



# REPORT No 5

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

Observation period: 14 – 28 October 2020

Published on 30 October 2020

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

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## EXECUTIVE SUMMARY

**Legal framework.** CEC decided to offer a free face mask to each voter at the entrance in the polling station on the election day, so that they can exercise their right to vote in safety.

Promo-LEX OM believes that if CEC approves a decision on fighting organised transportation of voter, rather than a circular letter, public authorities will be more efficient in this area. At the same time, we draw the attention to the wording of certain causes in the text of the decision, which could narrow non-proportionally the pursued goal.

The Mission also believes that, given the pandemic, regulating the video monitoring of electoral activities throughout the whole election day can improve the transparency of the electoral procedures on the election day and help prevent or substantiate possible violations.

**Electoral bodies.** During the reference period, CEC met for 7 online and mixed meetings during which 60 decisions related to the organization of the presidential election were adopted. During the observation period, CEC accredited 1,153 (53%) observers and experts. A total of 2193 observers were accredited for the presidential election, specifically 1883 national observers, 299 international observers and 11 international electoral experts. Of the total number of national observers, Promo-LEX Association accredited 1200 (64%). Compared to the Parliamentary election of 24 February 2019, the number of national observers dropped by 45%, and of international observers - by 60%. At the same time, according to observers, level-two DEC's accredited 3,043 observers from five candidates: Violeta Ivanov (PPS) – 914 (30%), Igor Dodon (IC) – 831 (27%), Renato Usatii (PN) - 820 (27%), Maia Sandu (PAS) - 475 (16%), and Andrei Nastase (PPPDA) - 3 (0.1%).

Promo-LEX observers made 61 visits to 36 level-two DEC's. Three of the visited DEC's (No 19 Glodeni, No 20 Hancesti, and No 33 Taraclia) were closed during the working hours. At the same time, not all DEC's observe the requirements on how to work during the pandemic: 8 (22%) councils do not have a register for monitoring the temperature of electoral officials; at least 18 (50%) DEC's do not measure the visitors' temperature; 5 DEC's (14%) do not display any information about the health protection rules during pandemic. Besides, as reported by observers, in at least 7 cases DEC's found shortages in the equipment for protection and prevention of the spread of COVID-19 infection, received from CEC.

As many as 947 PEB were visited during the observation period. According to observers, 82% (776 PEB) do not comply with the working schedule. At the same time, most of PEB do not comply with the protection requirements during the pandemic. Thus, only 334 PEB (35%) have and fill in a register for monitoring the temperature of electoral officials. Only 230 electoral offices (24%) measure the temperature of PEB visitors. There is no information about the health protection rules during pandemic displayed in the offices of at least 216 electoral offices (23%).

**Electoral litigations.** According to Promo-LEX observers, at least four complaints were submitted to DEC during the reference period, three of which — against the actions/lack of action by electoral body's members, and one — against LPA's actions. During the same timeframe, one single complaint was submitted to CEC, which was settled by the deadline stated in the law. In addition, other six notifications were submitted to CEC during the reference period, but CEC has neither settled them, nor published any response.

In the context of settling electoral litigations in courts, Promo-LEX OM finds that due to the failure to adjust the provisions of the Electoral Code on filing, reviewing and settling the electoral complaints to the provisions of the Administrative Code, the election contenders were literally deprived of the right to challenge the actions of their competitors and, hence, the right to effective remedy is not ensured.

**Lists of Voters.** At least 406 PEB (42%) of the 947 visited during the reference period received the lists with a delay. In addition, about 20% (184) of the polling stations visited by observers had a limited access to lists with full data on voters.

The most frequent errors found in lists are the following: presence of deceased persons (145 cases) and wrongful assignment of voters to another PS from the same or even from a different settlement (45 cases).

**Election contenders.** During the reference period, Promo-LEX observers reported at least 992 electoral activities, almost a two-fold increase as compared to the first two weeks of the campaign. Most activities (82%) were carried out by four candidates: Igor Dodon (IC) – 271 (27%), Maia Sandu (PAS) – 199 (20%), Andrei Nastase (PPPDA) – 174 (19%) and Renato Usatii (PN) – 156 (16%). Promo-LEX OM reported repeatedly the involvement of PSRM – a party that did not nominate any candidates, in the election campaign of Igor Dodon (IC 52% of the candidate's activities).

Besides, at least 2,138 cases of using advertising materials were reported. Printed materials (newspapers, booklets, leaflets, posters, calendars etc.) were used most frequently - 713 cases (33%). According to observers, the most active (88%) were the same four candidates: Igor Dodon (IC) – 568 (27%), Maia Sandu (PAS) – 526 (25%), Andrei Nastase (PPPDA) – 391 (18%) and Renato Usatii (PN) – 378 (18%).

The observers identified at least 24 cases regarded as use of administrative resources, of which: 21 – Igor Dodon (IC) și 3 – Tudor Deliu (PLDM). It is about the involvement of the public sector employees in election campaign activities during the working hours (17 cases), taking credits for works/services provided from public money (4 cases), and use of public events, organised by LPAs, for purposes of electoral promotion (3 cases). In this context, Promo-LEX observers reported at least 52 cases where candidates were promoted by local elected officials (district presidents/deputy presidents or mayors/deputy mayors) while on leave, which they took namely during the election campaign.

At least two cases that can be qualified as voter corruption were reported and both of them involved candidate Igor Dodon (IC): promises to co-fund the repair of the kindergarten immediately after the end of the electoral meeting and dissemination of advertising materials together with humanitarian aid.

Observers reported at least 6 cases when election candidates involved religious cults in their election campaign. All cases featured Igor Dodon (IC).

In addition, according to observers' reports, at least nine cases of candidate intimidation or vandalizing their advertising materials were registered, 2 cases involving - Igor Dodon (IC), 2 cases – Maia Sandu (PAS), 2 cases – Renato Usatii (PN), and one case – Violeta Ivanov (PPS), Octavian Ticu (PUN) and Andrei Nastase (PPPDA) each.

**Financing of election campaign.** According to the reports submitted to CEC, the revenues declared by election contenders for 10-23 October amount to MDL 6,027,149, with an initial balance of MDL 1,465,552; of which MDL 996,772 are revenues in the form of free goods and services. At the same time, expenses amounted to MDL 6,770,713, with an end balance of MDL 729,987. Most of the declared money was spent for advertising and promotional materials - 98%, the other 2% for: public events — 1% and transport — 1%.

Promo-LEX OM also found that 816 individuals donated MDL 4.69 million in cash, of whom 179 donors being foreign nationals. Candidates (Andrei Nastase (PPPDA), Octavian Ticu (PUN) and Renato Usatii (PN)) also received money from legal entities, and Andrei Nastase received a donation on PPPDA current account, exceeding the threshold of MDL 95,436 set by CEC Circular Letter of 15 September 2020.

In this context, Promo-LEX OM notes that CEC abstained from ascertaining a similar case involving candidate Maia Sandu and PAS, which occurred in the previous observation period. CEC justified its decision with the legal uncertainty cause by the non-correlation between the provision of the Electoral Code and the Law on Political Parties. According to the current position of CEC, Circular Letter No CEC-8/2796 of 15 September was rather a recommendation for electoral stakeholders to

take into account all of the current legal provisions on the funding of election campaign, thus disregarding that the threshold was exceeded.

In its meeting of 23 October 2020, CEC expressed its opinion regarding the case of Violeta Ivanov (PPS) who, as of 16 October had not managed to open an 'Electoral Fund' account, but engaged in electioneering exclusively on the basis of donated goods and services. Thus, CEC recognised the importance of checking the actual funding of the campaign and the need to amend the law to avoid similar situations in the future.

Promo-LEX OM found that 8 election contenders did not report fully the expenses incurred during 10-23 October 2020 in the amount of at least MDL 3,800,981. For the observed period, only two contenders (Maia Sandu (PAS) and Renato Usatii (PN)) reported premises rental costs and only Maia Sandu (PAS) reported to CEC payroll expenses (secretariat services), but which turned to be lower than estimated by the Mission. Similarly to the previous reporting period, no election contender reported expenses for the rewards paid to electioneers or submitted their declarations on volunteer work.

**Hate speech and incitement to discrimination.** During the observation period, at least 76 cases of using hate speeches and incitement to discrimination were identified in the context of the presidential election of 1 November 2020, which represents an increase of 17% compared to the previous monitoring period (30 September – 13 October 2020).

Of these, in 52 cases the hate speech was used by candidates: in 46 cases the hate speaker was Renato Usatii (PN); in three cases – Andrei Nastase (PPDA), in one case — Dorin Chirtoaca (BE UNIREA), in one case — Violeta Ivanov (PPS) and in one case — Igor Dodon (IC).

There were also reported at least 15 cases of using hate messages and/or incitement to violence against candidates registered in the electoral race by politicians, journalists, opinion leaders or candidates' supporters. Thus, Igor Dodon (IC) was targeted in five such cases, Maia Sandu (PAS) was targeted in four cases, Violeta Ivanov (PPS) was targeted in three cases, Dorin Chirtoaca (BE UNIREA) was targeted in two cases and Renato Usatii (PN) was targeted in one case.

In other 9 cases, hate speech and incitement to discrimination targeted members of political parties and/or supporters of candidates, as well as public officials, politicians and voters in general, and voters domiciled in the transnistrian region, in particular.

Hate and discriminatory messages mainly built on the following criteria: political affiliation, professional activity, sex/gender, disability, religion and religious beliefs, sexual orientation, age and opinion.

**Electoral Education and Awareness.** In the context of the presidential election of 1 November 2020, Promo-LEX Association and other three organisations that received sub-grants from the Association, carried out at least 52 activities of voter information, education and apolitical mobilisation for the citizens of the Republic of Moldova having the right to vote.

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

During the reporting period, CICDE and CEC conducted both trainings (for electoral officials, GPI and GPO employees, as well as representatives of social political organisations, non-government organisations that could be involved in the organisation of elections) and awareness-raising activities (periodicals, simulation of the electoral process, video materials etc.) regarding presidential election preparations and the specifics of elections amidst the pandemic.

## INTRODUCTION

Report no 5 is compiled by Promo-LEX Observation Mission (OM) of the Presidential Election in the Republic of Moldova of 1 November 2020. This report covers the results of election campaign observation during 14 - 28 October 2020. The funding of candidates' election campaign was monitored for the period of 10 - 23 October 2020.

Promo-LEX OM planned to submit six intermediate observation reports of the presidential election and a Final Report. In addition, press releases and two E-Day reports on the election day, the results of the partial vote counting and assessment of protocols accuracy will be prepared in connection with the election day (for round I and, eventually, round II of election). The Mission of Promo-LEX OM reports is to notify in real time the electoral bodies about the quality of procedures for election organisation and conduct for a predetermined period of time; raise the electoral stakeholders' accountability; identify the positive and negative trends in the electoral process.

Promo-LEX methodology for election observation was developed according to the relevant international standards and covers observation of the election both in the long run (election period), and in the short run (election day). The observation reports are prepared by the central team of Promo-LEX OM on the basis of the findings of long-term OM observers (LTOs) and describe the activity of all stakeholders involved in the organization and conduct of elections: election contenders, public authorities, electoral bodies, political parties, citizens who file their candidacy, as well as civil society. LTOs report their findings using specialised forms, which are stored on the web platform [www.data.promolex.md](http://www.data.promolex.md), which is a secure system with limited access, administered by Promo-LEX. During the planned visits, observers analyse the information from interviews, meetings with interlocutors and review of the official documents. The activity of election contenders is also monitored on-line.

The electoral process is monitored during the election period by 42 LTOs. On the election day, Promo-LEX will delegate one short-term observer (STO) in each of the 608 polling stations (PSSs) selected by Promo-LEX OM from a sample established by a sociological company. Moreover, special consideration will be given to polling stations abroad, where it is planned to delegate static observers in about 60 polling stations, and to the 42 polling stations where the voters from the transnistrian region will vote. The electoral process in the polling stations, in their immediate vicinity and the access routes to the polling stations where the voters from the transnistrian region will vote, will be monitored also by 80 mobile teams of observers.

All the observers involved in the monitoring process are trained during the seminars organized by Promo-LEX Mission. They sign and assume the Code of Conduct<sup>1</sup> of the Promo-LEX National Independent Observer, undertaking to act quickly, in good faith and in a non-partisan manner. Promo-LEX observers are also trained in protection standards in the context of the COVID-19 pandemic. The central team of the Association coordinates the activity of observers.

Promo-LEX OM for Moldova Presidential Election of 1 November 2020 is a project implemented by Promo-LEX Association as part of the Civic Coalition for Free and Fair Elections. Promo-LEX OM is not a political opponent for the election contenders involved in the electoral process, it is not an investigation body and does not assume the express obligation to support its findings by evidence. Nonetheless, the observers' reports are accompanied, as much as possible, by photo and video evidence. These can be made available only to law enforcement bodies on the basis of proper requests and never to election contenders. At the same time, electoral authorities shall deal with the violations, including the alleged ones, presented in this report as prescribed in Article 22(1)(q) and Article 68(5) of the Electoral Code, treating them as observers' notifications to be reviewed according to their competence.

Promo-LEX mission manages the public web platform [www.electoral.monitor.md](http://www.electoral.monitor.md), which stores relevant information (with photos/videos, that do not contain any personal data) from the

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

observers' reports. In addition, any individual, including representatives of electoral contenders, can upload on this platform their alerts about electoral activities. The Mission's observers verify the alerts of the citizens during the next visit planned in the community where such activities were reported. The Mission also manages [www.instruire.monitor.md](http://www.instruire.monitor.md), a platform that offers access to everyone to the training materials for short-term observers, except for their reporting forms.

Promo-LEX is a Non-Government Organisation that aims at developing the democracy in the Republic of Moldova, including the transnistrian region, by promoting and defending the human rights, monitoring the democratic processes, and strengthening the civil society. The Association has been observing elections in the Republic of Moldova since 2009, this OM being the 20<sup>th</sup>. In addition, the Association employees and members have international experience and participated in the observation of elections, as part of International Missions in Armenia, Germany, Georgia, Estonia, Norway, Montenegro, Romania, Serbia, Sweden, Ukraine, etc.

This report refers to the international standards developed by UN, OSCE, European Commission for Democracy through Law, European Union and Council of Europe. Recommendations for public authorities, electoral bodies, election contenders, and other stakeholders, aimed at improving the electoral process, can be found at the end of each of the reports.

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

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



## I. LEGAL FRAMEWORK

*CEC decided to offer a free face mask to each voter at the entrance in the polling station on the election day, so that they can exercise their right to vote in safety.*

*Promo-LEX OM believes that if CEC approves a decision on fighting organised transportation of voter, rather than a circular letter, public authorities will be more efficient in this area. At the same time, we draw the attention to the wording of certain causes in the text of the decision, which could narrow non-proportionally the pursued goal.*

*The Mission also believes that, given the pandemic, regulating the video monitoring of electoral activities throughout the whole election day can improve the transparency of the electoral procedures on the election day and help prevent or substantiate possible violations.*

### 1.1. Ensuring Protection Measures During the Voting

The CEC Decision No 4375 of 17 October 2020 provides that a free face mask shall be offered to each voter at the entrance in the polling station on the election day, so that they can exercise their right to vote in safety. *Promo-LEX OM welcomes the CEC decision to provide voters with protective masks, as that justifies the wearing a protective mask as a requirement to enter the polling station and exert the right to vote.*

In its Decision, CEC qualified the NEPHC Decision No 34 of 13 October 2020<sup>2</sup> in the part related to the organisation of electoral processes as **recommendation only**. This was concluded on the basis of Article 58(4)-(6) of the Law No 10/2009, according to which NEPHC has the task to organise special work, life and travel conditions for individuals and legal entities, to request the support of central authorities, as well as to develop suggestions in order to ensure an appropriate level of preparation for the public health emergency and distribute and use any goods, equipment and materials stored or available for this purpose.

At the same time, CEC highlighted that, according to the legal framework, the only authority empowered with the right to regulate electoral procedures is the Central Electoral Commission.

Opposite to CEC position, all NEPHC decisions stipulate that decisions issued by it are enforceable for the central and local public administration authorities, for individuals and legal entities, regardless of their area of work and form of organisation, and that disobeying public health measures is a threat for public health and shall be reason for bringing contraventional and/or criminal charges against the guilty person.

Note that NEPHC Decision No 34 of 13 October 2020 that relates to electoral procedures stipulates the following:

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

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<sup>2</sup> [NEPHC Decision](#) No 34 of 13 October 2020.

*Taking into account the CEC Decision, it is not clear what is the binding power of the provisions regarding electoral procedures, particularly the Instruction on Organisation and Conduct of Elections by CEC Amidst the COVID-19 Pandemic<sup>3</sup> and whether the provisions thereof are mandatory or recommended only.*

## **1.2. Establishment of measures for preventing the organised transportation of voters**

To fight the phenomenon of organised transportation of voters to polling stations, by CEC Decision No 4390 of 20 October 2020, the Commission, for the first time decided the express establishment of the following restrictions between 7:00 a.m. and 9:00 p.m. on the election day:

- organisation, by the election contender or by other individuals who act in the interest of the election contender, of the transport of voters to the polling station;
- transportation of voters to the polling station in order to determine them to vote for one of the candidates;
- transportation of voters to the polling station by buses or transportation of voters performed by authorised road transport operator in form of taxi services, according to an agreement with a third person, other than the traveller/voter, except for cases of voters with disabilities.

At the same time, CEC decided that in order to avoid the transportation of voters to the polling stations performed by the election contenders or other third persons, on the day of the election of the President of the Republic of Moldova, between 7.00 a.m. and 9.00 p.m., **the movement on the territory of the country of vehicles the capacity of which is not higher than 8 persons** and of **regular routes** of passengers transportation that operate in line with the law of the Republic of Moldova, is allowed on the territory of the country. Actually, this rule established the restriction of movement on the territory of the country, on the election day, between 7:00 a.m. and 9:00 p.m. of any means of transport the capacity of which is higher than 8 persons and is not a regular route.<sup>4</sup>

*Promo-LEX OM appreciated the decision of CEC to take the necessary measures to prevent the organised transportation of voters, including to regulated by decision the restrictions established. We remind that Promo-LEX OM recommended CEC, in REPORT No 4, to approve a certain decision in order to combat the phenomenon organised transportation, and not only a circular letter. A decision would help strengthen the legal prerequisites for pronouncing court judgments or ascertaining violations committed by the law enforcement bodies.*

*However, the absolute restriction of movement on the territory of the country of certain categories of road transport can be considered a restriction of the right to free movement, which could be also considered as disproportionate to the pursued goal if the rule is interpreted in bad faith.*

*In this context, we remind that according to Item II.1 of the Code of Good Practice in Electoral matters, **the conduct of democratic elections is possible only if human rights are observed**, particularly the freedom of expression and the freedom of the press, the **free movement on the territory of the country**, the freedom of assembly and the freedom of association for political purposes, including the establishment of political parties. Any restriction of this freedom should be provided for by the law, respond to a public interest and **to observe the principle of proportionality**.*

At the same time, according to Item 3 of the Decision of CEC No 4390 of 20 October 2020, the General Police Inspectorate under MIA, shall identify the existence or the lack of situations provided for in Items 1 and 2 and shall take measures to stop them, reporting each case to the Central Electoral Commission, and within 24 hours from the election day, shall present a detailed report about the actions and measures taken.

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<sup>3</sup> [Instruction](#) on Organisation and Conduct of Elections by CEC Amidst the COVID-19 Pandemic approved by NEPHC Decision No 24 of 12 August 2020.

<sup>4</sup> According to Article 4 of the Road Transport Code, besides the transportation of people through regular services, the transportation of persons includes: *road transport of persons through specially regulated services; road transport of persons through occasional services, including for tourist purposes; road transport of persons in form of taxi services.*

In the context of the Decision issued by CEC, the National Auto Transport Agency published an announcement<sup>5</sup> through which it requested the operators of road transport and the individuals who own road vehicles the capacity of which exceed 8 persons, to comply with the decision in order to ensure the good development of the presidential elections in the Republic of Moldova.

*Note that according to the legal provisions, and given the situations identified during the previous elections, the organised transportation of voters can be also performed with vehicles the capacity of which does not exceed 8 persons. In this regard, the repeated movement of the same vehicle to the polling stations, regardless its capacity, could serve as reasonable legal ground for checking and identifying the cases of organised transportation of voters, according to Item 3 of CEC Decision No 4390 of 20 October 2020.*

We remind that Promo-LEX examined the organised transportation of voters from the perspective of Article 181<sup>1</sup> of the Criminal Code – ‘Corruption of voters’<sup>6</sup> – and found that the organised transportation of voters can be qualified as corruption of voters only when:

- a. a **prior arrangement to gather the voters** for transportation, with regard to the place or hour of the transportation;
- b. these **services** will be provided **for free** will not have a counter-value, **or will advantage** a social class, the supporters of a certain political party or an election candidate;
- c. these services will be **provided in order to determine the voter to vote in a certain way**.

At the same time, according to the authors, **the type of the means of transport** or if the service is provided on the basis of a licence **will not be taken into account**. If the individual who provides the services does not have a transportation licence, their actions will fall under the Article 197(5) of the Contravention Code.

*We believe the above mentioned criteria and the results from the legal provisions in force, it is necessary to establish restrictions or measures to prevent the organised transportation of voters.*

### **1.3. Voting at the place of stay of individuals with COVID-19 symptoms**

According to CEC Decision No 4374 of 17 October 2020 on the peculiarities of the voting process of certain categories of voters for the election of the President of the Republic of Moldova of 1 November 2020 it was set that including the voters with COVID-19 symptoms shall be exempted from the general norm regarding the voting at the polling station. According to Item 3(6) of the decision, ‘*on the election day, until 3:00 p.m., only the voters with COVID-19 symptoms can vote at their place of stay without presenting the medical certificate and they will be registered in the lists for voting at the place of stay*’.

We mention that, according to Article 60(4) of the Electoral Code if the voter, for health or other well grounded reasons, is unable to be present in the polling place, at his/her oral or written request, no less than two members of the office with a mobile ballot box and all the necessary materials for voting shall go the place where the voter is located in order to conduct the voting. The requests can be submitted in writing, starting with 2 weeks before the voting day and until 6.00 pm of the day before the voting day. On the voting day, the requests can be prepared in writing until 3.00 pm, if a medical certificate is presented.

According to the Electoral Code, **we assume that the rule established at Item 3(6) of the Decision, refers actually to the submission of application until 3:00 p.m. and to voting until 3:00 p.m.**

*We found that even if the Electoral Code was not amended, the Central Electoral Commission, given the pandemic situation, excepted the voters with COVID-19 symptoms of the obligation to present a medical*

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<sup>5</sup> [Announcement](#) ANTA din 27.10.2020.

<sup>6</sup> [Survey](#). Qualification and investigation of offences and contravention of electoral and political funding specifics, 2017, p. 84-87.

*certificate. Promo-LEX OM has a positive opinion about the measure taken to ensure the right to vote of all voters.*

We remind that Promo-LEX OM found, in REPORT No 17, the lack of a proper response of the Parliament to the pandemic challenges, including in terms of identifying the alternative voting mechanisms that would ensure an acceptable rate of participation in the elections.

#### **1.4. Amendment of CEC Regulation on the operation of the Video Recording System in the polling stations.**

On 16 October 2020, the Civic Coalition for Free and Fair Elections asked CEC to ensure the operation of the Video Recording System throughout the whole election day and to amend, as a matter of urgency, the Item 11 of the Regulation on the operation of the Video Recording System in the polling stations<sup>8</sup>. Further, on 22 October 2020, CALC repeatedly requested to take measures to ensure the operation of the Video Recording System. According to CALC, given the specific circumstance of this election, due to the lack of the observers in various polling stations, the video monitoring of electoral activities throughout the whole election day can improve the transparency of the electoral procedures on the election day and help prevent or substantiate possible violations.

We remind that the Regulation was amended on 17 October 2019, only three days before the general local elections, when throughout the whole election day, the operation of video recording system (from the beginning of the preparatory electoral procedures concerning the opening of the polling station and until ending with the tabulation of the results of voting by the members of the electoral office of the polling station) was reduced to video recording of electoral procedures until opening the polling station and the electoral procedures after closing the polling station.

The topic concerning amendment of CEC Regulation on the operation of the Video Recording System in the polling stations was included on CEC's agenda of 28 October 2020. Note that during the examination of the topic, it was found that the lack of enough storage space on the storage devices for full recording of the election day, in cases of both rounds of elections. Sadly, we found that CALC's request was not accepted. Moreover, the proposal to fully record only the second round of elections and to video record only the procedures before opening the polling stations and after closing the polling stations during the first round of elections, did not receive the required number of votes. Thus, the Regulation on the operation of the Video Recording System in the polling stations was maintained in the current version.

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<sup>7</sup> [Report](#) 1. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, published on 26 August 2020, p. 10.

<sup>8</sup> [Request](#) of the Civic Coalition for Free and Fair Elections of 16 October 2020.

## II. ELECTORAL BODIES

During the reference period, CEC met for 7 online and mixed meetings during which 60 decisions related to the organization of the presidential election were adopted. During the observation period, CEC accredited 1,153 (53%) observers and experts. A total of 2193 observers were accredited for the presidential election, specifically 1883 national observers, 299 international observers and 11 international electoral experts. Of the total number of national observers, Promo-LEX Association accredited 1200 (64%). Compared to the Parliamentary election of 24 February 2019, the number of national observers dropped by 45%, and of international observers - by 60%. At the same time, according to observers, level-two DEC accredited 3,043 observers from five candidates: Violeta Ivanov (PPS) – 914 (30%), Igor Dodon (IC) – 831 (27%), Renato Usatii (PN) - 820 (27%), Maia Sandu (PAS) - 475 (16%), and Andrei Nastase (PPPDA) - 3 (0.1%).

Promo-LEX observers made 61 visits to 36 level-two DECs. Three of the visited DECs (No 19 Glodeni, No 20 Hancesti, and No 33 Taraclia) were closed during the working hours. At the same time, not all DECs observe the requirements on how to work during the pandemic: 8 (22%) councils do not have a register for monitoring the temperature of electoral officials; at least 18 (50%) DECs do not measure the visitors' temperature; 5 DECs (14%) do not display any information about the health protection rules during pandemic. Besides, as reported by observers, in at least 7 cases DECs found shortages in the equipment for protection and prevention of the spread of COVID-19 infection, received from CEC.

As many as 947 PEB were visited during the observation period. According to observers, 82% (776 PEB) do not comply with the working schedule. At the same time, most of PEB do not comply with the protection requirements during the pandemic. Thus, only 334 PEB (35%) have and fill in a register for monitoring the temperature of electoral officials. Only 230 electoral offices (24%) measure the temperature of PEB visitors. There is no information about the health protection rules during pandemic displayed in the offices of at least 216 electoral offices (23%).

### 2.1. CEC Activity

During the reporting period CEC met in 7 online and mixed meetings, of which 3 ordinary meetings and 4 extraordinary, during which 60 decisions related to the organization and conduct of the presidential election were adopted.

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

*Thematic content of adopted decisions.* Out of 60 decisions on the organization and conduct of elections, 43 (72%) are related to the accreditation of national and international observers. The other decisions were related to the confirmation of persons in charge of financial matters, determination of the print-out number of ballot papers, ensuring the protection measures during the voting procedure, issues related to the organised transportation of voters to the polling stations, reports on the incomes and expenses of the election contenders during the election campaign, employ more people at DEC No 2 Balti, amendment of previous CEC decisions.

*Failure to comply with the provisions on public consultation.* The electoral authority amended the Regulation on Funding of Election Contenders' Campaigns without being submitted for public consultation.

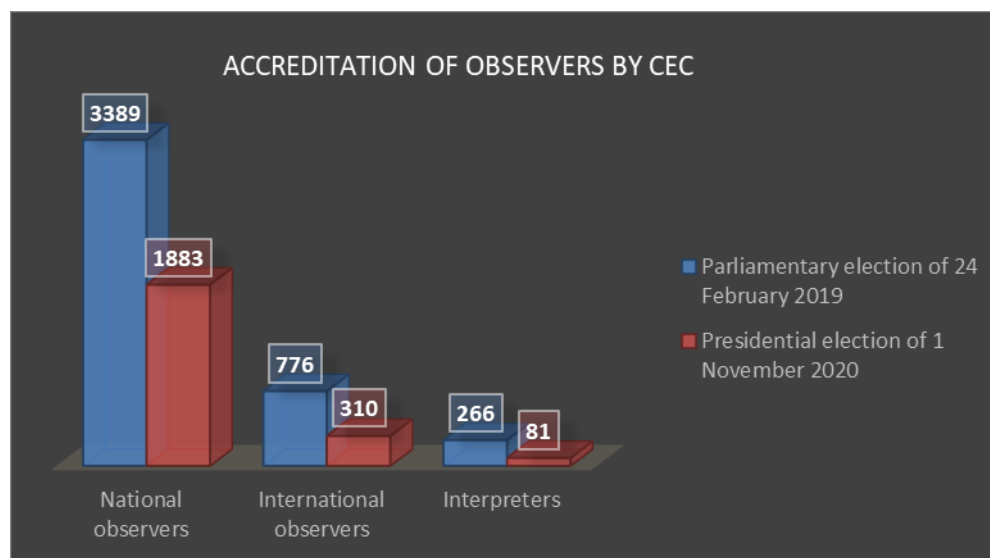
#### 2.1.2. Accreditation of observers by CEC

During the reference period, CEC adopted 43 decisions regarding the accreditation of 1153 observers in order to monitor the presidential elections of 1 November 2020. Thus, as many 965 national observers, 181 international observers, 7 electoral international experts and 81 interpreters were accredited. In total, by 28 October 2020, a total of 1883 national observers and

299 international observers, 11 international electoral experts and 81 interpreters were accredited for the presidential election. Of the total number of national observers, Promo-LEX Association accredited 1200 (64%) (see Annex 1).

Compared to the Parliamentary election of 24 February 2019, the number of national observers dropped by 45%, and of international observers - by 60% (Chart 1).

Chart 1



In this context, Promo-LEX OM found the lack of the election observation mission from the Parliamentary Assembly of the Council of Europe (PACE) Thus, on 22 October 2020, PACE notified the electoral authority about the annulment of the observation mission due to the travel restrictions enacted by various states regarding travel to the Republic of Moldova<sup>9</sup>.

Note that the annulment or limitation of international missions is current phenomenon determined by the pandemic context and not a separate case for the Republic of Moldova. We recall that as a result of the pandemic provoked by the COVID-19 virus and due to the travel restrictions in OSCE region, OSCE/ODIHR, on 9 October 2020, informed CEC about the modification of the format of the observation activity under the election observation mission into limited election observation mission, namely the lack of short-term observers in order to conduct the direct monitoring on the election day<sup>10</sup>. Besides, the OSCE/ODIHR observation mission were also limited in case of the elections from Georgia<sup>11</sup> and Ukraine<sup>12</sup>.

Note that in order to prevent the infection with COVID-19, CEC developed a series of recommendations for the international observers who will monitor the presidential elections<sup>13</sup>.

### 2.1.3. Circular letters

During the observed period, CEC developed and issued two circular letters for the electoral offices.

*CEC Circular Letter No CEC 8/3089* of 16 October on endowing the polling stations with collar-type self-locking seals and on the need to seal properly the stationary ballot boxes, mobile ballot boxes

<sup>9</sup> [Letter](#) of the Parliamentary Assembly of the Council of Europe regarding the annulment of the election observation mission for the presidential elections of 1 November 2020, of 22 October 2020.

<sup>10</sup> [Election observation mission of OSCE/BIDD](#) informed the Central Electoral Commission about the modification of the format of the observation activity developed in the Republic of Moldova.

OSCE <sup>11</sup>[Limited](#) Election Observation Mission in Georgia.

OSCE <sup>12</sup>[Limited](#) Election Observation Mission in Ukraine.

<sup>13</sup> [Recommendations](#) for international observers in the context of the elections of 1 November 2020.

and on the bags with ballot papers<sup>14</sup>. Note that during the parliamentary elections of 24 February 2019 in at least 77 cases the ballot boxes were not sealed according to the legal procedures<sup>15</sup>.

*CEC Circular Letter No CEC 8/3173* of 27 October that request:

- PEB to disinfect the surfaces and the electoral equipment in the polling station (until the opening of the PS, every three hours, seals with the inscription 'voted' – every 30 minutes, after ending the counting of ballot papers and after drawing up the electoral documentation);
- the electoral officials and operators to wear face shields, protection masks and gloves; the last two shall be changed at least once in three hours, as well as the obligation of the voters to wear masks within the PS;
- to measure the temperature of the electoral officials, operators, persons authorised to participate in the electoral operations and of the voters during the voting process;
- the members of the teams that will carry the mobile ballot box, to strictly use the protection equipment and disinfect the means of transport, the electoral equipment and the protection equipment before the contact with the voter and after that. The steps of the voting process at the place of stay;
- to ensure the voters cast their vote on an ongoing basis<sup>16</sup>.

#### **2.1.4. Notifying CEC about surveys**

According to the information on the CEC website, '*Survey notifications*' section, during the reference period four applications on the initiation of surveys were submitted by the Centre for Sociological Investigations and Marketing 'CBS-Research' SRL on the conduct of a series of surveys and of the Public Opinion Barometer in October 2020, the Centre for Sociological Investigations and Marketing 'FOP-STAR' on the conduct of a series of socio-political surveys during the election campaign, 'Intellect Group' SRL Company on the conduct of certain national and local researches (survey, focus-group, exit-poll) during the election campaign, and by the Institute for Public Policy on the conduct of an opinion poll and of the Public Opinion Barometer.

In accordance with Article 70(10) of Electoral Code, the applications shall contain data about the institutions that will perform the opinion poll, its period, proposed sample and orderer of the poll. Following the analysis of the applications, Promo-LEX OM found the lack of information about the proposed sample to perform the polls (Centre for Sociological Investigations and Marketing 'CBS-Research' SRL and the Institute for Public Policy) and the lack of information about the orderer of the poll ('Intellect Group' SRL Company).

At the same time, note that on 20 October, the Company of Political Consultancy and Research 'Intellect Group' presented the results of the electoral poll conducted between 2 October and 9 October, in collaboration with SPERO CSO, and on 23 October, the Company 'CNS-Research' presented the results of the Public Opinion Barometer, October 2020, election poll conducted between 8 and 20 October.

According to the documents published on CEC's official website, '*Survey notifications*' section, the electoral authority does not received express requests for the conduct of an exit-poll exercise on the election day from any civil society organisation or sociological company.

At the same time, on 28 October 2020, two civil society organisations – Institute for Public Policy and 'WatchDog.MD' as well as the sociological company 'CBS-Research' declared in public their intention to conduct an 'exit-poll by phone' on the election day of 1 November 2020<sup>17</sup>. All three entities mentioned above submitted notifications, in different periods of time, regarding the conduct of opinion polls during the election campaign, without specifying expressly the intention to conduct

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<sup>14</sup> [Circular Letter](#) CEC No 8/3089 of 16 October.

Final<sup>15</sup> [report](#): Observation Mission of the parliamentary elections of 24 February 2019, Annex 15, p. 137.

<sup>16</sup> [Circular Letter](#) CEC No 8/3173 of 27 October.

<sup>17</sup> [Exit-poll](#): Voters will be called and asked about who they voted for.

an opinion poll at the exit of the polling station on the election day with the inclusion of the data about the research methodology (age, sex, geographic distribution).

Through its press release of 28 October, CEC<sup>18</sup> mentioned that it did not authorise the conduct of the exit-poll by phone because the conduct of the opinion polls at the exit of the polling station is approved by CEC, because the exist poll by phone is not characteristic for the classic exist poll, which implies the direct communication with the voter at the exit of the polling station.

According to Promo-LEX, beside the problematic legal aspects concerning the authorisation of the exercise, as well as the methodological aspects concerning the conduct of the exist polls by phone, the collection of data by phone, on the election day, about the option of the voter seems to be a violation of the secret vote. In addition, this action can contain elements influencing the freedom of voters to make an opinion on the election day, given that it is doubtful that the persons called already voted.

## **2.2. Activity of Level-Two Electoral Constituency Councils**

### **2.2.1. Compliance with the work schedule**

According to the information provided by Promo-LEX observers, throughout the 58 visits (95% of the total of 61) made during working hours in the reference period, 36 level-two DEC offices were open. Three of the visited DECs (No 19 Glodeni, No 20 Hancesti, and No 33 Taraclia) were closed during the working hours.

### **2.2.2. Establishing the print run of ballot papers**

According to Item 74 of the schedule of organisation and conduct of the Presidential Election in the Republic of Moldova of 1 November 2020, all 36 level-two DECs adopted, within the set deadlines, decisions on the establishment of the print run of the ballot papers.

The Table 1 reflects the analysis of the data on the number of printed ballot papers reported to the number of voters from SRV according to the data provided by CEC, on 8 October 2020. We remind that the number of printed ballot papers is reported to the number of voters included on the main lists of voters. The Table does not include the number of ballot papers for the polling stations from abroad.

The general conclusion is that the number of the ballot papers was established according to the number of voters from the SRV with domicile/residence. Major differences can be noticed in positions where more people vote on additional lists, such as Chisinau. Also, the number of ballot papers printed for the transnistrian region was twice smaller than the number of registered voters. At the same time, the difference of 500 ballot papers in Taraclia district seems inexplicable.

*Table 1. The degree of consistency of the number of voters from the SRV with the print run of ballot papers*

<b>ATU name</b>	<b>Total number of voters included in SRV, October 2020</b>	<b>Print run of ballot papers established for the presidential elections</b>	<b>Difference</b>
<b>Anenii Noi</b>	68,975	68,975	0
<b>Balti</b>	102,773	102,773	0
<b>Basarabasca</b>	23,979	23,981	+2
<b>Briceni</b>	60,615	60,615	0
<b>Cahul</b>	98,402	98,402	0

<sup>18</sup> [CEC: The questioning of voters](#) at the exit of the polling station (classic exit poll) can not be regarded as equivalent to the exit poll by phone.



<b>Calarasi</b>	60,873	61,022	+149
<b>Cantemir</b>	49,515	49,515	0
<b>Causeni</b>	72,035	72,035	0
<b>Chisinau</b>	638,282	647,084	+8,802
<b>Cimisia</b>	49,512	49,512	0
<b>Criuleni</b>	59,202	59,200	-2
<b>Donduseni</b>	32,544	32,543	-1
<b>Drochia</b>	68,725	68,725	0
<b>Dubasari</b>	28,956	29,956	+1,000
<b>Edinet</b>	63,684	63,684	0
<b>Falesti</b>	70,687	70,687	0
<b>Floresti</b>	70,147	70,147	0
<b>Glodeni</b>	46,573	46,573	0
<b>Hancesti</b>	98,563	98,854	+291
<b>Ialoveni</b>	84,766	84,766	0
<b>Leova</b>	42,555	42,879	+324
<b>Nisporeni</b>	53,275	53,276	+1
<b>Ocnita</b>	40,240	40,240	0
<b>Orhei</b>	99,333	99,527	+194
<b>Rezina</b>	38,091	38,441	+350
<b>Rascani</b>	52,528	52,523	-5
<b>Sangerei</b>	69,995	69,995	0
<b>Straseni</b>	76,374	76,485	+111
<b>Stefan Voda</b>	56,641	56,641	0
<b>Soroca</b>	77,686	77,681	-5
<b>Soldanesti</b>	32,604	32,604	0
<b>Taraclia</b>	34,204	34,704	+500
<b>Telenesti</b>	55,414	55,414	0
<b>Transnistria</b>	256,203	124,000	-132,203
<b>Ungheni</b>	89,667	89,667	0
<b>ATUG</b>	130,891	130,891	0
<b>Without residence/domicile</b>	232,631	-	-
<b>TOTAL</b>	<b>3,287,140</b>	<b>2,934,017</b>	

### 2.2.3. Changes to DEC membership

Promo-LEX OM reports the change of nominal structure of at least seven level-two DECs (No 4 Anenii Noi, No 9 Calarasi, No 17 Falesti, No 28 Singerei, No 29 Soroca, No 30 Straseni, No 37 for settlements on the left bank of Nistru River). The initiatives for the modification were submitted as follows:

Table 2. Changes to DEC membership

<b>Changes to DEC membership</b>			
<b>DEC</b>	<b>No of members</b>	<b>Initiator of the modification</b>	<b>Appointment of the new member</b>
No4 Anenii Noi	5	APL, PPS, PAS, PPPDA, PSRM	REO, PPS, PAS, PPPDA, PSRM
No 9 Calarasi	1	Court	REO
No 17 Falesti	1	PAS	PAS
No 28 Singerei	1	PPPDA	PPPDA

No 29 Soroca	1	Court	Court
No Straseni	1	PPS	PPS
No 37 for the settlements on the left bank of Nistru River	1	Court	Court

At the same time, Promo-LEX OM found the supply of DEC No 2 Balti staffing list with 2 consultants.

#### 2.2.4. Registration of representatives with the right to consultative vote under DEC

According to Promo-LEX observers, level two DEC registered 19 representatives with the right to consultative vote from three contenders:

- Renato Usatii (PN) – 15 (No 2 Balti, No 6 Briceni, No 7 Cahul, No 8 Cantemir, No 10 Causeni, No 13 Donduseni, No 16 Edinet, No 17 Falesti, No 19 Glodeni, No 24 Ocnita, No 25 Orhei, No 26 Rezina, No 27 Rascani, No 28 Sangerei, No 32 Stefan Voda);
- Andrei Năstase (PPPDA) – 2 (No 12 Criuleni, No 37 for the left bank of Nistru River);
- Maia Sandu (PAS) – 2 (No 8 Cantemir, No 17 Falesti).

#### 2.2.5. Accreditation of observers by DEC

According to observers, as of 28 October 2020, DECs accredited 3,043 observers from five candidates (Table 3). Most of them (84%), were accredited by Violeta Ivanov (PPS) – 914 (30%), Igor Dodon (IC) – 831 (27%) and Renato Usatii (PN) – 820 (27%)

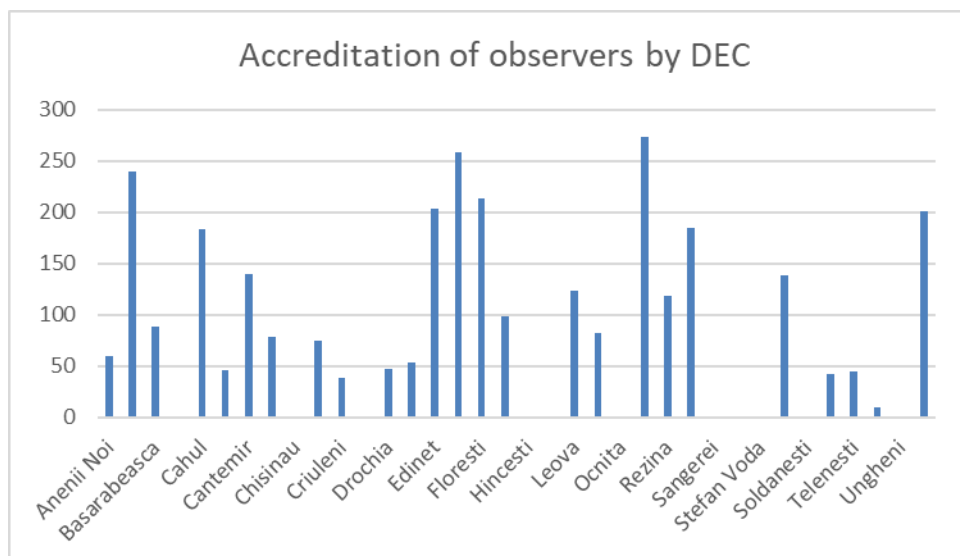
Table 3. Accreditation of observers from the contenders by DEC

Applicant for accreditation	Violeta Ivanov (PPS)	Igor Dodon (IC)	Renato Usatii (PN)	Maia Sandu (PAS)	Andrei Nastase (PPPDA)
No of observers accredited by DEC	914	831	820	475	3

The accreditation of observers in the constituencies is presented in Chart 2.

Geographically, we note that the highest number of observers were accredited in Orhei (273), Falesti (258), Balti (240), Florești (213), Edinet (204), UTAG (201), Rascani (185), Cahul (183).

Chart 2



## 2.2.6. The activity of the level-two DEC II amidst the pandemic

Following the visits made during the period monitored at level two DEC, the Promo-LEX observers reported:

*With regards to the register for monitoring the temperature of electoral officials.* Out of the 36 level-two DECs visited during the observation period, 8 councils<sup>19</sup> (22%) do not have a register for monitoring the temperature of electoral officials.

*With regards to measuring the temperature of DEC visitors.* At least 18 electoral councils <sup>20</sup> (50%) do not measure the temperature of DEC visitors, and in at least 9 electoral councils (25%) the visitors do not use masks/gloves.

*With regards to displaying information about the health protection rules.* There is no information about the health protection rules during pandemic displayed in the offices of at least 5 electoral councils<sup>21</sup> (14%).

*With regards to the confirmation of infection among the electoral officials.* Members of at least 3 level-two DECs were found to be infected with COVID-19 (No 17 Falesti; No 23 Nisporeni; No 29 Soroca). Note that the activity of electoral body was not affected.

We remind that on 8 and 9 October 2020 CEC distributed COVID-19 protection and prevention materials in the electoral councils. In this context, following the analysis of the observers' reports, Promo-LEX OM found that at least in seven cases, after the inventory of COVID-19 protection and prevention materials received, the electoral councils (No 2 Balti, No 10 Causeni, No 17 Falesti, No 28 Sangerei, No 32 Stefan Voda, No 35 Ungheni, No 36 ATUG) found the lack of 140 liters of sanitisers, masks (at least 2,000 pieces), protective costumes (7 pieces).

## 2.3. Activity of electoral offices of polling stations

### 2.3.1. Compliance with the work schedule

As many as 947 PEB were visited during the observation period. Of these, according to Promo-LEX observers, 776 offices (82%) were open during the working hours.

In addition, Promo-LEX OM reported the change to the membership of 180 PEB. Among the causes of the modifications we note: the absence at two consecutive meetings (11 cases); at request (182 cases); refusal to execute the decisions of DEC (two cases); other cases (32 cases). The information about the applicant for modification is included in Table 4.

Table 4. Changes to PEB membership

<i>Changes to PEB membership</i>			
<i>No of excluded members</i>	<i>Initiator of the modification</i>	<i>No of included members</i>	<i>Appointment of the new member</i>
33	CEC REO	35	CEC REO
59	LPA	53	LPA
32	PAS	33	PAS
25	PDM	25	PDM
23	PPPDA	25	PPPDA
35	PPS	33	PPS
20	PSRM	19	PSRM

<sup>19</sup> ECC: Cimislia, Criuleni, Edinet, Floresti, Ialoveni, Hancesti, Rascani, Straseni.

<sup>20</sup> ECC: Anenii Noi, Balti, Basarabasca, Briceni, Cantemir, Chisinau, Criuleni, Drochia, Dubasari, Edinet, Floresti, Ialoveni, Hancesti, Orhei, Straseni, Stefan Voda, Taraclia, ATUG.

<sup>21</sup> ECC: Chisinau, Criuleni, Soroca, Rezina, ATUG.

Promo-LEX OM found that in at least four cases when the membership of PEB was changed, another member was not appointed (No 16/9 (2); 16/25; 16/43 – Edinet).

### 2.3.2. Specificity of the activity in the context of the pandemic

Regarding the PEB activity under pandemic conditions, Promo-LEX observers reported that:

*With regards to the register for monitoring the temperature of electoral officials.* At least 334 electoral offices (35% out of the total of 947 visited electoral offices) have and fill in a register for monitoring the temperature of electoral officials.

*With regards to measuring the temperature of PEB visitors.* Only 230 electoral offices (24%) measure the temperature of PEB visitors, who are wearing masks/gloves.

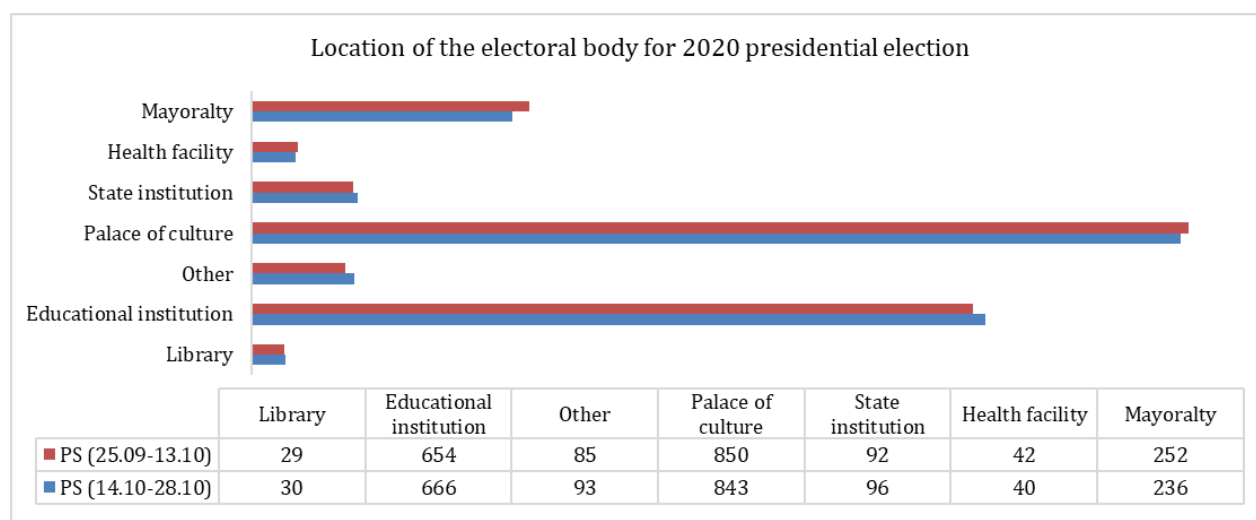
*With regards to displaying information about the health protection rules.* Information about the health protection rules during COVID-19 pandemic is displayed in the offices of at least 216 electoral offices (23%).

*With regards to the confirmation of infection among the electoral officials.* At least 32 PEB members were found to be infected with COVID-19. Note that the activity of electoral body was not affected.

### 2.3.3. Change of Polling Stations

Promo-LEX OM reports that level-two DEC adopted at least 12 decisions on changing the address of 22 PSs cumulatively (DECs No 7 Cahul, No 8 Cantemir; No 11 Cimișlia; No 12 Criuleni; No 15 Dubăsari; No 20 Hâncești; No 21 Ialoveni; No 22 Leova; No 23 Nisporeni; No 26 Rezina; No 31 Șoldănești; No 37 for the communities on the left bank of the Nistru River). Thus, we note the increase of the number of polling stations open in educational institutions, including preschool (12) (see the chart No 3).

Chart No 3



According to Promo-LEX observers, in at last three cases (PS 1/278, v.Bâc, com. Bubuieci, PS 11/9 v. Bogdanovca Nouă, d. Cimișlia and PS 21/12 v. Cigârleni, d. Ialoveni) CEC has been referred by LPA and electoral councils on relocation of polling stations related to the poor condition of the buildings that do not fulfil conditions of the organisation and conduct of the presidential election and could put at risk public life an health. Therefore, in order to organize and conduct presidential election, CEC decided to install in every settlement a mobile tent endowed according to the requirements, following the rules of preventing and combating COVID-19 infection.

### ***2.3.4. Participation of PEB members in electioneering***

Promo-LEX observers reported that on 16 October 2020, in Baurci-Moldoveni, Cahul district, an PEB member nominated by PPS was distributing electoral materials of the candidate Violeta Ivanov (PPS) alongside with invitations to voting.

### ***2.3.5. Issues with setting up polling stations for transnistrian region***

Promo-LEX OM found that, during the monitoring period, at least four LPAs repeatedly refused to open polling stations for voters on the left bank of the Nistru River for the election of 1 November 2020: villages Hârbovăţ, Gura Bâcului and Varniţa (Anenii Noi District) and Hagimus village Causeni district). Thus, on 13 October 2020, locals of the village Hârbovăţ submitted to CEC and to Government of the Republic of Moldova a collective request to annul the CEC Decision No 4301 of 26 September 2020 on the organisation of polling stations for voters from the left bank of Nistru River (Transnistria), Bender Municipality and some settlements of Causeni District in the context of Elections for the President of the Republic of Moldova of 1 November 2020, on the grounds that it was established the maximum epidemiological alert in public health, there was an increased risk of spreading COVID-19 virus and the risk of conflicts between the population of the Hârbovăţ village and citizens of the transnistrian region.

In its response CEC-8/3073 of 15 October 2020, the electoral authority highlighted that, irrespective of their residence, all citizens of the Republic of Moldova have equal rights and that the Decision No 4301 of 26 September 2020 is an administrative document adopted within the limits of the powers of CEC, is enforceable for the lower-level electoral bodies, for the public authorities, enterprises, institutions and organisations, for people in positions of accountability, parties, other social and political organisations and their bodies, as well as for all citizens. Moreover, CEC noticed that PSs were established in the proximity of the border crossing points, that the security of the public health will be ensured by following the provisions of the 'Instruction on Organisation and Conduct of Elections by CEC Amidst the COVID-19 Pandemic' approved by NEPHC Decision No 24 of 12 August 2020.<sup>22</sup>

On 20 October, CEC received the collective request of the war veterans and inhabitants of the village Varniţa, through which they expressed their disagreement towards the organisation of 12 polling stations by CEC (Varniţa – 4; Sănătăuca – 4; Rezina – 4) for the voters of the left bank of the Dniester River (Transnistria). According to Promo-LEX observers, the war veterans submitted a similar request to the local council and the Mayor of the village Varniţa, through which they asked them to refuse the opening of those 4 PSs for the voters of the left bank of the Dniester River (Transnistria)<sup>23</sup>.

According to the observers' reports, in Hagimus village, Causeni district, the local authority and the inhabitants organised protests by which they repeatedly expressed their disagreement towards the opening of two polling stations for the voters of the left bank of the Nistru River. We note that the Causeni Court cancelled the decision of the Hagimus Villagers Council by which local authorities had forbidden the opening of two polling stations for voters of the left bank of the Nistru River.

With reference to the writ of summons submitted by the Causeni Territorial Office of the State Chancellery to the Local council of Gura Bacului village, Anenii Noi district, regarding the cancellation of the Decision No 7/2/1 of 28 September 2020, on setting up polling stations and appointing candidates for members of electoral offices of polling stations for voters living in settlements on the left bank of the Nistru river, the Local council of Gura Bacului requested the Causeni TO of the State Chancellery to reject the writ of summons on the grounds that: PSs are established by DEC based on the Mayors' proposals; according to Article 30(10), Local councils only nominate 3 members of the PEB, and do not form the PS; the establishment the state of emergency in public health in the administrative-territorial units having 'Red Code' alert level.<sup>24</sup>

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<sup>22</sup> [CEC Letter](#) No 8/3073 of 15 October 2020.

<sup>23</sup> [Collective Request](#) of the war veterans and inhabitants of the village Varniţa of 20 October 2020.

<sup>24</sup> Reference No CEC-7/10146 of the Gura Bacului Local council of 15 October 2020.

In this context, we mention the 'call to mobilization' of the candidate Andrei Nastase (PPPDA), posted on his Facebook page on 28 October 2020<sup>25</sup>. In his message, the candidate encourages 'strong men who can and are ready to go in the 42 polling stations area' to register in the lists. The purpose is not to allow, according to the electoral regulatory framework, organised transportation, with buses, of people of the left bank of the Nistru river.

Andrei Nastase says that the reason for this action is the potential preparation of a fraud in the voting process at the national level, and especially in the 42 polling stations of the Security Zone. He says there is a risk that MIA forces deployed in the territory on the election day will be ordered to tolerate the prepared fraud. He also expresses a pretended mistrust of the Head of PI, recently seconded from the State Protection and Guard Service.

Promo-LEX OM recognizes the right to free exercise of voting of all the citizens of the Republic of Moldova, and its impeding can be subject to administrative liability, according to Article 47 of the Contravention Code<sup>26</sup> or to criminal liability pursuant to article 181 of the Criminal Code<sup>27</sup> (by blocking the access or attacking polling station premises by stealing ballot boxes or electoral documents, involving severe bodily injury or damage to health, or causing other severe consequences).

However, organised voter transportation is a form of corruption of voters according to Article 181<sup>1</sup> of the Criminal Code and of influencing election results. In this case, we consider that the actions taken by people in order to prevent the falsification of the voting results, by apprehending the person who committed a crime and handing him over to the law enforcement agencies, would not constitute an offence. Note that, according to Article 37 of the Criminal Code, a deed done for the purpose of apprehending a person who committed a crime and handing him over to the law enforcement agencies does not constitute an offence.

At the same time, we urge all citizens of the Republic of Moldova to refrain from obstructing the activities of electoral bodies and law enforcement agencies and to act within the limits provided by the legal framework in force.

According to the position of the secessionist authorities of the transnistrian region<sup>28</sup>, made public on 29 October 2020<sup>29</sup>, the citizens of the Republic of Moldova in the region will have the opportunity of going to the polling stations without impediments. According to the secessionist authorities, 'considering that the polling stations will operate between 8:00 a.m. and 9:00 p.m., the passage to the polling stations will be ensured between 7:00 a.m. and 8:00 p.m. For those returning – up to 10:00 p.m. Those who do not comply with the specified time frame will have to fill out an epidemiological card and spend two weeks in controlled self-isolation at home. Similar measures will be taken in connection with those citizens who, on their return, will not provide documentary evidence of participation in the vote, for instance, an appropriate stamp on the loose leaf of the identity card.

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<sup>25</sup> [Call](#) to mobilisation of Andrei Nastase of 28 October 2020.

<sup>26</sup> Article 47. Hindering the exercise of the electoral right

Denying access into the polling station shall be sanctioned with a fine of 12 to 18 conventional units applied to the individual, with a fine of 18 to 30 conventional units applied to the person in position of accountability, with deprivation, in both cases, of the right to carry out certain activities for a period of 3 months to one year.

<sup>27</sup> Article 181. Hindering the free exercise of the electoral right or of the activities of electoral bodies

Hindering by any means the free exercise of the electoral right or hindering the activities of electoral bodies: a) committed by blocking or attacking the polling station premises by any means and in any form; b) committed by stealing ballot boxes or electoral documents; c) committed by means endangering the person's life; d) involving severe bodily injury or damage to health; e) causing other severe consequences, shall be punished with a fine in the amount of 550 to 750 conventional units or by unpaid community service from 180 to 240 hours, or by imprisonment for up to 3 years.

<sup>28</sup> [At the meeting](#) of the Operational Headquarters under the President there were discussed the preparations for an epidemiologically safe election.

<sup>29</sup> The day of 29 October 2020 is outside the observation period, but falls within the time frame of Report preparation.

### 2.3.6. Aspects regarding the organisation of elections for voters who live abroad

During the monitoring period, MFAEI submitted three notifications to CEC. Through them, the electoral authority was informed about the new circumstances with electoral impact in three states where polling stations were established, as follows;

- Germany:<sup>30</sup> the organisation of elections was allowed provided that the pandemic rules are observed. Thus, the diplomatic mission/consular offices will follow attentively the orders adopted by local authorities and will keep the social distance (1.5 metres), wear masks, use sanitizers, ventilate the rooms, place the announcements and inform the voters;
- France:<sup>31</sup> establishment of state of emergency, which implies the restriction and sanctioning of visits between 9:00 p.m.-6:00 a.m. In this situation, the PEB members, in order to be able to go out between the mentioned hours, will need authorisations to go out during the night, and local authorities will be informed about the reason of voters to go out during the restricted period. Further, on 28 October, MFAEI announced that in the context of the circulation restrictions announced by the French Government, in order to be able to go to the polling stations that are open on the territory of France, the citizens of the Republic of Moldova should have two documents (it is compulsory to have both forms): justification to travel (French version), filled in and signed and, respectively, the confirmation letter from the Embassy of the Republic of Moldova in France, filled in with the data of each voter<sup>32</sup>;
- Azerbaijan:<sup>33</sup> establishment of the Martial Law due to the Azerbaijani-Armenian military conflict. As a result, the movement of people and the presence in public spaces between 9:00 p.m. and 6:00 a.m. (except for those who have special permits). Thus, according to the notification of MFAEI, the PS from Baku will close at 6:00 p.m. in violation of Article 55 of the Electoral Code<sup>34</sup>. In addition, according to the Embassy of the Republic of Moldova in Baku, in case of citizen who will travel from other regions of Azerbaijan to the capital Baku, they will have to present to the police office, an identification document issued by the authorities of the Republic of Moldova: passport (preferably) of an ID card<sup>35</sup>;
- Ireland:<sup>36</sup> establishment of certain tough and complex restrictions as regards the movement within the area of 5 km from the residence/domicile of the individual, which would limit the possibility to travel to the PSs established in this country. MFAEI is waiting for the answer of the Irish authorities about the solutions for the voters from the Republic of Moldova. Moldovan voters are being urged to follow the news on the website of the Embassy<sup>37</sup>;
- Spain: following the establishment of the state of alarm, it imposed restrictions concerning the movement between regions, with the possibility to travel only for supported needs: for work, at the doctor, etc. After the negotiations between the Moldovan and Spanish authorities, an agreement concerning the movement was closed for the citizens of the Republic of Moldova and MFAEI prepared confirmation letters that were published on the official websites, which eventually will be used by our nationals to prove their intention to travel between regions, to the locations of PSs<sup>38</sup>;

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<sup>30</sup> [Notification](#) of MFAEI No DC/2/402/9263 of 13.10.2020.

<sup>31</sup> [Notification](#) of MFAEI No DC/2/402/9345 of 15.10.2020.

<sup>32</sup> [Press release](#) of the Embassy of the Republic of Moldova in France.

<sup>33</sup> [Notification](#) of MFAEI No DC/2/402/9283 of 13.10.2020.

<sup>34</sup> Article 55 of [Electoral Code](#): Voting is carried out on election day between (7:00 and 21:00). The precinct electoral bureau shall publicly announce the time and place of voting no later than 10 days before election day.

<sup>35</sup> [Press release](#) of the Embassy of the Republic of Moldova in Azerbaijan.

<sup>36</sup> [MFAEI](#): Press clarifications referring to the polling stations set up abroad, in the context of the latest measures taken in France, Spain, Ireland and Israel.

<sup>37</sup> [Press releases](#) of the Embassy of the Republic of Moldova in Ireland.

<sup>38</sup> [Press release](#) of the Embassy of the Republic of Moldova in Spain.

- Israel: in the context of the pandemic, the Embassy of the Republic of Moldova in Israel published a confirmation letter for Israeli authorities and other institutions or stakeholders that confirms that the presidential elections will take place on 1 November 2020. The citizens of the Republic of Moldova from this country are requested to print or to download this document in electronic format on the mobile phone and to present it at request<sup>39</sup>.

To clarify the aspects mentioned as regards France and Azerbaijan, on 21 October 2020 (6 days after receiving the information concerning Azerbaijan and respectively, 5 days – France), CEC requested the Legal Committee for Appointments and Immunities<sup>40</sup> to clarify upon how the provisions of the Article 55 of the Electoral Code will be applied given the conditions created in France and in Azerbaijan.

Note that the last meeting of the Committee took place on 15 October 2020 and until the report was presented, no records concerning the date of the next meeting were identified on the Parliament's website. As a result, two days before the elections we found that CEC cannot ensure the information of voters from France and Azerbaijan within the legal terms about the voting period on the election day.

Based on the above mentioned, we recommend the electoral authorities that as soon as the aspects on the time frame when the voters will have the possibility to vote in France and in Azerbaijan, to make public these data through all the possible communication means (including on social media networks of the groups of citizens of the Republic of Moldova who live in these countries).

### ***2.3.7. Uncertainties concerning the use of REO for adding the PEB members abroad***

According to Article 31(5) of the Electoral Code, PEB from abroad has a chairperson, appointed by the head of the diplomatic mission or of the consular office within them, or, at CEC proposal, from REO, with the approval of MFAEI, 6-10 representatives of the parties represented in the Parliament. If the number of people proposed is insufficient to form an PEB from abroad, CEC completes it from REO.

In the REPORT No 4, Promo-LEX OM emphasised the lack of transparency during the management of REO by CEC. The situation concerned adding members from REO in PEB from Chisinau according to DEC Decision No 1. The same problem was found in case of adding members to the PEB from abroad. Thus, even if the Electoral Code provides that the PEB Chairperson can be appointed by the head of the diplomatic mission or of the consular mission under it, we found that according to the decision for the establishment of PEB<sup>41</sup>, the offices from abroad were added with members only from REO and according to the proposals of parliamentary parties (PAS, PPPDA, PSRM) Representatives of diplomatic missions and consular offices are also included as members from REO. In total, about 1,128 (80%) of members of PEB from abroad, according to the Decision of DEC No 1 Chisinau, are appointed on the basis of REO.

Promo-LEX OM reiterates the suspicion that whether those persons were really in the REO, or whether the procedure for appointing on the basis of this register is a formality only perpetuated by CEC during all elections.

According to Item 10 of CEC Regulation on Register of electoral officials, the keeping and management of the Register is done under the Central Electoral Commission by the Center for Continuous Electoral Training (CICDE)<sup>42</sup>. In this regard, on 19 October 2020, the Promo-LEX observers addressed CICDE to get information about how REO was managed. However, according to CICDE officials, they do not have access to REO, which is being managed directly by CEC.

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<sup>39</sup> [Press release](#) of the Embassy of the Republic of Moldova in Israel.

<sup>40</sup> [Notification](#) of CEC No CEC/3110 of 21.10.2020.

<sup>41</sup> [Decision No 11](#) of ECC Chisinau municipality No 1 of 6 October 2020 on the establishment of electoral offices of polling stations in the constituency of Chisinau municipality No 1.

<sup>42</sup> [CEC decision No 22](#) of 5 April 2011 approving the Regulation on Register of electoral officials.



### III. ELECTORAL LITIGATIONS

According to Promo-LEX observers, at least four complaints were submitted to DEC during the reference period, three of which — against the actions/lack of action by electoral body's members, and one — against LPA's actions. During the same timeframe, one single complaint was submitted to CEC, which was settled by the deadline stated in the law. In addition, other six notifications were submitted to CEC during the reference period, but CEC has neither settled them, nor published any response.

In the context of settling electoral litigations in courts, Promo-LEX OM finds that due to the failure to adjust the provisions of the Electoral Code on filing, reviewing and settling the electoral complaints to the provisions of the Administrative Code, the election contenders were literally deprived of the right to challenge the actions of their competitors and, hence, the right to effective remedy is violated.

#### 3.1. Complaints Filed with DEC

According to Promo-LEX observers, at least four complaints were submitted to the constituency councils during the reference period (2 – DEC No 18 Floresti, 1 – DEC No 17 Falesti, 1 – DEC Telenesti), three of which — against the actions/lack of action by electoral body's members, and one — against LPA's actions.

- In the case of one complaint, the president of **DEC No 34 Telenesti** was notified about the Telenesti mayor's attempts of hindering the supporters of the candidate A. Nastase to carry out the electoral campaign. The appellant invoked alleged actions of destroying electoral posters, which were repeatedly placed on the information board of Telenesti mayoralty. The complaint was submitted by the president of the PPPDA TB. One day after the submission, DEC No 34 Telenesti issued a decision, referring the complaint to Telenesti Police Inspectorate for investigation according to the competence.
- In the case of a complaint to **DEC No 17 Falesti**, on 18 October, a voter submitted a complaint against alleged electioneering on the part of a member of DEC No 17 in favour of the candidate Maia Sandu. On 19 October, DEC No 17 decided to refer the complaint to CEC to be reviewed and settled. However, on 22 October the complaint and the submitted materials were returned to DEC No 17 without being reviewed. The Commission stated that it settles complaints regarding the actions/inactions or decisions of the lower level electoral body as a collegial body and not the actions of an DEC member. Likewise, reference was made to the provisions of Article 36(2) of the Electoral code regarding the revocation of the appointment of an PEB member by the body (authority) or the election contender for the violation of the interdictions established by Article 35(7) of the Electoral Code. On 23 October DEC No 17 Falesti addressed a new letter to the Central Electoral Commission, reaffirming its lack of legal competence to review complaints regarding alleged illegal actions of an DEC member. The situation was resolved on 23 October by the election contender, who requested the dismissal of the person whose actions were challenged and his replacement with another person.

*Promo-LEX OM points out that the existence of negative conflicts of competence at the level of electoral bodies determines the delay of the settlement of electoral disputes and can lead to the violation of the right to an effective remedy. In this sense, we recommend to the electoral authorities to avoid declining competence: so, a rule should be interpreted in a way that will allow its application and not its exclusion.*

- On 24 October 2020, to the **DEC No 18 Floresti** was submitted a complaint against the Decision No 4/2 issued by PEB No 18/037 on 23 October 2020 of dismissing an PEB member from the office. The reason for dismissing the office member was failing to disseminate invitations to elections, an obligation established by an PEB decision. By Decision No 92 of 26 October 2020 the DEC No 18 Floresti rejected the complaint as unfounded.
- On 24 October 2020 a voter submitted to the **DEC No 18 Floresti** a complaint against the actions of the president of PEB No 18/29. The appellant invoked the PEB president's refusal to issue a voting right certificate in violation of his voting rights. On 26 October 2020, DEC No 18 Floresti decided on the partial consideration of the complaint and to warn the PEB president about violating the electoral legislation.

### 3.2. *Complaints filed with CEC*

During the reference period, only one complaint was filed with CEC, namely: on 21 October, the candidate Octavian Ticu (PUN) requested the issuance of a decision on sanctioning the election contender Igor Dodon for using administrative resources in the election campaign. The appellant also claimed that Igor Dodon used the image of the General Mayor of Chisinau Municipality. The alleged use of administrative resources and of the image of Mayor General of Chisinau consisted in participating in the national campaign 'By planting forests we save Moldova', launched in Chisinau by the Agency 'Moldsilva', and in the media coverage of this fact on Igor Dodon's Facebook account.

As a result, CEC rejected the complaint as unfounded, as the appellant did not present any plausible evidence or arguments to show that Igor Dodon obtained political favours or other administrative advantages by participating in the event.

*The decision on the complaint was reached in four days, the legal term provided by the Electoral Code being respected.*

Besides this filed complaint, during the reference period were submitted **other notifications/requests** that could be registered, reviewed and settled as complaints. The claims made in these notifications and requests against the election contender Igor Dodon include *using administrative resources, making undeclared expenses, financing or support for the electoral campaign from abroad, involvement of religious cults in the electoral campaign, using PSRM material means, high treason, disclosure of a state secret, etc.*

- On 14 October 2020, Maia Sandu's representative with the right to consultative vote in CEC submitted a notification regarding alleged public questionnaires by phone. In the questionnaire, the citizens of the Republic of Moldova would be asked if they know that Igor Dodon is the best ranked among the candidates registered in the electoral race. The representative with the right to consultative vote notes that the contested actions represent a camouflaged form of electioneering in support of the contender Igor Dodon, being invoked violations of using administrative resources (using the database of the landline telephony operator Moldtelecom), as well as undeclared expenses. In this notification it is requested, inter alia, that the guilty persons are held liable.
- On 15 October 2020, a voter filed a notification with the CEC regarding the involvement of religious denominations in I. Dodon's election campaign. The notification alleges that on 14 October, after the end of the divine service, Metropolitan Vladimir, accompanied by the candidate I. Dodon and the mayor of Chisinau, Ion Ceban, gave a speech in front of the Metropolitan Cathedral in which he thanked the 'leadership of the country' and of the municipality for improvements to the city. The candidate I. Dodon gave a speech too, in which he praised the Orthodox Church and congratulated the people from the capital. Thus, the voter requests sanctioning and putting an end to electioneering with the involvement of religious cults in the electoral campaign.
- On 18 October 2020, the candidate Dorin Chirtoaca submitted a request, asking the sanctioning of Igor Dodon and the PSRM. The request is based on the alleged use of the PSRM headquarters in the election campaign of I. Dodon, registered as an independent candidate. According to the applicant, these actions are a violation of the Electoral Code and the principle of equal opportunities for election contenders.
- On 21 October, the candidate Dorin Chirtoaca submitted a request, repeatedly asking the Central Electoral Commission to annul the registration of I. Dodon and to exclude him from the electoral race. The request was submitted because of the information presented in the investigation carried out by the 'Dossier' Centre and RISE Moldova on 19 October, which would show that Igor Dodon has been collaborating with the Russian services since he was PCRM member, and is currently coordinating with the FSB the speeches he is to give, at international tribunes inclusively, on behalf of the Republic of Moldova. According to the applicant, Igor Dodon violated the Constitution and is guilty of both high treason and

disclosure of state secrets, his actions being incompatible with any public position or one of public dignity.

- On 23 October, the candidate Dorin Chirtoaca submitted a notification, repeatedly asking the annulment of the registration of I. Dodon and him being excluded from the electoral race. The request is based on alleged electioneering on the part of some foreign citizens (Vladimir Putin, Sergei Naryshkin, Sergei Lavrov) and financing or support from abroad of I. Dodon.
- On 23 October 2020, the candidate Dorin Chirtoaca submitted a request, repeatedly asking the Commission to exclude I. Dodon from the electoral race. The request is also based on the investigation conducted by the 'Dossier' Centre and RISE Moldova on 19 October and alleges handing over confidential materials to the Russian Foreign Intelligence Service, the involvement of foreign political consultants in Igor Dodon's election campaign. According to the applicant, Igor Dodon is guilty of high treason and the disclosure of a state secret.

*It is worrisome that by 28 October 2020, the CEC appears not to have solved and published a response to the notifications/requests submitted. It should be mentioned that the acceptance of such notifications or requests could determine the annulment of the election contender's registration. Thus, they must be solved before the election day.*

### **3.3. Appeals filed to court**

During the reference period, a single electoral litigation was filed and settled in the courts, which went through all the judicial stages.

Thus, on 20 October 2020, the candidate Octavian Ticu filed an action in the administrative court against Igor Dodon regarding the finding of violation of the electoral legislation, alleging that he used administrative resources in the election campaign on 18 October 2020. The action filed in court is similar to the action filed with the Central Electoral Commission.

By the resolution of 21 October issued by the Chisinau Court, Rascani office, the action was moved to the Chisinau Court of Appeal for review, according to competence.

Subsequently, on 22 October, the Civil and Administrative Litigation College also declared the presence of a negative conflict of competence, the case being referred to the Supreme Court of Justice for the settlement of the conflict of competence. On 23 October, the SCJ remedied the negative conflict of competence and found competent the Chisinau Court, Rascani office, and the Chisinau Court of Appeal.

By the resolution of the Chisinau Court (Rascani office) of 23 October 2020, the administrative proceeding action filed due to non-compliance with the preliminary procedure was declared inadmissible, noting that **before filing the appeal in court, the election contender had to take Igor Dodon's actions with the CEC first**. And only if he did not agree with the decision of the electoral body, could he challenge its decision directly in the administrative court, initiating an appeal against the public authority's decision.

After having challenged the resolution issued by the Chisinau Court (Rascani office) second time, the appellant noted that proceeding from the provisions of Articles 19, 163 of the Administrative Code and of the item 4 of the CEC Regulation on the procedure for reviewing and settling complaints by electoral bodies during the electoral period, **it is absolutely unclear which authority is entitled to review a complaint concerning the actions/inactions of an election contender**.

The Chisinau Court of Appeal considered that the decision of the court of first instance was legal and grounded and decided to reject the appeal as unfounded, fully supported the resolution of the Chisinau Court (Rascani office). In the issued decision, the Chisinau Court of Appeal noted that **defendant in an administrative proceeding action can be only a public authority**, except for the claim of the rights arising from an administrative contract according to Article 189(3) of the Administrative Code, when an administrative proceeding action can also be filed by a public authority. In this context, the appeal court stated that **the administrative proceeding action filed by Octavian Ticu, candidate for President of the Republic of Moldova, against the defendant Igor**

Dodon, independent candidate for President of the Republic of Moldova, **contravenes the principles of the Administrative Code**. Also, the Chisinau Court of Appeal pointed out that in exercising judicial control only a public authority that carries out administrative activity can be a defendant, but in no case an election contender, especially an individual.

According to the Chisinau Court of Appeal, the Electoral Code norms (Article 75(2), 71(1), (3) make it clear that **an appeal regarding the actions/inactions of election contenders can be initiated only if its examination does not fall directly within the competence of the competent electoral body**.

*Promo-LEX OM finds that due to the failure to adjust the provisions of the Electoral Code on filing, reviewing and settling the electoral complaints to the provisions of the Administrative Code, the election contenders were literally deprived of the right to challenge the actions of their competitors and, hence, the right to effective remedy is not ensured.*

*While the Electoral Code stipulates that the contestation of election contenders' actions takes place directly in court, without observing the preliminary procedure. In its turn the contentious-administrative court declare inadmissible the action filed, based on the provisions of the Administrative Code, due to non-compliance with the preliminary procedure.*

*We draw the attention of the electoral bodies, the courts and the Parliament to the confusions created in the Electoral Code and the Administrative Code. Thus, in order to ensure the right to an effective remedy, especially on the election day and after the election day, we recommend that the Supreme Court of Justice, as a matter of urgency, issue an advisory opinion on how to appeal, review and settle electoral disputes based on the Electoral Code and Administrative Code.*

*We also recommend to the Parliament to amend and adjust the provisions on electoral complaints from the Electoral Code in order to address any conflict of rules and to ensure the exact regulation of the appeal procedures for each type of elections.*

#### **IV. LISTS OF VOTERS**

*At least 406 PEB (42%) of the 947 visited during the reference period received the lists with a delay. In addition, about 20% of the polling stations visited by observers had a limited access to lists with full data on voters.*

*The most frequent errors found in lists are the following: presence of deceased persons (145 cases) and wrongful assignment of voters to another PS from the same or even from a different settlement (45 cases).*

##### **4.1. Limiting the observers' access to lists of voters**

Out of the total of 947 PSs visited during the reference period, 856 at the time of the visit had received the lists of voters. Of these, only in 672 (79%) of them the observers had access to the lists of voters (see Annex 2). We will recall that according to Article 68(5) of the Electoral Code, observers have access to all information of an electoral nature, to the electoral lists, to the minutes drawn up by the electoral bodies, etc.

Article 45 of the Electoral Code stipulates that the lists of voters shall be made available at the PS premises 20 days before the election day. According to observers, in at least 406 PSs the lists of voters arrived with a delay.

##### **4.2. Identified errors**

The data provided by the Promo-LEX OM observers and the discussions with the members of the PEB revealed a number of issues with the quality and content of the voter lists, as follows:

- deceased persons on voter lists (145 cases);
- inaccurate addresses (31 cases);
- wrongful assignment of voters to another PS from the same or even from a different settlement (28 cases);
- wrongful assignment of a voter to a PS from a different locality (17 cases);
- voters missing from the main lists of voters (15 cases).

Promo-LEX OM draws attention to the fact that many issues with the lists of voters are perpetuated from one election to another, thus pointing to systemic problems in ensuring the accuracy and correctness of the SRV content. For example, in the presidential elections of 2020, at least 290 voters from Rosieticii Vechi are included in the lists of voters of the commune of Rosietici, to which the former belongs administratively (Floresti district). Similarly, in the general local elections of October 2019, about 230 voters from the village of Rosieticii Vechi were included in the lists of voters of the PS in Rosietici<sup>43</sup>.

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<sup>43</sup> [Report No 4](#). Observation Mission for the General Local Elections of 20 October 2020, p. 42.

## V. PUBLIC ADMINISTRATION

Promo-LEX OM still finds gaps in the performance of LPAs' tasks of ensuring a transparent and correct electoral process. Following 1011 visits to 454 level-one ATUs focused on LPA activities in the context of the presidential election, the observers reported:

*With regard to the decision on places for electoral posters.* A number of 30 mayoralties (7%) did not adopt a decision on places for electoral posters. Other 249 mayoralties (55%) did not make available yet at the premises of the LPA the decisions made with regards to places for electoral posters. No places for electoral posters were prepared in 55 ATUs (12%). There is still not enough space for electoral advertising (a minimum of 1 sq.m. per election contender) in 210 ATUs (46%).

*With regard to the decision on venues for meetings with voters.* At least 39 mayoralties (9%) did not approve yet decisions on venues for meeting with voters. Other 234 mayoralties (52%) did not make available yet such decisions at the premises of the LPA.

*With regard to the use of the venues for meetings.* In 48 settlements the venues were already used for meeting with voters. They were used by PSRM (34 – for free), PAS (30 – for free), PPPDA (28 – for free), PPS (12 – for free), PN (8 – for free), PLDM (6 – for free), PUN (4 – for free), IC Igor Dodon (2 – for free).

*With regard to the receipt of the main lists of voters.* At least 107 mayoralties (24% of the total of 454) received the main lists of voters with a delay beyond the legal time limit. Note that according to item 60 of the Schedule, the main lists of voters in 3 copies were to be sent to the LPAs by 10 October inclusively.

## VI. ELECTION CONTENDERS

During the reference period, Promo-LEX observers reported at least 992 electoral activities, almost a two-fold increase as compared to the first two weeks of the campaign. Most activities (82%) were carried out by four candidates: Igor Dodon (IC) – 271 (27%), Maia Sandu (PAS) – 199 (20%), Andrei Nastase (PPPDA) – 174 (19%) and Renato Usatii (PN) – 156 (16%). Promo-LEX OM reported repeatedly the involvement of PSRM – a party that did not nominate any candidates, in the election campaign of Igor Dodon (IC 52% of the candidate's activities).

Besides, at least 2,138 cases of using advertising materials were reported. Printed materials (newspapers, booklets, leaflets, posters, calendars etc.) were used most frequently - 713 cases (33%). According to observers, the most active (88%) were the same four candidates: Igor Dodon (IC) – 568 (27%), Maia Sandu (PAS) – 526 (25%), Andrei Nastase (PPPDA) – 391 (18%) and Renato Usatii (PN) – 378 (18%).

The observers identified at least 24 cases regarded as use of administrative resources, of which: 21 – Igor Dodon (IC) și 3 – Tudor Deliu (PLDM). It is about the involvement of the public sector employees in election campaign activities during the working hours (17 cases), taking credits for works/services provided from public money (4 cases), and use of public events, organised by LPAs, for purposes of electoral promotion (3 cases). In this context, Promo-LEX observers reported at least 52 cases where candidates were promoted by local elected officials (district presidents/deputy presidents or mayors/deputy mayors) while on leave, which they took namely during the election campaign.

At least two cases that can be qualified as voter corruption were reported and both of them involved candidate Igor Dodon (IC): promises to co-fund the repair of the kindergarten immediately after the end of the electoral meeting and dissemination of advertising materials together with humanitarian aid.

Observers reported at least 6 cases when election candidates involved religious cults in their election campaign. All cases featured Igor Dodon (IC).

In addition, according to observers' reports, at least nine cases of candidate intimidation or vandalizing their advertising materials were registered, 2 cases involving - Igor Dodon (IC), 2 cases – Maia Sandu (PAS), 2 cases – Renato Usatii (PN), and one case – Violeta Ivanov (PPS), Octavian Ticu (PUN) and Andrei Nastase (PPPDA) each.

### 6.1. Electoral activities conducted

During the reference period that spanned between 14 and 28 October 2020, Promo-LEX observers reported at least 992 electoral activities promoting candidates (see Table 5).

Table 5. Conducted electoral activities

No	Activities	Igor Dodon (IC)	Maia Sandu (PAS)	Andrei Nastase (PPPDA)	Renato Usatii (PN)	Violeta Ivanov (PPS)	Octavian Ticu (PUN)	Tudor Deliu (PLDM)	Dorin Chirtoaca (BE UNIREA)	Total
1	Dissemination of electoral materials	143	74	71	80	7	11	3		389
2	Meetings with voters	94	24	39	26	24	8	19	1	235
3	Posting of electoral posters	1	60	48	36	63	13	9	2	232
4	Door-to-door activities	28	27	5	8	1				69
5	Electoral debates		6	7	5	1	7	7	8	41

6	Press conferences		6	3	1	3			3	16
7	Cleaning activities	3								3
8	Social stores					2				2
9	motorized marches/flashmobs		2	1						3
10	Surveys	2								2
<b>Total</b>		<b>271</b>	<b>199</b>	<b>174</b>	<b>156</b>	<b>101</b>	<b>39</b>	<b>38</b>	<b>14</b>	<b>992</b>

According to observers, most activities were carried out by Igor Dodon (IC) – 271 (27%), Maia Sandu (PAS) – 199 (20%), Andrei Nastase (PPPDA) – 174 (19%) and Renato Usatii (PN) – 156 (16%). Distributed by regions, 19% of activities were reported in Chisinau, 6% – in Anenii Noi and 5% – in Edinet.

The most common campaign related activities were the dissemination of candidates-related electoral materials (newspapers, leaflets, posters, etc.), which accounted for 39% (389) of all activities, meetings with voters – 24% (235) and placing electoral poster (posters/leaflets on billboards, banners) – 23% (232).

**PSRM promoting Igor Dodon’s (IC).** Promo-LEX observers reported at least 140 activities (52% of the total activities carried out by this candidate) of PSRM promoting the candidate Igor Dodon, who was nominated as an independent candidate. Of these, 41% (58) were electoral assemblies carried out by PSRM representatives (MPs, municipal councilors, etc.), and 58% (81) – disseminating electoral materials (including door-to-door).

We reiterate that PSRM did not nominate a candidate for the presidential election of 1 November 2020.

**Information of the diaspora voters** In order to inform the voters of the Republic of Moldova abroad about the electoral platforms of the election contenders, social networks were mostly used. Thus, during the monitored period, at least 6 video conferences were held with the voters in the diaspora, where they had the opportunity to ask questions and the candidates to answer them. Of these, three were held by Maia Sandu (PAS) and one each by Dorin Chirtoaca (BE Unirea), Octavian Ticu (PUN) and Renato Usatii (PN). Previously, on 11 and 13 October 2020, such live transmissions were organised by Tudor Deliu (PLDM) and Andrei Nastase (PPPDA), respectively.

**Informing the voters in the transnistrian region** Unlike voters in the diaspora, there was a lack of information activities for voters of the Republic of Moldova from the transnistrian region. We reiterate that, according to the SRV, 256,203 citizens with the right to vote reside in the transnistrian region<sup>44</sup>.

On 22 October 2020, during the public debates on ‘Voter participation in the transnistrian region in the presidential elections: challenges and solutions’<sup>45</sup>, the Deputy Prime Minister for Reintegration, Cristina Lesnic, stressed the need to increase the proportion of electoral education campaigns for voters in the transnistrian region. At the same time, the Deputy Prime Minister emphasized that the authorities she represents did not receive any notifications regarding the impossibility of conducting the election campaign in the transnistrian region. Mrs. Lesnic also stated that no requests were received from election contenders regarding the intention of going to the region in order to submit the needed requests to be granted access. In this regard, Promo-LEX notes the lack of regulations on the obligation of election contenders to seek the permission of the authorities to go to the transnistrian region.

In addition, note that on 24 October 2020, Dorin Chirtoaca (BE Unirea) tried going to the region to discuss with voters and disseminate his candidacy-related information materials. However, the attempt failed, given that the access to the region was restricted by the representatives of the so-called ‘law enforcement’ of the transnistrian region (entry into Corjova from Cocieri).

<sup>44</sup> [Report](#) No 4. Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020, p. 28.

<sup>45</sup> [Debates](#) Cafe on ‘Voter participation in the transnistrian region in the presidential elections: challenges and solutions’.



Transnistrian media treats the subject of the presidential elections in the Republic of Moldova in the context of a possible ‘coloured revolution’<sup>46</sup>.

## 6.2. Activities that can qualify as use of administrative resources for electoral purposes

At least 24 cases that can qualify as use of administrative resources (21 – Igor Dodon (IC), 3 – Tudor Deliu (PLDM)) were noticed during the monitored period:

- *Involving the public sector employees in election campaign activities during the working hours* – 17 cases (see Table 6). Thus, in 14 cases Igor Dodon (IC) is involved and Tudor Deliu (PLDM) – in 3 cases.

*Table 6. Cases of involving the public sector employees in election campaign activities during their working hours*

<i>Candidate</i>	<i>Date</i>	<i>Locality</i>	<i>Activity</i>
Igor Dodon (IC)	14.10.2020	Cahul, Huluboaia	The local mayor, Valeriu Oboroc, during working hours, participated in the dissemination of electoral materials for promoting the candidate.
	14.10.2020	Briceni, Grimancauti	The president of the district, Vitalii Lupasco, and the vice-president of the district, Arcadii Dobuleac, attended the voters assembly during their working hours.
	14.10.2020	Anenii Noi, Ochiul Ros	The local mayor, Maria Ostapenco, during her working hours, attended the voters assembly held by the PSRM MP Vitalii Evtodiev.
	15.10.2020	ATUG, Vulcanesti	Irina Vlah, Bashkan of Gagauzia, attended the voters assembly during her working hours.
	15.10.2020	Cahul, Doina	The vice-president of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	19.10.2020	Cahul, Tartaul de Salcie	The vice-president of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	20.10.2020	Cahul, Alexanderfeld	The vice-president of Cahul district, Valentina Sevcenco, during the working hours, disseminated electoral materials for the candidate promotion.
	21.10.2020	ATUG, Comrat	The town mayor, Serghei Anastasov, and the PSRM deputy Alexandr Suhodolski held a voters assembly with the employees of the Housing & community services during their working hours.
	22.10.2020	ATUG, Ceadir-Lunga	PSRM MP Fiodor Gagauz organised a meeting with the employees of the District Hospital during their working hours.
	22.10.2020	ATUG, Congaz	The local mayor, Mihail Esir, during the working hours, attended the voters assembly held by the PSRM MP Alexandr Suhodolski.
	22.10.2020	Balti	PSRM MP Alexandr Usatii organised a meeting with the employees of SOE ‘Moldelectrica’ during their working hours.
	22.10.2020	Cimislia	The employees of the National Food Safety Agency attended the electoral meeting of the candidate, during their working hours.
	22.10.2020	Taraclia	At the electoral meeting of the candidate, most of the participants were employees of the departments of education, culture, social assistance, etc. – all this during their working hours.
	26.10.2020	Balti	PSRM MP Alexandr Usatii organised a meeting with the employees of SOE ‘Calea Ferată din Moldova’ during their working hours.
Tudor Deliu (PLDM)	22.10.2020	Telenesti, Budai	The vice president of the district, Alexandru Taburceanu, and the local mayor, Victor Dragan, attended the voters assembly during their working hours.
	22.10.2020	Telenesti, Leuseni	The vice president of the district, Alexandru Taburceanu, and the local mayor, Valeriu Lazarencu, attended the voters assembly during their working hours.
	23.10.2020	Edinet, Parcovia	The local mayor, Marcel Snegur, attended the voters assembly during his working hours.

<sup>46</sup>[What did the West prepared](#) for Moldova? The experts on the threat of a new ‘coloured coup’.

- *Using public events, organised by LPAs, for purposes of electoral promotion* – 3 cases. Igor Dodon (IC).

On 17 October 2020, the candidate Igor Dodon (IC) participated in two tree planting activities, organised by local public authorities (Chisinau mayoralty and Costuleni village mayoralty, Ungheni). In both cases, the candidate's participation in the event was used for electoral promotion purposes.

In the third instance, on 14 October 2020, the candidate Igor Dodon (IC) participated at the Patron Saint's Day of the city of Chisinau. The celebration was organised by the Chisinau Municipality. Nonetheless, Igor Dodon (IC) participated in the events as a guest of honour. He gave speeches at several events: after the Mass, right next to the Metropolitan Vladimir and the Mayor of Chisinau municipality Ion Ceban; in front of the doctors, at the concert organised in the evening as a closing event. His speech, among others, contained the following message: *congratulations to the mayor. We proved that if working as a team it can be done.* Ion Ceban too had a hidden/disguised message to promote the candidate. Thus, in his congratulatory message to the people of Chisinau in front of the Cathedral, among other things he said: *We have confidence in tomorrow, we believe that together we will succeed and it depends on each of us what the capital will look like, what the country will look like. Let's build together* (candidate Igor Dodon's campaign slogan is: ***Together we can make it!***).

- *Taking credit for works provided from public money* – 4 cases: Igor Dodon (IC).

During the monitoring period, at least 4 cases of taking credit for works provided from public money were reported, in all of them the candidate Igor Dodon (IC) being involved, as follows:

- in the show 'Igor Dodon answers' of 16 October 2020, he mentioned that thanks to his effective cooperation with the Government, they managed to build roads, increase salaries in certain sectors, provide assistance to pensioners<sup>47</sup>;
- in the 'Igor Dodon answers' show of 23 October 2020, he pointed out that thanks to his intervention the farmers got access to private lakes and artesian waters<sup>48</sup>;
- in a promotional video of 23 October 2020, it is stated that aid has been granted to pensioners twice a year<sup>49</sup>;
- in the candidate's electoral promotion newspaper for Chisinau municipality (date of printing – 20 October 2020), the candidate is promoted by describing the projects implemented by the Chisinau municipality (renovation of underground passages, cleaning works of the Bac riverbed, procurement of articulated trolleybuses, repair of sidewalks, etc.).

### **6.3. Cases that can qualify as voter corruption**

According to Article 181<sup>1</sup> of the Criminal Code<sup>50</sup>, offering or giving money, goods, services or other benefits for the purpose of determining the voter to exercise or not to exercise his electoral rights is sanctioned with a fine of 550 to 850 conventional units or by imprisonment from 1 to 5 years, and a legal entity is sanctioned with a fine of 4000 to 6000 conventional units with the deprivation of the right to practice a certain activity or with the liquidation of the legal entity.

During the monitored period, at least two cases that can be regarded as voter corruption were reported and both of them involved the candidate Igor Dodon (IC).

In the first case, on 17 October 2020, in Macaresti village, Ungheni, during the electoral assembly of the candidate Igor Dodon (IC) with the voters, the director of the Frasinesti village Kindergarten, during her speech reminded the candidate that in a previous meeting, he promised to allocate

<sup>47</sup> ['Igor Dodon answers'](#) of 16 October 2020, minute 54.

<sup>48</sup> ['Igor Dodon answers'](#) of 23 October 2020, minute 15.

<sup>49</sup> ['Igor Dodon'](#). We will improve citizens' standard of living.

<sup>50</sup> [The Criminal Code](#) of the Republic of Moldova.

financial resources for furnishings in the kindergarten, without carrying it through. According to the participants, in response, Igor Dodon (IC) stressed that ‘a promise is a promise’ and asked the kindergarten director to approach after the meeting one of the people who accompanied him (Mrs. Rita).

In the second case, on 27 October 2020, on 1 Vasile Alecsandri Street, on the basis of lists and against signature, AO ‘Association of the Deaf of the Republic of Moldova’ distributed humanitarian aid to citizens (clothes, shoes, etc.), which was sent, according to those present, from Israel through the American Jewish Joint Distribution Committee in Moldova. Upon the receipt of humanitarian aid, the beneficiaries were given electoral promotional materials (newspapers, leaflets, etc.) of the candidate Igor Dodon (IC).

#### **6.4. Cases of electioneering by local elected officials while on leave**

During the monitoring period, Promo-LEX observers reported at least 52 cases where candidates were promoted by local elected officials – presidents, deputy presidents, mayors, deputy mayors (without councillors) – while on leave. Therefore, in order to create an overall picture of the current situation in the district centres (district councils and district centre mayoralities), Promo-LEX observers checked both the working status of the local elected officials who were involved in electioneering activities, as well as of those who could be identified based on publicly available information.

Thus, it turned out that during the election campaign, at least 27 local elected officials holding positions of district presidents/vice presidents/mayors/deputy mayors stay on leave. Most of them were noticed during activities that promoted candidate Igor Dodon (IC).

Promo-LEX OM draws attention to the active role these people play in the election campaign, who, even if officially on leave during the campaign, by virtue of their positions can still form or influence the opinion of voters from their sphere of influence.

In this regard, we consider that such categories of citizens, who are actively involved in electioneering, must register as their trustees, in accordance with the provisions of the Electoral Code. Article 50(1) stipulates that trustees assist the election contenders in conducting their electoral campaign, campaign for them and represent their interests in their relations with public authorities, the voters and electoral councils and offices. We must distinguish between the role trustees play in the electioneering process and that of a citizen, who has the right to debate openly and examine from every angle the electoral programs of the election contenders.

According to item 1 of the Decision of 3 September 2020 on establishing the number of trustees of election contenders in the elections for the office of the President of the Republic of Moldova of 1 November 2020, the maximum number for each election contender is 585 trustees.

By 28 October 2020, CEC registered a total of 590 trustees: on the part of Renato Usatii – 418 trustees, Octavian Ticu – 98 trustees and Tudor Deliu – 76 trustees. Igor Dodon (IC) did not have any trustee.

*Table 7. Local elected officials on leave during the election campaign*

<i>Town</i>	<i>Public position</i>	<i>Name, surname</i>	<i>Political party</i>	<i>Leave start date</i>	<i>Leave end date</i>
<b><i>District councils</i></b>					
Cahul	President	Cenusa Marcel	PSRM	05.10.2020	08.11.2020
Causeni	Vice president	Cuciuc Oleg	PSRM	01.10.2020	04.11.2020
Cimislia	Vice president	Jucovskaia Polina	PSRM	19.10.2020	31.10.2020
Donduseni	Vice president	Banari Veaceslav	PSRM	05.10.2020	07.11.2020
Donduseni	Vice president	Rotaru Svetlana	PSRM	05.10.2020	18.10.2020
Falesti	Vice president	Fusu Veaceslav	PSRM	01.10.2020	11.11.2020

Ialoveni	Vice president	Marian-Bogos Victoria	PPPDA	12.10.2020	30.10.2020
Leova	Vice president	Briceag Aliona	PSRM	19.10.2020	30.10.2020
Ocnita	President	Plopa Iurie	PSRM	09.10.2020	01.11.2020
Ocnita	Vice president	Zalevskaia Galina	PSRM	03.10.2020	01.11.2020
Rascani	President	Secieru Vasile	PSRM	08.10.2020	November
Soroca	President	Rusnac Veaceslav	PSRM	07.10.2020	07.10.2020
Soroca	Vice president	Bordianu Alla	PSRM	01.10.2020	30.10.2020
Stefan Voda	President	Maxim Vasile	PSRM	08.10.2020	08.10.2020
Ungheni	President	Mitriuc Ghenadie	PSRM	19.10.2020	23.10.2020
Ungheni	Vice president	Lupu Vasile	PSRM	19.10.2020	30.10.2020
<b>Towns' mayoralties (district centres)/municipalities</b>					
Anenii Noi	Mayor	Matarin Alexandru	PSRM	15.10.2020	16.10.2020
				26.10.2020	01.11.2020
Anenii Noi	Deputy mayor	Moroz Serghei	PSRM	07.10.2020	14.10.2020
Anenii Noi	Deputy mayor	Chemscaia Valentina	PSRM	14.10.2020	16.10.2020
Cantemir	Mayor	Ciubaciu Roman	PN	01.09.2020	03.10.2020
Chisinau	Mayor	Ceban Ion	PSRM	21.10.2020	28.10.2020
Donduseni	Mayor	Belciug Ivan	PN	05.10.2020	01.11.2020
Falesti	Mayor	Severin Alexandr	PN	12.10.2020	30.10.2020
Leova	Mayor	Bujorean Alexandru	PLDM	05.10.2020	09.10.2020
Soroca	Mayor	Pilipetchi Lilia	PSRM	16.10.2020	01.11.2020
Telenesti	Mayor	Lelic Vadim	PLDM	22.10.2020	22.10.2020
Vulcanesti	Mayor	Petrioglo Victor	PN	21.09.2020	02.11.2020

## 6.5. Activities that can qualify as promotion using images of foreign nationals and state institutions

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

In this context, note that during the monitored period, Promo-LEX OM identified at least 5 cases in which the image of a state institution and the image of foreign officials were used in the electoral campaign, 3 of which involved the candidate Maia Sandu (PAS), and one each for Igor Dodon (IC) and Dorin Chirtoaca (BE Unirea). However, as noted in the context of the previous observation missions, according to Promo-LEX, the legislator should review the content of the restrictions in question, so that they are clearer, more explicit and take into account the general framework that regulates the freedom of expression. When the restrictions are inappropriate and almost impossible to apply, the legislator could consider abolishing them<sup>51</sup>.

*Using images of foreign officials.* On 22 October 2020, during the international discussion club 'Valdai', the President of the Russian Federation promoted the candidacy of Igor Dodon (IC). Thus, referring to the relations of the Russian Federation with the states in the post-Soviet space, Vladimir Putin pointed out that in the Republic of Moldova 'there are many economic sectors closely tied to Russia and which will not be able to survive normally without the Russian Federation. Precisely for this reason, we hope that in the upcoming elections the Moldovan people will appreciate the efforts of the current president to develop the relationship with the Russian Federation'<sup>52</sup>. The message was circulated by the media outlets in the Republic of Moldova<sup>53</sup>.

Final<sup>51</sup>report. Observation Mission for the New Local Elections of 20 May (3 June) 2018, p. 26. [Report 3](#). Observation Mission of the Presidential Election in the Republic of Moldova of 1 November 2020.

<sup>52</sup> [Vladimir Putin](#) took part in the final plenary session of the 17th annual meeting of the International Discussion Club

*Using images of state institutions.* On 16<sup>54</sup>, 23<sup>55</sup> and 26<sup>56</sup> October, PAS representatives organised 3 press conferences on electoral topics in front of the building of the Presidency of the Republic of Moldova. In the fourth instance, on 22 October 2020<sup>57</sup>, the candidate Dorin Chirtoacă (BE Unirea) organised a press conferences in front of the building of the Presidency of the Republic of Moldova.

#### **6.6. Involving religious cults in the election campaign**

During the monitoring period, were reported at least 6 cases when election candidates involved religious cults in their election campaign. All cases featured Igor Dodon (IC).

Thus, we note that between 14 and 28 October, Igor Dodon (IC) promoted his candidacy by using 6 religious venues, including circulating video spots, as follows:

- on 14 October 2020, at the Patron Saint's Day of the city, Igor Dodon (IC) attended the religious service led by the Metropolitan Vladimir, at the Metropolitan Cathedral 'Nasterea Domnului';
- on 20 October 2020, he met with the representatives of the Moldovan Metropolitan Church from Balti municipality, at the Cathedral 'The Saints King Constantine and Queen Helena';
- on October 24, 2020, there were 3 meetings with the representatives of the church 'Nasterea Domnului' from Boscana village, Criuleni, church of the Saint Archangel Michael, Criuleni and church of Molovata, Dubăsari, respectively (in the latter he attended a religious event too);
- on 27 October 2020 he attended the Hancu Monastery service, Bursuc village, Nisporeni, where the first lady Galina Dodon was awarded with the diocesan distinction 'Saint Parascheva'.

#### **6.7. Cases that can qualify as violation of the public health protection rules imposed by the Territorial Extraordinary Public Health Commission (TEPHC)**

The Extraordinary National Extraordinary Public Health Commission (NEPHC) Decision No 33 of 28 September 2020 assigned to the Territorial Extraordinary Commissions of Public Health (TEPHC) the task to set up public health measures in line with the COVID-19 Preparedness and Response Plan according to the alert code applied to the administrative territory they covered<sup>58</sup>. Therefore, every TEPHC was to pass decisions on the measures to be observed at local level.

During the monitoring period, according to the updated TEPHC decisions, Promo-LEX observers identified at least one level-two ATU (Telenesti) where public assemblies were prohibited. Note that on 13 October 2020, by Decision No 34<sup>59</sup>, NEPHC instituted the red alert code in most level-two ATU (except Hancesti, Leova and Soroca) depending on the number of infections to total number of inhabitants ratio.

Nevertheless, at least 9 cases of election contenders participating in electoral assemblies in Telenesti district, where assemblies had been prohibited by the TEPHC, were reported during the monitoring period. Thus, Andrei Nastase (PPPDA) is involved in 5 cases and Tudor Deliu (PLDM) in 4 cases.

#### **6.8. Outdoor/promotional/on-line advertising**

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'Valday' via videoconference, starting with the 95th minute.

<sup>53</sup> [Free Europe](#), [ProTV](#), [Ziarul de garda](#) etc.

<sup>54</sup> [Flashmob](#) organised by PAS Youth, entitled 'We want to work in our home country'.

<sup>55</sup> [Press conference](#) held by the Deputy Speaker of Parliament, PAS MP Mihai Popsoi, entitled 'Criminals getting out of the prisons, high-profile cases being dismissed – everything under the guise of elections'.

<sup>56</sup> [Flashmob](#) entitled 'Dodon, don't be afraid, come to the debates'.

<sup>57</sup> [Dorin Chirtoaca](#) holds the press conference: 'The mechanism and costs for achieving the unification of the Republic of Moldova with Romania'.

<sup>58</sup> [NEPHC Decision](#)No 33 of 28 September 2020.

<sup>59</sup> [NEPHC Decision](#)No 34 of 13 October 2020.

The observers reported at least 2,138 cases in which electoral advertising was used during the monitoring period. According to observers' accounts, most cases involved: Igor Dodon (IC) – 568 (27%), Maia Sandu (PAS) – 526 (25%), Andrei Nastase (PPPDA) – 391 (18%) and Renato Usatii (PN) – 378 (18%) (see Table 8).

Table 8. Data on the use of advertising

No	Advertising	Igor Dodon (IC)	Maia Sandu (PAS)	Andrei Nastase (PPPDA)	Renato Usatii (PN)	Violeta Ivanov (PPS)	Octavian Ticu (PUN)	Tudor Deliu (PLDM)	Dorin Chirtoaca (BE UNIREA)	Total
1	Newspapers, leaflets, brochures, posters, etc.	239	141	128	126	39	20	20		713
2	Jackets, bags, caps, etc.	165	102	90	94	11	7	4		473
3	Banners	5	92	88	41	66	16	2	7	317
4	Sponsored advertising	2	137	43	22	17		1		222
5	Tents	82	23	31	29	3				168
6	Video spots	74			63	1		2		140
7	Billboards		18	9	1	54	4			86
8	LED billboards/console		12	1			1			14
9	Online banners	1	1	1	2					5
<b>Total</b>		<b>568</b>	<b>526</b>	<b>391</b>	<b>378</b>	<b>191</b>	<b>48</b>	<b>29</b>	<b>7</b>	<b>2 138</b>

The most frequently used were printing materials (newspapers, brochures, leaflets, posters, calendars, etc.) – 33% (713), followed by visibility materials (vests, caps, bags, etc.) – 22% (473) and banners, respectively – 15% (317).

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

According to CEC Regulation on the location of electoral advertising and political promotion materials on advertising billboards<sup>60</sup>, posting advertising on fences, poles and other types of constructions, as well as on devices and equipment, regardless of the type of ownership is prohibited.

Promo-LEX observers found at least 35 cases where the provisions on advertising were violated. Renato Usatii (PN) was involved in 8 of them, Maia Sandu (PAS), Andrei Nastase (PPPDA), Violeta Ivanov (PPS) – in 7 cases each, Tudor Deliu (PLDM) – in 4 cases, and Octavian Ticu (PUN) and Dorin Chirtoaca (BE Unirea) – in one case each.

#### 6.10. Cases that can qualify as intimidation of contenders during the election campaign

According to the reports drafted by Promo-LEX OM observers, at least nine cases of candidate intimidation/violence occurred, 2 cases involving Igor Dodon (IC), 2 cases – Maia Sandu (PAS), 2 cases – Renato Usatii (PN), and in one case each – Violeta Ivanov (PPS), Octavian Ticu (PUN) and Andrei Nastase (PPPDA), as follows:

- In the morning of 25 October 2020, Igor Dodon had meetings with the voters in the Falesti district. Accompanied by three people, Renato Usatii (PN) also attended this meeting with the declared intention of holding a debate with Igor Dodon (IC). Right from the beginning of the meeting, Renato Usatii (PN) insisted on asking the questions prepared for Igor Dodon (IC), without taking into account his request to wait until he finishes his electoral speech, which led to altercations when trying to force Renato Usatii (PN) to leave.

<sup>60</sup>CEC [Regulation](#) on the location of electoral advertising and political promotion materials on advertising billboards, approved by CEC Decision No 3328 of 28 April 2015.

In the end, given the refusal of candidate Renato Usatii (PN) to allow the candidate Igor Dodon (IC) to finish his electoral speech, the latter was forced to leave the meeting;

- on 25 October, just a few hours after the first case, in Calinesti village, Falesti district, the planned meeting of candidate Igor Dodon (IC) was also attended by the electioneers of candidate Maia Sandu (PAS), led by Doina Gherman, Member of Parliament of the Republic of Moldova. As a result, the appearance of Igor Dodon (IG) provoked exclamations such as 'Down with Dodon!' (the electioneers of Maia Sandu (PAS)) and 'Down with the provocateurs!' in return (the supporters of Igor Dodon (IC)). Due to the supporters of candidate Igor Dodon (IC), the access to the place where the assembly took place was restricted for the electioneers of candidate Maia Sandu (PAS);

- on 25 October, at 1 p.m., Renato Usatii (PN) was whistled and insulted by PSRM activists during an electoral assembly with voters in Comrat;

- on 24 and 25 October, in Ocnita town, two billboards of the candidate Maia Sandu (PAS) were destroyed. Note that the same billboard was destroyed twice, the first time just before the candidate's visit to the city and, after it being replaced, on the same evening – 25 October 2020 – it was vandalized again;

- on 15 October 2020, a banner of the candidate Violeta Ivanov (PPS) was vandalized in Floresti;

- on 15 October 2020, a banner of the candidate Renato Usatii (PN) was vandalized in Floresti;

- on 17 October 2020, a banner of the candidate Octavian Ticu (PUN) was removed in Ungheni;

- on 18 October 2020, the electoral posters of candidate Andrei Nastase (PPPDA), displayed on the information board, was vandalized in Rezina.

Considering the aforementioned, note that according to Article 52 of the Electoral Code, citizens of the Republic of Moldova, parties and other socio-political organisations, electoral blocks, candidates and trustees of the candidates have the right to put forward for free discussion aspects the candidates' electoral programs, their political, professional and personal skills, as well as to organise electoral campaigning during the meetings, rallies, reunions with the electorate, through mass media, through electoral banners and other forms of communication.

At the same time, according to Article 19 of the Law No 26 of 22 February 2008 on Assemblies, the participants in assemblies have the obligation to refrain from actions that may impede the conduct of the assembly and from inciting such actions, as well as to respect the public order and organiser's legitimate requests.

In the opinion of Promo-LEX, the election contenders are to ensure and observe the right of voters to be informed about the electoral platforms of all candidates.

## VII. FUNDING OF THE ELECTION CAMPAIGN

*According to the reports submitted to CEC, the revenues declared by election contenders for 10-23 October amount to MDL 6,027,149, with an initial balance of MDL 1,465,552; of which MDL 996,772 are revenues in the form of free goods and services. At the same time, expenses amounted to MDL 6,770,713, with an end balance of MDL 729,987. Most of the declared money was spent for advertising and promotional materials - 98%, the other 2% for: public events — 1% and transport — 1%.*

*Promo-LEX OM also found that 816 individuals donated MDL 4.69 million in cash, of whom 179 donors being foreign nationals. Candidates (Andrei Nastase (PPPDA), Octavian Ticu (PUN) and Renato Usatii (PN)) also received money from legal entities, and Andrei Nastase received a donation on PPPDA current account, exceeding the threshold of MDL 95,436 set by CEC Circular Letter of 15 September 2020.*

*In this context, Promo-LEX OM notes that CEC abstained from assessing a similar case involving candidate Maia Sandu and PAS, which occurred in the previous observation period, motivating it by a legal uncertainty due to the lack of correlation between some provisions of the Electoral Code and the Law on Political Parties. According to the current position of CEC, Circular Letter No CEC-8/2796 of 15 September was rather a recommendation for electoral stakeholders to take into account all of the current legal provisions on the funding of election campaign, thus disregarding that the threshold was exceeded.*

*In its meeting of 23 October 2020, CEC expressed its opinion regarding the case of Violeta Ivanov (PPS) who, as of 16 October had not managed to open an 'Electoral Fund' account, but engaged in electioneering exclusively on the basis of donated goods and services. Thus, CEC recognised the importance of checking the actual funding of the campaign and the need to amend the law to avoid similar situations in the future.*

*Promo-LEX OM found that 8 election contenders did not report fully the expenses incurred during 10-23 October 2020 in the amount of at least MDL 3,800,981. For the observed period, only two contenders (Maia Sandu (PAS) and Renato Usatii (PN)) reported premises rental costs and only Maia Sandu (PAS) reported to CEC payroll expenses (secretariat services), but which turned to be lower than estimated by the Mission. No election contender reported expenses for the rewards paid to electioneers or submitted their declarations on volunteer work.*

### 7.1. Regulatory framework

On 23 October 2020, CEC amended the Regulation on Financing of Election Campaigns, approved by CEC Decision No 2704/2019<sup>61</sup>. Thus, the CEC included two new provisions, which regulate the deadlines and the settlement of the final balance in the 'Electoral Fund' account after the round I of elections. The closing balance will be transferred within 3 days to the State Budget or, at the written request of the electoral contender, to the account of the National Public Health Agency or of the Centre for Continuous Electoral Training. At the same time, regulations were drawn up regarding opening a bank account in round II of election and the purpose of the closing balance on this account, which will be used for the election campaign in round II of election.

### 7.2. Financial reporting of election contenders to the Central Electoral Commission

According to the information published on the official website of CEC, during the second and third week of the election campaign, 7 contenders submitted weekly reports to CEC: Octavian Ticu (PUN), Renato Usatii (PN), Andrei Nastase (PPPDA), Maia Sandu (PAS), Violeta Ivanov (PPS), Igor Dodon (IC), Tudor Deliu (PLDM). One contender – Dorin Chirtoaca (BE UNIREA) submitted two notifications stating that as of 16 and, respectively, 23 October he had not opened an 'Electoral Fund'.

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<sup>61</sup> CEC Decision No [4428](#) amending the Regulation on Financing of Election Campaigns.



Promo-LEX OM noted that an electoral contestant – Octavian Ticu (PUN), presented the initial report on the financing of the election campaign with a one-day delay, on 13 October 2020, having opened the ‘Electoral Fund’ account on 9 October 2020. In this context, on 23 October 2020, the CEC warned him of the need to comply with the regulatory provisions regarding the deadlines for submitting reports, without applying any penalty<sup>62</sup>.

*Table 9. Opening of ‘Electoral Fund’ accounts, appointing treasurers and submitting weekly reports to CEC*

Election candidate	Registering as election contender	Appointing the treasurer	Submitting the financial statement of the political party at the beginning of the election	Opening the ‘Electoral Fund’ account	Submitting the initial report, 3 days after opening the bank account	Submitting the report for week 1, 09.10.2020	Submitting the report for week 2, 16.10.2020	Submitting the report for week 3, 23.10.2020
Renato Usatii (PN)	13.09.2020	13.09.2020	21.09.2020	16.09.2020	18.09.2020	09.10.2020	16.10.2020	23.10.2020
Maia Sandu (PAS)	30.09.2020	30.09.2020	03.10.2020	02.10.2020	02.10.2020	09.10.2020	16.10.2020	23.10.2020
Violeta Ivanov (PPS)	29.09.2020	29.09.2020	-	23.10.2020	-	09.10.2020	16.10.2020	23.10.2020
Igor Dodon (IC)	28.09.2020	28.09.2020	-	01.10.2020	01.10.2020	09.10.2020	16.10.2020	23.10.2020
Andrei Nastase (PPPDA)	13.09.2020	13.09.2020	-	29.09.2020	30.09.2020	09.10.2020	16.10.2020	23.10.2020
Tudor Deliu (PLDM)	25.09.2020	25.09.2020	-	06.10.2020	06.10.2020	09.10.2020	16.10.2020	23.10.2020
Octavian Ticu (PUN)	05.10.2020	05.10.2020	-	09.10.2020	13.10.2020	-	16.10.2020	23.10.2020
Dorin Chirtoaca (BE UNIREA)	05.10.2020	09.10.2020	-	-	-	Request	Request	Request

*Data obtained from the reports submitted to CEC*

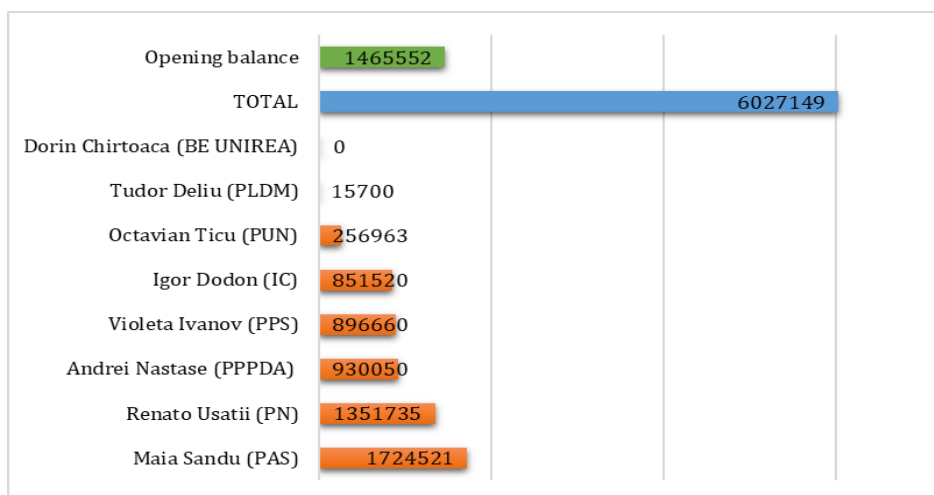
### **7.3. Election contenders’ revenues and expenses reflected in financial reports**

#### **7.3.1. Revenues and expenses**

According to the reports submitted to CEC, the revenues declared by contenders for 10-23 October 2020 amount to MDL 6,027,149, with an initial balance of MDL 1,465,552. This amount also included donations in commodities, objects, works or services – estimated by candidates at the market value and reflected in the annex to the report ‘Donations in commodities’ – MDL 996,772. At the same time, expenses amounted to MDL 6,770,713, with an end balance of MDL 729,987. We will recall that in the first week of the election campaign, 6 contenders reported MDL 10,092,911 – an amount that also included the donations in commodities (MDL 1.30 million).

<sup>62</sup> CEC Decision No [4401](#) regarding the financial reports on election campaigns funding of 2, 9 and 16 October 2020.

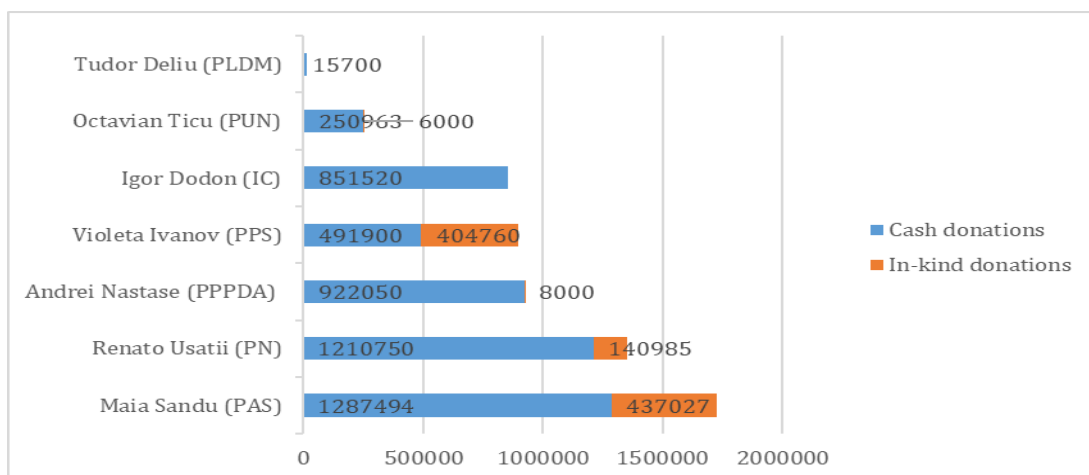
Chart 4. Revenues of election contenders collected between 10 and 23 October 2020, MDL



Data obtained from the reports submitted to CEC

Thus, Renato Usatii (PN) reported financial donations of MDL 1,210,750 and donations in commodities and services in the amount of MDL 140,985; Maia Sandu (PAS) – financial donations of MDL 1,287,494 and donations in commodities and services of MDL 437,027; Andrei Nastase (PPPDA) – financial donations of MDL 922,050 and donations in commodities and services of MDL 8,000, Violeta Ivanov (PPS) – financial donations of MDL 491,900 and donations in commodities and services in the amount of MDL 404,760, Tudor Deliu (PLDM) – financial donations of MDL 15,700, Igor Dodon (IC) reported only financial donations in the amount of MDL 851,520; Octavian Ticu (PUN) – financial donations of MDL 250,963 and donations in commodities and services of MDL 6,000 (Chart 4.1: Revenues broken down by election contenders).

Chart 4.1. Revenues broken down by election contenders between 10 and 23 October 2020, MDL



Data obtained from the reports submitted to CEC

### 7.3.2. Funding sources

Promo-LEX OM reports that the main source of funding of contenders between 10 and 23 October were the donations from individuals – MDL 4.69 million (78%), followed by donations in commodities and services – MDL 996,772 (17%), donations from the party's 'Electoral Fund' account – MDL 200,000 (3%) and donations from legal entities – MDL 145,000 (2%) (Chart 5).

Thus, between 10 and 23 October 2020 the candidates reported:

- financial donations of 816 individuals amounting to MDL 4.69 million. Of the total number of donors, 179 were individuals from diaspora. The following candidates received donations

from individuals: Renato Usatii (PN), Maia Sandu (PAS), Igor Dodon (IC), Andrei Nastase (PPPDA), Tudor Deliu (PLDM), Octavian Ticu (PUN) and Violeta Ivanov (PPS);

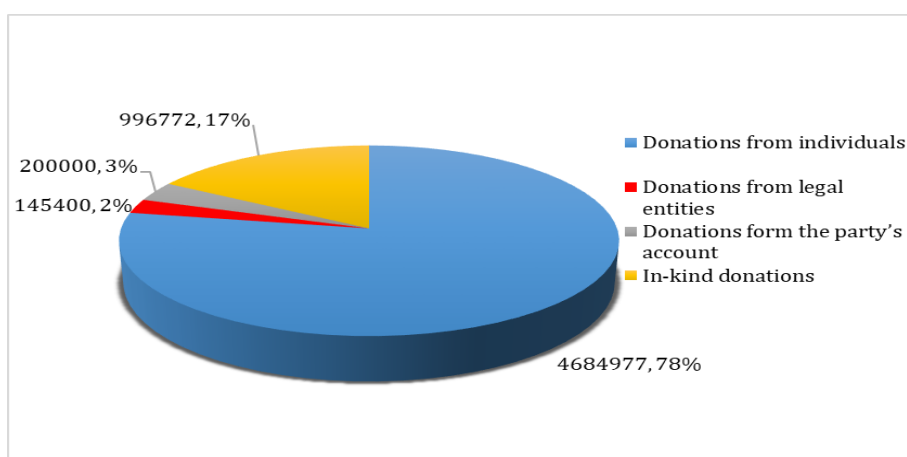
- in-kind donations in the total amount of MDL 996,772 for six candidates (Violeta Ivanov (PPS) – MDL 404,760, Maia Sandu (PAS) – MDL 437,027, Renato Usatii (PN) – MDL 140,985, Andrei Năstase (PPPDA) – MDL 8,000, Octavian Ticu (PUN) – MDL 6,000;
- transfer of own funds from the current account of one political party: PPPDA into the ‘Electoral Fund’ account of Andrei Nastase – MDL 200,000;
- donations from three legal entities in the amount of MDL 145,400 for Renato Usatii (PN), Andrei Nastase (PPPDA), Octavian Ticu (PUN).

Promo-LEX OM found that the surveillance and control body examined, during the meeting of 23 October 2020, the contenders’ reports submitted to CEC on 25 September, 2, 9 and 16 October 2020, including from the perspective of the sources of donations of the election contenders – individuals. To make a plenary statement about the information on sources of donations, CEC notified the State Tax Service (STS) and requested the verification of the income statements of the donors included in the list during the past three years.

The verification found that certain individuals, donors of the election contenders, did not declare any source of income with the STS in the past three years (2017–2019), or the income they declared was smaller than the amounts donated<sup>63</sup>.

In this context, Promo-LEX OM mentions the CEC’s position as regards the lack of a legal mechanisms for a specialised body to check the legality of donations, particularly the donors’ sources of income. CEC concluded that the Parliament of the Republic of Moldova should come up with legislative amendments in order to give additional powers the tax authority as regards the documentation of all the cases described above, in all aspects.<sup>64</sup>

Chart 5. Funding sources between 10 and 23 October 2020, %



Data obtained from the reports submitted to CEC

<sup>63</sup> **Renato Usatii (PN)**: out of the 414 individual donors from the country, 15 donors who donated MDL 248,750.00 did not have any source of income declared with the STS, and 14 donors declared an income smaller than the donated amount – MDL 134,217.69; **Andrei Nastase (PPPDA)**: out of the 66 individual donors from the country, 5 donors who donated MDL 76,000.00 did not have any source of income declared with the STS and 3 donors declared an income smaller than the donated amount – MDL 25,277.10; **Igor Dodon (IC)**: out of the 96 individual donors from the country, one donor who donated MDL 6,230.00 did not have any source of income declared with the STS and 3 donors declared an income smaller than the donated amount – MDL 10,241.75; **Maia Sandu (PAS)**: out of the 240 individual donors from the country, 19 donors who donated MDL 18,700.00 did not have any source of income declared with the STS and one donor declared an income smaller than the donated amount – MDL 407.00; Octavian Ticu (PUN): out of the 6 individual donors from the country, 2 donors who donated MDL 23,900.00 did not have any source of income declared with the STS.

<sup>64</sup> CEC Decision No [4401](#) regarding the financial reports on election campaigns funding of 2, 9 and 16 October 2020: CEC stated that it did not have any functional tools to investigate and examine thoroughly all aspects related to sources of donations and could not treat the actions of donors and of the election contenders as in bad faith, until proven otherwise.

As for complying with the thresholds set for donations that may be accepted during the campaign, Promo-LEX OM found that according to the Electoral Code, all the donations – individual, corporate and cash donations — received by election contenders were under the set thresholds.

Next, the Promo-LEX OM underlines that the report of candidate Andrei Nastase (PPPDA), submitted on 23 October 2020 to CEC, stipulates a transfer of MDL 200,000 from the current account of the PPPDA into the ‘Electoral Fund’ account. According to the Circular Letter No 8/2796 of 15 September, candidate Andrei Nastase exceeded this threshold by receiving this money into ‘Electoral Fund’ account<sup>65</sup>.

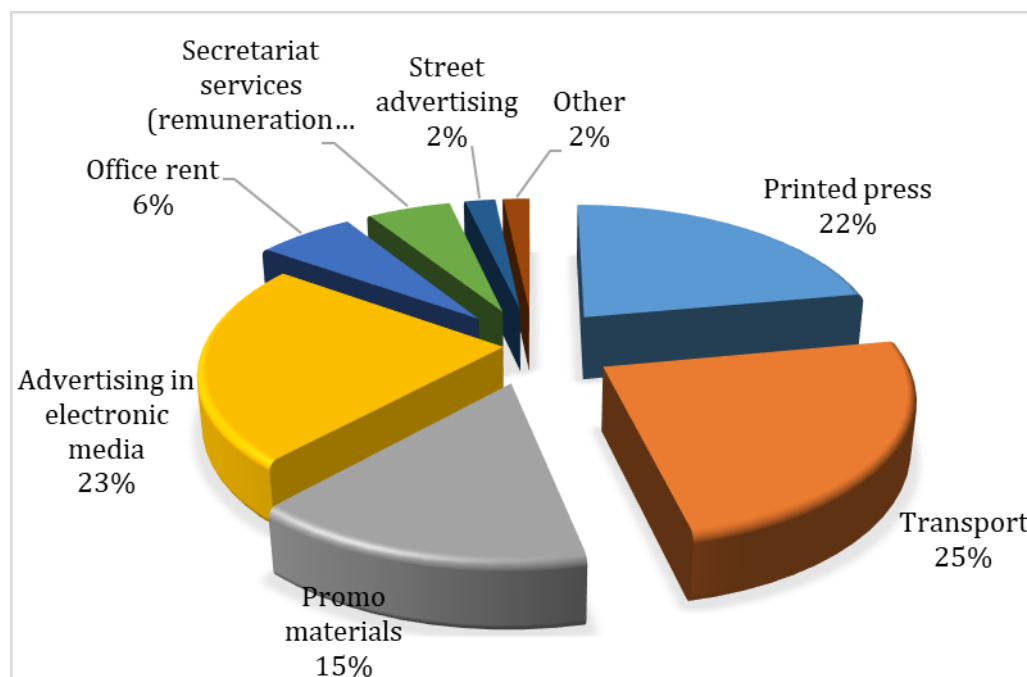
In this context, note the position of CEC of 23 October 2020, which abstained from assessing the lawfulness of the donation in the amount of MDL 900,000 made by ‘Action and Solidarity’ Political Party – legal entity – for election contender Maia Sandu between 2 and 9 October 2020.

CEC justified its decision with the legal uncertainty cause by the mismatch between the provision of the Article 25(1)c of the Law No 294/2007 on Political Parties and Article 41 of the Electoral Code with the provisions of Article 1 of the Electoral Code. Next, CEC explained that Circular Letter No CEC-8/2796 of 15 September was issued in order to describe the legal situation and recommend to stakeholders to take into account all the current legal provisions on funding the election campaign.

At the same time, CEC mentioned it was not correct to accept donations from the accounts of PPPDA and PLDM into the campaign accounts of candidates Andrei Nastase and Tudor Deliu, given that the parties in question did not submit to CEC their financial reports at the beginning of the election campaign, in line with point 25 of the Regulation on Funding of Election Contenders’ Campaigns, approved by Decision of the Central Electoral Commission No 2704/2019. Moreover, CEC requested that PLDM and PPPDA submit their reports in line with the above-mentioned regulations.

As regards the donations in commodities and services, Promo-LEX OM analysed and segregated them by categories of expenses from the report submitted to CEC for each election contender in part (see Chart 6).

*Chart 6. Material donations between 10 and 23 October in the amount of about MDL 1 million, %*



*Data obtained from the reports submitted to CEC*

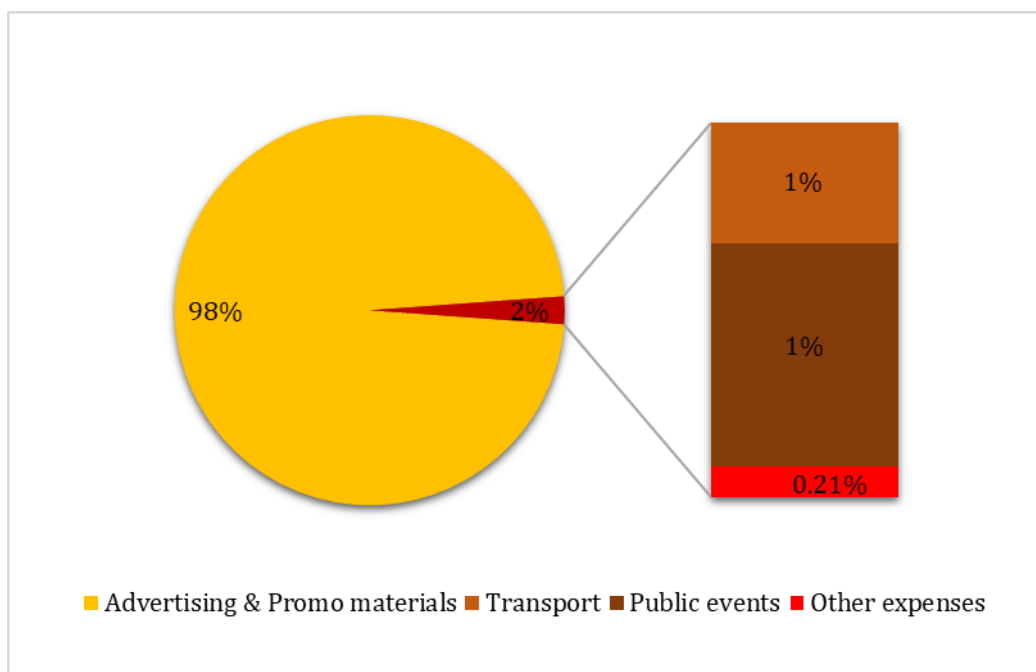
<sup>65</sup>According to CEC Circular Letter of 15 September 2020, the parties are considered to be legal entities and have the right to transfer up to 12 average monthly salaries (MDL 95,436) into ‘Electoral Fund’ account.

During the meeting of 23 October 2020, CEC expressed its opinion about the donations in commodities and services. Moreover, CEC examined the situation of candidate Violeta Ivanov (PPS) who couldn't open an 'Electoral Fund' account until 23 October 2020, but engaged in electioneering exclusively on the basis of donated goods and services.

Thus, CEC recognised the 'impossibility to check the accuracy of the actual funding of the election campaign of that contender and qualified this situation as alarming, stating that its reasons and outcomes should be addressed by legislative interventions aimed to restore the legal value of the "Electoral Fund" account as an unique tool aimed to ensure the financial transparency on the one side and equal opportunities for contenders, on the other side'. CEC concluded that in the situation mentioned above it is necessary to treat the election contender Violeta Ivanov (PPS) and her donors as subjects acting in good faith, until proved otherwise.

Promo-LEX OM found that according to the data published in the reports of the election contenders between 10 and 23 October 2020, seven contenders reported expenses in the amount of MDL 6,770,713. The highest amount of expenses was reported for advertising – MDL 5.21 million (77%); followed by expenses for promotional materials – MDL 1.41 million (21%); expenses for public events – MDL 92,640 (1%); expenses for transportation – MDL 49,700 (1%) and other expenses – MDL 12,847 (0.21%) (Chart 7).

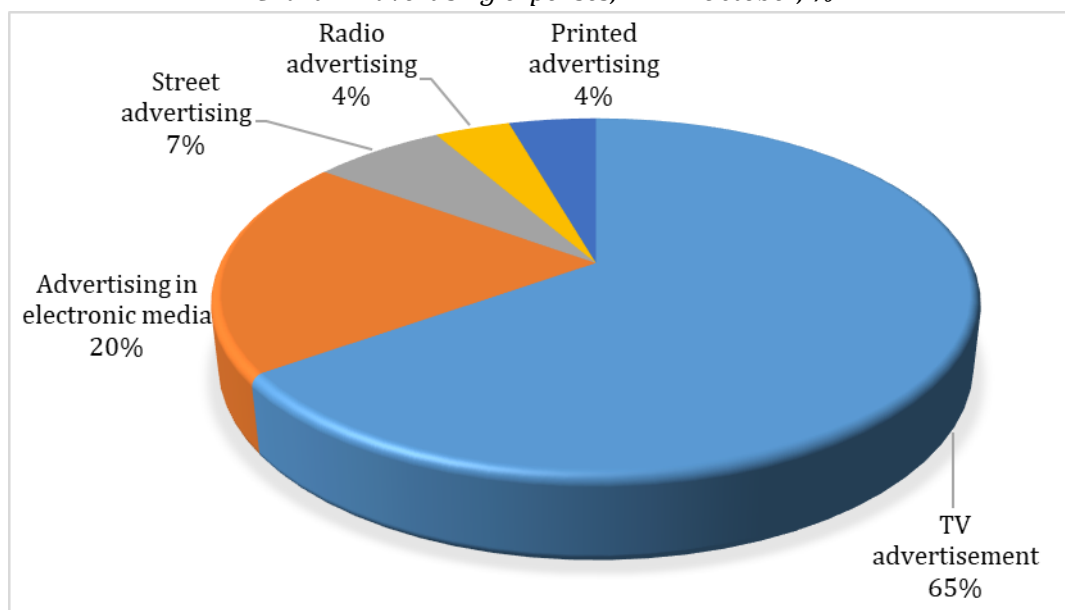
*Chart 7. Expenses from financial sources reported to CEC between 10 and 23 October 2020, %*



*Data obtained from the reports submitted to CEC*

As regards expenses for electoral advertising, the highest amount was spent for TV advertising – MDL 3.39 million (65%), followed by advertising in electronic media – MDL 1.04 million (20%), outdoor advertising – MDL 348,445 (7%), radio advertising – MDL 199,723 (4%) and print media advertising – MDL 231,110 (4%) (see Chart 8).

Chart 8. Advertising expenses, 10-23 October, %



Data obtained from the reports submitted to CEC

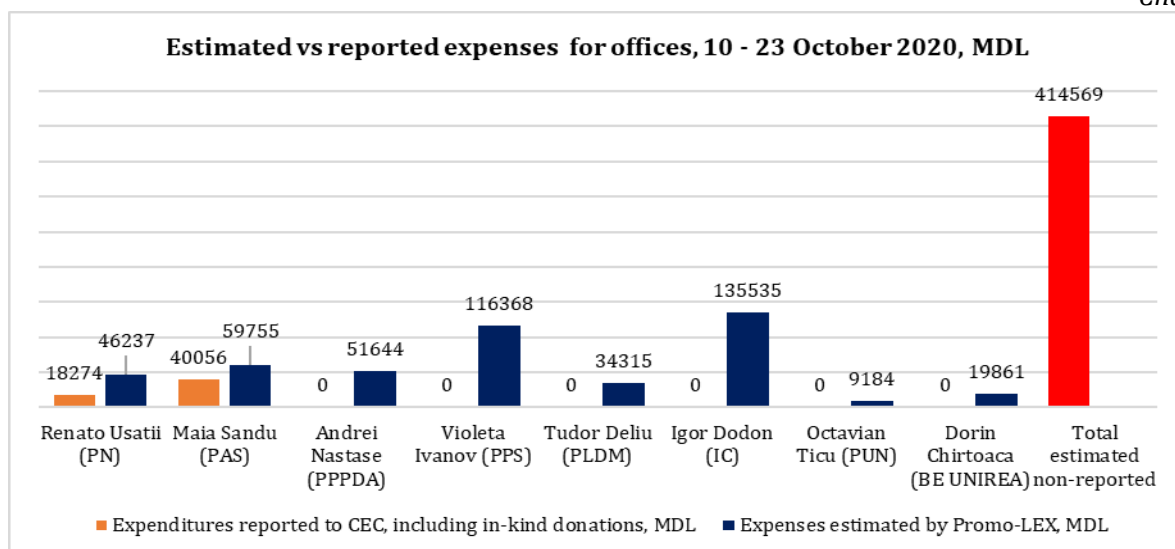
#### 7.4. Election contenders' expenses found by the Promo-LEX observers and not reflected in the financial statements

##### a) Expenses for campaign offices

Between 10 and 23 October 2020, the Promo-LEX OM reported the use of headquarters for electoral purposes by all election contenders. Thus, 143 offices were identified as being used by those eight registered election contenders. Note that the offices of a political party (PSRM) were used by the independent candidate Igor Dodon and the other seven election contenders used the offices of the parties that nominated them.

Thus, the observers reported at least 26 offices of PAS used by Maia Sandu (PAS), Andrei Nastase (PPPDA) – 21 offices of PPPDA; Violeta Ivanov (PPS) – 32 offices of PPS; Igor Dodon (IC) – 35 offices of PSRM; Renato Usatii (PN) – 11 offices of PN; Tudor Deliu (PLDM) – 9 offices of PLDM; Dorin Chirtoaca (BE UNIREA) – 4 offices of PL; Octavian Ticu (PUN) – 5 offices of PUN.

Promo-LEX OM estimated an amount of at least MDL 472,899 as expenses for the use the offices (rental expenses and related services). We found that only two contenders reported expenses of MDL 58,330 in this category, money from in-kind donations from the parties that nominated them. These two contenders are Renato Usatii (PN) – MDL 18,274 and Maia Sandu (PAS) – MDL 40,056. After comparing the expenses estimated by Promo-LEX OM with the expenses reported by CEC, we obtained and amount of at least MDL 414,569 – unreported expenses (Chart 9).



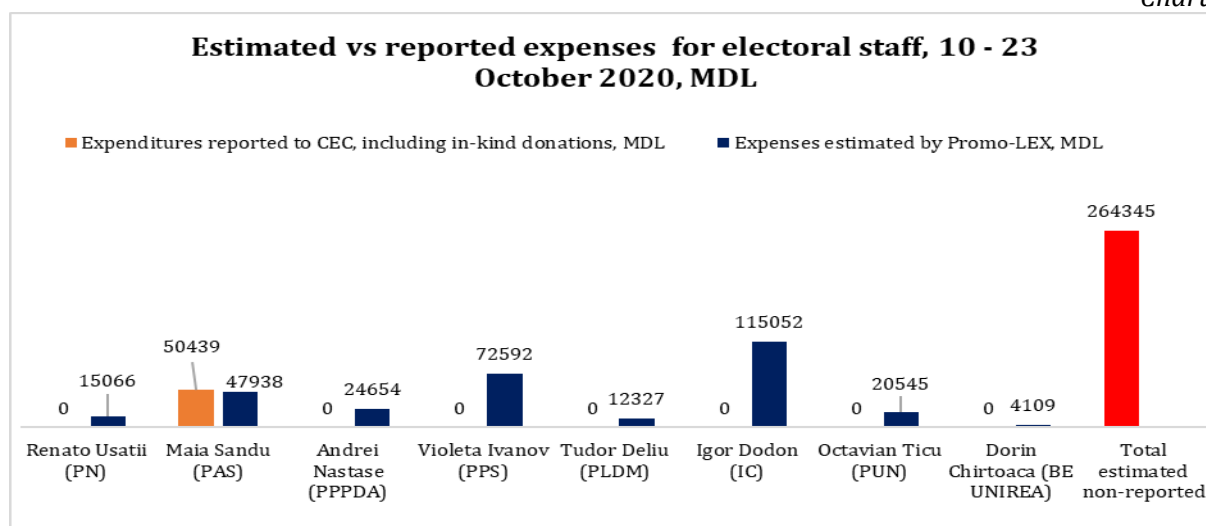
*Data obtained on the basis of the information published on CEC official website and Promo-LEX findings*

#### b) Expenses for electoral staff

Between 10 and 23 October 2020, Promo-LEX OM reported the temporary involvement of certain individuals for election purposes. Thus, at least 228 individuals were noticed to be involved by those eight registered election contenders. Note that the electoral staff of the independent candidate Igor Dodon contained members from PSRM political party.

Thus, the observers reported at least 35 individuals involved by Maia Sandu (PAS), Andrei Nastase (PPPDA) – 18; Violeta Ivanov (PPS) – 53; Igor Dodon (IC) – 84; Renato Usatii (PN) – 11; Tudor Deliu (PLDM) – 9; Dorin Chirtoaca (BE UNIREA) – 3; Octavian Ticu (PUN) – 15.

Promo-LEX OM estimated an amount of at least MDL 312,284 as expenses for the remuneration of the individuals involved. We found that only one election contender reported expenses in the amount of MDL 50,439 for secretariat services (Maia Sandu (PAS)). Thus, the total amount of the estimated unreported expenses of seven contenders is at least MDL 264,345. Renato Usatii (PN) – MDL 15,066; Andrei Nastase (PPPDA) – MDL 24,654; Violeta Ivanov (PPS) – MDL 72,592; Tudor Deliu (PLDM) – MDL 12,327; Igor Dodon (IC) – MDL 115,052; Octavian Ticu (PUN) – MDL 20,545; Dorin Chirtoaca (BE UNIREA) – MDL 4,109;



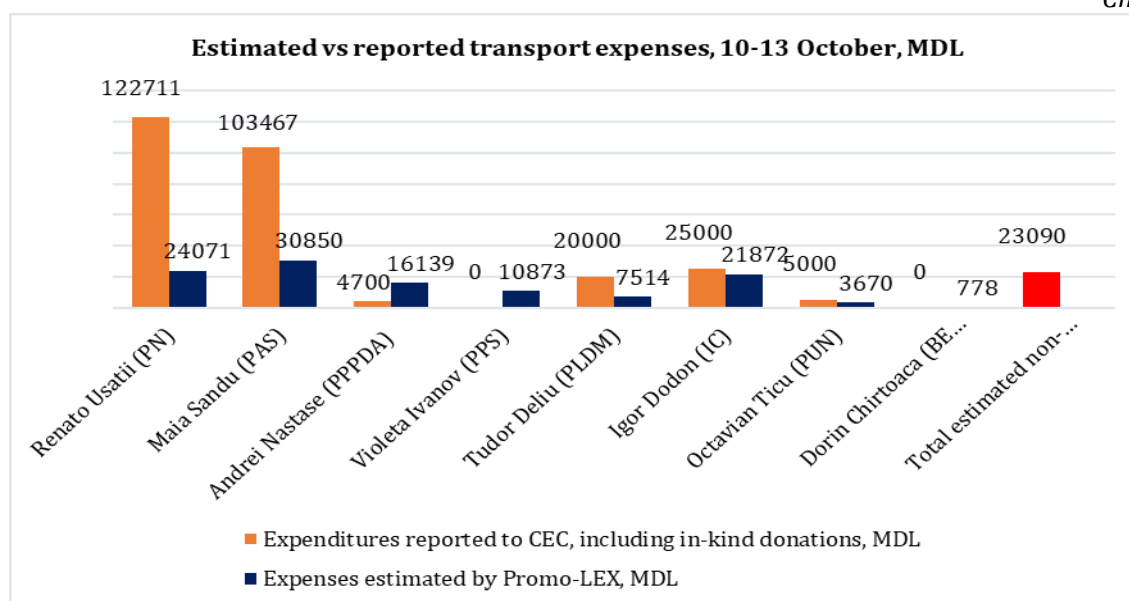
*Data obtained on the basis of the information published on CEC official website and Promo-LEX findings*

c) Transport-related expenses

To estimate the cost of trips inside the country, we multiplied the consumption average of 10 l / 100 km (car), 11 l / 100 km (minibus), 35 l / 100 km (bus) by the distance travelled and the price of fuel of MDL 15.55.

Promo-LEX OM estimated an amount of at least MDL 115,767 of expenses for trips inside the country during the reference period for eight contenders. Three election contenders failed to fully report the transport-related expenses to CEC: Andrei Nastase (PPPDA) – MDL 11,439; Violeta Ivanov (PPS) – MDL 10,873; Dorin Chirtoaca (BE UNIREA) – MDL 778. The total estimated unreported expenses amount to at least MDL 23,090 (Chart 11).

Chart 11



Data obtained on the basis of the information published on CEC official website and Promo-LEX findings

d) Expenses for public events

As regards public events, between 10 and 23 October 2020 Promo-LEX OM observers reported mainly electoral meetings and statutory activities, etc. The estimated unreported expenses amount to at least MDL 21,171 (Chart 12).

Thus, as regards the candidate Igor Dodon (IC), Promo-LEX OM estimated expenses worth at least MDL 1,293.

The estimated expenses of candidate Tudor Deliu (PLDM) amount to at least MDL 2,535.

The estimated expenses of candidate Maia Sandu (PAS) amount to at least MDL 7,363.

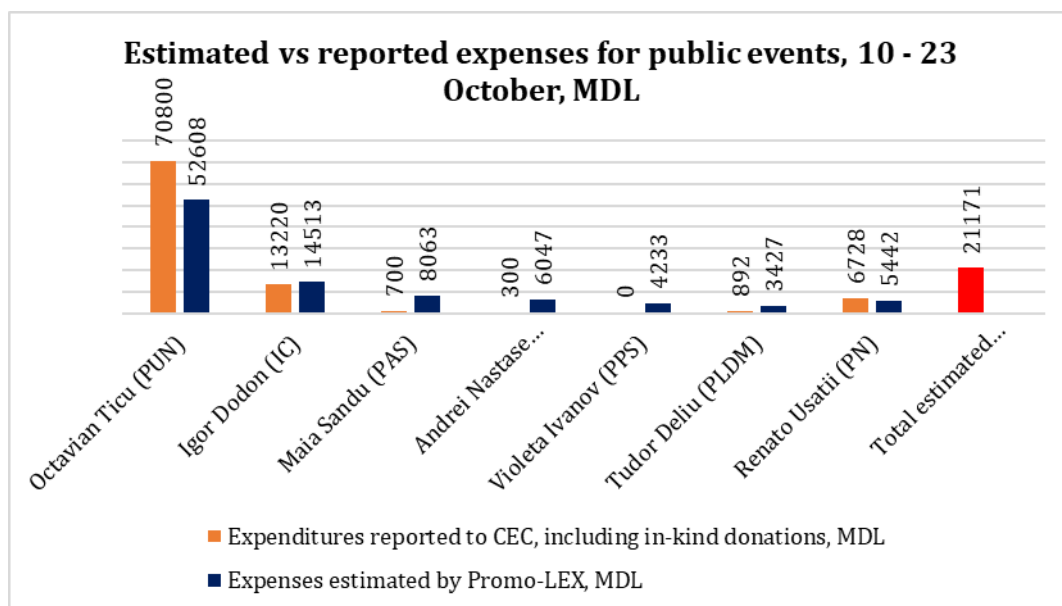
The estimated expenses of candidate Violeta Ivanov (PPS) amount to at least MDL 4,233.

The estimated expenses of candidate Andrei Nastase (PPPDA) amount to at least MDL 5,747.

The estimated expenses of candidate Renato Usatii (PN) amount to at least MDL 5,442 and are aligned with those reported to CEC.

The estimated expenses of candidate Octavian Ticu (PUN) amount to at least MDL 52,608 and are aligned with those reported to CEC.





e) Advertising expenses<sup>66</sup>

a. 1) Electronic media

During the reference period (10-23 October 2020), Promo-LEX OM observers reported sponsored advertising for candidate **Renato Usatii (PN)** on at least one public page on Facebook (FB) with at least 120 sponsored posts<sup>67</sup> and online banners on various websites and press conferences. Also, press conferences and a video of from an electoral meeting were reported.

As regards **Igor Dodon (IC)**, observers reported press conferences, online banners on various websites and at least 6 sponsored posts on FB social network<sup>68</sup>.

As regards candidate **Andrei Nastase (PPPDA)**, Promo-LEX OM observers reported a newly-created website, [nastasepresedinte.md](http://nastasepresedinte.md), online banners on various websites and at least 88 sponsored posts on at least one public page on FB and Instagram social networks<sup>69</sup>.

As regarding candidate **Maia Sandu (PAS)**, Promo-LEX OM observers reported two newly-created official websites, [maiasandu2020.md](http://maiasandu2020.md), [oamenibun.md](http://oamenibun.md), at least 175 sponsored posts, on at least 6 FB public pages on FB social network<sup>70</sup> and 5 press conferences.

Observers reported a newly-created website, [violetaivanov.md](http://violetaivanov.md), 4 electoral video spots, at least 3 public pages with 61 sponsored posts for the candidate **Violeta Ivanov (PPS)** on FB<sup>71</sup> and online banners on various websites and a press conference.

As regards candidate **Tudor Deliu (PLDM)**, Promo-LEX OM observers reported online banners on various websites and at least 2 sponsored posts on at least one public page on FB social network<sup>72</sup>.

As regards candidate **Dorin Chirtoaca (BE UNIREA)**, Promo-LEX OM observers reported at least two press conferences.

<sup>66</sup>Promo-LEX OM does not monitor the TV advertising.

<sup>67</sup> Sponsored advertising on a public page for Renato Usatii (PN), [Усатый Ренато-Renato Usatii](https://www.facebook.com/UsatiiRenato).

<sup>68</sup> Sponsored advertising on a public page for Igor Dodon (IC): [Igor Dodon](https://www.facebook.com/IgorDodon).

<sup>69</sup> Sponsored advertising on a public page for Andrei Nastase (PPPDA): [Andrei Năstase](https://www.facebook.com/AndreiNastase).

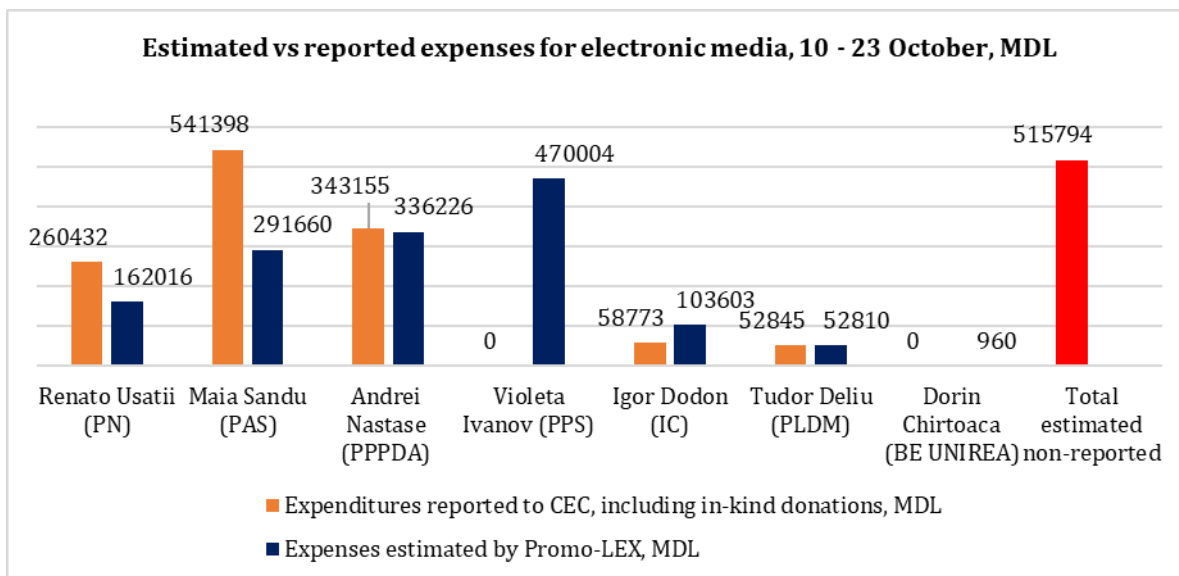
<sup>70</sup> Sponsored advertising on 6 public pages for Maia Sandu (PAS): [Maia Sandu](https://www.facebook.com/MaiaSandu), [PAS youth](https://www.facebook.com/PAS.youth), [PAS Chisinau](https://www.facebook.com/PAS.Chisinau), [Dumitru Alaiba](https://www.facebook.com/DumitruAlaiba), [Mihai Popsoi](https://www.facebook.com/MihaiPopsoi).

<sup>71</sup> Sponsored advertising on 3 public pages for Violeta Ivanov (PPS): [Violeta Ivanov](https://www.facebook.com/VioletaIvanov), [Ilan Sor](https://www.facebook.com/IlanSor), [Sor Party](https://www.facebook.com/SorParty).

<sup>72</sup> Sponsored advertising on a public page for Tudor Deliu (PLDM): [Tudor Deliu](https://www.facebook.com/TudorDeliu).

Promo-LEX OM estimated an amount of at least MDL 515,794 of unreported expenses during the reference period for three candidates: Violeta Ivanov (PPS) – at least MDL 470,004; Igor Dodon (IC) – at least MDL 44,830; Dorin Chirtoaca (BE UNIREA) – at least MDL 960 (Chart 13).

Chart 13



Data obtained on the basis of the information published on CEC official website and Promo-LEX findings

#### a. 2) Expenses for promotional materials and print-outs

Promo-LEX observers reported the use of promotional materials and print-outs that were printed between 10 and 23 October, by 7 election contenders.

As regards **Igor Dodon (IC)**, Promo-LEX OM observers reported print advertising in the form of newspapers paid from the 'Electoral Fund' account<sup>73</sup> and promotional materials in form of sweatshirts, caps, bags, t-shirts and jackets.

As regards **Renato Usatii (PN)**, Promo-LEX observers reported newspapers, posters, calendars paid from 'Electoral Fund' account<sup>74</sup>.

As regards **Andrei Nastase (PPPDA)**, the observers reported newspapers and A5 flyers and A3 calendars paid from 'Electoral Fund' account<sup>75</sup>.

<sup>73</sup> Newspapers, Romanian: *Newsletter*, printed at 'Edit Tipar Grup', order 1095, print run 32,000 copies, paid from the 'Electoral Fund' account according to the invoice No 65 of 19 October 2020; newspapers (Russian) – 'Edit Tipar Grup', print run 5,000 copies, order No 1017 of 13 October 2020; *Newsletter* (Romanian), printed on 12 October 2020 'Edit Tipar Grup' printing house, order No 1001, print run 800 copies, paid from the 'Electoral Fund' account according to the invoice No 65; (Russian) printed on 13 October 2020, 'Edit Tipar Grup' SRL printing house, order No 1002, print run 1000 copies, paid from the 'Electoral Fund' account according to the invoice No 65; leaflets (Russian) printed at 'Edit Tipar Grup' SRL, print run 65,000 copies of 22 October 2020, order 1117.

<sup>74</sup> Party newspapers – 'Puterea în adevăr' ['Strength in the Truth'], 'Universul' printing house, order No 922, print run 275,000 copies according to invoice N 03/AP of 16 October 2020; (Russian), 16 pages. Party newspapers – *Сила в правде* ['Strength in the Truth'], 'Universul' printing house; newspapers 'Puterea în adevăr' (Rumanian), 'Universul' printing house, order No 933 of 16 October 2020, print run 275,000 copies, newspapers order No 922 of 16 October 2020, print run 210,500 copies, A3 calendars, print run 30,000 copies, invoice No 7599, order No 39 of 19 October 2020, 'Simbol NP' printing house; A3 calendars printed at 'Simbol NP' printing house; A3 calendars, invoice No 7566, order 27 of 12 October 2020, print run 100,000 copies, 'Simbol NP' printing house; A3 posters, printed at *Intel reflect*, tax invoice No 1956885, print run 3,000 copies.

<sup>75</sup> A3 coloured calendars, printed at 'Aviprint Prim' printing house, print run 10,000 copies, paid from the 'Electoral Fund' account, according to invoice No 38 of 13 October 2020; A5 flyers printed at 'Aviprint Prim' printing house, print run 150,000 copies, paid from the 'Electoral Fund' account according to invoice No 4 of 12 October 2020; A5 flyers, print run 150,000 copies, printed at 'Aviprint Prim' printing house, paid from the 'Electoral Fund' account according to invoice No 9 of 22 October 2020; A3 coloured newspapers, 12 pages, print run 50,000 copies, printed at 'Edit Tipar Grup' printing house, order 1093, paid from the 'Electoral Fund' account according to the invoice No 68 of 19 October 2020.

As regards candidate **Maia Sandu (PAS)**, Promo-LEX OM observers reported A5 calendars, leaflets and newspapers paid from the ‘Electoral Fund’ account<sup>76</sup>.

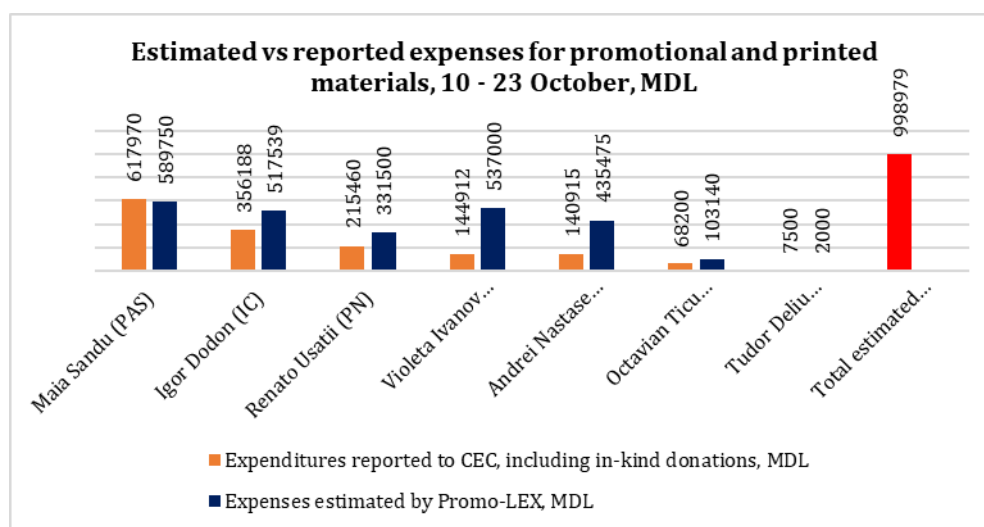
As regards **Violeta Ivanov IG (PPS)**, Promo-LEX OM observers reported A3 calendars, small calendars, leaflets and brochures<sup>77</sup>.

In case of **Tudor Deliu (PLDM)** the observers reported posters paid from the ‘Electoral Fund’ account<sup>78</sup>.

As regards **Octavian Ticu (PUN)**, the observers reported newspapers, posters<sup>79</sup>.

The total estimated unreported expenses amount at least to MDL 998,979: Violeta Ivanov (PPS) – at least MDL 392,088; Igor Dodon (IC) – MDL at least 161,351; Renato Usatii (PN) – at least MDL 116,040; Andrei Nastase (PPPDA) – MDL 294,560; Octavian Ticu (PUN) – MDL 34,940;

Chart 14



Data obtained on the basis of the information published on CEC official website and Promo-LEX findings

### a. 3) Mobile and outdoor advertising

During the reference period, Promo-LEX OM reported outdoor advertising in form of street banners used at walls of tents, banners of 6 x 3 m<sup>2</sup>, city lights of 2 x 1 m<sup>2</sup>, billboards of 6 x 3 m<sup>2</sup>, billboards of 4 x 3 m<sup>2</sup>, led billboards, etc.

The observers reported the use of outdoor advertising by five election contenders: Maia Sandu (PAS), Andrei Nastase (PPPDA), Violeta Ivanov (PPS), Igor Dodon (IC), Tudor Deliu (PLDM). Only one of them reported expenses to CEC that match the Mission’s estimates.

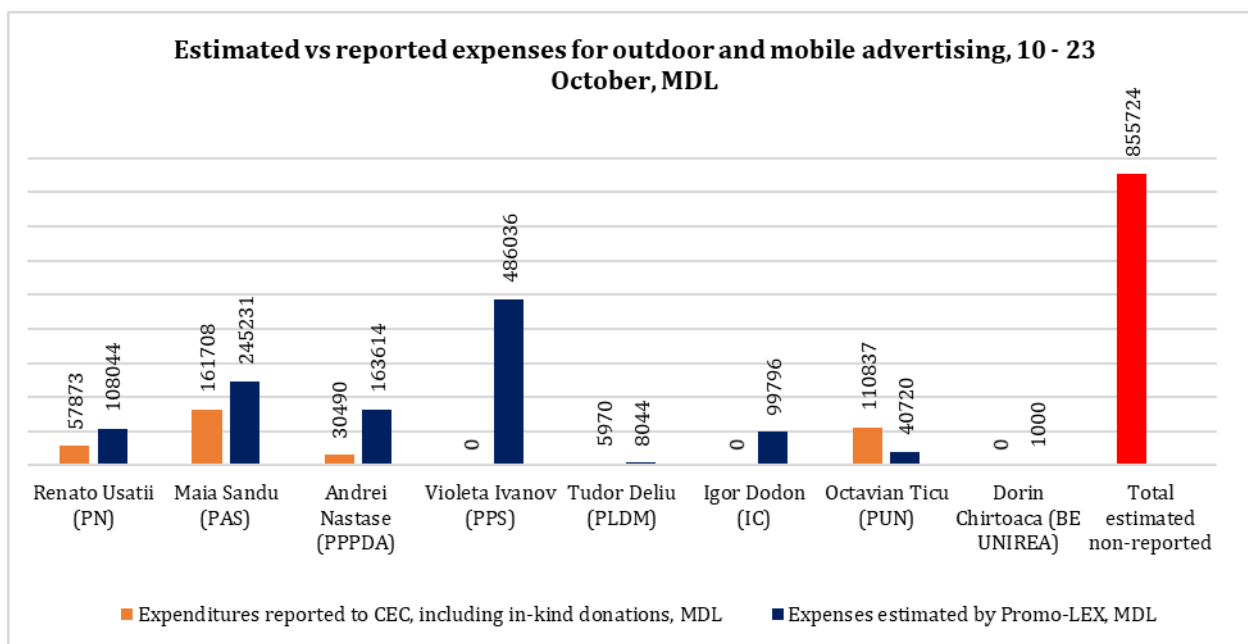
The mission estimated an amount of at least MDL 855,724 of unreported expenses for: Renato Usatii (PN) – at least MDL 50,171; Maia Sandu (PAS) – MDL 83,523; Andrei Nastase (PPPDA) – MDL 133,124; Violeta Ivanov (PPS) – MDL 486,036; Tudor Deliu (PLDM) – MDL 2,074; Igor Dodon (IC) – MDL 99,796; Dorin Chirtoaca (BE UNIREA) – MDL 1,000 (Chart 15).

<sup>76</sup> Newspapers printed at ‘Edit Tipar Grup’, paid from the ‘Electoral Fund’ account according to the invoice No 48 of 15 October 2020, order 1088, print run 100,000 copies; A3 calendars, paid from the ‘Electoral Fund’ account, printed at ‘Policolor’ SRL printing house on 14 October 2020, print run 50,000 copies; leaflets paid from the ‘Electoral Fund’ account of the contender Maia Sandu on 16 October 2020, print run 650,000 copies, ‘Policolor’ printing house.

<sup>77</sup> A3 calendars, print run 480,000 copies, printed at ‘Nova-Imprim’ SRL, contract No 2G of 12 October 2020; small calendars, print run 480,000 copies, printed at ‘Carpatina Print’ SRL, contract No 12/20 of 12 October 2020; leaflets, print run 480,000 copies, printed at ‘Carpatina Print’ SRL, contract No 12/20 of 12 October 2020; brochures, print run 210,000 copies, printed at ‘Nova-Imprim’ SRL, contract No 3G/6 of 13 October 2020.

<sup>78</sup> Posters printed at ‘Grafema Libris’ print house of 19 October 2020, print run 1,000 copies.

<sup>79</sup> A5 flyers – 50,000 copies, ‘Simbol-NP’ printing house, printing date – 10 October 2020; newspapers, print run 10,000 copies, ‘Simbol-NP’ printing house, order No 43 of 19 October 2020.



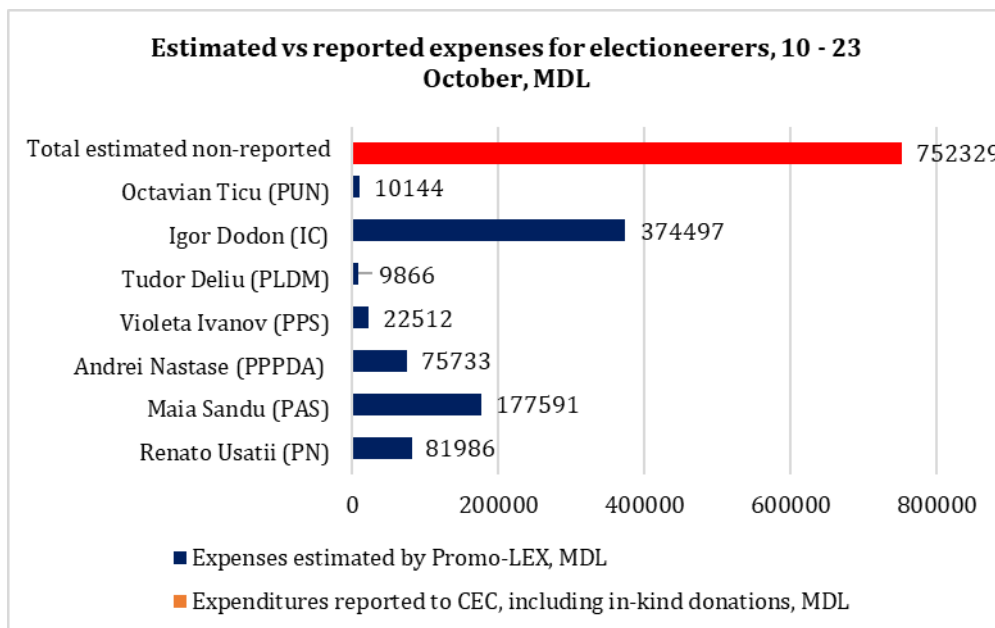
*Data obtained on the basis of the information published on CEC official website and Promo-LEX findings*

#### f) Expenses for delegating/seconding persons

The expenses for delegation of electioneers of election contenders were calculated on the basis of the minimum wage guaranteed in the real sector for 2020<sup>80</sup>. Thus, the estimates were obtained by multiplying the number of unique electioneers with 8 working hours per day and with the cost per hour (MDL 17.37), taking into account that each electioneer worked at least one day. Only the electioneers of the candidates that were observed by Promo-LEX OM were taken into account. No contender reported to CEC expenses for the delegation of electioneers. Moreover, no election contender submitted their signed declarations of volunteering.

According to the observers, Igor Dodon (IC) involved at least 2,695 electioneers (including those of PSRM), for whom Promo-LEX OM estimated an amount of at least MDL 374,497; Maia Sandu (PAS) involved at least 1,278 electioneers, for whom an amount of at least MDL 177,591 was estimated; Renato Usatii (PN) – at least 590 electioneers, for whom an amount of MDL 81,986 was estimated; Andrei Nastase (PPPDA) – at least 545 electioneers, for whom an amount of at least MDL 75,733 was estimated; Violeta Ivanov (PPS) – 162 electioneers, for whom an amount of at least MDL 22,512 was estimated; Tudor Deliu (PLDM) – 71 electioneers, for whom an amount of at least MDL 9,866 was estimated; Octavian Ticu (PUN) – 73 electioneers, for whom an amount of MDL 10,144 was estimated. Finally, Promo-LEX OM estimated at least MDL 752,329 for the work of electioneers (Chart 16).

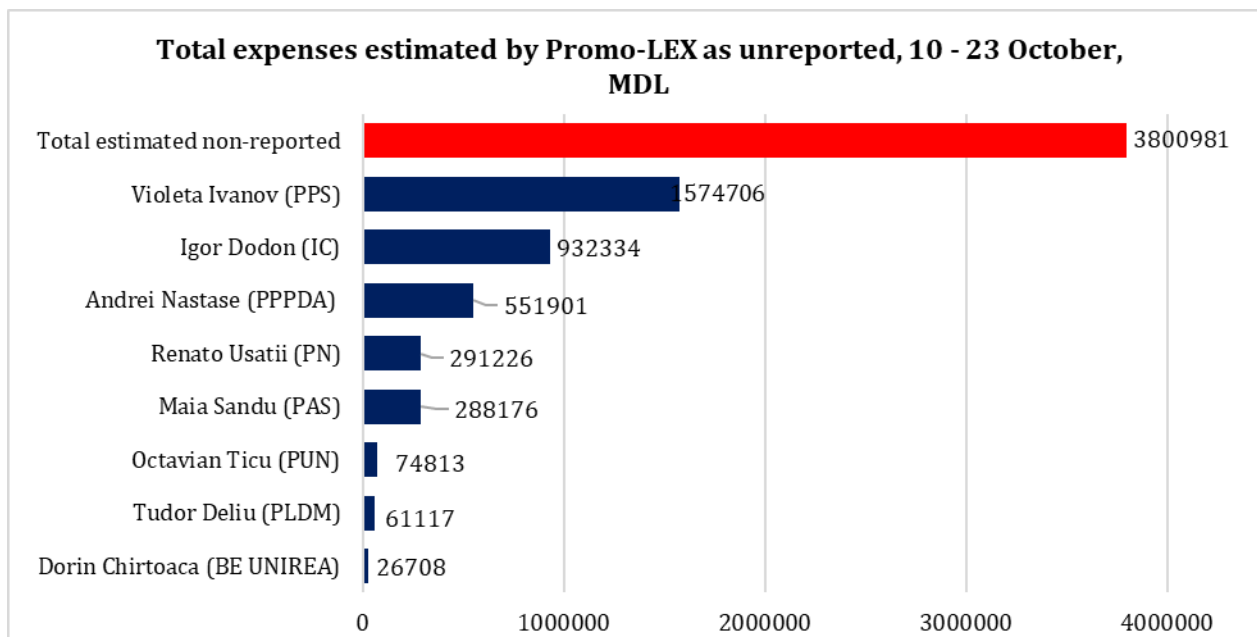
<sup>80</sup> [The minimum guaranteed salary in the real sector in 2020](#) amounts to MDL 2,935 per month or MDL 17.37 per hour.



Data obtained on the basis of the information published on CEC official website and Promo-LEX findings

As a result, Promo-LEX OM found that **8 election contenders did not report fully the expenses incurred during the monitored period, 10-23 October 2020 in the amount of at least MDL 3,800,981. Contenders did not report expenses in the amount of at least:**

- Violeta Ivanov (PPS)** – MDL 1,574,706;
- Igor Dodon (IC)** – MDL 932,334;
- Andrei Nastase (PPPDA)** – MDL 551,901;
- Renato Usatii (PN)** – MDL 291,226;
- Maia Sandu (PAS)** – MDL 288,176;
- Tudor Deliu (PLDM)** – MDL 61,117;
- Octavian Ticu (PUN)** – MDL 74,813;
- Dorin Chirtoaca (BE UNIREA)** – MDL 26,708 (Chart 17).



## VIII. HATE SPEECH AND INCITEMENT TO DISCRIMINATION

During the observation period, at least 76 cases of using hate speeches and incitement to discrimination were identified in the context of the presidential election of 1 November 2020, which represents an increase of 17% compared to the previous monitoring period (30 September – 13 October 2020)

Of these, in 52 cases the hate speech was used by candidates: in 46 cases the hate speaker was Renato Usatii (PN); in three cases – Andrei Nastase (PPDA), in one case — Dorin Chirtoaca (BE UNIREA), in one case — Violeta Ivanov (PPS) and in one case — Igor Dodon (IC).

There were also reported at least 15 cases of using hate messages and/or incitement to violence against candidates registered in the electoral race by politicians, journalists, opinion leaders or candidates' supporters. Thus, Igor Dodon (IC) was targeted in five such cases, Maia Sandu (PAS) was targeted in four cases, Violeta Ivanov (PPS) was targeted in three cases, Dorin Chirtoaca (BE UNIREA) was targeted in two cases and Renato Usatii (PN) was targeted in one case.

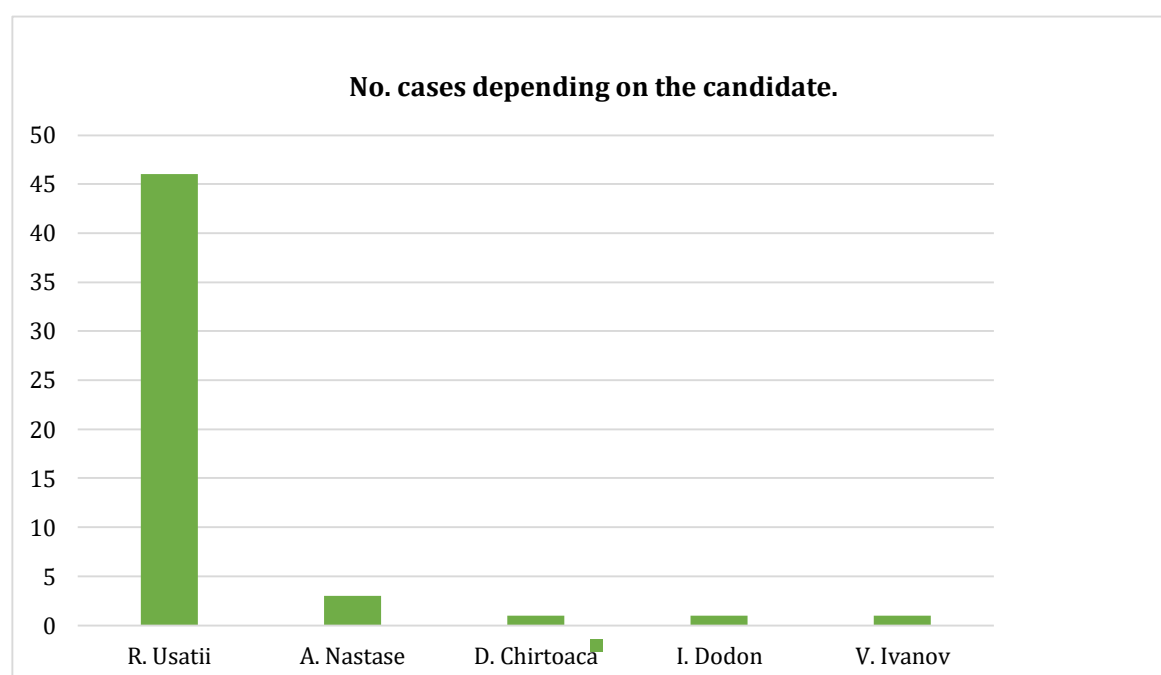
In other 9 cases, hate speech and incitement to discrimination targeted members of political parties and/or supporters of candidates, as well as public officials, politicians and voters in general, and voters domiciled in the transnistrian region, in particular.

Hate and discriminatory messages mainly built on the following criteria: political affiliation, professional activity, sex/gender, disability, religion and religious beliefs, sexual orientation, age and opinion.

### 8.1. Candidates who used hate speech or incitement to discrimination

During the monitoring period, at least 52 situations were registered where three five of the eight election contenders used hate speech and incitement to discrimination, prejudices, stereotypes, incited to discrimination and violence and favoured the perpetuation of intolerance in the society (see Chart 18).

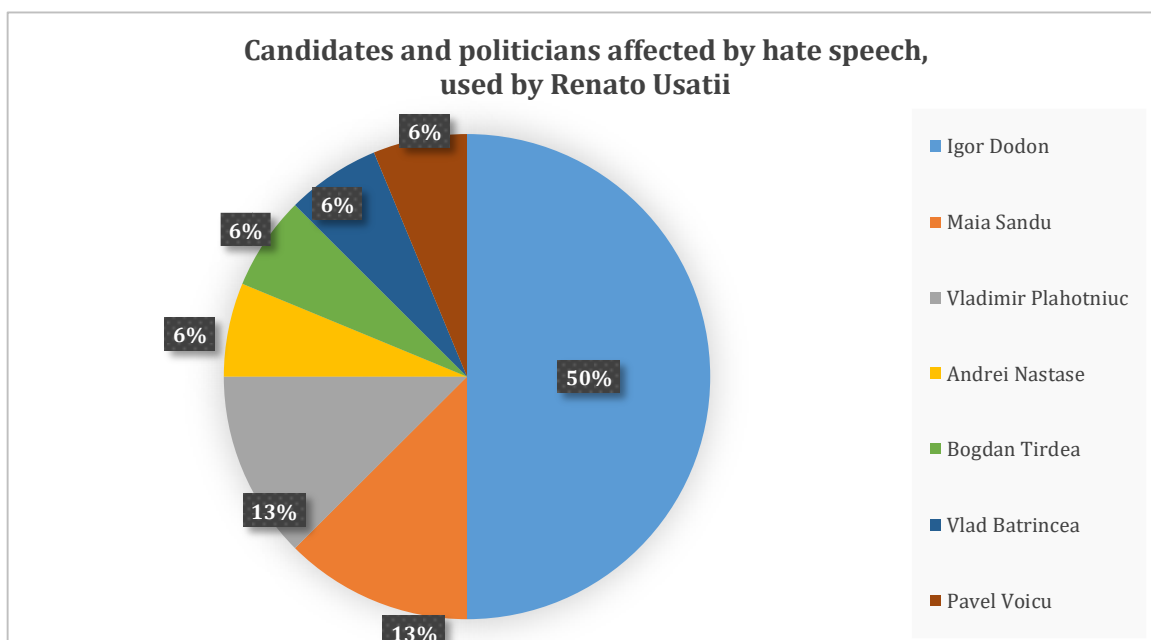
Chart 18



#### ***Hate speech or incitement to discrimination used by Renato Usatii (PN)***

Out of the 52 reported cases, in 46 cases the author of the hate speech was the PN candidate, Renato Usatii. This hate speech targeted the independent candidate Igor Dodon (8 cases), PAS candidate, Maia Sandu (2 cases), politician Vladimir Plahotniuc (2 cases), PPPDA candidate Andrei Nastase, PSRM MPs Vlad Batrincea and Bogdan Tirdea (one case), Minister of Internal Affairs, Pavel Voicu (one case), and the other 31 cases were against different social groups (politicians, women, LGBT people, business people and civil servants) (see Chart 19).

Chart 19



In those eight cases that targeted Igor Dodon (IC), Renato Usatii (PN) used associations with birds ('turkey') and animals ('tomcat') as well as associations with objects ('plastic bag', 'cheap furniture') and preconceptions about people with mental disabilities ('a little bit of a patient') with the aim to denigrate, dehumanize and ridicule his counter-candidate. An example of speech against Igor Dodon was registered during a meeting with the voters in Falesti town, on 25 October 2020:

*'I will put you behind the bars, you are a fraud! I will put you behind the bars, you, plastic bag!'*  
*'He sends provocateurs in the districts, I am fed up with all his rubbish. Please, take this turkey from here!'*  
*'I came here to ask him questions because he is hiding from me like a tomcat!'*  
*'He is hiding just like a cheap furniture behind his security and behind everyone else.'*

Renato Usatii also used preconceptions about people with mental disabilities and LGBT community against the candidate Andrei Nastase (PPPDA) and the PSRM MPs Bogdan Tirdea and Vlad Batrincea in order to denigrate them. One example is his statement during the talk show 'Кто следующий?' [Who is Next?] from newsmaker.md of 22 October 2020:

*'When we see a human, and he doesn't even look like Tirdea but rather like something that was born after a night walk of Tirdea with Batrancea... I don't know.'*  
*'I can promise that if I get to the second round of elections together with Maia Sandu, there won't be any plastic bags, trolls, this dirt and these lies and there won't be any insane Tirdeas and other.'*

The counter-candidate Maia Sandu, the members of PN Elena Gritco, Stela Ontu, Nina Cereteu and women in general were targeted by sexist messages, which on the one hand, denigrated and offended them, and on the other hand, were determined by gender stereotypes. Here is an example of such a message from an interview on esp.md 'Лица оппозиции. Встречи без пиджаков. Большое

интервью «СП» с Ренато Усатым' [The Face of Opposition. Meetings Without Jackets. Big Interview with Renato Usatii], published on 15 October 2020:

*'Today, no matter how honest she is, it is impossible to fight corruption with heels, this is possible only with fists.'*

Most of hate speeches in form of incitement to violence, threats, etc. targeted politicians and civil servants and one such message was made during a public meeting with the voters from Causeni town on 21 October 2020 and was also posted on the personal Facebook page on 24 October 2020:

*'We, and when I say we I mean all the citizens in the country, we'll be able to teach them some respect when the power is in our hands, and I promise I will do so, just like I did with those bastards from Balti. We will do the same at national level. [...] The only problem is that you understand that our chances are small without a spade and a tyre lever.'*

*'It's time to disperse these parasites, as well as their bosses from the Parliament. [...] Those who distribute the money and their bosses from the Parliament will get where they deserve – in the rubbish dump of the history. No one remembers the rubbish. This is what they are, rubbish.'*

### ***Hate speech or incitement to discrimination used by Andrei Nastase (PPPDA)***

Three cases of hate speech by Andrei Nastase were identified during the monitoring period. All the three cases targeted politicians and/or civil servants that do not identify themselves as part of a religious cult, like in the example presented below (meeting with the voters in Calpani v., Stefan Voda d., 16 October 2020):

*'Do we have a former policeman here? I would like to know how me putting a cross in the Ministry of Internal Affairs bothered him. Nobody was bothered except for some Godless politicians, because the Republic of Moldova was always ruled by people without faith in God. It's time to go back to our traditions, to our Christian morality, to our faith.'*

As we mentioned in the previous reports, through such statements, Andrei Nastase promotes the idea according to which politicians or civil servants should believe in God, which is against the principle of pluralism in a democratic state. We remind that freedom of religion also means the freedom of not adopting a religion and the freedom not to practice it, and through his message, the PPPDA candidate rather supports an exclusive policy, than an inclusive one.

### ***Hate speech or incitement to discrimination used by Dorin Chirtoaca (BE UNIREA)***

One of those 52 cases of hate speech or incitement to discrimination was made by candidate Dorin Chirtoaca (BE UNIREA), who posted on 16 October 2020 a video on his Facebook page, in the context of Igor Dodon presenting his activity report as president:

*'Like I said, I red it once, twice, I red it the third time and I have been asking myself: is it everything ok with Dodon? Shouldn't he see a doctor? I am not speaking about COVID, it is about integrity, I don't know, about mental issues. I mean, how can you present these so-called achievements after four years as the President of the Republic of Moldova?'*

Through this statement, Dorin Chirtoaca questions the mental integrity of his counter-candidate Igor Dodon, thus denigrating him.

### ***Hate speech or incitement to discrimination used by Igor Dodon (IC)***

In a video material produced by Radio Free Europe and published on 20 October 2020, Igor Dodon said the following:

*'The objective number seven is about our traditional values. You know I have been always advocating for keeping and protecting our traditional values. We even launched the 'Festival of the Family' several years ago in Chisinau. I will maintain that the country's president, who is the*



*first person in a state, should not participate in sexual minorities' marches organised in Chisinau. He should promote the things that are desired by the majority of citizens. Most of the citizens want traditional values, because these are our Moldovan traditions.'*

Through this statement, Igor Dodon, on the one side, promotes the idea that a president of the country should not support the rights of LGBT people, and on the other side, that the traditional values are the values of the majority of the population and they should be supported even if they are against the rights of other minorities. This way Igor Dodon incites to discrimination against LGBT people, which results in higher intolerance in the society towards this social group.

### **Hate speech or incitement to discrimination used by Violeta Ivanov (PPS)**

During the electoral debates talk show on Moldova 1 TV channel of 21 October 2020, candidate Violeta Ivanov spoke to PAS MP Dan Perciun, the representative of presidential candidate Maia Sandu, saying:

*V.I. 'I do not intend to persuade you, but I have people's trust, based on the thousands of discussions I had with citizens. The position of MP is probably the first entry in your employment record book.'*

*D.P. 'It isn't.'*

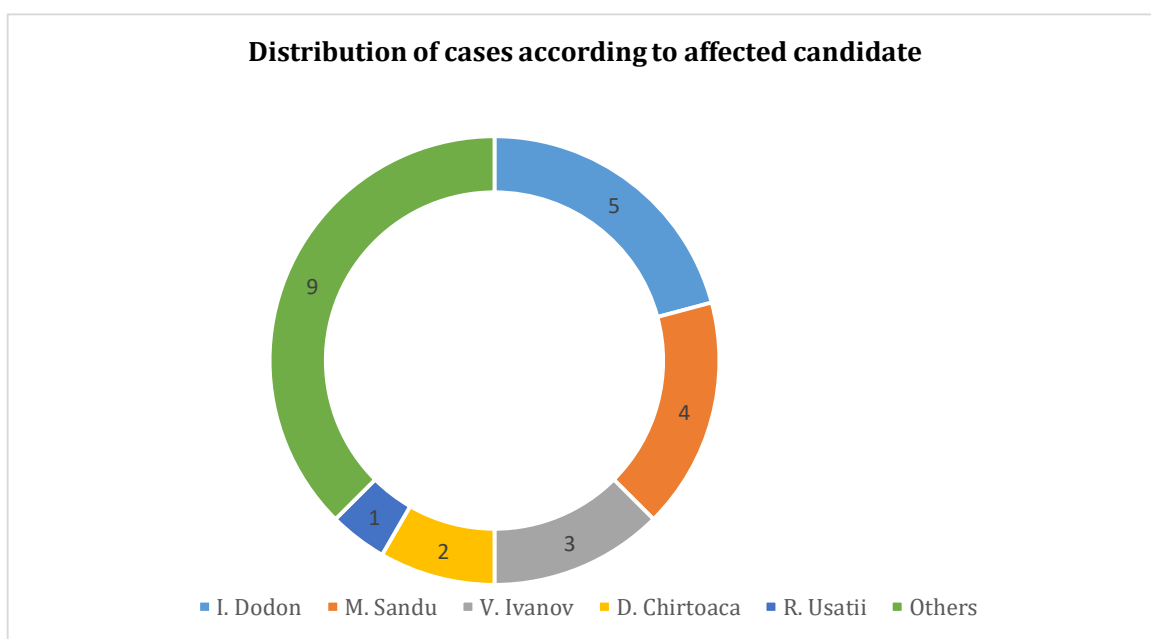
*V.I. 'You are a young politician, I don't see this as a minus, but you should work more, to have experience and after that you can think about, decide and ... I don't know... put labels on someone. You don't have the right so... I understand, your little employment record book says that the position of MP is your first job. I wish you good luck in finding your way later.'*

The message of candidate Violeta Ivanov (PPS) is not a hate speech, but is a message that instigates to discrimination based on age and suggests that an older person has enough experience to express a critical opinion on a certain topic.

## **8.2. Candidates who were the target of hate speech or incitement to discrimination**

According to data provided by monitors, at least 24 situations were registered when presidential candidates and representatives of political parties and/or supporters of candidates and other social groups were the target of public speeches that incited to discrimination or violence, denigrated and used stereotypes and preconceptions (see Chart 20).

Chart 20



### ***Hate speech and incitement to discrimination against Igor Dodon (IC)***

In 5 cases, the hate speech or incitement to discrimination against Igor Dodon took the form of dehumanization by associating him with ‘a plastic bag’, ‘viper’, or ‘condom’ and the form of denigration through personal attacks and attacks against his physical and psychological integrity.

An example is the message of a participant in the meeting with voters, organised by PPPDA representatives in Arionesti v., Stefan Voda d., that took place on 16 October 2020:

*‘Those who will vote for Dodon are condoms too!’.*

Note that Andrei Nastase, the candidate of PPPDA, warned the participant that it was not good to speak that way.

### ***Hate speech and incitement to discrimination against Maia Sandu (PAS)***

Both hate and sexist messages were used against Maia Sandu (PAS), that put her in a negative light by associating her with the idea of unifying the Republic of Moldova with Romania or with the promotion of the rights of LGBT people, by using gender prejudices and stereotypes aimed to present the politician as unable to rule and solve problems, particularly because she is an unfaithful, unmarried woman who studied in the West.

One of the four cases registered in the article ‘*Политические выскочки против Додона*’ [Political upstarts against Dodon], published on actualitati.md on 26 October 2020.

*‘These are not all the reasons why the presidential hat does not fit Maia Sandu. For the Moldovan electorate, 90% of which are Christians, it is also an important factor that she does not go to church, supports homosexuals and lesbians, and has no children. And in general, she feels closer to Harvard – her alma mater, and not to Drochia, Malaesti and Criuleni. She also does not hide she is a unionist. This means she is obliged and she will strive to transform our Republic in a Romanian region. Is this the president that our Moldovan patriots want?’*

### ***Hate speech and incitement to discrimination against Violeta Ivanov (PPS)***

The registered cases that targeted Violeta Ivanov (PPS) were about sexist speeches. All the three cases were about gender prejudices and stereotypes and Violeta Ivanov was presented in a denigrating manner and her role in the Moldovan politics was reduced to her physical appearance.

One example is the message of the former prosecutor Ivan Diacov, published on his personal Facebook page on 19 October 2020, which, on the one side, associates Violeta Ivanov with a commercial sex worker, and on the other side, incites to violence:

*‘The most vulgar political whore and the most detestable thief of the contemporary Moldova, who left the Bessarabians bare-assed, mocking us [...], mockingly grin at us from the largest house-sized billboards. Moldovans, take the forks in your hands if you still have the blood of Stefan cel Mare in your veins and not sheep urine!’*

### ***Hate speech and incitement to discrimination against Dorin Chirtoaca (BE UNIREA)***

Both cases were identified on the news portal bloknote-moldova.md and both cases used preconceived ideas about people with mental disabilities that ridiculed and denigrated the candidate of BE UNIREA.

For example, in the article ‘*Киртоакэ заявил, что Молдова была в ЕС “уже сто лет назад”*’ [Chirtoaca said that Moldova was part of EU “hundreds of years ago”] published on 26 October 2020, the author, Dan Dudca, after writing about one of the video materials produced by Dorin Chirtoaca on his Facebook page, made a poll for readers and asked them: ‘*Is Chirtoaca an adequate person?*’. Thus, he ridiculed the candidate of BE UNIREA based on his opinion.

### ***Hate speech and incitement to discrimination against the supporters of candidates/political parties and voters***

Out of nine registered cases of hate speech and incitement to discrimination, seven targeted voters in general, and voters domiciled in the transnistrian region, in particular.

If against voters were used preconceptions about people with mental disabilities, the speech used against the citizens of the Republic of Moldova domiciled in the transnistrian region was one of the most aggressive. On the one hand, they were stigmatized for being carriers of COVID-19, and on the other hand, they were associated with 'dirt' and 'pandemic', thus instigating to discrimination by calling on the citizens to 'defend' themselves of the citizens from the region who will participate in the elections.

One example of such a message was registered during a meeting with the voters organised by PPPDA representatives in Varnita v, Anenii Noi d., on 15 October 2020:

*'People, there will be confrontations and clashes. God forbid, but it's possible that blood will shed. I'm telling you, we have to defend our country. We have to stop the dirt to enter our village, we have to keep our village clean. People, I'm calling you to fight the pandemic, the pandemic is there, in the hand of those in power.'*

Other two cases targeted the supporters of PAS in the context of the message of PAS member Boris Cusnir, who attracted the attention of the public opinion after a video containing messages that instigate against elderly was released.

One of these messages was found on the news portal [bloknot-moldova.md](http://bloknot-moldova.md), published on 23 October 2020, through which the author, Mihail Ghenciu, instigated to violence against him by asking the readers at the end of the article: *'Should we give him the stanky boot?'*

*The Promo-LEX Association emphasises that the use of hate speech and incitement to discrimination in the public space and in the mass-media by candidates and their supporters amid election campaign harms not only the dignity of counter-candidates, by also that of people from particular social groups, including when prejudice and stereotypes are used or when people are incited to discrimination and violence.*

## IX. ELECTORAL EDUCATION AND AWARENESS

*In the context of the presidential election of 1 November 2020, Promo-LEX Association and other three organisations that received sub-grants from the Association, carried out at least 52 activities of voter information, education and apolitical mobilisation for the citizens of the Republic of Moldova having the right to vote.*

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

*During the reporting period, CICDE and CEC conducted both trainings (for electoral officials, GPI and GPO employees, as well as representatives of social political organisations, non-government organisations that could be involved in the organisation of elections) and awareness-raising activities (periodicals, simulation of the electoral process, video materials etc.) regarding presidential election preparations and the specifics of elections amidst the pandemic.*

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

As part of the 'aiVOT!' Campaign, Promo-LEX Association carried out voter information and education activities. The activities targeted young voters, voters from the transnistrian region and the diaspora, as well as the voters as a whole.

In this respect, Promo-LEX distributed through various social networks 7 awareness-raising and motivational messages regarding the presidential elections and voting procedures. Besides, six VOX type videos<sup>81</sup> promoted the importance for young people and persons from the left bank of the Nistru River to vote. At the same time, during the campaign, Elita TV and Dnestr TV produced and broadcast two pieces of news and three reports and the radio station 'Новая Волна' [New Wave] conducted three talk shows in order to inform the citizens from the transnistrian region about the management of the electoral process by the constitutional authorities, proceeding to exercise the right to vote, list of polling stations opened for the residents from thee left bank of Nistru River, safety and protection rules against Covid-19 on the election day, etc.

Promo-LEX also organised a Scavenger Hunt type knowledge contest in the electoral field<sup>82</sup>, in which 22 young people participated. The questions covered topics like: the duties of the president, the voting and electoral procedures in a presidential election, as well as the presidential elections of 1 November 2020. Nine winners of the contest got symbolic prizes – 'aiVOT!' Campaign visibility materials.

On 15 October, Promo-LEX launched a motivational video spot that encourage young people to vote<sup>83</sup>. The spot was promoted on social media and on 12 TV channels and radio stations with national and regional coverage.

To facilitate a discussion platform for election contenders and voters, Promo-LEX Association, in partnership with the Public Institution 'Teleradio-Moldova' Company, organised eight TV electoral debates<sup>84</sup> and for radio electoral debates<sup>85</sup> between 14 and 28 October. The public debates were

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<sup>81</sup> For example: [Video](#) *Why is it important for young people to vote?* 25.10.2020.

[Video](#) *Why do many young people don't want to vote?*, 25.10.2020.

[Video](#) *Message of the young people from the transnistrian region for the citizens with the right to vote*, 28.10.2020.

[Scavenger Hunt](#) <sup>82</sup> [Contest for young people](#) in the electoral field, 23.10.2020.

<sup>83</sup> [Video spot](#) *'On 1 November #aiVOT. We will try once more!'*, 15.10.2020.

TV Electoral <sup>84</sup> [debates](#).

Electoral<sup>85</sup> [debates](#) at Radio Moldova.

organised at the public TV channel Moldova 1 and at the public radio station Radio Moldova. The debates were attended by the candidates for the position of president and their representatives.

The organisations that received grants from Promo-LEX Association also carried out various activities of voters information, electoral education and apolitical mobilisation.

Thus, during the reporting period, the Association of Independent Press (AIP) CSO produced and promoted on social media 7 video reports<sup>86</sup>, information<sup>87</sup> and electoral education talk shows for voters, including on voting in conditions of COVID-19 pandemic<sup>88</sup>. Seven videos containing motivational messages about the voting process were produced and promoted<sup>89</sup> with the involvement of young people and civic activists. At the same time, two information articles<sup>90</sup> on the participation in voting of young people and people with disabilities were produced and promoted in the social media. AIP campaign activities were carried out in partnership with the information portals: [www.diez.md](http://www.diez.md), [www.observatorul.md](http://www.observatorul.md), [www.expresul.md](http://www.expresul.md), [www.nokta.md](http://www.nokta.md) și [www.tuk.md](http://www.tuk.md).

The Association for Participatory Democracy (ADEPT) CSO published on its Facebook page a series of messages<sup>91</sup> containing relevant information about the election, election campaign, election contenders, etc. Also, together with journalist and vlogger Dorin Galben and *Ziarul de Garda* newspaper, ADEPT produced and promoted on the social media, a video<sup>92</sup> that encourages the voters from diaspora to vote, and a video report<sup>93</sup> about the electoral promises versus the duties of the head of the state. At the same time, the organisation published the list of the addresses of polling stations abroad on the page [www.alegeri.md](http://www.alegeri.md), in the heading 'Voting Abroad'<sup>94</sup>.

The 'Rockit Academy' CSO produced and promoted on the social media a video material KOMETA about the violations found during the presidential election campaign<sup>95</sup>. In addition, three videos about the participation of civic activists, influencers, etc. were produced<sup>96</sup>.

## 9.2. Training and awareness-raising activities for voters, organised by CEC and CICDE

*Training activities.* During the monitored period, CEC and CICDE provided online and face-to-face training for electoral officials, GPI and GPO staff, representatives of socio-political organisations, Non-Government Organisations that could be involved in the conduct of elections.

During 14-23 October and on 27 October, CICDE conducted face-to-face training for PEB electoral officials on how to apply the current electoral legislation in a correct and uniform manner and implicitly, to ensure the good organisation of the elections on 1 November 2020.

Under 'Approach for a Fair Society Through Inclusive Elections' Project, CICDE conducted two sessions aimed to inform and raise the awareness of PEB members (Cimislia, Leova) about the peculiarities of polling stations accessibility on the election day, addressing also the techniques and tools for the inclusion of people with disabilities in the electoral processes.

On 20, 22 and 23 October, CICDE organised three webinars entitled 'Integrity of the Electoral process' which were attended by socio-political organisations, non-government organisations, GPI staff and representatives of the Prosecutor's Office. The following topics were approached during the press conferences: electoral integrity – prerequisites for political integrity, international standards on electoral integrity, national regulatory framework on electoral integrity, restrictions in using the administrative resources for electoral purposes, sanctioning electoral violations, particularly the

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<sup>86</sup> [\(video\)](#) What can and cannot do a president in Moldova. Role of presidential institution.

<sup>87</sup> [SPECIAL PROJECT NOKTA TALK: YOUR VOTE IS IMPORTANT! ELECTIONS IN ROMA COMMUNITY.](#)

<sup>88</sup> [\(video\)](#) How we will vote in conditions of pandemic. We explain to you the adopted provisions.

<sup>89</sup> [Profile](#) of a head from NPA (II): one more undeclared house and licentious indications to a subaltern.

<sup>90</sup> [Voting](#) for people with disabilities: the existing solution in conditions of reduced accessibility of buildings.

<sup>91</sup> <https://www.facebook.com/alegeri.md/photos/a.1120027154699679/3324279790941060/>

<sup>92</sup> <https://www.facebook.com/doi.galbeni/videos/763494084209531>

<sup>93</sup> [https://fb.watch/1phhWw9\\_S1/](https://fb.watch/1phhWw9_S1/)

<sup>94</sup> [http://alegeri.md/w/Pagina\\_principal%C4%83](http://alegeri.md/w/Pagina_principal%C4%83)

<sup>95</sup> <https://fb.watch/1phG0zDEqP/>

<sup>96</sup> <https://fb.watch/1phKHnx-K5/>

corruption of the voter, as well as the professional ethics and integrity of those in elective positions or exclusively political positions.

*Information activities.* To inform voters, on 16 October CEC organised, in the Republican Sports Boarding High School, the electoral class entitled 'Presidential Elections of 1 November 2020', during which the youth got acquainted with the list of election contenders, voting procedure and the identification documents on the basis of which one may vote.

Under the information campaign for the presidential election of 1 November 'Vote Responsibly, Vote Safely', CEC produced:

- *a motivational spot to encourage the presence of voters at the ballot boxes;*
- *four video materials containing information about the organisation of the presidential elections of 2020 in the conditions of COVID-19 pandemic* namely: requesting the mobile ballot box by voters who get treatment at home, disinfecting the polling stations to ensure the protection of voters, observers and electoral officials, observing the measures of physical distancing, wearing the protection mask and observing the limit of 50 persons for the meetings with the voters in closed spaces, the steps of the voting process.

Promo-LEX OM found that during the reporting period, at least three members of CEC participated in TV and radio talk shows about the organisation of the presidential elections, including in conditions of pandemic. Also, in 15 and 22 October, CEC participated in two video conferences entitled 'Conducting the Elections During the Pandemic' and respectively, in EU Debates Cafe on 'Voter participation in the transnistrian region in the presidential elections: challenges and solutions'.

During the reference period, CICDE launched the 6th 'CICDE Podcast', focusing on motivating young people to vote, caused by political absenteeism of young people, vulnerability of young people to be manipulated, necessity of increased electoral education, as well as the role of young people in the democratic life.

Between 14 and 28 October, under 'Archi's Journey to Elections' campaign, CICDE informed children, parents and teachers from Edinet, Donduseni, Ialoveni about how to wear correctly the protection mask, how to vote with the help of mobile ballot box as well as about other voting procedures that are useful for them as future voters, and for their parents and teaching staff.

On 18 October, under the information campaign about the importance of young people to vote 'Your Vote – Our Future!', CICDE, in partnership with the Municipal Youth Centre from Chisinau, trained the young people in terms of four dimensions of the electoral process: term of 4D elections, electoral bodies from the Republic of Moldova, activity of the electoral office and of its members and the voting procedure.

On 28 October, under the information campaign 'Your Vote – Our Future!', CICDE, in partnership with the Municipal Youth Centre from Chisinau, organised a simulation of the voting process with the involvement of young people as electoral officials, voters and observers of the electoral process.

## **RECOMMENDATIONS**

### **To the Parliament of the Republic of Moldova**

1. Amend and adjust the provisions on electoral complaints from the Electoral Code in compliance with the rules of the Administrative Code in order to address any conflict of rules and to ensure the exact regulation of the appeal procedures for each type of elections.

### **To the Central Electoral Commission:**

2. Amend the Item 3(6) of CEC Decision No 4374 of 17 October 2020 on the peculiarities of the voting process of certain categories of voters for the election of the President of the Republic of Moldova of 1 November 2020 to adjust it to the provisions of the Electoral Code on requesting the mobile ballot box on the election day.

3. Amend the Item 11 of the Regulation on the operation of the Video Recording System in the polling stations. Ensure the functionality of the video cameras on the election day, starting with the beginning of the preparatory electoral operations regarding the opening of the polling station and ending with the tabulation of the results of voting.

4. Avoid declining the jurisdiction when examining the complaints given that a rule should be interpreted in a way that will allow its application and not its exclusion.

### **To the Supreme Court of Justice**

5. Issue, as a matter of emergency, a consultative opinion on how to appeal, examine and solve the electoral disputes based on the Electoral Code and Administrative Code, particularly starting with the need to ensure the right to effective remedy, especially on the election day and after the election day.

## ABBREVIATIONS

para. – paragraph  
LPA – Local Public Authorities  
Art. – Article  
PEB – Precinct electoral bureau  
BE Unirea – UNIREA Electoral Bloc  
NBM – National Bank of Moldova  
twp. – township  
CEC – Central Election Commission  
DEC – level-two District electoral council  
IC – independent candidate  
CICDE – Ongoing Training Centre on Electoral Matters  
NEPHC – National Extraordinary Public Health Commission  
TEPHC – Territorial Extraordinary Public Health Commission  
let. – Letter  
LGBT – Lesbian, Gay, Bisexual, Transsexual  
OM – Observation Mission  
mun. – Municipality  
No – number  
t. – town  
OSCE – Organization for Security and Cooperation in Europe  
OSCE/ODIHR – OSCE Office for Democratic Institutions and Human Rights  
LTO – Long Term Observer  
STO – Short-Term Observer  
PAS – Action and Solidarity Political Party  
p. – Item  
PDM – Democratic Party of Moldova  
PLDM – Liberal Democratic Party of Moldova  
PN – Our Party  
PPPDA – Dignity and Truth Platform Political Party  
PPS – Sor Political Party  
PSRM – Socialist Party of the Republic of Moldova  
PUN – National Unity Party  
REO – Registry of Electoral Officials  
v. – village  
PS – polling station  
ATU – Administrative Territorial Unit  
c.u. – conventional units  
USAID – United States Agency for International Development  
ATUG – Autonomous Territorial Unit Gagauzia



## ANNEXES

### Annex 1. Observers accredited from 21 May to 28 October 2020

Applicant institution	21 May - 25 August	26 August - 15 September	16 September - 29 September	30 September - 13 October	14 October - 28 October	Total, as of 28.10.20
<b>National observers</b>						<b>1,652</b>
Promo-LEX Observation Mission	69	-	464	304	287	1,124
NDI Moldova Office in the USA CSO	-	-	-	16	-	16
'INFONET Alliance' CSO	-	-	-	-	13	13
'FORTA VETERANILOR' CSO	-	-	-	-	95	95
Centre for Consultancy and Civic Education CSO	-	-	-	-	15	15
'MIRAD' NGO	-	-	-	-	302	302
International institute of monitoring the development of democracy, parliamentarism and observance of the electoral rights of citizens from member of the IA of CIS	-	-	3	-	-	3
Delegation of the European Union to the Republic of Moldova	-	-	-	3	-	3
Embassy of Japan in the Republic of Moldova	-	-	-	2	-	2
Embassy of the United States in the Republic of Moldova	-	-	-	-	41	41
Embassy the United Kingdom of the Great Britain and Northern Ireland to the Republic of Moldova	-	-	-	-	7	7
Embassy of Latvia in the Republic of Moldova	-	-	-	-	1	1
Embassy of the Federal Republic of Germany to the Republic of Moldova	-	-	-	-	2	2
Embassy of the Republic of Poland to the Republic of Moldova;	-	-	-	-	1	1
Maia Sandu, candidate for the position of president of the Republic of Moldova	-	-	-	-	27	27
<b>National observers abroad</b>						<b>231</b>
Promo-LEX Observation Mission	-	-	-	57	19	76
Renato Usatii, candidate for the position of president of the Republic of Moldova	-	-	-	-	88	88
Igor Dodon, candidate for the position of president of the Republic of Moldova	-	-	-	-	7	7
Dorin Chirtoaca, candidate for the position of president of the Republic of Moldova	-	-	-	-	8	8
Octavian Ticu, candidate for the position of president of the Republic of Moldova	-	-	-	-	51	51
Embassy the United Kingdom of the Great Britain and Northern Ireland to the Republic of Moldova	-	-	-	-	1	1
<b>International observers</b>						<b>299</b>
Council of the Interparliamentary Assembly of the CIS Member States	-	21	-	2	20	43
Observation Mission of the Commonwealth of Independent States (CIS)	-	-	-	5	33	38
Swiss Cooperation Office/Swiss Confederation Embassy Office in	-	2	-	-	-	2

the Republic of Moldova						
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	-	3	32	-	4	39
Norwegian Helsinki Committee	-	-	-	-	1	1
European Network of Election Monitoring Organizations (ENEMO)	-	-	5	11	65	81
USA NDI Moldova Office CSO	-	-	-	1	-	1
Delegation of the European Union to the Republic of Moldova	-	-	-	8	1	9
Embassy of the French Republic to the Republic of Moldova	-	3	-	-	-	3
Embassy of the Netherlands in the Republic of Moldova	-	-	2	-	-	2
Embassy of Hungary in the Republic of Moldova	-	-	1	-	-	1
Embassy of the Kingdom of Sweden in the Republic of Moldova	-	-	4	-	-	4
Embassy of the Republic of Lithuania to the Republic of Moldova	-	-	4	-	-	4
Embassy of Republic of Turkey to the Republic of Moldova	-	-	-	10	-	10
Embassy of Republic of Austria to the Republic of Moldova				1	-	1
Embassy of Japan in the Republic of Moldova	-	-	-	3	-	3
Embassy of the Russian Federation in Republic of Moldova	-	-	-	-	16	16
Embassy of the United States in the Republic of Moldova	-	-	-	-	20	20
Embassy of Republic of Italy to the Republic of Moldova	-	-	-	-	3	3
Embassy the United Kingdom of the Great Britain and Northern Ireland to the Republic of Moldova	-	-	-	-	4	4
Embassy of Latvia in the Republic of Moldova	-	-	-	-	3	3
Embassy of the Federal Republic of Germany to the Republic of Moldova	-	-	-	-	4	4
Embassy of the Republic of Poland to the Republic of Moldova;	-	-	-	-	3	3
Embassy of Czech Republic to the Republic of Moldova	-	-	-	-	2	2
Embassy of Ukraine in Republic of Moldova	-	-	-	-	2	2
<b>International election experts</b>						<b>11</b>
Permanent Electoral Authority of Romania	-	-	-	-	3	3
Central Electoral Commission of the Republic of Uzbekistan	-	-	-	2	-	2
Central Electoral Commission of the Russian Federation	-	-	-	-	2	2
Central Commission for Elections and Republican Referendums of the Republic of Belarus	-	-	-	2	-	2
Central Electoral Commission of the Republic of Kazakhstan	-	-	-	-	1	1
Central Electoral Commission of the Republic of Azerbaijan	-	-	-	-	1	1
<b>Interpreters</b>						<b>81</b>
OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)	-	-	-	-	25	25

European Network of Election Monitoring Organizations (ENEMO)	-	-	-	-	52	52
Embassy of Republic of Turkey to the Republic of Moldova	-	-	-	-	4	4

**Annex 2 Polling stations where the observers' access to lists of voters was limited**

No	PS	No	PS	No	PS	No	PS
1.	No 1/15	51.	No 16/41	101	No 28/17	151	No 35/43
2.	No 1/198	52.	No 18/21	102	No 28/19	152	No 35/44
3.	No 1/221	53.	No 18/5	103	No 28/20	153	No 35/45
4.	No 1/236	54.	No 18/8	104	No 28/25	154	No 35/48
5.	No 1/238	55.	No 20/37	105	No 28/26	155	No 35/49
6.	No 1/25	56.	No 20/44	106	No 28/27	156	No 35/50
7.	No 1/26	57.	No 20/50	107	No 28/29	157	No 35/52
8.	No 1/27	58.	No 20/57	108	No 28/30	158	No 35/53
9.	No 1/28	59.	No 20/58	109	No 28/31	159	No 35/54
10.	No 1/282	60.	No 20/59	110	No 28/32	160	No 35/55
11.	No 1/32	61.	No 20/60	111	No 28/33	161	No 35/59
12.	No 1/34	62.	No 20/61	112	No 28/34	162	No 35/6
13.	No 1/35	63	No 21/11	113	No 28/35	163	No 35/60
14.	No 1/36	64	No 21/13	114	No 28/36	164	No 35/61
15.	No 1/38	65	No 21/22	115	No 28/38	165	No 35/64
16.	No 1/46	66.	No 21/23	116	No 28/39	166	No 35/65
17.	No 1/47	67	No 21/27	117	No 28/48	167	No 35/66
18.	No 1/87	68	No 21/28	118	No 28/54	168	No 35/67
19.	No 11/1	69	No 21/31	119	No 28/56	169	No 35/68
20.	No 11/10	70	No 21/32	120	No 28/58	170	No 35/69
21.	No 11/12	71	No 21/42	121	No 28/6	171	No 35/7
22.	No 11/13	72	No 21/43	122	No 30/13	172	No 35/70
23.	No 11/15	73	No 21/45	123	No 30/33	172	No 35/72
24.	No 11/2	74	No 21/46	124	No 31/2	174	No 35/75
25.	No 11/25	75	No 21/48	125	No 31/3	175	No 35/8
26.	No 11/27	76	No 21/49	126	No 34/30	176	No 35/9
27.	No 11/3	77	No 22/22	127	No 34/32	177	No 36/14
28.	No 11/30	78	No 23/1	128	No 35/1	178	No 36/52
29.	No 11/4	79	No 23/14	129	No 35/10	179	No 5/1
30.	No 11/6	80	No 23/18	130	No 35/11	180	No 5/5
31.	No 11/8	81	No 23/2	131	No 35/12	181	No 5/6
32.	No 12/15	82	No 23/25	132	No 35/13	182	No 7/55
33.	No 12/16	83	No 23/3	133	No 35/14	183	No 7/56
34.	No 12/17	84	No 23/33	134	No 35/15	184	No 8/19
35.	No 12/18	85	No 23/34	135	No 35/16		
36.	No 12/3	86	No 23/35	136	No 35/2		
37.	No 12/36	87	No 23/43	137	No 35/24		
38.	No 13/25	88	No 23/9	138	No 35/25		
39.	No 13/26	89	No 25/16	139	No 35/27		
40.	No 14/22	90	No 25/17	140	No 35/28		
41.	No 14/26	91	No 25/29	141	No 35/29		
42.	No 14/28	92	No 26/15	142	No 35/3		
43.	No 14/35	93	No 26/22	143	No 35/31		
44.	No 14/39	94	No 26/35	144	No 35/32		

45.	No 14/40	95	No 27/23	145	No 35/33		
46.	No 14/41	96	No 27/30	146	No 35/34		
47.	No 14/45	97	No 27/32	147	No 35/35		
48.	No 14/9	98	No 27/40	148	No 35/39		
49.	No 15/13	99	No 27/52	149	No 35/4		
50.	No 16/40	100	No 28/14	150	No 35/40		