	54	Telenesti, Budai	22.10.2020	Vice President of the district, Alexandru Taburceanu, and local Mayor, Victor Dragan, attended the voters assembly during their working hours.
	55	Telenesti, Leuseni	22.10.2020	Vice President of the district, Alexandru Taburceanu, and local Mayor, Valeriu Lazarencu, attended the voters assembly during their working hours.
	56	Edinet, Parcova	23.10.2020	Local Mayor, Marcel Snegur, attended the voters assembly during his working hours.
Andrei Nastase (PPPDA)	57	Criuleni, Criuleni	08.10.2020	Organising an electoral meeting with the employees of District Hospital, during their working hours.
	58	Ialoveni, Rusestii Noi	22.10.2020	Vice President of the district, Victoria Marian Bogos, disseminated electoral materials during the working hours.
	59	Anenii Noi, Serpeni	28.10.2020	Mayor of the community, Elena Nicolaev, disseminated electoral materials during the working hours.
Violeta Ivanov (PPS)	60	Edinet, Trinca	06.10.2020	At the electoral meeting of the candidate also participated Anatolie Gudumac, Mayor of the community, during his working hours.
	61	Chisinau, Buiucani	27.10.2020	Organising an electoral meeting with the employees of 'Regia Autosalubritate' ME, during their working hours.

ANNEX 7. Cases qualified as taking credit for works/services implemented on public funds

Cases featured Igor Dodon (IC) – 21 cases

– 7 cases in which PSRM promoted the implementation of ‘Good roads for all’ program as being an initiative of candidate Igor Dodon (IC), as follows: two messages posted on social media (Vladimir Mizdrenco, PSRM MP, and Oleg Cuciuc, PSRM activist); and two activities of information materials dissemination (leaflets with the following text: *Thanks to the initiative of Igor Dodon – ‘Good roads for all’ program, in district X, by the end of 2020, road will be built and repaired in the following localities...*, followed by the list of localities); 3 cases of coverage on the social media of PSRM from Anenii Noi about the repaired roads in Ochiul Ros, Ciobanovca and Merenii Noi communities due to the *“‘Good roads for all’ program relaunched at the initiative of Igor Dodon”*.

– 4 cases of candidate’s direct assumption of the credit for the allocation of public funds for various projects, as follows:

- ✓ During the talk-show ‘Presedintele raspunde’ [The President Answers] of 18 September 2020¹⁹², when answering to the question about the financing source of the ‘Good roads for all’ project, Igor Dodon said that the works were conducted from public money. However, he didn’t hesitate to mention that thanks to him and to the current Government, they managed to allocate and grant money for the repair of roads, financial aid for pensioners, compensations for farmers, additional payments for teachers, etc. (*‘I decided to give at least one million each (for roads). ...We found a MDL billion – we offered additional money to pensioners. We found 1.3 billion – we gave it to ‘Good roads for all’. We found 300-400 million and we gave this money for salaries for doctors, etc.’*).
- ✓ On 13 October 2020, after voter assemblies, the following message was posted on the social media accounts of Igor Dodon (IC): *I particularly remarked an important accomplishment of the team: the initiation of the staggered doubling of all health workers’ salaries. Our health workers already received a 30% salary raise in October. Starting next year they will be granted another 30% raise, and then a 40% raise in the first quarter of 2021. This is only one example of our attainments. More instances of this kind have taken place and many more are coming.*
- ✓ In the show ‘Igor Dodon Answers’ of 16 October 2020, he mentioned that thanks to his effective cooperation with the Government, they managed to build roads, increase salaries in certain sectors, provide assistance to pensioners¹⁹³.
- ✓ In the ‘Igor Dodon Answers’ show of 23 October 2020, he pointed out that thanks to his intervention the farmers got access to private lakes and artesian waters¹⁹⁴.

192 ‘The President Answers’: episode of 18 September 2020.

193 ‘Igor Dodon Answers’ of 16 October 2020, minute 54.

194 ‘Igor Dodon Answers’ of 23 October 2020, minute 15.

– A case of taking credit for building a playground. On 17 September 2020, the sports and recreation ground was inaugurated for the children from Ceadir-Lunga town, an event which was also attended by the nominated candidate Igor Dodon (IC). According to a regional news portal¹⁹⁵, the playground was built with the support of the President of the Republic of Moldova, who was notified in August about this topic by the citizens of this town. Moreover, note that the land for the construction and the construction itself was ensured by MP Fiodor Gagauz, Ceadir-Lunga Mayoralty and Local Council, Ceadir-Lunga district administration and by the regional enterprise Ape-Thermo'. However, the following information was written on the information board of the playground: *A playground for children. Gift of the President of the Republic of Moldova Dodon I.N. for the residents of Ceadir-Lunga municipality.*

– Nine cases of electoral promotion by taking credit for several social projects, as follows:

- ✓ On 5 October 2020, 4 video spots were uploaded to the YouTube account of Igor Dodon (IC) touting the merits of this candidate in the 'Prima Casa' project¹⁹⁶, the financial and trade support provided to farmers (in relation to the Russian Federation)¹⁹⁷, the financial aid to pensioners¹⁹⁸, and the increase in the salaries of health workers¹⁹⁹.
- ✓ In a promotional video on the part Cimislia district²⁰⁰, the mayor of the locality, Natalia Scrob (appointed by PSRM), expressed her support for the candidate Igor Dodon (IC), based on his deeds for the country: new roads have been built, the kindergarten fence is being repaired, money has been allocated for street lighting.
- ✓ In a promotional video on the part of Leova district²⁰¹, a citizen expressed his support for the candidate Igor Dodon (IC), arguing that he helped repair the House of Culture and the Administrative building in the locality.
- ✓ In a promotional video on the part of Cantemir district²⁰², a citizen expressed his support for Igor Dodon (IC), arguing that he 'increased our salaries, there was a decrease in the prices for gas and electricity'.
- ✓ In a promotional video of 23 October 2020, it is stated that due to promoted initiatives, aid has been granted to pensioners twice a year²⁰³.
- ✓ In the candidate's electoral promotion newspaper for Chisinau municipality (date of printing – 20 October 2020), the candidate is promoted by describing the projects implemented by the Chisinau Mayoralty on public funds (renovation of underground passages, cleaning works of the Bac riverbed, procurement of articulated trolleybuses, repair of sidewalks, etc.).

195 A sports playground was inaugurated in [Ceadir-Lunga](#) with the support of the President.

196 [Игорь Додон](#) – Надежный Президент. Вместе мы справимся (Гагаузия) [Igor Dodon – a reliable president. Together we can make it! (Gagauzia)].

197 [Igor Dodon](#) – Președinte Responsabil. Împreună vom reuși! (Rascani) [Igor Dodon – a reliable president. Together we can make it!].

198 [Igor Dodon](#) – Președinte Responsabil. Împreună vom reuși! (Criuleni) [Igor Dodon – a reliable president. Together we can make it!].

199 [Igor Dodon](#) – Președinte Responsabil. Împreună vom reuși! (Stefan Voda) [Igor Dodon – a reliable president. Together we can make it!].

200 [Raionul](#) Cimișlia iese la vot! [Cimislia district comes out to vote!]

201 [Raionul](#) Leova iese la vot! [Leova district comes out to vote!]

202 [Raionul](#) Cantemir iese la vot! [Cantemir district comes out to vote!]

203 „[Igor Dodon](#). Vom crește nivelul de trai al cetățenilor.” [Igor Dodon. We will improve citizens' standard of living.]

Cases that targeted Violeta Ivanov (PPS) – 12 cases

– 6 cases where the party who assigned the candidate took credit for LPAs' projects of street lighting (Taraclia town, Fiodarauca village, Orhei, Trifanesti village, Floresti, Toceni village, Cantemir, and Raculesti village, Criuleni);

– 3 cases of taking credit for building playgrounds for children (Stolniceni village, Edinet, Ghiliceni village, Telenesti and Branzeni village, Camenca commune, Glodeni);

– one case of taking credit for building a bus station (Logofteni village, Falesti);

– 2 cases of taking credit for building pedestrian crossing points (Trinca village, Edinet and Raculesti village, Criuleni).

ANNEX 8. Cases that can be qualified as electoral gift giving

<i>Party/nominated candidate</i>	<i>No crt.</i>	<i>Activity description</i>
PSRM	1	On 28 August 2020, PSRM MP Vladimir Mizdrenco, together with other party representatives, presented to Tudor Bazatin, parish priest of the church 'Adormirea Maicii Domnului', the Honorary Diploma from the President of the Republic of Moldova, as a sign of appreciation and gratitude for working with dedication, and the Icon of Saint George (Pepeni village, Sangerei).
	2	On 14 November 2020 the PSRM members organised a meeting at the Culture Hall in Floresti town, allegedly with PSRM volunteers, who, during the election campaign, were disseminating electoral materials of the candidate Igor Dodon (IC), supported by PSRM. During the event participants were given bags with foodstuff.
Igor Dodon	1	On 10 September 2020, the day after his appointment as an election contender, during a field visit, following the launch of a fundraising campaign, the incumbent president offered a family with many children, who was affected as a result of a fire, various gifts: appliances, furniture, a notebook, school supplies, essentials (Drochia town).
	2	On 10 September 2020, the day after his appointment as an election contender, during a field visit, following the launch of a fundraising campaign, the incumbent president offered as a gift to a family with many children, who was affected as a result of a fire, a washing machine, two sofas, school supplies (Marinesti village, Sangereii Noi twp., Sangerei).
	3	On 17 October 2020, in Macaresti village, Ungheni, during the electoral assembly of the candidate Igor Dodon (IC) with the voters, the director of the Frasinesti village kindergarten, reminded the candidate during her speech that in a previous meeting, he promised to allocate financial resources for furnishings in the kindergarten, without carrying through on it. According to the participants, in response, Igor Dodon (IC) stressed that 'a promise is a promise' and asked the kindergarten director to approach after the meeting one of the people who accompanied him (Mrs Rita).
	4	On 27 October 2020, at 1 Vasile Alecsandri Street, on the basis of lists and against signature, PA 'Association of the Deaf of the Republic of Moldova' distributed humanitarian aid to citizens (clothes, shoes, etc.), which was sent, according to attendees, from Israel through the American Jewish Joint Distribution Committee in Moldova. When signing in the list for receiving the humanitarian aid, the beneficiaries were given electoral promotional materials (newspapers, leaflets, etc.) of the candidate Igor Dodon (IC).
	5	On 27 October 2020, the social worker from Voloave village, Parcani twp., Soroca, together with the representatives of the Veterans Association from Soroca district were giving away social packages and electoral materials of the candidate Igor Dodon (IC) to elderly people, on the basis of a pre-defined list (around 20 people from each settlement – Voloave and Parcani).
PPPDA	1	On 25 August 2020, on behalf of PPPDA team in Anenii Noi, backpacks and school supplies were offered as a gift to 6 children (Cobusca Noua village, Anenii Noi).
	2	On 30 August 2020, the president of the PPPDA youth organisation in Anenii Noi, on behalf of the PPPDA team in Anenii Noi, offered backpacks and school supplies as gifts to 6 children (Serpeni, Anenii Noi).

ANNEX 9. Reporting to CEC

Table 9.1. Reporting of GIs to CEC

No crt.	IG	IG registration	Appointment of the treasurer	Account opening/ request	Initial report (3 days)	Weekly reports	File submission to CEC
1	Tudor Deliu (PLDM)	03.09.2020	–	request	–	–	14.09.2020
2	Renato Usatii (PN)	03.09.2020	03.09.2020	04.09.2020	07.09.2020	1	07.09.2020
3	Andrei Nastase (PPPDA)	03.09.2020	03.09.2020	request	–	1	07.09.2020
4	Maia Sandu (PAS)	03.09.2020	03.09.2020	08.09.2020	–	3	23.09.2020
5	Andrian Candu (Pro Moldova)	03.09.2020	–	request	–	–	10.09.2020
6	Octavian Ticu (PUN)	03.09.2020	13.09.2020	request	–	4	29.09.2020
7	Dorin Chirtoaca (BE Unirea)	03.09.2020	–	request	–	–	29.09.2020
8	Violeta Ivanov (PPS)	09.09.2020	09.09.2020	request	–	2	22.09.2020
9	Ion Costas (IC)	09.09.2020	09.09.2020	15.09.2020	–	–	–
10	Constantin Oboroc (IC)	09.09.2020	09.09.2020	15.09.2020	18.09.2020	3	–
11	Igor Dodon (IC)	11.09.2020	11.09.2020	14.09.2020	16.09.2020	2	21.09.2020
12	Toma Serghei (POM)	11.09.2020	–	request	–	–	–
13	Alexandr Kalinin (IC)	11.09.2020	11.09.2020	–	–	–	–

Table 9.2. Reporting of the election contenders to CEC

<i>Financial reporting</i>	<i>Renato Usatii (PN)</i>	<i>Maria Sandu (PAS)</i>	<i>Violeta Ivanov (PPS)</i>	<i>Igor Dodon (IC)</i>	<i>Andrei Nastase (PPDA)</i>	<i>Tudor Deliu (PLDM)</i>	<i>Octavian Ticu (PUN)</i>	<i>Dorin Chirtoaca (BE UNIREA)</i>
Contender registration	13.09.2020	30.09.2020	29.09.2020	28.09.2020	13.09.2020	25.09.2020	05.10.2020	05.10.2020
Appointment of the treasurer	13.09.2020	30.09.2020	29.09.2020	28.09.2020	13.09.2020	25.09.2020	05.10.2020	09.10.2020
Opening of the 'Electoral Fund' account	16.09.2020	02.10.2020	23.10.2020	01.10.2020	29.09.2020	06.10.2020	09.10.2020	28.10.2020
Report of the party at the beginning of the campaign	21.09.2020	03.10.2020	–	not applicable	29.10.2020	26.10.2020	–	30.10.2020
Initial report, 3 days after opening the bank account	18.09.2020	02.10.2020	–	01.10.2020	30.09.2020	06.10.2020	13.10.2020	02.11.2020
Report of 09.10.2020	09.10.2020	09.10.2020	09.10.2020	09.10.2020	09.10.2020	09.10.2020	–	Request
Report of 16.10.2020	16.10.2020	16.10.2020	16.10.2020	16.10.2020	16.10.2020	16.10.2020	16.10.2020	Request
Report of 23 October 2020	23.10.2020	23.10.2020	23.10.2020	23.10.2020	23.10.2020	23.10.2020	23.10.2020	Request
Report of 30.10.2020	30.10.2020	30.10.2020	30.10.2020	30.10.2020	30.10.2020	30.10.2020	30.10.2020	30.10.2020
Report of 6 November 2020	not applicable	06.11.2020	not applicable	06.11.2020	not applicable	not applicable	not applicable	not applicable
Report of 13 November 2020	not applicable	13.11.2020	not applicable	13.11.2020	not applicable	not applicable	not applicable	not applicable

ANNEX 10. Total expenditures reported to CEC

Table 10.1 Expenditures reported by the IGs

No	Reported expenditures	Igor Dodon IG (IC)	Renato Usatii IG (PN)	Maia Sandu IG (PAS)	Constantin Oboroc IG (IC)	Total
1	Organisation of meetings and events	18,000	0	0	4,978	22,978
2	Advertising	41,061	50,000	14,225	0	105,286
3	Promotional materials	287,400	0	238,554	3,310	529,264
4	Transportation	0	61,400	0	1,490	62,890
5	Maintenance (offices, staff)	0	0	2,216	0	2,216
6	Delegation/secondment of people	0	0	0	0	0
7	Others	639	13	726	5,189	6,566
	Total reported expenditures	347,100	111,413	255,721	14,967	729,201

Table 10.2. Expenditures reported by the election contenders

No	Purpose of declared expenditures	Igor Dodon (IC)	Renato Usatii (PN)	Maia Sandu (PAS)	Andrei Nastase (PPDA)	Violeta Ivanov (PPS)	Octavian Ticu (PUN)	Tudor Deliu (PLDM)	Dorin Chirtoaca (BE Unirea)	Total
1	Organisation of meetings and events	161,255	16,077	116,227	72,956	0	77,963	8,062	0	452,539
2	Advertising	2,085,052	7,197,610	2,714,725	1,796,372	2,071,867	105,636	221,700	7,742	16,200,704
3	Promotional materials	1,626,368	661,622	1,898,751	322,590	0	100,200	7,500	10,800	4,627,831
4	Transportation	38,000	600,000	0	7,520	0	0	20,000	0	665,520
5	Maintenance (offices, vehicles, staff)	386,860	0	45,899	0	0	0	0	0	432,758
6	Delegation/secondment of people	0	490,780	0	0	0	0	0	0	490,780
7	Other expenditures	143,787	15,305	13,007	1,725	418	38	5,899	545	180,723
	Total reported expenses	4,441,321	8,981,394	4,788,608	2,201,163	2,072,285	283,836	263,161	19,087	23,050,855

ANNEX 11. Estimation of IG expenses, by categories

Chart 11.1

Estimated expenses for advertising in the electronic media (MDL)

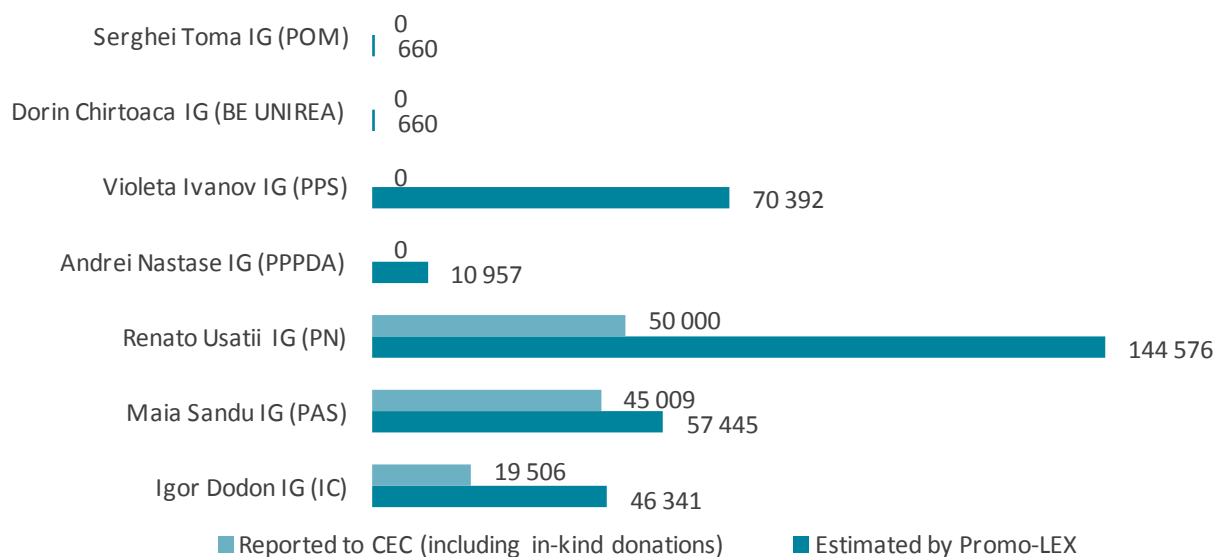


Chart 11.2

Estimation of expenses for promotional materials (MDL)

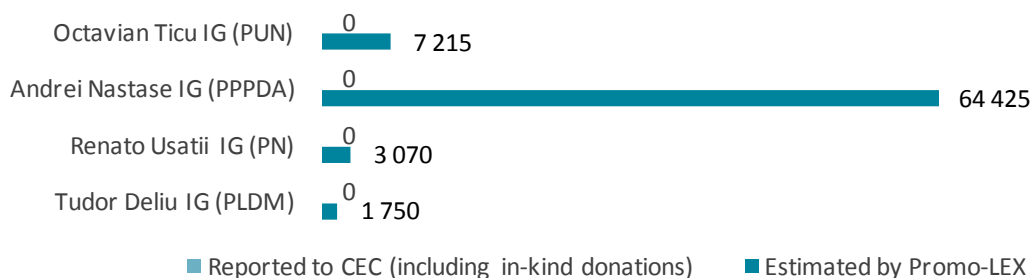


Chart 11.3

Estimated expenses for outdoor and mobile advertising (MDL)

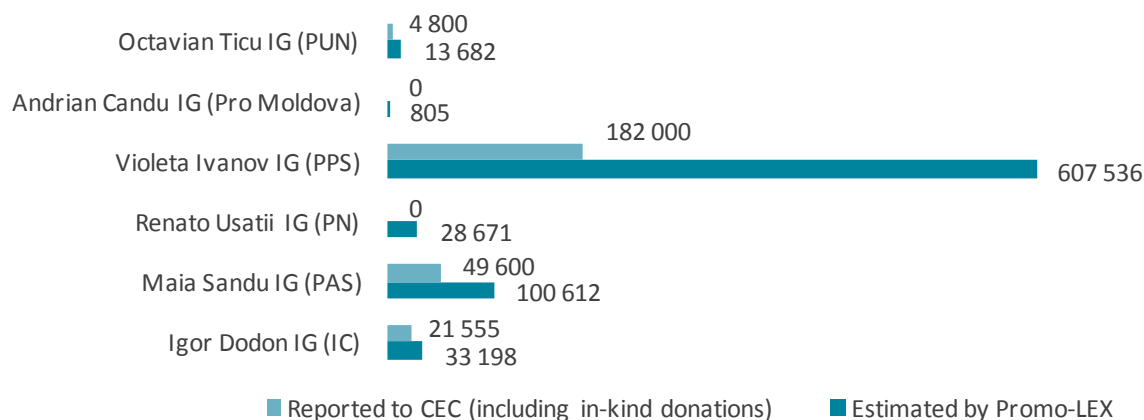


Chart 11.4

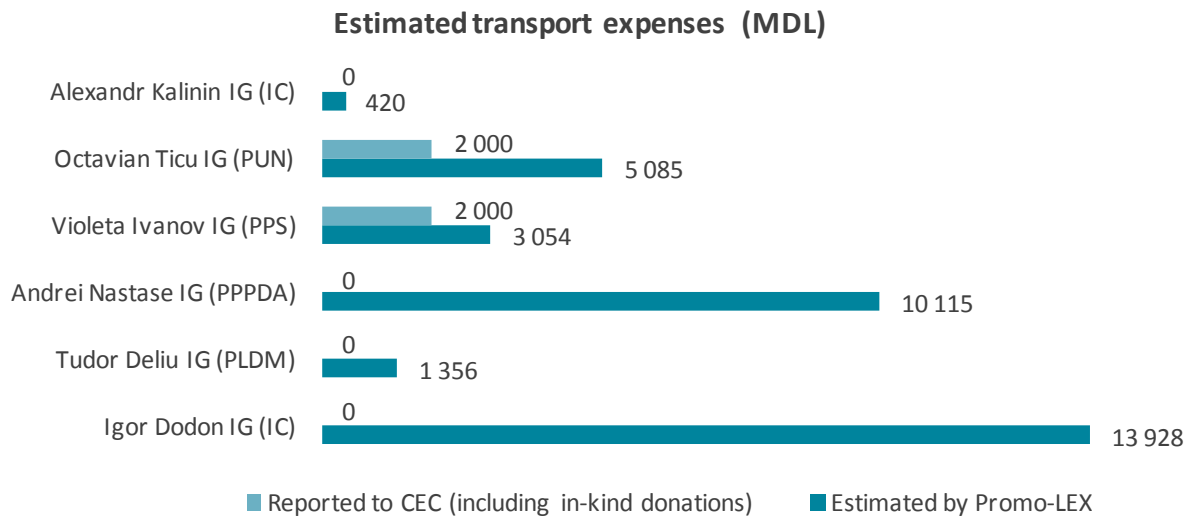


Chart 11.5

