



REPORT no. 1

Observation Mission for the Presidential Election of November 1, 2020 in the Republic of Moldova

Monitoring period: 21 May – 25 August 2020

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EVECUTIVE 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 powers of the President of the Republic of Moldova are limited, the competition for this position has a high potential to mobilize the electorate.

The pre-election period has been marked by the following socio-political trends: party switching, especially within parliamentary parties, continues to be a feature of a weakly institutionalized party system; lack of a stable and constant parliamentary majority; impact of the pandemic on the effectiveness of governmental policies; bringing geopolitical issues back on the electoral agenda.

Legal framework. In the year before the election, only three amendments, mostly technical, have been made to the Electoral Code. Promo-LEX considers that due to a faulty public consultation process, the CEC missed the chances to approve, until the beginning of election period, the amendments that would respond, albeit partially, to the referrals of the Constitutional Court submitted in 2016. It should be emphasized that these changes were initiated immediately before the start of the preparations for the presidential elections of November 1, 2020. In addition, Promo-LEX considers that the Parliament failed to respond adequately to the pandemic challenges and to identify alternative voting mechanisms that would ensure an acceptable turnout (for example, providing for at least two days of voting for citizens residing abroad).

Regarding the election date, the Promo-LEX OM considers that the date set by the Parliament – November 1, 2020 – complies with the legal provisions of the Electoral Code and does not contravene the constitutional norms providing for setting the date for the presidential elections in the Republic of Moldova. At the same time, we are bewildered by the CEC's decision to start the election period on August 25, 2020. Starting from the concept of election period, set out in the Electoral Code, it started on May 26, 2020 (the day when the public is informed of the election date) and, contrary to the maximum ceiling set by the same rule, it would by far exceed the term of 90 days, specified in the Electoral Code.

It should be pointed out that of the 45 recommendations to improve the legal framework for the presidential elections in the Republic of Moldova, developed by the Promo-LEX Observation Mission following the presidential elections of October 30, 2016, only 15 were fully or partially implemented. At the same time, the approval of the draft law no. 263 of 19.01.2020 could have contributed to the full or partial implementation of five other recommendations made by the Promo-LEX Association. In particular, we emphasize the relevance of the recommendations that remained unsettled, and that are also reflected in the referrals of the Constitutional Court.

In this context, Promo-LEX brings to the attention of the CEC the fact that in its capacity of a body responsible for the organization of elections and issuance of mandatory normative acts, the electoral authority could solve, within the limits of its own competence, the referrals of the Constitutional Court.

Electoral bodies. In the monitored period, the Central Electoral Commission convened a total of 13 meetings, both in online and mixed format, of which 10 ordinary and 3 extraordinary. The CEC managed to ensure its functionality amidst the COVID-19 pandemic. The CEC accredited, at the request of Promo-LEX, the first 69 national observers for the presidential election.

With regard to the manner the CEC managed the pre-registration procedure, Promo-LEX OM concludes that the importance and value of the procedure is greatly affected by the following factors: lack of certainty that all prior registrations submitted will be taken into account; the difference in numbers of prior registrations submitted in the previous elections by voters from the Transnistrian region and those from abroad; the lack of explicit regulation of pre-registrations in paper format, including collective claims.

State register of voters (SRV). The number of voters in the SRV continues to grow, but at a slower rate compared to the previous years. We remind the reader that since 1999, the Republic of Moldova has been registering a negative rate of natural increase of population (RNI). According to the SRV, as of August 1, 2020, the number of voters was 3,286,304, which is by 410 more compared to the same period in 2019.

The increase in the total number of voters is mainly due to the growth of the number of voters with no domicile or residence and of those registered in the Transnistrian region, given that the number of voters in the other ATUs of the Republic of Moldova, as a whole, is declining.

Potential electoral competitors. In the case of presidential elections, the status of electoral competitors is held by the candidates for the position of President of the Republic of Moldova registered by the CEC. All candidates for the presidential office, be it supported by political parties, or independent candidates, shall submit to the CEC subscription lists, containing signatures of at least 15,000 and no more than 25,000 voters.

Promo-LEX observers found that the PPPDA, PAS, PUN and MPU performed activities that can be qualified as early nomination of candidates. Additionally, observers reported political campaigns with a potential electoral impact in the case of at least five political players – PRO Moldova, the PN, PAS, PUN, MPU, while in the case of the current President and two parties – the PSRM and the PPS – activities that can be qualified as taking credit for actions performed at public expense have been reported.

Financing of electoral activities will be monitored both during the period preceding the campaign, and during the election campaign itself. In the pre-election period (2 September – 1 October), the OM will monitor the spending of initiative groups, set up to collect signatures in support of presidential candidates, while during the election campaign (2 – 30 October, and possibly 2 – 12 November) the expenses of electoral competitors will be surveyed.

Regarding the normative aspects that required attention, the OM mentioned funding of election campaign and initiative groups which, according to the Promo-LEX OM, were not settled in the previous presidential elections, in particular, the need to adjust the normative framework of the CEC to the changes made in electoral legislation; the need to include Initiative Groups (IGs) in the Criminal and Contravention Codes as subjects to sanction, as well as the need to harmonize the sanctions described in the Contravention Code with those of the Criminal Code, in accordance with the guidelines of the Venice Commission.

Hate speech. Starting with the new local elections and the local referendum held in Chisinau in November 2017, Promo-LEX has been monitoring the public performances of electoral competitors to identify cases of hate speech. Monitoring has revealed that the phenomenon of hate speech is increasingly popular in public and mediatic space of the Republic of Moldova and it intensifies in the electoral context. Currently, there is no relevant legal framework or mechanisms to combat this phenomenon, and the authorities do not have a response to hate speech in an electoral context.

Voter information and voter education campaigns. In the context of Presidential Elections of November 1, 2020, the Promo-LEX Association will carry out a voter information and voter education campaign to raise the awareness of Moldovan citizens entitled to vote. The campaign will include 25 debates broadcast by TV and radio stations; creation and dissemination of a video spot; an online apolitical information and voter mobilization campaign, as well as grants for projects to promote participation in election. The CICDE and CEC carried out training activities (for registrars and other representatives of LPAs) and voter information activities (online conferences, publication of periodicals, presentation of training courses, etc.) about the preparation for the presidential election and the specifics of election in pandemic conditions. However, we believe that some issues that are crucial for the monitored period, such as promoting the pre-registration, require a more nuanced and systematic approach from the CEC.

INTRODUCTION

Report no. 1 has been developed as part of the public launch of the Promo-LEX Observation Mission (OM) for the presidential election of November 1, 2020. The Report presents the results obtaining in the monitoring of the pre-election period of 21 May 2020 (the day established and publicly announced by the CEC as the date of the presidential election in the Republic of Moldova) and 25 August 2020 (the launch of electoral period in accordance with the Calendar of the CEC). The content of this document may be subject to editorial review.

The main findings and trends outlined in the present Report refer to the political and legal context of the upcoming presidential election, taking into account the experience of previous monitoring and socio-political events that have a potential electoral impact in the pre-election period.

The Promo -LEX OM will draft five interim reports and a Final Report on the monitoring of presidential election. Additionally, on the election day, it will issue press releases for the first round and, possibly, the second round of voting, covering the conduct of the election, the results of the partial vote counting and the correctness of completing the protocols. The mission of the report is to diagnose in real time the quality of the procedures for organizing and conducting elections in a predetermined period of time; raising the level of responsibility of electoral actors; identifying positive and negative trends in electoral processes.

The Promo-LEX election observation methodology has been developed in line with the international standards in the field and involves both long-term (electoral period) and short-term observation (election day). Monitoring reports are prepared by the central team of the Promo-LEX OM, based on the findings reported by the long-term observers (LTO) within the Mission on the activity of all the actors involved in the process of organizing and conducting the elections: electoral competitors, public authorities, electoral bodies, political parties, citizens submitting their own candidacy, as well as civil society. The findings of the LTOs are introduced into the thematic templates and are uploaded to the www.electoral.monitor.md platform, managed by the Association. Carrying out some planned visits, the observers analyze the information that results from discussions, meetings with officials and consultation of official documents. The monitors also observe electoral competitors' online activities.

The observation of the electoral process will be carried out during the electoral period by 42 LTOs. On the election day, Promo -LEX will delegate a short-term observer (STO) to the polling stations (PS) selected by the Promo-LEX OM from a sample established by a sociological company. In addition, special attention will be paid to polling stations located abroad, as well as to polling stations, where voters from the Transnistrian region will vote. The electoral process in the polling stations and in their immediate vicinity will be monitored by mobile teams of observers.

All the observers involved in the monitoring process are trained by the Promo- LEX Mission and sign the Code of Conduct¹ of the Promo-LEX Independent National Observatory, committing to act in good faith and in a non-partisan way. Promo-LEX observers will receive training for COVID-19 pandemic protection standards. The activity of the observers is coordinated by the central team of the Association.

The Promo-LEX OM for the presidential election in the Republic of Moldova of November 1, 2020 is a project carried out by the Promo-LEX Association within the Civic Coalition for Free and Fair Elections. The Promo-LEX OM is not a political opponent of the competitors involved in the electoral process, it is not an investigative body and does not assume the express obligation to prove the observed findings. However, observers' reports are accompanied, as far as possible, by photographic and video evidence, which can only be made available to law enforcement bodies, on the basis of appropriate requests, and in no case, shall it be provided to electoral competitors. At the same time, the violations, including the alleged ones, which are found in this report, must be treated by the electoral authorities in the light of the provisions of art. 22, para. (1), letter q) and art. 68, para. (5)

¹ Promo -LEX Independent National Observatory Code of Conduct.

Electoral Code, including as notifications filed by observers and be examined by the competent authorities.

The Promo-LEX mission manages the www.electorala.monitor.md platform, where any citizen can report activities with electoral overtones, the information from observers' reports being stored on the same platform. Citizens' notifications are verified by the Mission Observers during the next scheduled visit to the settlement, where the alert was recorded.

Promo-LEX is a public association that aims at developing democracy in Moldova, including in the Transnistrian region, by promoting and protecting human rights, monitoring democratic processes and strengthening the civil society. The Association organizes Election Observation Missions in the Republic of Moldova since 2009, the current mission being the 20th. Additionally, employees and members of the Association have extensive international experience and have been part of International Missions monitoring elections in Armenia, Germany, Georgia, Estonia, Norway, Romania, Sweden, Ukraine etc.

International standards referred to in this report are those developed by the UN, OSCE, the European Commission for Democracy through Law, the European Union and the Council of Europe. At the end of this report, we formulated recommendations for public authorities, electoral bodies, electoral candidates and other stakeholders to ensure the optimization of the electoral process.

The mission is financially supported by the United States Agency for International Development (USAID) through the "Democracy, Transparency and Accountability" Program and co-financed by the Soros-Moldova Foundation through the project "Consolidating a Platform for the Development of Human Rights Activism and Education in the Republic of Moldova", focused exclusively on monitoring hate speech.

The opinions expressed in the public reports and press releases of the Promo-LEX MO belong to the authors and do not necessarily reflect the views of the financiers.

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 powers of the President of the Republic of Moldova are limited, the competition for this position has a high potential to mobilize the electorate.

The pre-election period has been marked by the following socio-political trends: party switching, especially within parliamentary parties, which continues to be a feature of a weakly institutionalized party system; lack of a stable and constant parliamentary majority; impact of the pandemic on the effectiveness of governmental policies; bringing geopolitical issues back on the electoral agenda.

1.1. Description of the institutional framework

The Republic of Moldova is a parliamentary republic. Executive power is exercised by the Government, headed 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. The President is the head of state and has certain limited powers, especially with regard to foreign and national defense policy.

At the same time, according to the provisions of the Constitution of the Republic of Moldova,² the President of the State is elected by a universal, equal, direct, secret and free vote for a term of 4 years. Respectively, the citizens' expectations from this position, often being fed by the candidates themselves, are quite high compared to the powers established by the Constitution.

The previous presidential election in the Republic of Moldova was held on October 30, 2016. It took place in two rounds, the winner being the candidate nominated by the PSRM - Igor Dodon, party president. Prior to the validation of the presidential mandate, in compliance with the provisions of art. 123 of the Electoral Code³, the newly-elected president resigned from the leadership of the PSRM and abandoned the party. However, the actions carried out by the president throughout his term, his public statements showed that he continues to be an informal leader of the PSRM. According to Promo -LEX observers, both during the parliamentary elections and the general local elections, Igor Dodon actively involved in supporting the PSRM candidates⁴.

1.2. Trends in socio-political activity with a potential electoral impact

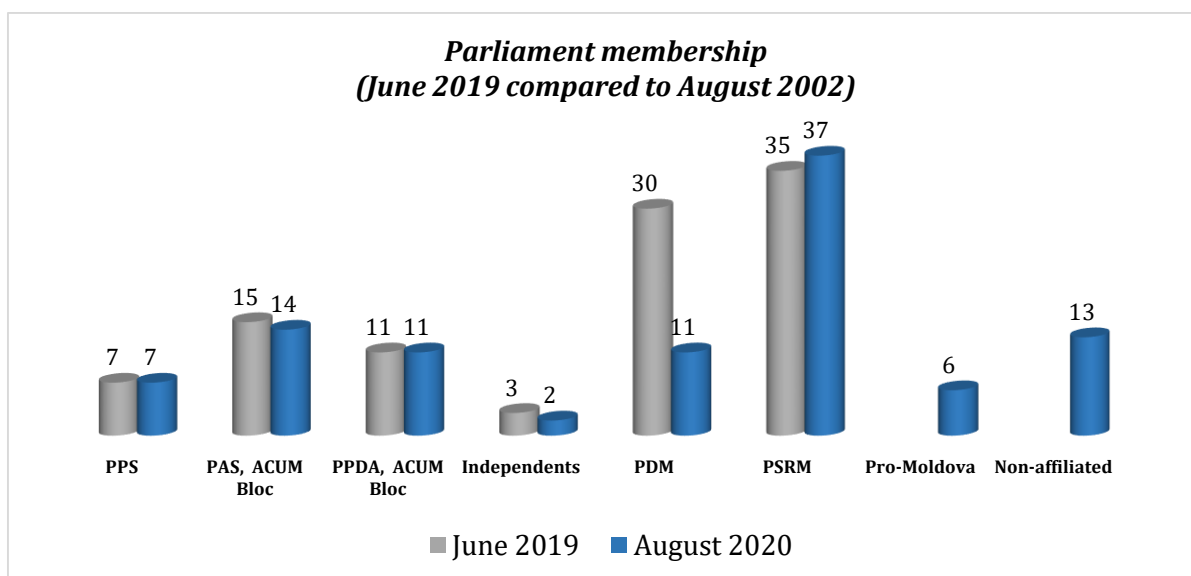
Party switching. The change of party affiliation by members elected to the Parliament based on party lists characterizes political life in the Republic of Moldova. This phenomenon might be explained by the weak party system that has been institutionalized in the Republic of Moldova. At the same time, there could be cases of political corruption or intimidation of MPs.

In eighteen months after the last parliamentary elections, about 19 MPs (19%) abandoned the constituted parliamentary factions. The PDM faction underwent the most radical transformation, as its membership has been reduced by about 2/3 (see chart no. 1).

² Article 78, para. (1) and art. 80, para. (1) [Constitution](#) of the Republic of Moldova.

³ Article 123, para. (2) of the Electoral Code: prior to the validation of the mandate, the elected candidate for the office of the President of the Republic of Moldova submits to the Constitutional Court the confirmation that it is not a member of any political party and does not hold any other public or private position.

⁴ Monitoring Reports no. 1, 2 and 3 for the general local elections and the new parliamentary elections of October 20, 2019 and Monitoring Reports no. 2, 3 and 4 for the parliamentary elections of February 24, 2019.



Lack of a stable and constant parliamentary majority. In the context of the above, we ascertain that there is no established parliamentary majority within the Parliament of the Republic of Moldova. Thus, currently, the PSRM-PDM alliance has 48 MPs, 37 – the PSRM and 11 – the PDM. At the same time, the position of the two non-affiliated Members, excluded from the PDM faction in August 2020, is uncertain. In addition, based on the previous plenary sittings, it can be concluded that an independent Member supports the initiatives of the PSRM-PDM alliance.

Taking into account the phenomenon of party switching registered during the year, on 19 May⁵ and 27 May⁶ 2020, the Constitutional Court was notified of the possibility of holding early parliamentary elections on the same day with the presidential election. However, it rejected the possibility of holding early parliamentary elections and presidential election on the same day⁷. In fact, some of the parliamentary parties support the need to hold early parliamentary elections shortly after the presidential election of November 1, 2020.

The pandemic context and the effectiveness of government policies in the electoral field. The pandemic will have a significant impact both on the quality and efficiency of the organization of election, as well as on the electoral agenda of candidates. We remind you that, in addition to the health effects, the COVID-19 pandemic led to the establishment of a general state of emergency, as well as a state of emergency in public health (March 17 - August 31, 2020), which brought significant negative social and economic consequences. The state of emergency has led to constraints on the labor market, hit local businesses and affected vulnerable groups, including those who rely on remittances⁸.

Bringing geopolitical issues back to the political agenda. If in the local general elections, the Promo - LEX OM noticed that the elections seem to take place against the ideational background characterized by antagonism between the new and old government related to such issues as oligarchizing / capturing of state institutions, not on geopolitical issues, as it was the case in previous elections, then the election for the office of the President of the Republic of Moldova seems to bring to the fore geopolitical splitting "East - West" or "Russian Federation – the EU".

⁵ Notification no. 74b of 19 May 2020 on the interpretation of Articles 2, para. (1) and 61, para. (1) of the Constitution.

⁶ Notification no. 83b of 27 May 2020 on the interpretation of Articles 2, para. (1), 61, para. (1), (3), 85, para. (1), (2), (4) and 90, para. (1), (2), (4) of the Constitution.

⁷ Constitutional Court Resolution no. 19 of July 7, 2020 with regard to the interpretation of articles 2, para. (1), 38, 61, para. 1 and 3, 78, 85, para. 1, 2 and 4, 90, para. 1, 2 and 4 of the Constitution.

⁸ Study of the labor market in the Republic of Moldova, published by the Ministry of Economy and Infrastructure.

II. LEGAL FRAMEWORK

In the year before the election, only three amendments, mostly technical, have been made to the Electoral Code. Promo-LEX considers that due to a faulty public consultation process, the CEC missed the chances to approve, until the beginning of election period, the amendments that would respond, albeit partially, to the referrals of the Constitutional Court submitted in 2016. It should be emphasized that these changes were initiated immediately before the start of the preparations for the presidential elections of November 1, 2020. In addition, Promo-LEX considers that the Parliament failed to respond adequately to the pandemic challenges and to identify alternative voting mechanisms that would ensure an acceptable turnout (for example, providing for at least two days of voting for citizens residing abroad).

Regarding the election date, the Promo-LEX OM considers that the date set by the Parliament - November 1, 2020 - complies with the legal provisions of the Electoral Code and does not contravene the constitutional norms providing for setting the date for the presidential elections in the Republic of Moldova. At the same time, we are bewildered by the CEC's decision to start the election period on August 25, 2020. Starting from the concept of election period, set out in the Electoral Code, it started on May 26, 2020 (the day when the public is informed of the election date) and, contrary to the maximum ceiling set by the same rule, it would by far exceed the term of 90 days, specified in the Electoral Code.

It should be pointed out that of the 45 recommendations to improve the legal framework for the presidential elections in the Republic of Moldova, developed by the Promo-LEX Observation Mission following the presidential elections of October 30, 2016, only 15 were fully or partially implemented. At the same time, the approval of the draft law no. 263 of 19.01.2020 could have contributed to the full or partial implementation of five other recommendations made by the Promo-LEX Association. In particular, we emphasize the relevance of the recommendations that remained unsettled, and that are also reflected in the referrals of the Constitutional Court.

In this context, Promo-LEX brings to the attention of the CEC the fact that in its capacity of a body responsible for the organization of elections and issuance of mandatory normative acts, the electoral authority could solve, within the limits of its own competence, the referrals of the Constitutional Court.

2.1. Amendment of electoral and related legislation within one year before the election

The principle of stability of electoral law states that the fundamental elements of electoral law, in particular the electoral system itself, the composition of electoral boards and the delimitation of electoral constituencies, should not be able to be amended within one year of elections or should be considered at constitutional level or at a higher level than ordinary law⁹. In this regard, we point out that in the year preceding the election of President of the Republic of Moldova, the Electoral Code was amended twice, once at the initiative of the Government, and once at the initiative of the Parliament, changes are mostly technical, not related to the three aspects stipulated by the Venice Commission:

1) Law no. 6 of 6.02.2020 replaced the phrase “financial management and internal control” with the phrase “internal managerial control” in the article providing for the financing of the CEC;

2) Law no. 38 of 28.02.2020 established the deadline for the CEC to submit reports to the plenary of the Parliament, which shall be done annually until March 31;

3) Law no. 162 of 20.07.2020 complemented the list of authorities responsible for the creation of conditions for citizens residing abroad to freely exercise their electoral rights. Thus, in addition to diplomatic missions and consular offices, powers were granted to the Government and the CEC. Also, the provision regarding the institutions, which can appoint candidates for the president of PEBs

⁹ [Code of Good Practice in Electoral Matters](#).

located abroad has been completed. According to the amendments, it may be additionally appointed at the proposal of the CEC, being selected from the Register of Electoral Officials with the approval of the MFAEI.

At the same time, in May - July 2020, at least six draft laws proposing to amend the Electoral Code have been submitted to the Parliament through legislative procedures ¹⁰, of which only one seems to have been initiated to ensure the right to vote and comply with security measures in pandemic elections¹¹.

In particular, we draw attention to the draft law no. 263 of 19.06.2020 for the amendment of some legislative acts (Electoral Code, Contravention Code), elaborated by the CEC¹², which was taken over and introduced in the legislative procedure by the PSRM members of the Parliament. According to the Information Note, the draft aims at resolving three referrals of the Constitutional Court of 13.12.2016¹³, as well as some recommendations of the observers. The Promo -LEX OM considers that the draft law contains a series of useful and absolutely necessary changes to ensure the good organization and conduct of the election, including:

- regulating the beginning of the electoral campaign for the second round of election;
- regulating the prohibition of hate speech and incitement to discrimination;
- more detailed regulation on legal liability and gradual sanctions that may be applied in case of violation of electoral legislation;
- regulation of sanctions for the involvement of religious denominations in the electoral campaigning, as well as for the involvement of non-commercial organizations, trade unions, charitable organizations in the election campaign, regulating sanctions for voter busing in order to influence their choice.

However, the Civic Coalition for Free and Fair Elections¹⁴ identified several controversial and even dangerous provisions, which might vitiate the elections, including reducing voting time by two hours in pandemic conditions; bureaucratizing observers' access to electoral and subscription lists; the attempt to modify the current provisions that allow the observers to obtain their accreditation and start their activity before the beginning of electoral period, as well as after its completion, etc.

Unfortunately, the recommendations for the revision of these rules, as well as the regulation of other provisions, were not taken into account at the stage of public consultations carried out by both the CEC and the Parliament. Among the most relevant recommendations promoted by Promo -LEX, but neglected by the authorities, we mention:

- the need to reform the manner in which the CEC is set up and operates, by establishing permanent membership for all CEC members and increasing institutional independence;
- providing exact and clear specification of the conditions, under which accreditation may be revoked and of the manner in which that decision may be challenged;
- unifying the provisions proposed for sanctioning all actors in non-governmental sphere; since, currently, non-profit organizations can be sanctioned for involvement in whatever form of campaigning, while religious cults only for electoral campaigning;
- regulation of two-day voting for all voters;

¹⁰ Draft laws no. 177 of 12.05.2020, no. 210 of 28.05.2020, no. 236 of 11.06.2020, no. 263 of 19.06.2020, no. 276 of 26.06.2020, no. 303 of 07.07.2020.

¹¹ The draft law [no. 210](#) of 28.05.2020 proposes to establish two consecutive days for the exercise of the right to vote and to adapt the norms regarding the organization of election in two days.

¹² The draft law no. 263 of 19.6.2020 for the modification of some normative acts (Electoral Code no. 1381/1997 - Art. 1, 8, 15, etc.; Contravention Code of the Republic Moldova no. 218/2008 - Art. 52, 400, 423⁵ etc.)

¹³ Referral no. PCC-01 / 139e-34/1 of 13.12.2016, Referral no. PCC-01 / 139e-34/5 of 13.12.2016, Referral no. PCC-01 / 139e-34/6 of 13.12.2016.

¹⁴ Public appeal in connection with the dangerous provisions of the draft law no. 263 on amending the electoral law and the organization of public consultations.

- providing for the transparency of the data included in the financial reports of electoral competitors;
- the need to oblige the CEC to draw up a clear and predictable regulation setting out the manner and conditions for the opening of polling stations abroad.

With regard to this draft, on 24.07.2020, the Ministry of Justice (even if the legislative initiative was promoted by a group of MPs) requested the Opinion of the Venice Commission, through the rapid response mechanism. Thus, on 19.08.2020, the Venice Commission and the OSCE / ODIHR issued an urgent opinion on the draft law in question.¹⁵ The opinion mentioned that the proposed changes that are technical and do not affect the fundamental elements of electoral law can be applied to the presidential election of November 1, 2020, if they enter into force before the start of the electoral preparations for this election (including drafting of voter lists). We emphasize, in this regard, that the beginning of the electoral process is equivalent to the beginning of electoral period, which, according to the CEC Calendar Program, is August 25, 2020. To improve the draft law, ODIHR and the Venice Commission recommended:

- in the case of maintaining bans on the participation in the electioneering (electoral campaigning) for non-governmental organizations, trade union, charities, as well as electoral campaigning during processions or religious services, bans on the media, including private ones, they must be reformulated in a narrower sense;
- the provisions on hate speech or incitement to discrimination must be reformulated in order to avoid extremely wide application;
- the provisions on the misuse of administrative resources need to be redefined, including the introduction of the implementation mechanism to prevent these violations;
- the provisions of the draft must be re-examined in order to allow observers to monitor the electoral process at all stages;
- sanctions must respect the principles of proportionality and equality, in particular those relating to observers and the media, and be the subject of an effective remedy.

Taking into account the *above*, before the approval of the draft law no. 263 in the second reading, we recommend its revision and the implementation of the recommendations developed by the OSCE / ODIHR, along with those submitted by the civil society. We remind you that, according to the Decision of the Constitutional Court no. 11 of 07.05.2020¹⁶, there must be a broad social consensus on legal provisions in electoral matters. Changes in this matter must take place early enough to be successfully implemented in the electoral process, in order to avoid violations of the right to vote and the right to vote.

In addition, in the context of the pandemic, we recommend examining the existing provisions for each stage of electoral process and adapting them, or including special rules to prevent infection with COVID-19, as well as to ensure the conduct of election, respecting the citizens' right to elect and be elected.

Additionally, Law no. 86 of 11.06.2020 on non-commercial organizations was approved on 27.07.2020 (being published in the Official Gazette and coming into force on 27.08.2020), thus including bans on non-commercial organizations to provide material support and/ or free of charge services to electoral competitors and to engage in electioneering in favor of political parties and socio-political organizations. At the same time, the violation of this provision may lead to the loss of financial support and other facilities provided by the state, as well as of the right to benefit from the percentage designation mechanism.

¹⁵ Urgent joint [opinion](#) of Venice Commission and OSCE/ODIHR on draft Law no. 263 amending the Electoral Code, the Contravention Code and the Code of Audiovisual Media Service

¹⁶ Decision of the Constitutional Court no. 11 of 07.05.2020 for the interpretation of the provisions of article 72, par. (3), let. a) of the Constitution.

It should be mentioned that the ban on non-commercial organizations to “provide services” to electoral competitors in the Law on Non-Commercial Organizations was appealed to the Constitutional Court as being discriminatory and violating the property rights and free competition rights. The Promo -LEX Association, together with the Center for Legal Resources of Moldova and the Institute for European Policies and Reforms, presented an opinion¹⁷ to the High Court with regard to this notification.

The Promo -LEX OM appreciates the inclusion of the provision regarding the refusal to register a non-commercial organization, if its name or symbol contains the names of persons holding an elective public office or exclusively political office, or of persons holding leadership positions in political parties or socio-political organizations (president, first vice-president, vice-president). We mention that non-commercial organizations registered prior to entry into force of this law are obliged to change their statutes in accordance with the law within 24 months. In this sense, we appreciate the fact that although the effects of the law will occur within two years, the delimitation of the activity of foundations or charities from the political and electoral activity of political exponents will lead to ensuring equal conditions for electoral competitors.

2.2. Legal issues related to the organization of presidential election

2.2.1. Establishing the date for the presidential election in the Republic of Moldova

On May 21, 2020, the Parliament of the Republic of Moldova adopted the Decision no. 65¹⁸, which established the date of November 1, 2020 for the conduct of the presidential election in the Republic of Moldova. The decision was published in the Official Gazette on May 26, 2020 and entered into force on August 15, 2020. The Promo -LEX OM considers that the date set by the Parliament is in line with the legal provisions of the Electoral Code, which establish that the election for the position of President of the Republic of Moldova will take place at least 30 days and at most 60 days before the expiration of the term of office of the incumbent President¹⁹. Taking into account the fact that the term of office of the President expires on 22.12.2020, the date of the presidential election had to be set between 23.10.2020 - 22.11.2020.

Constitutional provisions regarding the establishment of the date for the presidential election in the Republic of Moldova. According to art. 80, para. (1) and (2) of the Constitution of the Republic of Moldova, the term of office of the President lasts 4 years and is exercised from the date of taking the oath until the taking of the oath by the newly elected President. At the same time, according to art. 90, para. (1) of the Constitution, the *vacancy of the position* of President of the Republic of Moldova occurs in case of **expiration of the mandate**, resignation, dismissal, definitive impossibility of exercising the powers or death. According to art. 90, para. (4) of the Constitution, within 2 months from the date on which the vacancy occurred, a new presidential election shall be organized, as provided by the law. At the same time, according to art. 91 of the Constitution, "if the position of President of the Republic of Moldova becomes vacant, or if the President is dismissed, or if it is temporarily unable to exercise its duties, the interim shall be provided by the President of the Parliament or the Prime Minister."

At first sight, constitutional norms seem to be contradictory in part referring to the vacancy of the position occurring through the expiry of the mandate of the President and the provisions of art. 90, para. (4) of the Constitution seem to differ from those of the Electoral Code. However, the Constitutional Court, by Decision no. 43 of 14.12.2000²⁰, ruled that the norms of art. 80, para. (1) and (2) are meant to extend the term of office of the President of the Republic after the expiry of the term of 4 years and refer to the period exceeding the term of 4 years of office. Thus, the President exercises

¹⁷ The opinion of the Promo -LEX Association regarding the Notification no. 130a of July 31, 2020 (review of the constitutionality of some provisions of art. 6, para. (5) of Law no. 86/2020 on non-commercial organizations).

¹⁸ Parliament Decision no. 65 of 21.05.2020 regarding the establishment of the date for the presidential election in the Republic of Moldova.

¹⁹ Article 109, para. (1) of the Electoral Code.

²⁰ Decision of the Constitutional Court no. 43 of 14.12.2000 regarding the interpretation of the provisions of art. 80, para. (1) and (2), art. 90 and art. 91 of the Constitution.

its mandate until the newly elected President takes the oath, if the vacancy of presidential office occurred in connection with the expiry of the term of the President-in-Office and a new President has not been not elected. An additional argument in support of those mentioned is the fact that art. 91 of the Constitution does not expressly provide for the establishment of an interim for the vacancy of the position of President of the Republic of Moldova in case of expiry of its term.

Regarding the constitutional provisions of art. 90, para. (4), the Court revealed that these provisions, together with the provisions of the law subordinated to the Constitution regulating the procedure for electing the President of the Republic of Moldova²¹, delimits the conditions and term of election of the President of the Republic in case of expiry of the term of office of the head of state from the conditions and term of election of the President in case of vacancy following resignation, dismissal, final impossibility to exercise its duties or death. Therefore, these legal clauses come to confirm the hypothesis that the vacancy of the position does not necessarily occur at the expiry of the term of office of the President-in-Office.

Mention should be made of the fact that the provisions of art. 109, para. (1) and (2) of the Electoral Code are similar to the provisions of art. 2 of Law no. 1234-XIV of September 22, 2000 "On the procedure for electing the President of the Republic of Moldova" and replace them. Thus, the conclusion regarding the delimitation of the conditions and term of the President's election in case of expiry of the term of office of the incumbent president and in case of vacancy following the resignation, dismissal, final impossibility to exercise duties or death remains valid in relation to the provisions of the Electoral Code.

2.2.2. Calculation of the electoral period

According to art. 109, para. (3) of the Electoral Code, the date for presidential election in the Republic of Moldova shall be established at least 60 days before the election day. To ensure the predictability of electoral process, the decision to set the election day more than 60 days in advance is welcome, it being established 164 days before the actual day of election.

At the same time, starting from the notion of electoral period established in art. 1 of the Electoral Code, we conclude that the electoral period began on May 26, 2020 (the day of bringing to the public the date of the election) and, contrary to the maximum limit provided by the same rule, it will by far exceed the 90-day term. Even if we consider August 15, 2020, (the day when the Parliament decision entered into force) as the beginning of election period, the 90-day period is exceeded, given that after the election date, the Central Electoral Commission has five days to total the results, three days to submit the report to the Constitutional Court, and the Constitutional Court has 10 days at its disposal to confirm or deny the election results. Thus, starting from the post-election day deadlines and the deadline for the election period, it should start on August 21, 2020. Moreover, taking into account the possibility of holding the election in two rounds, the election period should begin on September 4, 2020. Based on the above, we reiterate the need to revise the notion of electoral period and to clearly establish its beginning and end, taking into account the conduct of election in two rounds.

According to the Calendar Program for Presidential Election in the Republic of Moldova²², the election period will begin on August 25, 2019, 68 days before the election day. The Promo -LEX OM mentions that the grounds on which the Central Electoral Commission set the date for the start of the election period are not clear. If in the previous elections, a calculation of electoral period was observed, which resulted from the legal deadlines established for the totalization and confirmation / refutation of

²¹ Law no. 1234-XIV of September 22, 2000 "On the procedure for electing the President of the Republic of Moldova", declared unconstitutional in 2016, in part of art. 2, provided that the elections for the position of President of the Republic of Moldova shall take place no later than 45 days before the expiry of the term of office of the President- in- Office. In case the vacancy of the presidential office occurs following the resignation, dismissal, inability to exercise the powers or death, an election for a new President of the Republic of Moldova will be held within two months from the date of the vacancy.

²² The calendar program for carrying out actions to organize and conduct the Presidential Election of November 1, 2020 in the Republic of Moldova, approved by the CEC Decision no. 4103 of 15.08.2020.

election results, then in the case of the presidential election, the date for the beginning of electoral period seems to be set arbitrarily.

Taking into account the approval of the Law on normative acts no. 100 of 22.12.2017, which stipulates, in art. 56, that the normative acts enter into force one month after the date of their publication in the Official Gazette or on the date indicated in the text of the normative act, which may not be earlier than the date of publication, as well as the tendency of the Parliament of the Republic of Moldova to set the date of the election in advance (more than 90 days), we reiterate the recommendation to change the notion of "electoral period" into the period between the date of announcement to the public the date of the election and the day on which the election results are confirmed by the competent bodies. In this sense, we opt for the extension of the 90-day period, and emphasize the need to mention the authority responsible for setting this term based on the specifics of the types of election (parliamentary, presidential, general local, new local, referendums, etc.).

Starting from the principle of predictability and stability, Promo -LEX reiterates its position on the appropriateness of a longer electoral period, which, in the Mission's view, would provide for more equal opportunities for potential competitors, as well as sufficient time to prepare and conduct the elections.

2.3. Implementation of the Promo -LEX recommendations outlined in the Final Report of the Observation Mission for the Presidential Election of October 30, 2016²³

Following the monitoring of the Presidential Election of October 30, 2016 in the Republic of Moldova, the Promo- LEX Association developed a series of recommendations for central and local public authorities, electoral bodies, electoral competitors and law enforcement bodies in order to improve the electoral process. It should be noted that out of the total of 45 recommendations aimed at improving the relevant legal framework for the presidential elections, 15 were totally or partially implemented. These refer to:

- the new concept for distribution of state institutions involved in the process of organizing and conducting elections abroad;
- excluding the need for authentication of subscription lists by local public authorities in the case of national elections;
- increasing the maximum number of ballots allowed for a polling station, including those abroad;
- extending the applicability of vote buying offense to the presidential election, according to art. 181 of the Criminal Code;
- excluding the authorized persons from the category of persons with the right to collect signatures in support of a nominated candidate;
- regulating the exercise of the right to vote by using the expired passport of the citizen of the Republic of Moldova;
- reducing the ceiling of donations granted to electoral competitors by individuals and legal entities;
- granting to the citizens of the Republic of Moldova residing abroad the possibility to finance electoral campaigns;
- regulating the establishment of a separate electoral council for the polling stations set up for the settlements of the Transnistrian region, etc.

At the same time, by approving the draft law no. 263 of 19.01.2020²⁴, five other recommendations of the Promo -LEX Association could be considered as fully or partially implemented.

²³ [Final](#) Report. Observation Mission for the Presidential Election of October 30, 2016 in the Republic of Moldova, pp. 72-77.

²⁴ Draft law initially tabled, without subsequent amendments.

However, 30 recommendations made by the Promo -LEX Association that apply to the current and next election, remain unimplemented, the most important being:

- 1) amending the provisions of the Electoral Code in terms of establishing a separate electoral council for polling stations established outside the territory of the Republic of Moldova;
- 2) explicit regulation of organized voter busing, considering the vote buying risk;
- 3) explicit regulation of the procedures for appealing and resolving appeals by electoral bodies and courts, in particular, with regard to the possibility of filing appeals during signature collection period, during vote counting and announcing voting results within any polling station, etc.;
- 4) including in the Electoral Code an express provision that would oblige the CEC to take action in case of violations of the electoral legislation;
- 5) amending the electoral legislation on the registration of candidates for presidential election in the Republic of Moldova in order to create equal conditions for the start of the election campaign for all competitors;
- 6) regulating the participation of students / pupils holding the right to vote in the electoral process through sustainable and generally-applicable norms for all types of elections;
- 7) supplementing the Law on the protection of personal data with norms that provide for the transparency and accessibility of voters' lists, as well as the transparency of the workplace of donors included in the financial reports of competitors;
- 8) modifying the approach to the minimum number of signatures included in the subscription lists for administrative-territorial units of level II, so that it is not quantified in absolute figures, but rather in percentage values (1% or 2%) of the total number of voters from the respective ATU;
- 9) improving the legal framework in the sense of establishing the exact terms and procedures that provide for the continuation of electoral campaign for the second round of elections;
- 10) developing a clear mechanism, according to which people that vote at home would have equal opportunities for replacing the ballot paper that was incorrectly filled out, similar to the voters who vote in the polling stations;
- 11) applying legal provisions that refer to sanctioning illicit financing of electoral campaigns, in this case art. 181² of the Criminal Code, to initiative groups collecting signatures for the candidate nominated in national elections and referendums.

2.4. Recommendations to the CEC with regard to the Referrals of the Constitutional Court

Starting from the powers of the CEC regulated by art. 22 and 26 of the Electoral Code, as well as from its status of a body responsible for organizing the elections and issuing mandatory regulations, we believe that the electoral authority could resolve through its own instructions, within the limits of its powers, the referrals of the Constitutional Court. We recommend that the CEC demonstrate a proactive approach in this regard.

Thus, taking into account the Parliament's omission in implementing the referrals of the Constitutional Court, we recommend the CEC to examine the possibility and take steps to implement the Referrals of the Constitutional Court, insofar as it has the necessary competence, for example:

- **Regarding Referral no. 1**, without exceeding the norms provided by the Electoral Code and the Administrative Code, the CEC could amend the Regulation on the procedure for examining and resolving appeals by electoral bodies during the electoral period, in order to detail its rules and:
 - a) avoid groundless rejection of appeals by electoral authorities that are currently considered outside their competence;
 - b) regulate the manner of submission, examination of the appeals after the election day, as well as the actions of the electoral bodies for their settlement;

- c) facilitate the submission of appeals on election day, especially by voters who vote in polling stations located abroad;
- d) separate and explicitly regulate the procedures for examining the appeals by electoral bodies for different types of elections and the procedures for examining the appeals in the event of two rounds of elections, including the appeals made on election day.

- **Regarding Referral no. 5**, without exceeding the hierarchically superior rules, the CEC could:

- a) develop instructions or recommendations on notifying / challenging the involvement of religious denominations in elections;
- b) regulate the powers of the CEC to ascertain the involvement of religious denominations in the elections and, respectively, to notify the authorities responsible for preventing and sanctioning religious denominations for involvement in the electoral process.

- In the same way, the issue of monitoring and counteracting cases of organized voter busing on election day can be approached in terms of vote buying suspicions (**Referral no. 4**).

It should be mentioned that even if the CEC takes measures for partial solution of the issues identified by the Constitutional Court, it does not deprive the Parliament of the obligation to examine and settle the Referrals of the Constitutional Court.

2.5. Problematic issues in the organization and conduct of presidential election during the pandemic

There are several challenges identified by both the Venice Commission²⁵ and IDEA International²⁶ for the integrity of elections to be conducted in conditions of COVID-19, including:

- **Initiative groups could be limited in number.** Establishing initiative groups of more than 50 members may be impossible given the restrictions on participation in mass gatherings exceeding 50 people. Note should be made of the fact that the CEC amended the Regulation on appointing and registering candidates in the presidential election in the Republic of Moldova, granting powers to modify and complete the composition of the initiative group to its leader²⁷. However, in the light of art. 114, para. (1) of the Electoral Code²⁸, we consider that some aspects may generate legal issues:

- although the Electoral Code specifies that the initiative group approves the list of members of the initiative group, the new amendments to the CEC Regulation stipulate that the task of completing and modifying the composition of the initiative group is given only to its leader;
- according to the ban on mass gatherings, the initiative group will consist of a maximum of 50 people. Subsequently, by the decision of the leader of the initiative group, the composition of the initiative group can be practically doubled, being made up of up to 100 people. We consider that such changes cannot be given to the leader of the initiative group, since the vote of the initiative group made up of 50 people could be unrepresentative in relation to the vote of the initiative group consisting of 100 people, including the election of the leader of the group.

²⁵ [Report](#) – *Respect for democracy, human rights and the rule of law during states of emergency: reflections – taken note of by the Venice Commission on 19 June 2020 by a written procedure replacing the 123rd plenary session.*

²⁶ Elections and COVID-19, International [IDEA Technical Paper](#) 1/2020.

²⁷ CEC [Decision](#) no. 4121 of 19.08.2020 for the amendment of the Regulation on the designation and registration of candidates in the presidential election in the Republic of Moldova.

²⁸ According to art. 114, para. (1) Electoral Code, the initiative group in support of a candidate consists of at least 25 people and at most 100 people, holding the right to vote. The initiative group is set up following a gathering, at which the decision to support a candidate for the position of President of the Republic of Moldova is taken, the group leader is elected and the list of members of the initiative group is approved, indicating their identity data. (...)

In this context, we remind the reader of the position of the Central Electoral Commission in the case of the initiative group established to support the conduct of the republican legislative referendum on the repeal of Law no. 154 of July 20, 2017, when its registration was refused due to minor procedural grounds.²⁹ In particular, we highlight the argument used to substantiate the refusal to register the initiative group, invoking non-uniformity in the counting of votes.

- **Collecting signatures may be difficult or impossible** due to the bans on the movement of certain categories of voters (people over 63, people in self-isolation, people who have returned from abroad, from countries other than those classified as green areas). If we assume that the condition of collecting 15000-25000 signatures from at least half of level II ATUs of the Republic of Moldova was considered proportional in regular elections, then maintaining the same conditions in a state of emergency could be disproportionate, and some competitors may be at a disadvantage.
- Electoral competitors could be **limited in conducting election campaign** by the restrictions on holding public gatherings. According to the decisions of the National Extraordinary Public Health Commission (NEPHC), the organization of single mass gatherings is allowed, providing it involves less than 50 people, it is held in compliance with public health measures and with the mandatory preparation by the organizers of epidemiological line list of the event. Meetings may not be held in close vicinity to public institutions, schools, hospitals or other places at increased risk of infection³⁰.
However, it is not clear whether door-to-door campaigns are allowed in conditions of public health emergency.
- Some categories of voters could have **their voting rights restricted** by establishing a self-isolation regime and discouraging the presence of vulnerable categories of people, as well as people over the age of 63³¹, and by the limitations imposed by host countries on voting abroad. Thus, it is recommended to provide for alternative voting methods, such as postal voting or e- voting. Another option would be to extend the voting time from one voting day to a few days, if the risks of infection can thus be reduced. We mention that according to international practice, voting methods do not have a strong impact on election results. Respectively, the amendment of the Electoral Code in terms of voting arrangements made less than one year before the election may be in accordance with the Code of Good Practice in Electoral Matters, if it is necessary for or contributes to fair elections.
- The conduct of election could involve **difficulties in monitoring the election**, in particular by the international community. There is a high risk that without transparent procedures and observers being present, the level of fraud and possible manipulation of election results may significantly increase. However, where election governing bodies have a long tradition of independent activity and the possibility of online observation is available, fair election is easier to guarantee. Thus, considering the necessity to respect physical distance by electoral officials and the persons authorized to attend the electoral operations, we recommend to assess the headquarters of the polling stations so as to ensure free observation during the whole election day.
- The **legitimacy of the election results could be challenged due to the low voter turnout**. Voter turnout may decline, especially among groups more likely to be affected by the disease, and this undermines the principles of inclusion and equality in the electoral process. Excluding a category of voters who tend to vote in a certain way could distort the will of the voters and respectively, some candidates would be at a disadvantage.

²⁹ CEC [Decision](#) no. 1344 on the application for registration of the initiative group for the conduct of the legislative republican referendum.

³⁰ NEPHC [Decision](#) no. 21 of July 24, 2020 .

³¹ According to NEPHC Decision no. 24 of 12.08.2020, " Persons over 63 years of age and those in risk categories will exercise their electoral right in conditions of maximum caution and vigilance, avoiding crowds and prolonged stay in closed public spaces."

- The lower the turnout, the less legitimate the results, especially if the turnout is less than 50%. At the same time, we emphasize the fact that in the conditions where a minimum turnout rate of 1/3 of the number of voters registered in the voters' lists is established, the electoral authority should take into account the legal or factual limitations on the free movement in the country or on the possibility to vote, as this could lead to the declaration of election invalid.

III. ELECTORAL BODIES

In the monitored period, the Central Electoral Commission convened a total of 13 meetings, both in online and mixed format, of which 10 ordinary and 3 extraordinary. The CEC managed to ensure its functionality amidst the COVID-19 pandemic. The CEC accredited, at the request of Promo-LEX, the first 69 national observers for the presidential election.

With regard to the manner the CEC managed the pre-registration procedure, Promo-LEX OM concludes that the importance and value of the procedure is greatly affected by the following factors: lack of certainty that all prior registrations submitted will be taken into account; the difference in numbers of prior registrations submitted in the previous elections by voters from the Transnistrian region and those from abroad; the lack of explicit regulation of pre-registrations in paper format, including collective claims.

3.1. Structure and activity of electoral bodies

As a permanent national authority, the CEC will coordinate the activity of all lower-ranking electoral bodies set up for the preparation and conduct of presidential election: district electoral councils (DECs) and precinct electoral bureaus (PEBs).

The composition of the Central Electoral Commission did not change in the reference period. The Commission convened 13 meetings, of which 10 ordinary and 3 extraordinary. In accordance with point 33/1 of the Regulation on the activity of the CEC³², amended by CEC Decision no. 3971 of June 2, 2020, the CEC meetings took place via online video conferencing platforms. On average, the agenda of the Commission meetings included 18 topics for consideration.

3.2. Decisions of the CEC relevant to the organization and conduct of the election

Thematic content of the approved decisions. For the proper organization and conduct of presidential election, the CEC adopted 9 decisions with regard to the approval of calendar program, amendment of the Regulation on the nomination and registration of candidates for presidential election in the Republic of Moldova³³, amendment of the Regulation on the activity of district electoral councils³⁴, amendment of the Regulation on the activity of polling stations³⁵, distribution of powers of the CEC members during the electoral period, establishing the list of parties and other socio-political organizations entitled with the right to support candidates for the position of President of the Republic of Moldova, establishing the place and time to receive the documents necessary for the registration of initiative groups in support of candidates for the position of President of the Republic of Moldova, establishing additional responsibilities of public authorities in the context of election and accreditation of observers.

Transparency in decision making. During the reference period, Promo -LEX found partial compliance by the CEC with the provisions of the legislation in force on decision-making transparency by ensuring the publication of notices on the initiation of draft regulatory acts, notices on the organization of public consultations, and less compliance when it came to the results of consultations. The Authority amended 3 regulatory acts, proposing them proposal for public consultations: Regulation on the nomination and registration of candidates for presidential elections, Regulation on the activity of district electoral councils, Regulation on the activity of precinct electoral bureaus. The Promo -LEX Association expressed its opinion on the draft decision to amend the CEC

³² [Regulation](#) on the activity of the Central Electoral Commission, approved by CEC Decision no. 137/2006.

³³ Regulation on designation and registration of candidates in the presidential elections in the Republic of Moldova, amended by CEC Decision no. 4122 of 19 August 2020.

³⁴ [Regulation](#) on the activity of district electoral councils, amended by CEC Decision no. 4122 of 19 August 2020.

³⁵ [Regulation](#) on the activity of polling stations, modified by CEC Decision no. 4122 of 19 August 2020.

Regulation on designation and registration of candidates in elections for the position of President of the Republic of Moldova.

At the same time, we emphasize the fact that even if Promo -LEX sent, within legal limits, its Opinion on the content of the Instruction on measures to prevent COVID-19 during the election period, the document was approved by NEPHC ahead of schedule.

We also note that the CEC has approved *the schedule for the organization and conduct of the presidential election of November 1, 2020 in the Republic of Moldova*, without presenting it for public consultations.

1.3. Accreditation of observers

In order to optimize the registration of accredited observers by both the CEC and hierarchically inferior bodies, the CEC developed and proposed for testing a new SAIS " Elections" module, specifically "Observers". The system will automatically verify the identity of the persons proposed for accreditation and will keep record of the cards, providing for a centralized procession of the information necessary for the accreditation of observers and registration of interpreters who can assist, as provided by the legal norms.

On August 25, 2020, the CEC accredited, at the request of Promo -LEX, the first 69 national observers who will monitor the presidential election.

3.4. Regulation of the election during the pandemic

To protect all participants in the electoral process (voters, election officials, candidates and other actors involved), the CEC developed the *Instruction on measures to prevent COVID-19 during the election period*³⁶, which was approved by the Decision of National Extraordinary Public Health Commission no. 24 of 12 August 2020. The instruction is a framework of measures on how the CEC will administer the elections of 6 September 2020 and those of 1 November 2020, aiming at optimizing and standardizing the application of electoral procedures related to the organization and conduct of elections in conditions of pandemic.

Regarding the procedure for approving the Instruction, Promo -LEX found that *the National Extraordinary Public Health Commission (NEPHC) disregarded the public consultation process initiated by the CEC*, which, took place in violation of the legal provisions providing for the deadline for submitting recommendations on draft decisions. At the same time, we mention that, *by approving the Instruction, the NEPHC exceeded its powers* and decided to implement special measures outside the public health emergency period, since, the public health emergency period was declared and extended only until August 31, 2020.

With regard to the content of the Instruction, Promo -LEX noted that certain provisions of the document are likely to create confusion, may disrupt, in some places, electoral procedures and affect the quality of electoral process.

In this respect, Promo-LEX finds it necessary to resume the decisional process by repealing the NEPHC Decision no. 24 of 12.08.2020, to continue the public consultations initiated by the CEC with the subsequent approval of the Instruction specifically by the electoral authority and prior approval of the document by the NEPHC³⁷.

³⁶ [Instruction](#) on the organization and conduct by the Central Electoral Commission of election polls under the conditions of COVID-19 pandemic.

³⁷ [Opinion of the Promo-LEX Association](#) on the disregard by National Extraordinary Public Health Commission of public consultations initiated by the Central Electoral Commission on the subject of election under pandemic.

3.5. Prior- registration

According to the provisions of the Electoral Code³⁸, prior registration is one of the three criteria underlying the establishment of polling stations abroad. Prior registration is the procedure, by which the citizens of the Republic of Moldova, who on the day of voting will be abroad, have the opportunity to register in advance to vote at the venue. At the same time, prior registration is also available for voters of the Transnistrian region, which is taken into account when setting up polling stations for voters of the Transnistrian region³⁹. It should be noted that at present, it is not possible to view the statistics on the number of registrations for the Transnistrian region, which creates impediments to observers monitoring the opening of polling stations for this category of citizens. It should be noted that the CEC apparently differentiated these two distinct categories.

According to the provisions of the Regulation on prior registration⁴⁰, it can be done on www.alegator.md throughout the election year, the deadline being 45 days before the election day.

For each election that involves the procedure of prior registration (presidential, parliamentary elections and republican referendums), the CEC activates the application on the www.alegator.md portal for the elections that take place in that year. Thus, for example, until September 16, 2020, as indicated on the portal, the application is activated *for the ordinary presidential election of 2020*. Immediately after the registration and confirmation of the preliminary declaration, the voter registered through the www.alegator.md portal receives an email confirming the registration for the specific election (type of elections and year of organization), indicating the possibility of cancellation of the registration made, but not later than 25 days before the election day⁴¹.

In the context of 2020 presidential election, the CEC informed about the opening of the prior registration application on March 3, 2020⁴². Subsequently, starting June 2020, the CEC posted monthly press releases on the pre-registration for the 2020 presidential election both on the official website of the authority and on social networks. However, the number of registrations made remained extremely small. Thus, after the new parliamentary elections of October 20, 2019, only 2,009 registrations were made for the presidential elections of November 1, 2020.

However, despite the above, the www.alegator.md portal shows a number of 26,134 prior registrations. According to the information provided by the CEC, the large number of statements is explained by the fact that if the person made a statement (regardless of the type of election), then this statement is automatically valid for the rest of the elections, until the statement is annulled.

³⁸ Article 31, para. (3) of the [Electoral Code](#): Peculiarities of the establishment and operation of the polling stations and PEBs located abroad.

³⁹ Article 32, para. (3), let. b) of the [Electoral Code](#): separate polling stations will be opened for the settlements of Transnistrian region based on the data from the State Register of Voters, including based on prior registration, according to the procedure established by the regulation approved by the Central Electoral Commission.

⁴⁰ [Regulation](#) on prior registration, approved by CEC Decision no. 1568 of April 24, 2018, points 9, 12.

⁴¹ The message reads: ' *You have successfully confirmed the pre-registration statement. Copy of the declaration: I hereby, First Name Last Name, born on XXXX, IDNP XXXXXXXXXXXXXXXX, express my desire to participate in the ordinary presidential election of 2020 organized by the electoral authorities of the Republic of Moldova. I inform you that on the election day I will be abroad in City, Region, State.*

I declare on my personal liability that data indicated in the declaration are accurate and truthful.

I accept the terms and conditions stipulated in the Regulation on the prior registration of citizens of the Republic of Moldova residing abroad.

This declaration may be revoked at any time, but not later than 25 days before the election date. To cancel, please access the following link: Cancel statement”.

⁴² CEC press release: Citizens of the Republic of Moldova holding the right to vote who are temporarily abroad or domiciled in the settlements of Transnistrian region can register in advance for the presidential elections.

According to Promo-LEX, the position of the CEC may undermine the objectivity and veracity of the data on prior registrations, which is one of the basic criteria considered for the opening of polling stations abroad for the following reasons:

- the application for prior registration is opened separately, clearly specifying the type of election for which a registration can be made;
- Voters, who have filled out the statement are informed only about their prior registration for the elections for which the application is active. For example, in the case of parliamentary elections, voters are strictly informed about the prior registration for the 2020 parliamentary elections;
- there are no mechanisms to inform voters that pre-registered for previous elections about the validity of that registration in the subsequent election;
- voters are not informed of the necessity to cancel the statement previously filled out, if they are abroad in the new election (e.g. voters registered for the parliamentary elections were not informed that after the elections, they must cancel the statement if they are no longer abroad);
- in the context of the COVID-19 pandemic, when a large number of Moldovan citizens returned from abroad, there is a high probability that previous pre-registrations, made for example for the 2019 parliamentary elections, are no longer valid.

In the context of the above, we consider it necessary to revise the Regulation on prior registration in order to clearly regulate the following issues: the term of validity of the prior registration statement; mechanisms for informing voters about the validity of pre-registration for several elections; repeated information on the validity of the statement before each election, voters that submitted prior registration statements in the context of other elections, including the possibility of their cancellation.

With reference to the establishment of polling stations abroad for the presidential elections of November 1, 2020, for voters registered through the www.alegator.md portal, we consider it necessary to inform them about the validity of the previously made statements (2016 - 2019) for the presidential elections of 2020. In addition, the possibility of cancelling the prior registration should be indicated, if the previous statement is outdated.

Regarding pre-registration in paper format⁴³, we find that in their case, the type of elections for which the registration is made is not indicated (all the types of elections for which prior registration is necessary are included). At the same time, the contact details of each signatory are missing, being available only those of the person / persons collecting the signatures. Therefore, we consider that, at present, the updating of data on the authenticity of paper-based pre-registration statements can be questioned. Thus, in addition to the lack of contact details, voters pre-registered on paper will not know that their statement will be valid in the context of all subsequent elections, and the CEC will not be able to inform them nominally about this fact.

Thus, for example, we mention at least 8 collective requests for prior registration received from 300 Moldovans who legally declared that they will be in the Russian Federation on the election day⁴⁴. The collection of signatures was performed by a single person, whose contact details were recorded in the 8 collective requests (signature collection period: July 27 - August 1, 2020). None of the eight requests specified the type of voters' stay in the Russian Federation during the election period (permanent or temporary), neither did the request specify the type of election for which registration is requested in advance. These requests can be assigned to the 2020 presidential election only due to the heading for the actual date when the request was signed.

⁴³ Annex no. 1 to Regulation on Prior Registration.

⁴⁴ [Application](#) for prior registration.

Subsequently, according to the position of the CEC (validity of the preliminary statement until the moment of its annulment), the 300 prior registrations will be valid for all subsequent elections, as it is not possible to inform the respective voters about this fact. In addition, it is not clear what the consequences will be if a voter who has a prior registration in paper format paper intends to register in advance on the www.alegator.md portal (there will be two pre-registrations for the same voter, possibly with similar or different addresses, or only the last pre-registration will be considered valid).

In the context of the above, we recommend the CEC to explicitly regulate prior registration in paper format in order to clarify the following issues: the mechanisms for informing voters who registered in paper format about the validity of pre- registration statements for several ballots, this information being made before each ballot (for example, by collecting e - mail addresses after the *Signature* heading in Annex 1 to the Prior - Registration Regulations); control mechanisms in order to avoid double prior registrations (on paper and on www.alegator.md portal; ensuring the public display of the total data on prior registrations for each state, by including in the general statistics the pre-registrations made on paper.

IV. STATE REGISTER OF VOTERS AND VOTERS' LISTS

The number of voters in the SRV continues to grow, but at a slower rate compared to the previous years. We remind the reader that since 1999, the Republic of Moldova has been registering a negative rate of natural increase of population (RNI). According to the SRV, as of August 1, 2020, the number of voters was 3,286,304, which is by 410 more compared to the same period in 2019.

The increase in the total number of voters is mainly due to the growth of the number of voters with no domicile or residence and of those registered in the Transnistrian region, given that the number of voters in the other ATUs of the Republic of Moldova, as a whole, is declining.

4.1. General legal provisions and basic conclusions of previous observation reports

According to the Electoral Code, the State Register of Voters (SRV) is a unique integrated information system intended for collecting, storing, updating and analyzing information about citizens of the Republic Moldova, including those residing abroad, who have reached the age of 18 and have no legal prohibitions on electing. It operates based on the State Register of Population (SRP). Voters' lists are drawn up based on the data from the SRV that include all the citizens of the RM holding the right to vote and who reside or have their residence on the territory within a certain polling station. Voters' lists are sent by the CEC to the LPA and to the diplomatic missions or consular offices at least 22 days before the election day.

According to the Promo- LEX observation reports of the general parliamentary and local elections, the continuous increase in the number of voters in the SRV, against the background of a negative natural increase of the population of the Republic of Moldova since 1999, raises concerns about the quality of SRP management. Also, some content issues related to the content of the lists remain unresolved: erroneous assigning of voters to PS; address errors and the presence of deceased people in the lists.

1.2. Evolution of data from the State Register of Voters (SRV) in the context of the presidential election of November 1, 2020

In the context of the presidential election of November 1, 2020, the CEC published twice the data on the number of voters - on 1 July and 1 August 2020.

Table no. 1. Dynamics of the number of voters in the period of 2014 - 2020 based on data from the SRV

Date	Total number of voters	Dynamics	No. of voters with no domicile/ residence	Dynamics	No. voters from the ATU of Transnistrian region	Dynamics
25.11.2014	3 226 446	-	171 052	-	211 329	-
22.08.2016	3 237 032	+10 586	161 630	-9 422	221 600	+10 271
01.09.2017	3 255 361	+18 329	155 683	-5 947	225 971	+4 371
10.12.2018	3 265 997	+10 636	210 890	+55 207	230 233	+4 262
22.08.2019	3 285 894	+19 897	224 250	+13 360	243 416	+13 183
01.07.2020	3 285 874	-20	228 852	+4 602	249 013	+5 597
01.08.2020	3 286 304	+430	229 570	+718	249 006	-7

With reference to the dynamics of the number of voters in the SRV (see table no. 1), we still witness an increase in the number of voters in the Republic of Moldova, but in smaller proportions compared to previous years. This increase is mainly due to the evolution of the number of voters without domicile/ residence and those from the Transnistrian region, given that the number of voters domiciled / residing in settlements controlled by constitutional authorities is declining.

The increase in the number of homeless and non-resident voters and those in the Transnistrian region (about 15% of the total number) creates premises for increasing the share of citizens who

could vote on supplementary lists. In this regard, we remind you that the Venice Commission, in its opinion⁴⁵, recommended that the situations in which voters are added to supplementary voters' lists should be reduced in order to avoid possible doubts about the integrity of the voters' lists and the possibility of multiple voting.

⁴⁵ [Joint Opinion](#) for Moldova of the Venice Commission on the draft law amending and supplementing certain acts, pt. 77

V. PUBLIC ADMINISTRATION

5.1. Election activities with the involvement of LPA

In the context of organizing and conducting presidential election, LPAs are to be involved in the following types of activities:

- appointment of DEC members;
- appointment of PEB members;
- submission of proposals regarding the PS borders;
- providing electoral bodies with offices / headquarters and materials necessary for their efficient activity;
- ensuring access to the premises of persons with special needs;
- providing special places for electoral display and meetings with voters;
- participation in the verification of the SRV.

5.2. Establishment of places for electoral displays and meeting with voters

According to the provisions of Electoral Code⁴⁶, the LPAs are obliged, within three days from the start of electoral period, to establish and guarantee places for electoral displays and a minimum of premises for holding meetings with voters. Decisions (provisions) in this regard must be displayed immediately at the premises of these authorities and brought to the attention of the subjects concerned by mass media, or other available means of communication.

We note that in order to provide for the authorization of electoral displays in Chisinau, in the reference period, the CEC came up with a set of recommendations on the draft Regulation on the location and authorization of advertising and electoral displays in Chisinau, subjected to public consultation by the Chisinau Municipal Council.

⁴⁶ Article 52, para. (9) of the Electoral [Code](#).

VI. ELECTORAL COMPETITORS

In the case of presidential elections, the status of electoral competitors is held by the candidates for the position of President of the Republic of Moldova registered by the CEC. All candidates for the presidential office, be it supported by political parties, or independent candidates, shall submit to the CEC subscription lists, containing signatures of at least 15,000 and no more than 25,000 voters.

Promo-LEX observers found that the PPPDA, PAS, PUN and MPU performed activities that can be qualified as early nomination of candidates. Additionally, observers reported political campaigns with a potential electoral impact in the case of at least five political players - PRO Moldova, the PN, PAS, PUN, MPU, while in the case of the current President and two parties – the PSRM and the PPS - activities that can be qualified as taking credit for actions performed at public expense have been reported.

6.1. The quality of electoral competitor

According to art. 1 of the Electoral Code, in the case of presidential elections, the status of electoral competitor is held by the candidates for the position of President of the Republic of Moldova registered by the CEC. Art. 113 establishes that in order to be registered by the CEC, all candidates for the position of President shall submit subscription lists, which contain the signatures of at least 15,000 and no more than 25,000 voters from at least half of level II administrative-territorial units of the Republic of Moldova.

6.2. Cases that can be qualified as nomination of candidates before the legally established term

According to the legal provisions⁴⁷, the nomination of candidates for the office of President shall begin 60 days before the day of the election and shall end 30 days before the election. The CEC calendar program⁴⁸ states that the nomination of candidates is to take place between 1 September and 1 October 2020.

We remind the reader that in the local general elections of 2019, there were cases when the protocols for the nomination of candidates signed at a date earlier than the legally set terms were the basis for refusal to register candidates⁴⁹.

Contrary to the above, there are at least 3 cases that can be qualified as early designation of candidates, as follows:

- on March 1, 2020, a statement was published on the official website of the PPPDA⁵⁰, announcing that the National Political Council of the PPPDA designated Andrei Nastase as candidate for the position of President of the Republic of Moldova;

⁴⁷ Article 41, para. (1) of the [Electoral Code](#): Nomination of candidates. In the case of parliamentary and presidential elections, the process of nominating candidates begins 60 days before the election day and ends 30 days before the election day.

⁴⁸ [Calendar](#) of events for the organization and conduct of Presidential Election of November 1, 2020 in the Republic of Moldova, point 22.

⁴⁹ [Report no. 4](#). Monitoring Mission of the general local elections and the new parliamentary elections of October 20, 2019, p. 34.

⁵⁰ Press [release](#) on the official website of the PPPDA: Statement of the National Political Council of the DA Platform Party. Andrei Nastase is nominated candidate for the position of President of the Republic of Moldova.

- on July 18, 2020, a press release was published on the official website of the PAS⁵¹, which communicated that the National Political Council of PAS designated Maia Sandu, PAS President, as candidate to the position of President of the Republic of Moldova;
- on July 25, 2020, a press release was published on the official website of the PUN⁵², which communicated that National Political Council of PUN designated Octavian Ticu as candidate to the position of President of the Republic of Moldova.
- In addition, we mention that on June 29, 2020, the Political Movement Unirea (MPU) published a press release regarding the announcement of Dorin Chirtoaca as a candidate of the MPU. At the same time, it was emphasized that the MPU, in collaboration with other unionist political parties, will continue to work to identify a single unionist candidate. According to the legal provisions, the MPU will be able to participate and nominate a candidate in the election only if it requests the CEC to register it as an electoral bloc.

6.3. Political activities with a potential electoral impact

Based on the provisions of art. 116, para. (1) of the Electoral Code, the electoral campaign for the presidential election in the Republic of Moldova begins no earlier than 30 days before the election day. According to the provisions of the CEC Calendar Program⁵³, registered candidates may carry out electoral activities between 2 and 30 October 2020.

In the monitored period, Promo- LEX monitors paid attention to certain activities that seem to have taken shape precisely in the context of the presidential elections. Thus, starting May 21, 2020 (the day of the approval of the date of presidential election date)⁵⁴, the following activities with a potential electoral impact have been noticed, involving at least five political actors - PRO Moldova, PN, PAS, PUN and MPU:

- *PRO Moldova and the campaign "Dodon is leaving!"* On July 6, 2020, the PRO Moldova Parliamentary Group launched the campaign "Dodon is leaving!"⁵⁵. As stated, the purpose of the campaign was to collect signatures for the dismissal⁵⁶ of Igor Dodon from the position of President of the Republic of Moldova.

In this campaign, tents were installed both in Chisinau and in 17 districts of the country.⁵⁷ Participants in the campaign used masks, T-shirts and hats with the symbolism of the campaign, as well as T-shirts with the symbolism of the PRO Moldova party. So far, according to the published data, more than 60,000 signatures have been collected.

- *PN and the action "Honk if you are against Dodon".* On July 10, 2020, the PN initiated the action "Honk if you are against Dodon"⁵⁸. During the action, being on the side of the road, PN representatives

⁵¹ [Press release](#) on the official website of the PAS: The National Political Council of the PAS decided: Maia Sandu - the PAS candidate in the presidential elections!

⁵² Press release on the official website of the PUN: Octavian Ticu has been designated as National Unity Party candidate for President of the Republic of Moldova.

⁵³ [Calendar](#) of events for the organization and conduct of Presidential Election of November 1, 2020 in the Republic of Moldova, point 37.

⁵⁴ [Parliament Decision](#) no. 65 of May 21, 2020 on establishing the date of elections of the President of the Republic of Moldova.

⁵⁵ [Press Conference](#) held by Members of the Parliamentary Group PRO MOLDOVA before the session of the Moldovan Parliament on July 6, 2020.

⁵⁶ According to art. 89 of the Constitution of the Republic of Moldova, president's impeachment can be initiated by one third of members and the suspension should be voted by two thirds of MPs. If the suspension is approved, a referendum to dismiss the president should be held within 30 days.

⁵⁷ According to the information posted on social networks the "Dodon is leaving" campaign reached Chisinau, Singerei, Nisporeni, Orhei, Causeni, Balti, Donduseni, Calarasi, Ungheni, Briceni, Edinet, Drochia, Glodeni, Falesti, Rascani, Floresti, Soroca, Anenii Noi.

⁵⁸ The first flash mob in the "Honk if you are against Dodon" action.

held in their hands a banner with the inscription "Honk if you are against Dodon", which mentioned that the organizer of the action was the PN. Over 14 of such actions were *organized* between July and August 2020.

- *PUN and the campaign "What does unification with Romania mean?"*. On July 27, 2020, two days after the nomination of its candidate for President, the PUN launched the campaign "What does unification with Romania mean?"⁵⁹ At the launch conference, Octavian Ticu was presented as a candidate nominated by the PUN for the presidential election.

In this campaign, the PUN representatives visited over 100 settlements, distributing the *Clopotul* newspaper and party leaflets. In the meetings, the presidential election of autumn 2020 was also mentioned. Thus, for example, on August 12, 2020 party representatives announced in Milestii Mici, Ialoveni, that the collection of signatures will start in September, requesting support for this purpose.

- *PAS and the campaign "Be a volunteer in the presidential campaign!"* At least 3 video spots were made as part of this campaign, in which citizens are urged to get involved as volunteers in the presidential campaign for Maia Sandu. In addition, another video spot was made, in which the territorial organizations of PAS communicate about the election of Ms. Maia Sandu as a candidate of the PAS in the presidential elections⁶⁰. At the same time, leaflets with information about the main actions to be performed by the candidate for the citizens of the Republic of Moldova, as well as about the procedure for registration as a volunteer were published and distributed. The leaflets do not contain information on the date of publication and their circulation.⁶¹

In the same context, it should be noted that on July 26, 2020, the PAS president published on social networks a message urging volunteers to join her presidential campaign, as well as to share her message⁶².

- *MPU and its urges to identify a common unionist candidate for the presidential election*: in the second half of June, MPU organized 6 teleconferences on social networks in the context of launching the call to identify a common unionist candidate for the presidential election.

6.4. Cases that can be qualified as taking credit for activities performed at public expense

In the period of May 21 and August 25, 2020, monitors registered several cases, in which the current President of the Republic of Moldova, Igor Dodon, and two political parties – the PSRM and the PPS - seem to have gained political advantage from the projects implemented by public authorities.

Igor Dodon: on May 25, 2020 (just four days after the approval of the date of the presidential election), following the working meeting of the President of the Parliament - Zinaida Greceanii, the President of the Republic of Moldova - Igor Dodon and the Prime Minister - Ion Chicu, Igor Dodon announced in a conference organized for the press, that he came up with the proposal to double the salaries of medical workers and asked the Prime Minister to draft the corresponding bill. In addition, Igor Dodon asked the Prime Minister to draft a law on granting financial aid of 700 lei for pensioners who have a pension of up to 3000 lei.

⁵⁹ [Press conference](#) organized by the National Unity Party on the launch of "What does unification with Romania mean?" campaign in the municipality of Chisinau.

⁶⁰ [Video spot](#) on social networks: All over the country, PAS has made the choice! Maia Sandu is the President!

⁶¹ Article 70, para. (6) of the [Electoral Code](#) stipulates that each advertising material must include the name of electoral competitor, the date of printing, the circulation of the material and the name of the printing house that printed it.

⁶² [Message](#) shared by Ms Maia Sandu on social networks.

In the *Socialist* newspaper from June 2020⁶³, the same projects were presented as Igor Dodon's initiatives.

These draft laws were registered in the Parliament on July 1, 2020 as draft laws to be submitted for the Parliament's consideration⁶⁴, the Government assuming responsibility for them, according to the constitutional provisions⁶⁵. Given that on July 20, 2020, the motion of censure on the activity of the Government was not passed (insufficient votes), the draft laws were considered adopted. As a result, the state budget deficit reached 17.2 billion lei⁶⁶.

The PSRM: a new edition of the *Socialist* newspaper⁶⁷ was printed at the beginning of August 2020, in which the PSRM takes credit for the social projects adopted by the Government (granting 700 lei to pensioners starting with October 1, 2020, increasing medical workers' salaries, etc.).

The PPS: in the period of May 21 and August 25, 2020, the PPS took credit for several projects implemented by at least 18 local public authorities:

- modernization of road infrastructure (in the towns of Orhei⁶⁸ and Taraclia⁶⁹);
- street lighting⁷⁰ (villages of Tabara, Vatici, Orhei dist.; Malaiesti, Orhei dist.; Neculaieuca, Orhei dist.; Cairaclia, Taraclia dist.; Piatra, Orhei dist.; Doina, Cahul dist.; Doltu, Iscalu, Falesti dist.; Morozeni, Orhei dist.; town of Taraclia);
- setting children's playgrounds within the campaign "One playground for children in each village"⁷¹ Cuhnești, Glodeni dist; town of Taraclia; Constantinovca, Edinet dist.; Maximovca, Anenii Noi dist.; Dusmani, Glodeni dist.; Elizavetovca, Dondușeni dist.; Coteala, Briceni dist.; Fantanita, Drochia dist.; Parlita, Soroca dist.).

⁶³ [Newspaper Socialists](#), June 2020.

⁶⁴ [Session of the Parliament](#) on 9 July 2020.

⁶⁵ Art. 106¹ of the Constitution of the Republic of Moldova: Liability of the Government.

(1) The Government may be liable to the Parliament upon a program, a statement of general policy or a draft law.

(2) The Government is dismissed if the motion of censure, submitted within 3 days from the presentation of the program, the general policy statement or the draft law, was voted under the conditions of article 106.

(3) If the Government has not been dismissed in accordance with paragraph 2, the draft law submitted shall be deemed to have been adopted and the program or general policy statement shall become binding on the Government.

⁶⁶ For comparison, it should be noted that in early 2020, the state budget was adopted with a deficit of 7.4 billion of lei. Subsequently, due to the COVID-19 pandemic, in April 2020, the budget deficit reached 15.9 billion from lei and after liability undertaken for the three draft laws adopted, the Government 's budget deficit reached 17.4 billion lei.

⁶⁷ [Newspaper Socialists](#), August 2020

⁶⁸ A new stage of road infrastructure renovation has started in [Orhei](#).

⁶⁹ An extensive road modernization project began in [Taraclia](#), with the support of the "SOR" Party.

⁷⁰ [The "SOR" party](#) turned on the lights on the streets of three other towns in the south of the country.

⁷¹ The project "One playground for children in each village" was launched at the initiative of Ilan Șor. the first playground was inaugurated in the village of Cuhnești.

VII. ELECTION CAMPAIGN FINANCING

Financing of electoral activities will be monitored both during the period preceding the campaign, and during the election campaign itself. In the pre-election period (2 September - 1 October), the OM will monitor the spending of initiative groups, set up to collect signatures in support of presidential candidates, while during the election campaign (2 - 30 October, and possibly 2 - 12 November) the expenses of electoral competitors will be surveyed.

Regarding the normative aspects that required attention, the OM mentioned funding of election campaign and initiative groups which, according to the Promo-LEX OM, were not settled in the previous presidential elections, in particular, the need to adjust the normative framework of the CEC to the changes made in electoral legislation; the need to include Initiative Groups (IGs) in the Criminal and Contravention Codes as subjects to sanction, as well as the need to harmonize the sanctions described in the Contravention Code with those of the Criminal Code, in accordance with the guidelines of the Venice Commission.

7.1. Methodological references

The methodology for monitoring the financing of presidential election campaign provides for observing the activity of initiative groups and those of electoral competitors, account being taken of financial resources collected and used both in the electoral period and in the election campaign. At the same time, the monitors will evaluate the reporting and the degree of its compliance with the legal norms, will observe the activities of electoral actors, verifying their observance of legal provisions.

7.2. Legal framework for financing initiative groups and election campaigns

The financing of election campaign and initiative groups (IGs) is regulated by: The Constitution of the Republic of Moldova⁷², Electoral Code⁷³, Law no. 249 on Political Parties⁷⁴, CEC Regulation on the financing of election campaigns⁷⁵ and the Regulation on the financing of initiative groups⁷⁶. The Central Electoral Commission is the only body mandated to receive, verify and monitor the financial reports of IGs and the financing of the election campaign for the presidential elections.

Sources of financing and bank accounts. According to art. 24, para (3) of the LPP 294/2007, financial and material donations from natural persons, including citizens of the Republic of Moldova residing abroad, as well as from legal entities, state budget subsidies, party membership fees and other legal revenues, can be used to finance IGs and election campaigns.

Under the provisions of the Electoral Code, a natural person can donate up to 41,850 lei (six average monthly salaries) to an initiative group/ electoral competitor, while a legal entity can donate up to 83,700 lei (12 average monthly salaries). The established amount of the average monthly salary for 2020 is 7,953 MDL⁷⁷.

However, the CEC Regulation on the financing of initiative groups contains outdated provisions, which stipulate that during its activity, an individual may transfer to the bank account of an initiative group up to 397,650 lei (50 salaries average salaries), and the legal entity - up to 795,300 lei (100 average monthly salaries per economy established for the respective year).

⁷² [Constitution of the Republic of Moldova](#)

⁷³ [Electoral Code of the Republic of Moldova.](#)

⁷⁴ [Law no. 249. Law on Political Parties.](#)

⁷⁵ [CEC Regulation on financing of election campaigns, adopted by the CEC Decision no. 2704 of September 17, 2019.](#)

⁷⁶ [CEC Regulation on financing of initiative groups, approved by the CEC Decision no. 114 of August 18, 2016.](#)

⁷⁷ [The official amount of the average monthly salary in the Republic of Moldova in 2020.](#)

Citizens of the Republic of Moldova holding the status of a person of public dignity, civil servant, including one with a special status, or public employees may donate up to 10% of their annual income, this amount may not exceed six average monthly salaries for that year.

Electoral competitors can benefit from interest-free loans from the state budget. The loan application is submitted to the Ministry of Finance⁷⁸.

All revenues and expenditure of initiative groups and electoral competitors must be reflected in bank accounts opened specifically for the election campaign. They are intended for revenue and expenditure intended for the collection of signatures - an account with the tagline "Intended for initiative group" and a bank account for the election campaign, with the tagline "Electoral fund"⁷⁹. The IGs and competitors who will not carry out campaign activities and thus will not open bank accounts must inform the CEC in writing of such a decision. Banks must inform the CEC on a daily basis of the transactions taking place through the "Intended for the initiative group" and "Electoral fund" accounts⁸⁰.

According to art. 41, para. (2), let. b) of the Electoral Code, the "Electoral Fund" account may be opened before the registration of the electoral competitor, provided that the receipts and expenses from this account are made only after electoral competitor's registration.

That provision reinforces the meaning outlined in the definition of *election campaign* provided by the Electoral Code, which "[...] begins, for each electoral competitor, on the date of its registration by the Central Electoral Commission", on the other hand, the CEC Calendar Program stipulates that the registration of candidates is done at a faster pace than the official start of election campaign, which will start on October 2, 2020.

The Promo -LEX OM considers that these rules create ambiguities with regard to the moment when electoral competitors can start making spending from the "Electoral Fund" account. Thus, the mission recommends clarifying legislative ambiguities, taking into account the notion of election campaign to ensure the elimination of uncertainties regarding the time when candidates can start transactions involving the "Electoral Fund" account.

Funding bans. Funding by legal entities located abroad, including those with mixed capital, by other states or international organizations, including international political organizations, is prohibited; likewise, it is forbidden to receive funding from citizens of the Republic of Moldova who have not reached the age of 18 and those who have been placed under judicial protection in the form of guardianship; from public authorities, organizations, enterprises, public institutions, other legal entities financed from the public budget or those with state capital, unless the provision of services or material support is expressly provided for by law.

In addition, it is forbidden to receive financing from legal entities that, three years before the beginning of election period, carried out activities financed or paid for by public means (funds), as well as from legal entities with foreign or mixed capital; from anonymous persons or on behalf of third parties; from natural persons who are not citizens of the Republic of Moldova; from non-profit, trade union, charitable or religious organizations⁸¹.

⁷⁸ Credits received from the state are extinguished, in whole or in part, by the state, depending on the total number of valid votes cast for the electoral competitor in that constituency. The amount of money, determined by dividing the amount of loan by the number of voters who participated in the voting, then by multiplying the result obtained by the number of valid votes cast for the respective electoral competitor, is to be extinguished from the state budget.

⁷⁹ The bank, in which accounts tagged "Electoral Fund" are opened, shall inform the Central Electoral Commission about the funds transferred to the account of electoral competitors on a daily basis or at the request of the Commission.

⁸⁰ Article 41, para. (2), let. a), b), c) of the [Electoral Code](#).

⁸¹ Article 41, para. (3), let. a), b), c), d), e), f), g), h) of the [Electoral Code](#).

Financial reporting. Initiative groups / electoral competitors have the obligation to submit to the CEC, within three days from the opening of the "Initiative group" account⁸² and "Electoral Fund" account⁸³ and, subsequently, once a week, a report on the funds accumulated and the expenses incurred during the period of signature collection and during the election campaign⁸⁴. The reports are published on official website of the CEC within 48 hours of receipt⁸⁵.

Reports on the financing of election campaigns for the entire election period shall be submitted to the CEC by registered electoral competitors no later than two days before the election day. The reports shall be published on the official website of the CEC within 48 hours of receipt.

If political parties plan to make transfers to the "Initiative Group" account or to the "Electoral Fund" account, they shall submit to the CEC a financial report on the balance of party's financial resources, once the IG is registered and at the beginning of the election campaign of the electoral competitor.

Sanctions. The Electoral Code prohibits both electoral competitors and IGs from offering voters money, distributing, free of charge, material goods, including humanitarian aid or other charitable actions⁸⁶. Moreover, this violation is incriminated in the Criminal Code by art. 181¹, so that the provision of money, goods, services or other benefits to influence voters' choice or decision to exercise their electoral rights in the presidential election is punishable by a fine in the amount of 500 c. u. (25,000 lei) to 850 c. u. (42,500 lei) or with imprisonment from one to five years, while the legal person is punished with a fine in the amount of 4,000 c. u. (200,000 lei) to 6,000 c. u. (300,000 lei), with deprivation of the right to exercise a certain activity or with the liquidation of the legal entity. Even if the Electoral Code prohibits initiative groups from voter buying, they do not fall under the sanctions of the Contravention or Criminal Code.

According to the Criminal Code, illegal financing of election campaigns and faulty management of electoral funds are punishable by fines ranging from 27,500 lei to 300,000 lei (i.e. 550 - 6,000 c. u.) or imprisonment up to three years, in both cases with deprivation of the right to hold certain positions or to carry out certain activities for a term of up to five years⁸⁷, i.e.:

- extortion of donations for political parties and / or electoral funds;
- wrongful use by political parties of financial means derived from state subsidies, or means from the electoral fund;
- knowingly acceptance of funding from an organized criminal group or criminal organization.

The use of administrative resources (public goods), including favoring or consenting to illegal use of administrative resources (public goods) in electoral campaigns is punishable by a fine ranging between 200,000 lei and 300,000 lei (i.e. 4,000 to 6,000 c. u.) or imprisonment for up to three years, in both cases with the deprivation of the right to hold certain positions or to carry out certain activities for a term of two to five years⁸⁸. However, we note that the current definition of

⁸² Within 3 days of the opening of the 'Initiative group' account and thereafter weekly, on Friday - 4 September, 11 September, 18 September and 25 September and on Thursday - 1 October.

⁸³ Within 3 days of the opening of the account entitled "Electoral Fund" and thereafter weekly, on Friday - 2 October, 9 October, 16 October, 23 October and 30 October, until 16:00.

⁸⁴ The report shall contain: a) identification data of the natural or legal person who donated financial means; b) the list of all donations received, including the nature and value of each donation in cash, goods, objects, works or services; c) the total value of donations and the number of donors; d) the list of donations reimbursed due to exceeding the ceilings established in art. 41, para. (2), let. e) of the Electoral Code; e) identification data of the natural or legal person who have been paid financial means from the "Electoral Fund" account and the purpose of the respective expenses; f) amounts of debts, numbers of financial records and other conclusive information; g) accounting information of the legal persons founded or otherwise controlled by the respective political party for the corresponding period.

⁸⁵ Art. 43 of the [Electoral Code](#).

⁸⁶ These provisions shall not apply to symbolic gifts, representing electoral advertising, made from the "Electoral Fund" account and from the "Initiative group" account, which bear the symbol of the electoral competitor / initiative group, and whose market value does not exceed 2 conventional units (100 lei).

⁸⁷ Article 181² of the [Criminal Code](#).

⁸⁸ Article 181² para. (2) of the [Criminal Code](#).

administrative resource, which is ambiguous, creates difficulties in implementing the sanctioning mechanism.

According to the Contravention Code⁸⁹, violation of the rules for financing electoral campaigns is punishable by fines ranging from 1,500 lei to 9,000 lei (i.e. 30-300 c. u.) which may be applied to the person in charge with the possibility of depriving it of the right to hold certain positions or carry out certain activities for a period of up to one year, in this case for:

- violation of the legislation on the management of the financial means of electoral funds;
- disregard of the summons of the Central Electoral Commission.

The Promo-LEX OM emphasizes that the sanctioning of IGs was not regulated in compliance with the previous recommendations of the Mission and thus reiterates the need to specify in art. 181¹ and 181² of the Criminal Code and art. 48¹ and 48² of the Contravention Code that initiative groups are subjects to sanctions.

The Promo -LEX OM considers the current level of contravention sanctions to be low compared to the gravity of violations described in art. 48¹ and 48². Moreover, the Mission recommends harmonizing the level of sanctions outlined in the Contravention Code with those in the Criminal Code, in accordance with the guidelines of the Venice Commission⁹⁰, who argue that "any irregularity in the financing of an election campaign must involve **sanctions commensurate with the gravity of the infringement**, which may consist of total or partial loss of funding from the state budget, payment of fines commensurate with the seriousness of the infringement or cancellation for the guilty candidate".

7.3. Budget of the Central Electoral Commission

According to the CEC Decision no. 3146 of December 3, 2019, the estimate of expenses for the organization and conduct of the presidential election is set at 167,356,200 lei⁹¹. In 2016, about 100,000,000 lei were allocated for the organization and conduct of the presidential election.

⁸⁹ Articles 48¹, 48² of the [Contravention Code](#).

⁹⁰ Guidelines of the Venice Commission ([CDL-INF \(2001\) 8](#)).

⁹¹ [CEC Decision](#) no. 3146 on the expenditure estimate for the presidential election of November 1, 2020.

VIII. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

Starting with the new local elections and the local referendum held in Chisinau in November 2017, Promo-LEX has been monitoring the public performances of electoral competitors to identify cases of hate speech.

Monitoring has revealed that the phenomenon of hate speech is increasingly popular in public and mediatic space of the Republic of Moldova and it intensifies in the electoral context. Currently, there is no relevant legal framework or mechanisms to combat this phenomenon, and the authorities do not have a response to hate speech in an electoral context.

8.1. Monitoring hate speech during the election period

Hate speech is an intolerant and aggressive form of expression that is based on stereotypes and prejudices and can lead to stigmatization and violence. This type of discourse favors the spread of intolerance in the public space, being a form of discrimination and incitement to violence, which is prohibited by law and is sanctioned both by Contravention and Criminal Codes. In an electoral context, hate speech is used to manipulate the public and voters and to distract from real issues.

Hate speech is a growing phenomenon and is increasingly used in public space and in the media in the Republic of Moldova, a fact confirmed by the reports of the Promo -LEX Association in 2018⁹² and 2019: "Hate speech and incitement to discrimination in public space and in the media in the Republic of Moldova". The monitoring results for 2018 showed that, on average, 2 new cases of hate speech appeared every day, while in 2019, this figure reached 4.2 new cases per day. The monitors found that in 7 months in 2019, 54% of hate speech cases occurred in a political context, thus, ascertaining that politicians frequently are the main promoters of intolerance in public space, including during elections. In the first half of 2020⁹³, 40% of identified cases occurred in a political context.

Reports from 2019/1⁹⁴ and 2019/2⁹⁵ highlighted that about 23% of hate speech cases were identified in an electoral context (parliamentary elections of February 24, 2019 and general local elections of October 20, 2019), which means that hate speech expressed during the campaign came from or targeted an electoral competitor, referred to a political party, its supporters or electoral programs.

Monitoring the hate speech in the first half of 2020, which also included the new parliamentary elections in the single member constituency no. 38 Hancești, showed that this type of discourse is used with greater intensity in the context of national election campaigns, which are often more visible in the national media.

The monitoring of hate speech highlighted several problems nationally, namely: the lack of a legal framework to sanction this type of discourse, including in election campaigns, and the lack of mechanisms to monitor and counteract this phenomenon.

Thus, currently, the authorities do not have a response to hate speech in an electoral context, and general mechanisms, such as the courts or the Council for the Prevention and Elimination of Discrimination and Equality (CPEDE), can examine hate speech in a civil context, but they cannot provide a solution that would remedy the problem from an electoral point of view. In this sense, hate speech remains completely uncontrolled, regardless of its impact on the electoral process.

⁹² 2018 [Report](#). Hate speech and incitement to discrimination in public space and media in the Republic of Moldova.

⁹³ [Hate Speech Monitor](#) in Moldova.

⁹⁴ [2019 Report](#) (monitoring period: 11.01.2019 - 11.04.2019). Hate speech and incitement to discrimination in the public space and in the media in the Republic of Moldova.

⁹⁵ [2019 Report](#) (monitoring period: 1.08.2019 - 30.11.2019). Hate speech and incitement to discrimination in the public space and in the media in the Republic of Moldova.

Therefore, the Promo -LEX Association formulated a series of recommendations to improve the legislative and policy framework in the field, along with some practical suggestions for reacting to cases of hate speech in an electoral context.

In March 2020, Promo -LEX published an Analytical Note⁹⁶ on hate speech in election campaigns and thus, drew the attention of the Central Electoral Commission to the importance of supplementing / adjusting electoral legislation to include provisions defining hate speech and incitement to discrimination in electoral processes. The CEC was also recommended to establish a mechanism for monitoring, documenting and sanctioning hate speech in election campaigns; to provide prompt and firm reaction to all reported hate speech cases and establish appropriate sanctions for each violation; to develop a disaggregated data collection system to provide a coherent and integrated picture of the cases, the form of discourse and the reasons behind it, as well as the solution applied, and to make this information regularly available to the public.

At the same time, the CEC was proposed to develop internal instruments to streamline the process of monitoring, documenting and sanctioning hate speech (instructions, guides) and to carry out activities to promote tolerant public discourse in electoral processes and discourage electoral competitors in the use of hate speech and intolerance.

Last but not least, Promo -LEX recommended the CEC to carry out regular training activities for members of electoral bodies and their employees, teaching them to identify cases of hate speech, sexism, racism, homophobia and their forms of manifestation, criteria protected and prejudices in society.

In addition, during the public consultations on the draft law initiated by the CEC on amending the electoral legislation and the related legal framework (draft law no. 263), Promo -LEX came up with a series of proposals on regulating hate speech in the Electoral Code (art. 1), the Criminal Code (181³) and the Contravention Code (art. 52)⁹⁷.

8.2. Methodological aspects of hate speech monitoring

Starting from these premises, the Promo -LEX Association aims to monitor the hate speech in the election campaign for the presidential election of November 1, 2020. The monitoring will be based on a special methodology, developed by Promo -LEX and coordinated with representatives of the Council for Prevention and Elimination of Discrimination and Ensuring Equality, the Central Electoral Commission, the Audiovisual Coordinating Council and media organizations.

The monitoring will be performed by five experts, contracted by the Promo -LEX Association for this activity. They will use a database and reporting forms developed specifically for this purpose.

Monitoring will cover written and online media, TV shows, speeches of politicians, religious representatives and opinion leaders, cyber platforms for storing and sharing information and public events. Monitoring sources will be selected on the basis of audience indicators, internet traffic and audience measurement studies and surveys conducted by sociological companies on public trust, as well as based on the mediatic presence of politicians, religious representatives and opinion leaders.

Monitoring data will be analyzed and presented to the public, electoral authorities and competitors in order to raise awareness and prevent the use of hate speech. Following the interpretation of the data, conclusions and recommendations will be formulated for the actors concerned (media, political parties, electoral competitors and authorities) on improving the legislative framework, conduct in election campaigns, coverage of hate speech in the media and sanctioning this type of discourse.

⁹⁶ Promo-LEX [Analytical Note](#) on the Importance of Completing / Adjusting the Electoral Legislation to Include Provisions Defining Hate Speech and Incitement to Discrimination in Electoral Processes.

⁹⁷ CALC [proposals](#) on amending and supplementing Electoral Code no. 1381-XIII / 1997 and related laws.

IX. VOTER INFORMATION AND EDUCATION CAMPAIGN

In the context of Presidential Elections of November 1, 2020, the Promo-LEX Association will carry out a voter information and voter education campaign to raise the awareness of Moldovan citizens entitled to vote. The campaign will include 25 debates broadcast by TV and radio stations; creation and dissemination of a video spot; an online apolitical information and voter mobilization campaign, as well as grants for projects to promote participation in election.

The CICDE and CEC carried out training activities (for registrars and other representatives of LPAs) and voter information activities (online conferences, publication of periodicals, presentation of training courses, etc.) about the preparation for the presidential election and the specifics of election in pandemic conditions. However, we believe that some issues that are crucial for the monitored period, such as promoting the pre-registration, require a more nuanced and systematic approach from the CEC.

9.1. Promo -LEX campaign for information, electoral education and apolitical mobilization of Moldovan citizens entitled to vote

In the context of the presidential election of November 1, 2020, the Promo -LEX Association will conduct a campaign for information, electoral education and apolitical mobilization of Moldovan citizens entitled to vote, including the diaspora. In particular, the campaign will target young voters (18-30 years olds). The overall objective of the campaign is to help increase voter turnout in the November 1, 2020 presidential election. It will also promote an informed and conscious voting. The campaign will run from September to November 2020 and will include the following activities:

- To provide a *platform for debates between electoral competitors and voters*, 25 TV and radio debates with the participation of presidential candidates will be organized in partnership with "Teleradio - Moldova" Public Company,
- An *online apolitical voter information and mobilization campaign* will be carried out. For the most part, the online campaign will target young voters. The campaign will include informative and motivational posts on voting and the importance of voting. The campaign will take place on social networks.
- Also, *a video spot will be created and promoted on TV, radio and on social networks* in order to promote a conscious voting and apolitical mobilization of voters.
- Likewise, the Promo -LEX Association *offered three grants*, totaling US \$ 44,950.00, to non-governmental organizations and media organizations, for projects aimed at promoting the participation of Moldovan citizens in the November 1, 2020 presidential election. The grants were awarded to the following public organizations: "Independent Press" Public Association, "Association for Participatory Democracy" (ADEPT) and "Rockit Academy".

9.2. Education, information and training activities organized by the CEC and CICDE

Training activities. Throughout the monitoring period, the CEC and the Center for Continuous Electoral Training (CICDE) conducted training seminars for civil servants of level I LPA on the responsibilities of local council secretaries and the responsibilities of officials responsible for SRV. Special attention was paid to online resolution of the following types of conflicts: address conflicts, assigning voters to polling stations, the status of the voter, and the use of nomenclature.

Information activities. During the monitored period, the Center for Continuous Electoral Training (CICDE) organized three LIVE discussions with electoral experts from Ukraine, Romania, Poland and Kyrgyzstan on the conduct of elections in pandemic conditions, presented the policy brief "Organization of elections in the pandemic of COVID-19 "and launched the 3rd edition of

Electoral Digest, Journal of Electoral Analysis, Theory and Research, where different voting alternatives were presented considering the context of COVID-19 pandemic.

In order to address current electoral issues in the country and abroad, the CICDE launched "CICDE Podcast" series focusing on electoral issues and presented the second edition of the comic magazine "The Adventures of Arci Abroad".

The CEC and CICDE also organized the "People, Dialogue and Change" conference, which highlighted specific actions and measures to encourage young voters, including those who will participate in presidential election this autumn for the first time.

On August 20, the CICDE presented its educational offer for the presidential election. The portfolio includes six courses: Presidential election. General aspects; The role of the persons delegated by electoral competitors in the electoral process; Powers of members of initiative groups in supporting a presidential candidate; The status of the observer in the elections; Electoral process integrity; Responsibilities of members of electoral bureau of the polling station located abroad⁹⁸.

On August 22, 2020, during the Diaspora 2020 Days, the CEC and the CICDE had separate working sessions, in which they presented the main aspects of overseas voting mechanism. In addition, sporadic press releases promoting prior registration have been published. However, the Promo -LEX OM notes the lack of a complex and sustainable campaign of the CEC that would inform voters from abroad, as well as those living in the Transnistrian region of the presidential election, and promote prior registration.

⁹⁸ The educational [offer](#) of the Center for Continuous Education in the Electoral Field for the Presidential Election of November 1, 2020 .

RECOMMENDATIONS

To the Parliament of the Republic of Moldova:

1. Modifying the notion of “electoral period” in the Electoral Code, as the period of time between the day of bringing to the public the date of the elections and the day on which the election results are confirmed by the competent bodies. In this sense, we opt for the extension of the 90-day term, and request to mention the authority responsible for setting this term starting from the specifics of the types of elections (parliamentary, presidential, general local, new local, referendums, etc.)
2. Revising the draft law no. 263 taking into account the recommendations developed by the OSCE / ODIHR, along with those submitted by the civil society.
3. In the pandemic context, examining the existing provisions for each stage of electoral process and adapting them or including special rules to prevent the spread of COVID-19 virus, as well as ensuring the conduct of elections with respect for the right to elect and be elected.
4. Modifying art. 43, para. (1), let. a) of the Electoral Code in the sense of its harmonization with art. 29, para. (4), let. b) of the Law on Political Parties, by specifying the exact personal data of donors related to *their name, occupation / place of work or type of activity* and the publication of the corresponding data.
5. Streamlining the level of sanctions applied for illegal financing of electoral campaigns and violation of electoral funds management, specified in the Contravention Code with those of the Criminal Code, in accordance with the guidelines of the Venice Commission.
6. Including the initiative groups as subjects to the sanctions provided in art. 181¹ and 181² of the Criminal Code and art. 48¹ and 48² of the Contravention Code.

To the Central Electoral Commission:

7. Settling the Referrals of the Constitutional Court with regard to the organization and conduct of the presidential election in a proactive spirit and within the limits of its competences.
8. Approving by the CEC the Instruction on measures to prevent COVID-19 infection during the election period and its prior approval by the Extraordinary National Commission for Public Health.
9. Completing the Regulation on the preparation, administration, dissemination and updating of voters’ lists with rules that would explicitly regulate the declaration of place of residence as a mechanism for including voters without a domicile and/ or residence in the main voters’ lists.
10. Adjusting point 8 of the CEC Regulation on the financing of initiative groups to the provisions of the Electoral Code (art. 41, para. (2), let. e) regarding the ceilings of donations from individuals and legal entities made to initiative groups.
11. Clarifying the legal and normative ambiguities related to the notion of election campaign in order to eliminate uncertainties related to the moment of starting making spending from the “Electoral Fund” account.
12. Revising the Regulation on prior registration of voters in order to clearly regulate the following issues: the term of validity of the prior statement; mechanisms for informing voters about the validity of pre-registration for several elections; repeated informing of voters about the validity of the statement made before each election, including the possibility of its cancellation.
13. Explicitly regulating the pre-registration in paper format in order to clarify the following issues: mechanisms for informing registered voters on the validity of their statements for several ballots, informing them of this fact before each election.

ABBREVIATIONS

art. - article
ATU - administrative-territorial unit
c. u. - conventional units
CEC - Central Electoral Commission
CICDE - Center for Continuous Education in the Electoral Training
DEC - District Electoral Council (level II electoral constituency)
i.e. - *id est* (Latin formula of the expression: "in other words")
IC - independent candidate
let. - letter
LPA - local public administration
LTO - long-term observer
MPU - Unification Political Movement
mun. - municipality
NBS - National Bureau of Statistics
no. - number
OM - Observation Mission
OSCE - Organization for Security and Co-operation in Europe
OSCE / ODIHR - OSCE Office for Democratic Institutions and Human Rights
para. - paragraph
PAS - Party of Action and Solidarity
PDM - Democratic Party of Moldova
PEB - precinct electoral bureau
PN - Our Party
PPPDA - Dignity and Truth Platform, Political Party
PPŞ - SOR Political Party
PS - polling station
PSA - Public Services Agency
PSRM - Party of Socialists of the Republic of Moldova
PUN - National Unity Party
REO - Register of electoral officials
SRP - State Register of Population
SRV - State Register of Voters
TSO - short-term observer
USAID - United States Agency for International Development