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REPORT no. 2

Observation Mission Parliamentary Elections of February 24, 2019

Monitoring period: 10 December 2018 – 8 January 2019

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This report contains information and data exposed for the period 10 December 2018 to 8 January 2019, collected and presented by MO Promo-LEX. The contents of this document may be subject to revisions editorial.

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EXECUTIVE SUMMARY

Legal framework. The activity of electoral bodies and entities holding the right to nominate candidates brought to light some legal uncertainties, both of a general nature and those explicitly related to the implementation of the mixed voting system, which are to be clarified by the legislator.

The legal issues of the general nature requiring explicit regulation are: uncertain definition of the term designation of candidates; lack of clarity regarding non-registration of the nominated and registered candidate as a representative with the right of consultative vote; the designation of candidates whose political affiliation differs from that of the political parties that belong to an electoral bloc.

With regard to the issues revealed in the implementation of the mixed voting system, we draw your attention to the establishment of single member constituency councils (SMCC) for the polling stations located abroad, as well as for the settlements situated in the Transnistrian region; the lack of an explicit regulation on amending the national list of candidates by completing the list of candidates that have already been registered; the necessity, in the opinion of Promo-LEX, of extending the duration of the suspension term for responsible persons, according to art. 13 par. (3) of the Electoral Code during the period of signature collection as well.

Electoral Bodies. During the monitored period, the CEC fulfilled its responsibilities, in accordance with the legal provisions and the Calendar Plan. We draw the reader's attention to the large number of decisions on the modification of SMCC membership, which is a sign of negligent attitude of some subjects entitled to nominate electoral officials. The Promo-LEX OM also mentions that amendments have been made to 3 Regulations and one Regulation on the Organization of the Elections of February 24, 2019 has been approved. We believe that the introduction of these changes is belated considering the date of the elections. We draw your attention to the fact that these regulations have not been publicly debated.

The CEC continues the accreditation of observers. 146 observers have been accredited by January 8, 2019, of which 115 national (110 – the Promo-LEX OM) and 31 are international observers.

During the monitored period, the CEC drafted and sent to the SMCC 3 circular letters. According to Promo-LEX, the letters drafted by the Commission, which charge subjects other than bodies that are hierarchically inferior to the CEC with the performance or non-performance of certain actions, are not binding on entities other than the lower electoral bodies.

The SMCCs have been set up within legal limits. Two parliamentary political parties – the PDM and the PSRM - delegated members to all the SMCCs. As for the members nominated by the local public authorities, there are 7 SMCCs, the composition of which is different from the number prescribed by the legal norm.

The Promo-LEX OM specifies that the SMCC does not comply with the legal provisions on public disclosure of information about registered competitors, refusing to provide public access to statements of income and property.

Opening of polling stations abroad. As for the opening of PSs abroad, the Promo-LEX OM reiterates its position on the need to assign the CEC the main role in determining the number and geographical location of the polling stations to be opened abroad. We also insist that the distribution of PSs per constituencies should be strictly based on mathematical calculations and the criteria defined by the Electoral Code in art. 30, para. 4. Eventually, the Promo-LEX OM calls for an increase in the number of PSs compared to those opened in the presidential elections, considering the five-fold increase in the number of pre-registered voters in parliamentary elections.

Designation and registration of candidates. Over the monitor period, 6 collective requests (5 political parties and one electoral bloc) have been filed for the registration in the national constituency list, and 4 competitors – the PDM, ACUM, PCRM and the PSRM have been registered. The 40% gender quota has been respected by all the registered competitors, but most of the women ranked 20th and lower on the list. On the other hand, none of the electoral candidates registered on the national list provided the 40% gender quota for the candidates nominated in the single member constituencies.

As of 08.01.2019, a total of 393 applications for registration of initiative groups (of which 2 were rejected and one withdrawn) have been filed for single member constituencies (SMCs). In most SMCs (46), the number of applications for registration of initiative groups (IGs) submitted varies from 4 to 11, and in the case of 5 constituencies, it varied from 11 to 14.

Of the 390 registered IGs, 74% are constituted by parties and blocs, and 26% by citizens (independent candidates). Accordingly, the parties continue to be the main political actors in single member constituencies, too.

With regard to the collection of signatures by IGs, the Promo-LEX OM points out that in the case of the PDM, 87% of the IGs submitted subscription lists in the first two days. By comparison, only 29% of IGs of the PSRM submitted the lists in the given time interval. As for the other competitors, we could not present comprehensive statistics at the time of publication of the present report.

State Electoral Register. At this stage, the Promo-LEX OM continues to monitor the State Electoral Register (SER), in particular, through LTOs conducting interviews with registrars that are supposed to update the information in the SER. The Promo-LEX OM is puzzled by the fact that the CEC suspended the registrars' access to the SER for the period of 28 December 2018 to 10 January 2019, in the midst of the electoral period, when the content of the SER requires a thorough update, including registrars' involvement.

In these circumstances, the Promo-LEX observers managed to carry out only 217 (57%) interviews during 379 visits to the LPAs, most of which were based on discussions with registrars without accessing the Register. Currently, we can deduce the following problems relevant to the monitored subject:

- in 32% of the cases, contrary to the legal provisions, the registrars did not receive the electoral rolls of the last elections;
- most of the conflicts, detected in the SER, are *polling station conflicts* - 1280 conflicts in the case of 9 registrars and *address conflicts* - 855 conflicts in the case of 17 registrars.

The registrars found it difficult to comment on the number of SER conflicts identified from the presidential elections of 2016 to the current electoral period - 60% refrained from responding. At the same time, 1% of registrars said the number of conflicts increased and 39% gave a negative response.

Electoral litigation. During the monitored period, two appeals against the registration and non-registration of electoral competitors in single member constituencies and three referrals have been filed with the CEC. A referral and an appeal were filed by the PDM, and the other one by the electoral bloc ACUM, which concerned the PDM.

The appeals challenged the administrative acts issued by constituency councils and the referral concerned the behavior of an apolitical actor. It should be noted that the CEC returned an appeal on the grounds that it was not signed by the persons empowered to sign it.

The local public administrations of level I were involved in various actions for setting up electoral displays, spaces for meetings with voters, and ensuring the minimum of special electoral displays.

We appreciate the effort of the LPAs, but we also emphasize the need to comply with the legal provisions on displaying their decisions about electoral displays and spaces for meetings with voters. Ensuring electoral displays, respecting the minimum area of 1 m² per electoral competitor, may be a problem for the LPAs of level I, especially given the mixed voting system.

The Promo-LEX OM warns against a case of violation of the provisions of art. 80 para. (4) lit. e) of the Electoral Code, which does not allow drawing boundaries of single member constituencies on the territory of an administrative territorial unit. Specifically, we refer to the commune of Ghiduleni, Rezina district, a unit of level I which, according to the legislation on administrative territorial organization, consists of 3 settlements: Ghiduleni, Roscani de Sus and Roscani de Jos¹. According to the Government Decision no. 970 of 15.11.2017 on the approval of permanent single member constituencies², the commune of Guiduleni refers to SMC no.19 Ivancea, while the settlement from its administrative structure - Roscani de Sus - is included in the composition of the SMC no.13 Rezina, as a settlement within another commune of Rezina district - Gordinesti.

Electoral competitors. In the context of upcoming parliamentary elections to be carried out based on the mixed voting system, the Promo-LEX OM attests an increased activism of some registered or potential competitors, recording about 281 events during the monitored period. Of these, 41% fall for the PSRM, 29% for the PPS and 19% for the PDM.

In particular, we are concerned with events that can be described as *electoral gifts*, both in terms of phenomenon as such and in terms of its magnitude, accounting for 100 events or 35% of the total number of infringements. The representatives of the PSRM (42), the PPS (41) and the PDM (17) were involved in electoral gift offering.

It should be mentioned that charity foundations associated with certain political formations, for instance "Din Suflet" Foundation (PSRM) and the "Miron Sor" Charity Foundation (PPS) have also been involved in electoral gift offering. In this respect, we note an increased geographical diversity of cases of electoral gift offering, even if it mainly concerns the municipality of Chisinau (about 30%).

Over the monitoring period, Promo-LEX observers reported at least 10 cases that could be qualified as *misuse of administrative resources*. The PDM representatives are concerned in 7 cases, the PPS in 2, and Our Party (PN) in one case.

In the case of two parties, we identified the *involvement of non-citizens of the Republic of Moldova* in electoral activities: the PDM (3 cases) and the PPS (3 cases).

Promo-LEX observers identified at least 250 situations, where *advertising* was used (promotions, street and online advertising, etc.). Of these, 36% fall for the PSRM, 31% - for the PPS, and 24% - for the PDM. The most popular types of advertising are street banners - 22% and billboards - 16%.

The Promo-LEX OM notes the *involvement of the President of Moldova* in the promotion of the PSRM candidates for parliamentary elections.

Financing the activities of Initiative Groups. According to the official website of the CEC, approximately 60% of the initiative groups set up for the collection of signatures submitted their financial reports in due time. The other 135 initiative groups, including those formed by 6 political parties (the MSPSN - 1 IG, the PCRM - 27 IGs, the PL - 22 IGs, the PDA - 2 IGs, the PVE - 3 IGs and 92 IGs -

¹ Annex no. 3, Law on administrative-territorial organization of the Republic of Moldova, No. 764 of 27.12.2001.

<https://is.gd/IEjOA3>

² Annex no.1, Government Decision no. 970 of 15.11.2017 on the approval of permanent single member constituencies,

<https://is.gd/cNblof>

for independent candidates) failed to submit weekly financial reports or declarations on incurring no expenses, which is contrary to the provisions of the Regulation on the activity of initiative groups.

Expenditure reported to the CEC accounts for advertising in the amount of 82%, transport costs - 16% and temporary rent of premises - 2%. On the other hand, our findings show that the largest share of unreported expenditure refers to public events organized by each initiative group in single member constituencies, the total estimated and unreported expenses amounting to at least 1,584,821 lei. The total estimated and unreported expenditure for all the monitored categories reaches at least 1,975,193 lei, which, represents almost 63% of the maximum ceiling allowed by the CEC for initiative groups of political parties and electoral blocs in 51 single member constituencies.

According to Promo-LEX, at least 3 potential electoral competitors (the PDM, PPS, PSRM) have incurred expenses on campaigning activities and collection of signatures before the official registration of initiative groups for signature collection. They amount to an estimated amount of at least 3,766,917 lei, financial means that have yielded political and electoral dividends and are not included in the Electoral Fund account. Under the existing legal framework, this expenditure is mandatory to be reported in the final reports of those parties for 2018.

During the monitored period, **voter education and electoral training activities** have been carried out, in particular by the CEC and CICDE, i.e.: presentation of the results of *Democracy Matters* Civic Information and Education Campaign; launching a Call Center; training Constituency Council members and registrars; drafting the manual for Constituency Council members.

Civil society has also been involved in raising electoral awareness. In particular, we refer to ADEPT, which published the weekly news bulletins presenting to the public the main events of the electoral period.

INTRODUCTION

Report no. 2 has been developed within the framework of the Promo-LEX Observation Mission (OM) of the parliamentary elections of February 24, 2019 and includes the result of monitoring the pre-election period with an emphasis on the period of 10 December 2018 - 8 January, 2019.

This report contains the main findings and trends specific to the beginning of the parliamentary elections of February 24, 2019. The conclusions and recommendations of the OM in the current report refer to the designation and registration of electoral competitors, as well as electoral activities of the potential or registered candidates.

The Promo-LEX OM will present a total of 6 monitoring reports on the parliamentary elections of February 24, 2019. The mission of the reports is to diagnose, in real time, the quality of the organization and conduct of elections for a predetermined period of time; to bring to accountability electoral actors; to identify positive and negative trends in the electoral processes. After the election day, a report will be drawn up, providing a synthesis of the main aspects of the organization and conduct of the voting (e.g. opening and closing of the PSs, number and type of incidents); the results of the parallel vote tabulation (PVT) and their comparison with the official results. The final report of the OM will be submitted on March 28, 2019.

The monitoring reports are prepared by the central team of the Promo-LEX OM, based on the findings reported by the long-term observers (LTOs) within the OM about the activity of all actors involved in the process of organizing and conducting the elections: electoral candidates, public authorities, electoral bodies, political parties, citizens who submit their own candidacy, and the civil society.

During the electoral period, the monitoring of the electoral process is carried out by 48 LTOs, one for each of the 46 single member constituencies (SMC) established on the territory of the Republic of Moldova and controlled by the constitutional authorities, as well as one LTO for the SMC created for the Transnistrian region and the SMC established abroad. On the election day, Promo-LEX will delegate one short-term observer (STO) to each polling station (PS) opened on the territory of the Republic of Moldova. The OM also intends to designate STOs to at least 50 PSs set up abroad for the parliamentary elections of February 24, 2019.

All the observers involved in the monitoring process are trained in the seminars organized by the Promo-LEX Mission and sign the Code of Conduct³ of the Promo-LEX Independent National Observatory, committing to act in good faith and in a non-partisan way. The activity of all observers is coordinated by the central team of the Association.

The report is drawn up based on the observation reports and the findings of the LTOs introduced into the thematic templates, as well as on official public information reported by Promo-LEX OM observers. Carrying out some planned visits, the observers analyze the information that results from discussions, meetings with officials and consultation of official documents.

The Promo-LEX OM of the parliamentary elections of February 24, 2019 is a project of the Promo-LEX Association carried out within the Civic Coalition for Free and Fair Elections. The Promo-LEX OM is not a political opponent of the competitors involved in the electoral race, it is not an investigative body and does not assume the express obligation to prove the observed findings. However, the observers' reports are accompanied, as far as possible, by photo and video evidence, which can only be made available to law enforcement bodies on the basis of appropriate requests, and in no case, shall it be provided to electoral competitors. The Promo-LEX mission manages the www.monitor.md web platform, where any citizen can report activities with electoral overtones, the information from observers' reports being stored on the same platform. Citizens' notifications are verified by the Mission Observers during the next scheduled visit to the settlement, where the alert was recorded.

³ <https://promolex.md/4689-codul-de-conduita-al-observatorilor-electorali-promo-lex/>

At the same time, any violations found in this document must be dealt with in the light of the provisions of art. 68 al. 5 Electoral Code as observers' observations and will be examined by the electoral bodies according to their competence.

Promo-LEX is a public association that aims at developing democracy in Moldova, including in the Transnistrian region, by promoting and protecting human rights, monitoring democratic processes and strengthening the civil society. The Association organizes Election Observation Missions in the Republic of Moldova since 2009, the current mission being the 17th. Additionally, the employees and members of the Association have extensive international experience and participated in election observations in the International Missions of Armenia, Germany, Georgia, Estonia, Norway, Romania, Sweden, Ukraine etc.

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

The report is drafted within the 2019 Parliamentary Election Observation Mission carried out by the Promo-LEX Association with the financial support of the US Agency for International Development (USAID) through the Democracy, Transparency and Responsibility Program; the British Embassy in Chisinau through the project for Strengthening Democratic Accountability in Moldova; Soros-Moldova Foundation through the projects Strengthening the Platform for the Development of Activism and Education of Human Rights in the Republic of Moldova and Monitoring Electoral Rolls and Litigation in the 2018 Parliamentary Elections; the Council of Europe through the Support for the Monitoring of the 2018 Parliamentary Elections project.

The opinions expressed in the reports and press releases of the Promo-LEX OM belong to the authors and do not necessarily reflect the position of the donors.

I. LEGAL FRAMEWORK

The activity of electoral bodies and entities holding the right to nominate candidates brought to light some legal uncertainties, both of a general nature and those explicitly related to the implementation of the mixed voting system, which are to be clarified by the legislator.

The legal issues of the general nature requiring explicit regulation are: uncertain definition of the term designation of candidates; lack of clarity regarding non-registration of the nominated and registered candidate as a representative with the right of consultative vote; the designation of candidates whose political affiliation differs from that of the political parties that belong to an electoral bloc.

With regard to the issues revealed in the implementation of the mixed voting system, we draw your attention to the establishment of single member constituency councils (SMCC) for the polling stations located abroad, as well as for the settlements situated in the Transnistrian region; the lack of an explicit regulation on amending the national list of candidates by completing the list of candidates that have already been registered; the necessity, in the opinion of Promo-LEX, of extending the duration of the suspension term for responsible persons, according to art. 13 par. (3) of the Electoral Code during the period of signature collection as well.

1.1. Uncertainties about the definition of the term designation of candidates

According to art. 46 para. (1) of the Electoral Code, the process of *candidate designation* for parliamentary elections **starts 60 days** before the election day and ends 30 days before the election day. According to art. 1 of the Electoral Code, the *designation of candidates* is a procedure, by which parties and other social and political organizations and electoral blocs adopt decisions on the designation of candidates for elective positions in the sittings of the governing bodies of the parties and other social and political organizations and electoral blocs, in accordance with their statutes, **after the announcement of the date of the elections.**

Thus, we draw the reader's attention to the duality of terminology used to define the term of designation of candidates (procedure / process), the maximum period within which the candidates can be nominated (after the announcement of the election date / 60 days before the election day – considering that the date of the election is announced at least 60 days before the election day).

In addition, **we draw your attention to a differentiated treatment of the citizens' right to nominate their own candidacy.** The term designation of candidates offered in art. 1 of the Electoral Code differs in art. 46 par. (2) lit. c) Electoral Code, as the right to nominate candidates for elections belongs exclusively to the citizens of the Republic of Moldova who submit their own candidacy (independent candidates).

1.2. Lack of a regulation on amending the list of candidates by completing it

According to art. 84 para. (2), parties and / or the electoral blocs may submit: a) the list of candidates for the national constituency, which shall include a minimum of **30 persons** and shall not exceed the number of **55 persons**; b) one candidate for each single member constituency.

We have to emphasize the case, when the CEC decided on the registration of some electoral competitors for the national constituency and simultaneously decided to exclude some persons from the lists due to their failure to submit certificates of integrity because their files were incomplete. Thus, 9 people

nominated by the PCRM for the national constituency were excluded⁴, 1 person nominated by ACUM bloc and 1 person nominated by the PSRM.

Subsequently, the PCRM filed a request for **completing the list of candidates for the position of deputy in the Parliament of the Republic of Moldova** with the persons who had been excluded, enclosing their certificates of integrity⁵. Please note that according to art. 88 para. (1) of the Electoral Code, electoral competitors have the right to withdraw the entire list of candidates, to replace a candidate in the list, to cancel the decision to include a certain candidate in the list, but not later than 14 days before the election day. However, **attention should be paid to the fact that the modification of the list of candidates by completing it is not regulated by the Electoral Code.**

1.3. On non-registration of the nominated and registered candidate as a representative with the right of consultative vote

A candidate on the national list of the ACUM Bloc was also nominated to the CEC as a representative with the right of consultative vote. The Commission decided not to accept that candidacy, as it contravenes the provisions of Art. 49 para. (5) of the Electoral Code. According to this provision, the candidates nominated for the elections cannot be hired and cannot carry out activities within any council or electoral bureau during the election in question.

We consider that in this provision, the legislator referred to the prohibition of designating a candidate as a member of an electoral body or a member carrying out activities within it. The representative with the right of consultative vote derives primarily from the institution of representation in extrajudicial and judicial bodies. In the absence of a representative, the electoral competitor can represent himself / herself, in this sense, this activity is not qualified as an activity in an electoral council or office.

The provisions of art. 15 of the Electoral Code stipulate that representatives holding the right of consultative vote are appointed by electoral competitors and can defend their interests in electoral disputes in courts inclusively, their rights and obligations being established by a decision of the CEC, as well as by the electoral competitors that designated them. At the same time, the only condition laid down in the Electoral Code for representatives holding the right of consultative vote concerns their right to vote and to be elected, without mentioning any incompatibility with the registration as a candidate in the same election. In addition, according to point 2 of the Regulation on the activity of electoral competitors' representatives with the right of consultative vote, additional criteria, such as holding a Bachelor's degree in law or in public administration and not holding a public office are imposed.

In the opinion of the Promo-LEX OM, the only mention that could lead to non-registration of a representative with the right of consultative vote as a candidate in elections is stipulated in paragraph 9, whereby the electoral competitor's representative is forbidden to carry out electoral campaigning, as well as to wear and display badges or other signs of electoral campaigning. The conduct of electoral campaigning during the electoral campaign is an inherent right of electoral candidates and the candidates nominated for the position of MPs.

1.4. On the designation of candidates whose political affiliation differs from that of political parties that belong to an electoral bloc

Among other things, by the CEC Decision no. 2025 of 02.01.2019 on the registration of MP candidates for the national constituency nominated by the electoral bloc ACUM, it was found that "in the heading "Political Affiliation", candidates listed 11 and 32, Ciobanu Maria and Terguta Ion, are referred to the

⁴ CEC Decision no. 2026 of 02.01.2019

⁵ <https://bit.ly/2TxSSuT>

Liberal Democratic Party of Moldova (PLDM), but the party concerned is not part of the bloc. Since the Commission did not receive documents that would confirm their designation by the competent bodies of the PLDM, nor a confirmation from the co-chair of ACUM Bloc that they were not appointed by the PLDM and would participate in the parliamentary elections representing ACUM Bloc, respectively the mention "PLDM" was excluded from the heading "Political affiliation" in the Annex to the decision.

In this respect, a separate opinion was formulated, by which the CEC member, Iurie Ciocan, stated that several MP candidates, nominated by ACUM bloc for single member constituencies, are members of the PLDM; respectively, three parties: the PAS, PPPDA and the PLDM are participating together in the parliamentary elections, while only two of them are constituent subjects of the bloc.

In this regard, it should be noted that the current legislation does not condition the designation of persons as MP candidates on political affiliation to the party designating them. Moreover, it should not condition the designation of candidates of an electoral bloc on political affiliation to the constituent parties of this bloc. Otherwise, the acts indicated in art. 49 of the Electoral Code should also contain an act confirming the political affiliation of each designated candidate.

Moreover, in Art. 85 para. (5) of the Electoral Code, the legislator has determined that the same person can be included in only one list of candidates from a single electoral competitor. Since only political parties and electoral blocs can be electoral competitors in the national constituency, by this prohibition, the legislator admits that political affiliation to a political party or lack of such cannot prevent the same person from being included in different lists. In addition, according to art. 85 para. (6) of the Electoral Code, the person included in the list of candidates designated by an electoral competitor may also be nominated as an independent candidate in a single member constituency. Accordingly, the legislator accepts the duality, in which a candidate who is politically affiliated to the party that included him/her in the list of candidates in the national constituency will run independently in a single member constituency, i.e. (in the sense of "independent candidate" stipulated in art. 1 of Electoral Code) designating the candidacy independently of the party that included him/ her in the list.

According to the author of the separate opinion, such participation in the parliamentary elections is "incorrect and contrary to the fair spirit of electoral competition, because the PLDM will not submit financial reports to the CEC, not being registered as an individual electoral competitor or as part of an electoral bloc, the goods owned by the PLDM will be used in electoral campaign, and it will be difficult for the electoral body to monitor the financial expenditures incurred by ACUM Bloc, including the work done free of charge (volunteering) by the PLDM members and its sympathizers, who officially are not part of the Bloc". Also, the CEC member proposed to the co-chairs of ACUM Bloc to examine the possibility of accepting the PLDM as a constituent subject of the Electoral Bloc, basing its position on the provision of art. 95 para. (2) lit. b) according to which, the electoral threshold for the accession of an electoral bloc to the Parliament is the same, regardless of the number of constituent subjects of the bloc.

In this part, we point out that non-registration of a political party as an electoral competitor excludes the need to carry out campaign expenses and submit campaign financial reports. At the same time, we believe that the CEC has legal powers and mechanisms to identify violations of the legislation on the funding or material / non-material support of electoral campaign by third parties.

By the Constitutional Court Decision no. 29 of 29.12.2014, the Court ruled on the participation of representatives of several political parties on common electoral lists (camouflaged electoral blocs), in which **it found that participation in the elections of two political parties on a common list is in fact a camouflaged electoral bloc, which attempted to circumvent the 9% minimum representation threshold and to apply the 6% threshold applicable to political parties**, recommending to the

competent electoral authorities to exclude from the outset the possibility of camouflaged electoral blocs in a single political party⁶.

Considering that **the electoral bloc has been created and the legal framework in force no longer differentiates thresholds for accession to the parliament for electoral blocs made up of two or more political parties, we consider inappropriate the statements on the camouflage of the electoral bloc, especially considering that the political affiliation of the nominated candidates is publicly announced** and duly declared to the body responsible for registration.

1.5. Suspension of the activity of persons holding responsible positions, according to art. 13 para. (3) Electoral Code

Uncertainties about the application of the norms provided in art. 13 para. (3) and art. 49 para. (1) lit. (i) Electoral Code determined an electoral competitor to ask the CEC for clarifications about the beginning of the period of suspension of the activity in the position he holds⁷.

Article 13 para. (3) Electoral Code stipulates that citizens of the Republic of Moldova who, by virtue of their office, are not entitled to be members of parties or other social and political organizations, as well as persons with highly responsible positions, whose appointment or election is governed by the Constitution of the Republic of Moldova and / or organic laws, shall suspend their activity in the position they hold **from the time of their registration as electoral candidates**. At the same time, according to art. 49 para. (1) lit. i), for candidate registration, the applicant shall personally submit to the CEC or the CC, no later than 30 days before the election day, the statement about the suspension of the previously held office for the **duration of the election campaign** - for persons who fall under Article 13 para. (3).

Thus, according to the term *electoral campaign*, provided in art. 1, for each electoral competitor, it starts **on the date of its registration** by the CEC or the CC. However, according to art. 91 Electoral Code, the electoral campaign for the parliamentary elections starts **not earlier than 30 days before the election day**.

Taking into account the above, we conclude that the **amendment of the legal provisions on the electoral campaign period for the parliamentary elections caused uncertainties with regard to the application of the norms of art. 13 and art. 49 and contrasted** the legal norms. Applying the *Lex posterior derogat legi priori*⁸ and *Lex specialis derogat legi generali*⁹ principles, we conclude that MP candidates will only suspend their activity for the period of electoral campaign, even if they were registered before the start of electoral campaign.

At the same time, the change of the electoral system could lead to the **suspension from office at the stage preceding the registration of an electoral competitor in the single member constituency**. As IG members have to collect signatures in support of the person applying for the candidacy in a single member constituency that falls under art. 13 para. (3). In this respect, signing up for a candidate must be voluntary, without exercising pressure on the voter to determine him / her to sign.

⁶ Points 97, 99 Decision of the Constitutional Court no. 29 of 09.12.2014 on the confirmation of the results of the parliamentary elections in the Republic of Moldova of November 30, 2014 and the validation of the mandates of elected MPs.

⁷ <https://bit.ly/2FdaVDI>

⁸ A later law repeals an earlier (law).

⁹ Special law repeals general laws.

Given that in the current parliamentary elections, heads of city and district administrations, mayors, ministers, whose mandate have not ended, have been designated as MP candidates, there could occur conditions that would distort the electoral process:

- the voter could be forced to sign in their support, due to the position held by the candidates;
- by omitting the suspension from office during the collection of signatures, their opponents are placed in unequal and unfair conditions. By the norm providing for the suspension of office during the electoral campaign, the legislator pursued the aim to ensure equal chances for all electoral competitors participating in the exercise of the right to accede to the Parliament¹⁰;
- this category of candidates could abuse their power or position to collect the signatures required for registration.

Concluding the above, we **consider that the suspension of the candidates nominated for single member constituencies falling under Art. 13 para. (3) must be made simultaneously with the issuance of the subscription lists.**

In order to eliminate uncertainties about the period of suspension from office of persons falling under art. 13 par. (3) and ensure uniformity of the provisions of the Electoral Code for all the elections, we **recommend the legislator to amend art. 13 para. (3) and the notion of electoral campaign provided for in art. 1 Electoral Code.**

We also point out that the Regulation on the peculiarities of designating and registering MP candidates in the Republic of Moldova¹¹ provides for the suspension from office during the electoral campaign, however, in Annex no.15 - The Statement of suspension from office reads as follows: "(...) I declare on my own responsibility that, **from the time of registration, I suspend my activity as (...) for the duration of electoral campaign**". In this respect, we also recommend amending Annex no. 15 of the Regulation.

1.6. Establishing single member constituency councils for polling stations situated abroad and polling stations for the settlements in the Transnistrian region.

According to art. 81 para. (2) of Electoral Code, the CEC will form a separate **electoral council** based in the municipality of Chisinau, which will ensure the organization of electoral processes in **single member constituencies established abroad.**

According to art. 81 para. (3) of Electoral Code, the CEC will form a separate **electoral council** based in Chisinau, which will ensure the organization of the electoral processes in **the single member constituencies established for the settlements in the Transnistrian region.**

From the content of the above provisions, we **conclude that** to ensure the organization of electoral processes of electoral constituencies situated abroad, as well as for those of the Transnistrian region, **only one SMCC was be established.** However, by the Decisions of the CEC no. 1983-1985 of 21.12.2018, 3 SMCC were set up for the polling stations situated abroad, and by the CEC Decisions no. 1981-1982 of 21.12.2018, 2 SMCC were set up for the polling stations for the settlements of Transnistrian region. In this respect, we consider that, **establishing electoral bodies, the CEC misinterpreted the legal provisions in force.**

¹⁰ Constitutional Court Decision no. 25 of 09.11.2010 on the control of constitutionality of art. 13 para. (3) lit. a) of the Electoral Code no. 1381-XIII of November 21, 1997

¹¹ Approved by the CEC Decision no.1731 of July 3, 2018

In addition, we consider that when changing the legal framework for voting abroad not all the legal provisions have been harmonized. In particular, we draw the reader's attention to the provision referred to in art. 31 para. (7): the data accuracy in the minutes drawn up by the electoral bureaus of the foreign polling stations is confirmed by phone, and in the case of inconsistencies and shortcomings that have been sufficiently proved, they are corrected by **the Chisinau constituency council**.

In the conditions when separate Constituency Councils are established for foreign polling stations, the correction of errors, according to art. 31 para. (7) by the Chisinau constituency council (11 are foreseen in the parliamentary elections) can be **qualified as an interference in the electoral process by an electoral body that has no competence in the respective constituency**. This provision also makes it impossible to correct the minutes by other electoral bodies.

II. ELECTORAL BODIES

During the monitored period, the CEC fulfilled its responsibilities, in accordance with the legal provisions and the Calendar Plan. We draw the reader's attention to the large number of decisions on the modification of SMCC membership, which is a sign of negligent attitude of some subjects entitled to nominate electoral officials. The Promo-LEX OM also mentions that amendments have been made to 3 Regulations and one Regulation on the Organization of the Elections of February 24, 2019 has been approved. We believe that the introduction of these changes is belated considering the date of the elections. We draw your attention to the fact that these regulations have not been publicly debated.

The CEC continues the accreditation of observers. A total of 146 observers have been accredited by January 8, 2019, of which 115 national (110 – the Promo-LEX OM) and 31 are international observers.

During the monitored period, the CEC drafted and sent to the SMCC 3 circular letters. According to Promo-LEX, the letters drafted by the Commission, which charge subjects other than bodies that are hierarchically inferior to the CEC with the performance or non-performance of certain actions, are not binding on entities other than the lower electoral bodies.

The SMCCs have been set up within legal limits. Two parliamentary political parties – the PDM and the PSRM - delegated members to all the SMCCs. As for the members nominated by the local public authorities, there are 7 SMCCs, the composition of which is different from the number prescribed by the legal norm.

As for the opening of PSs abroad, the Promo-LEX OM reiterates its position on the need to assign the CEC the main role in determining the number and geographical location of the polling stations to be opened abroad. We also insist that the distribution of PSs per constituencies should be strictly based on mathematical calculations and the criteria defined by the Electoral Code in art. 30, para. 4. Eventually, the Promo-LEX OM calls for an increase in the number of PSs compared to those opened in the presidential elections, considering the five-fold increase in the number of pre-registered voters in parliamentary elections.

The Promo-LEX OM specifies that the SMCC does not comply with the legal provisions on public disclosure of information about registered competitors, refusing to provide public access to statements of income and property.

2.1. The activity of the Central Electoral Commission (CEC)

2.1.1. CEC's decisions

Thematic content of approved decisions. During the reporting period, the CEC undertook a series of activities necessary for the observance of the Calendar Plan for the organization and holding of the parliamentary elections of 24 February 2019 in the RM, adopting in this respect a total of 113 decisions as follows: 51 decisions of the SMCC; 28 decisions on the amendment of decisions taken by the SMCC and 24 decisions on other actions included in the implementation of the CEC's Calendar Program on the Organization of the Elections and the Referendum. The large number of decisions on the change of the composition of the SMCC membership should be emphasized, which indicates a negligent attitude of the designating entities.

Aspects of changing the legal framework. In order to adapt the procedures to the mixed electoral system, three Regulations were amended during the reporting period, namely: the Regulation on Financing of

Initiative Groups¹², the Regulation on the Financing of Electoral Campaigns¹³ and the Regulation on the peculiarities of appointing and registering candidates for the position of deputy in the Parliament of the Republic of Moldova¹⁴. At the same time, a new Regulation on the mass media coverage of electoral campaign for the parliamentary elections and the Republican referendum of February 24, 2019 was approved, which regulates the way of reflecting the electoral campaign.

First of all, we consider that these changes were made too late, considering the date of the elections. Secondly, we found that the above mentioned draft decisions were not subject to public debates, so the CEC did not take into account the stages of decisional transparency.

Accreditation of national and international observers. To ensure the monitoring of the parliamentary elections of February 24, 2019, during the reporting period of 10 December 2018 to 10 January 2019, the CEC approved a number of 6 decisions accrediting 25 national observers: 20 - from Promo-LEX; 2 persons from the Delegation of the European Union to the Republic of Moldova; 3 persons from the Chisinau branch of the International Institute for Monitoring the Development of Democracy, Parliamentary and Electoral Rights of the Members of the Inter-Parliamentary Assembly of the Commonwealth of Independent States (IIMDD IPA CIS). The CEC also accredited 24 international observers: 10 people from the Moldovan Representation of the International Republican Institute in the US, 8 people from the European Network of Election Monitoring Organizations (ENEMO); 5 persons from the Delegation of the European Union to the Republic of Moldova; 1 person from the Embassy of the French Republic in the Republic of Moldova.

By January 8, 2019, 146 observers were accredited, out of which 115 national observers (110 from the Promo-LEX OM) and 31 international observers.

2.1.2. CEC's Circular Letters

During the monitored period, the CEC drafted and sent to the SMCC 3 circular letters, two of which dated 31.12.2018 (one of which has not been published on the Circular Letters/ Parliamentary Elections 2019 page of the CEC by 08.01.2019); the third one was issued on 06.01.2019.

The Circular Letter on the financing of the activity of initiative groups registered for the collection of signatures in support of an independent candidate for the parliamentary elections of February 24, 2019 describes the actions that IGs must perform after being registered with the SMCC, as stipulated by the legal provisions contained in the Electoral Code and Regulation on the financing of initiative groups (registering the person responsible for group finance and drafting reports, opening the bank account and informing the CEC about it, the timing and format of finance reports to be submitted by the initiative group). It should be noted that this circular letter is addressed to the SMCC, while it should be implemented by the IGs.

In this respect, *the Promo-LEX OM reiterates that the status of circular letters drafted by the CEC is uncertain.* The only mention of circular letters drafted by the CEC is contained in the Regulation on the activity of constituency councils, which mentions that the chair of the constituency council shall inform the members of the council and the subjects concerned in the implementation, within the limits of the

¹² CEC Decision no. 1915 of 11.12.2018 amending the Regulation on Financing of Initiative Groups, approved by the CEC Decision no. 114 of 18.08.2016, <https://bit.ly/2saVnnp>

¹³ CEC Decision no. 1916 of 11.12.2018 amending the Regulation on the Financing of Electoral Campaigns, approved by the Decision of the CEC no. 3352 of 04.05.2015, <https://bit.ly/2QqoD7d>

¹⁴ CEC Decision no. 1993 of 21.12.2018 amending the Regulation on peculiarities for the Appointment and Registration of candidates for the position of deputy in the Parliament of the Republic of Moldova, approved by the CEC decision no. 1731 of 03.07.2018, <https://bit.ly/2C4LaS0>

established powers, of circular letters, indications and other informative notes issued by the Commission, and members of the constituency council have the obligation to implement, within the limits of their competencies, the **circular letters**, informative notes **issued by the Commission**.

Thus, according to Promo-LEX, the circular letters drafted by the Commission, requiring subjects other than hierarchically inferior bodies to perform or refrain from performing certain actions, are not binding on subjects other than lower electoral bodies.

Another circular letter issued by the Commission concerns the acts to be submitted to the Constituency Council by MP candidates, nominated by an electoral bloc¹⁵. The circular letter lists the documents, contained in point 19 of the Regulation on the peculiarities of appointing and registering MP candidates, with the exception of the statute and the registration certificate, in a copy authenticated by the political party's stamp – which are mandatory only for candidates nominated by political parties.

The third circular letter is issued on 06.01.2019 and concerns the obligation of constituency councils to publish their decisions on the applications for registration of initiative groups and the applications for registration of MP candidates in single member constituencies on the official website of the CEC.

Although point 35 of the Regulation on the activity of constituency councils provides for a 3-day period for publicizing the SMCC decisions, the circular letter issued by the CEC requires the constituency councils to ensure the publication of the said decisions on the day of their adoption.

2.1.3. Establishment of Single Member Constituency Councils (SMCC)

According to the legal provisions¹⁶, SMCCs shall be constituted by the CEC at least 50 days before the elections. According to the Calendar Plan of the CEC¹⁷, the deadline for the establishment of SMCC was 21.12.2018.

On December 21, 2018, 51 SMCCs were created by CEC decisions no. 1935 -1985. Subsequently, due to some errors, in at least 5 cases the decisions were amended, as in some cases, it was decided to set up the SMCC out of 11 members, although the decisions mentioned only 10¹⁸.

Depending on the number of designated members, we found that 1 SMCC (2%) was composed of 7 members, 23 (45%) - of 9 members and 27 SMCC (53%) - of 11 members (see Chart no. 1).

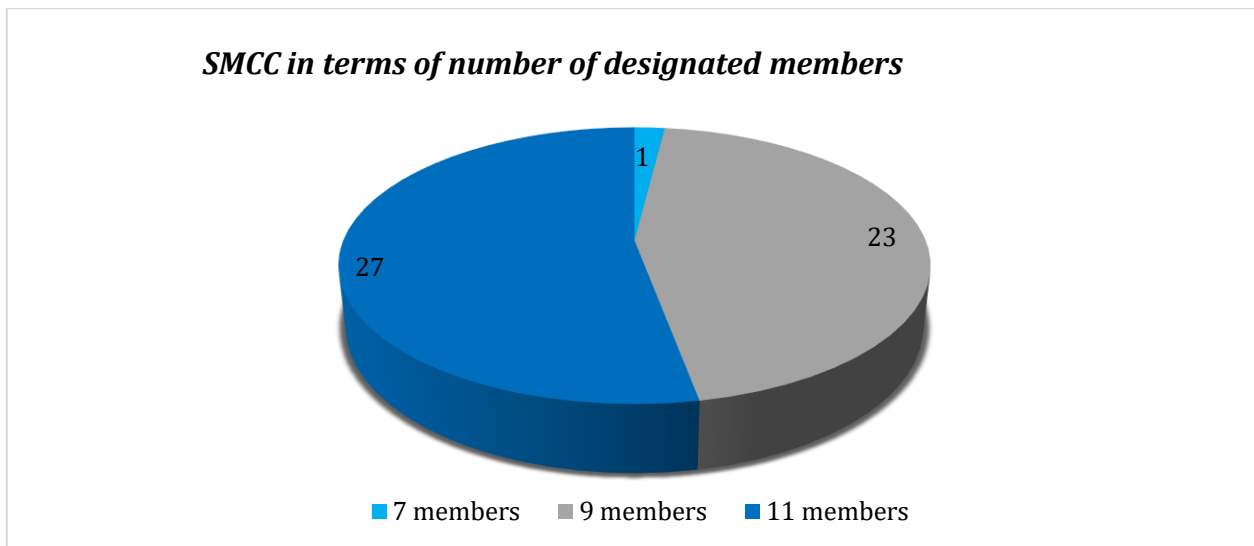
¹⁵ <https://bit.ly/2VENI7z>

¹⁶ Art. 28 of the Electoral Code – Establishment of Single Member Constituency Councils, <https://bit.ly/2Jcsdy2>

¹⁷ Calendar Plan of the CEC, <https://bit.ly/2AzsOs9>

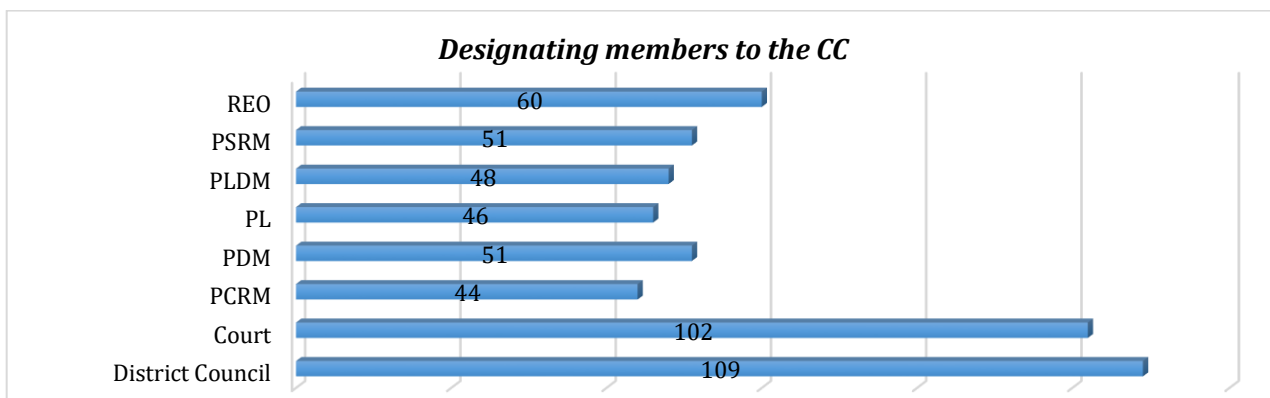
¹⁸ The case of SMCC no.8 Floresti, SMCC no. 11 Falesti, Ivancea, no. 44 Taraclia and no. 49 East of the RM.

Chart no. 1



In order to assess the composition of the 51 SMCCs and its compliance with the legal provisions¹⁹, we analyzed the membership of the SMCCs and the authorities that designated them. Chart no. 2 presents the information on the designation of members by each entity enjoying the right to designate members to electoral bodies.

Chart no. 2

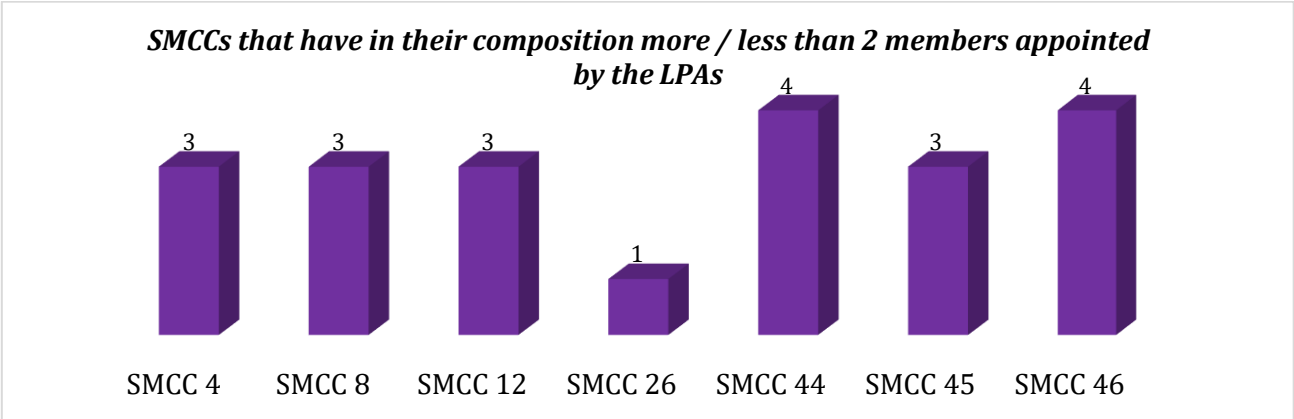


We found that two parliamentary political parties – the PDM and the PSRM - have delegated members to all the SMCCs.

¹⁹ Art. 28, para. 4 of the Electoral Code - (5) In the case of the parliamentary elections (...), the candidatures of 2 members of the second level Constituency Councils shall be proposed by the court or, as the case may be, by the court of appeal, the candidatures of two other members shall be proposed by the local councils of the second level and the People's Assembly of Gagauzia. The candidatures of the other members are proposed by the parties and other social and political organizations, represented in the Parliament at the date of establishing of the constituency councils, one from each party or other social and political organization, and if it is not enough, the remaining number of members shall be proposed by the CEC from the Register of Electoral Officials.

Also, the candidacies of 2 members are proposed by local authorities of level II²⁰. They were appointed according to the legal norm by the councils within the territorial administrative units, where the seat of the constituency council is located. According to Promo-LEX observers' information, in the case of 7 SMCCs, the number of persons designated by LPA II differs from the provisions of the legal norm (see Chart no. 3).

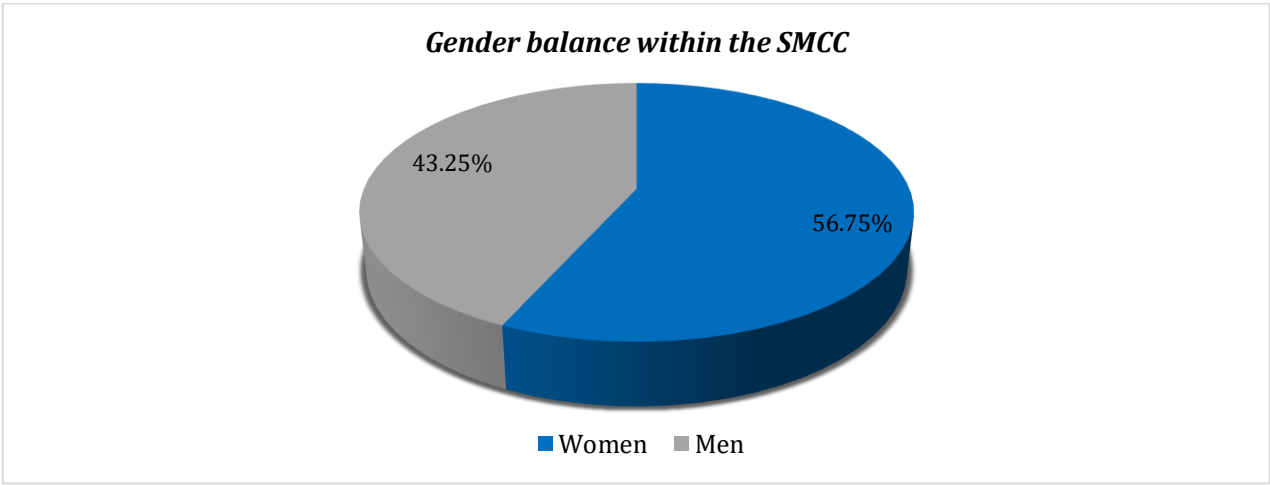
Chart no. 3



As for the appointment of SMCC members by judges, according to Promo-LEX OM, the same rule was applied as it was the case of the designation of CC members by the local councils of the second level stipulated in point 7 of the CEC Regulation on the activity of the constituency councils. Namely, for the establishment of constituency councils, 2 members of the district court of the territorial administrative unit, where the constituency council has its seat, were appointed.

The overall assessment of gender balance in the designation of SMCC members denotes a balanced presence of men and women in the SMCCs (see Chart no. 4).

Chart no. 4



²⁰ District councils, Municipal councils and the Popular Assembly of Gagauzia.

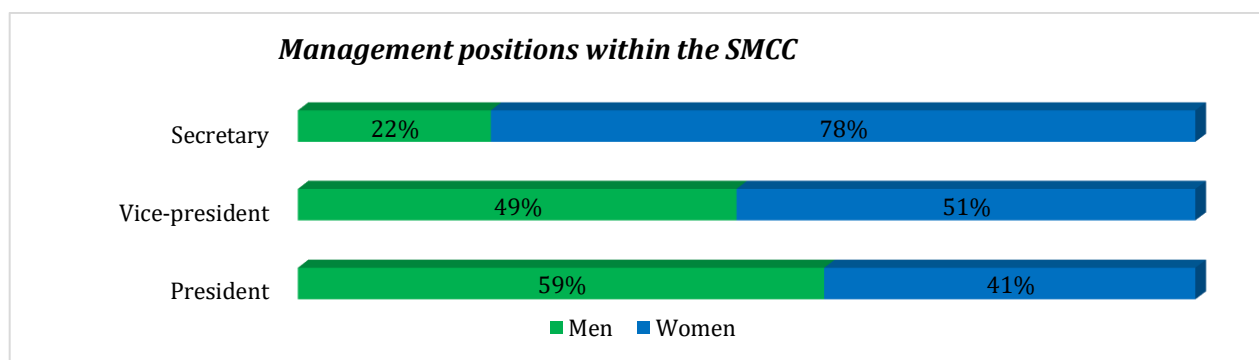
2.1.4. Election of SMCC leadership

In accordance with the legal provisions²¹, SMCC leadership is elected within 3 days of its establishment. According to the Calendar Plan of the CEC, the deadline was 24.12.2018.

According to the Promo-LEX observers' reports, in the case of 50 SMCCs the terms were respected, and in the case of 1 (no. 37 Razeni), the Promo-LEX observer was not able to verify the information because during the visit, the relevant documents were in the safe and the keys were held by the president of the SMCC, who was on a business trip at that time.

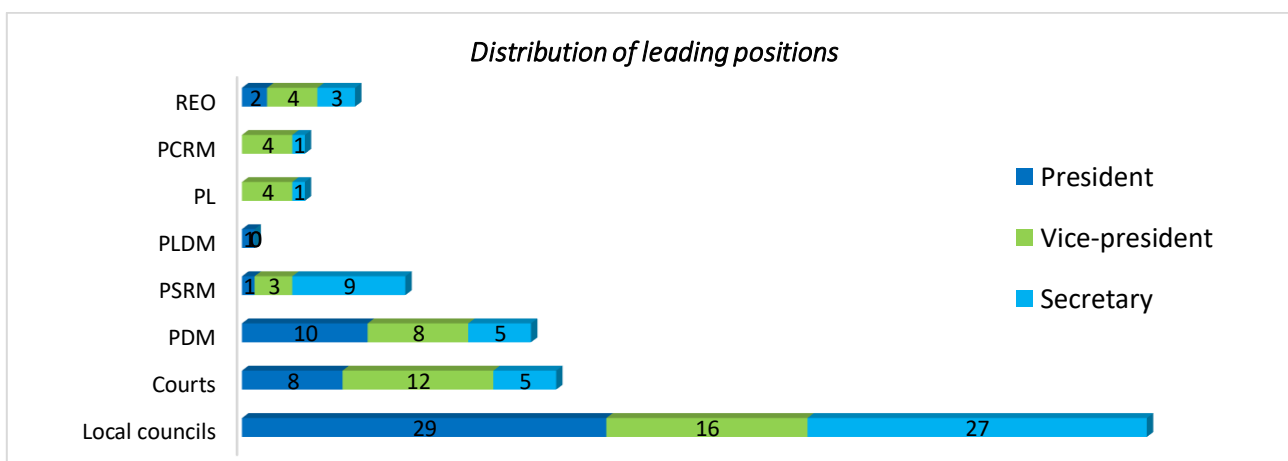
Assessing the level of gender balance in leadership positions reveals a balanced presence of men and women in presidential and vice-president positions, except for that of the secretary (only 22% of jobs are occupied by men - to be see Chart no. 5).

Chart no. 5



Depending on who appointed the CSMCC member that occupied one of the three leading positions, it was found that 47% were held by the members designated by the LPA, 16% by the judges, 31% by the parliamentary political parties; 6% - Register of Electoral Officials (REO) (see Chart no. 6). In the case of political parties, out of a total of 47 designated senior management positions - 23 (49%) represent the PDM and - 13 (28%) the PSRM.

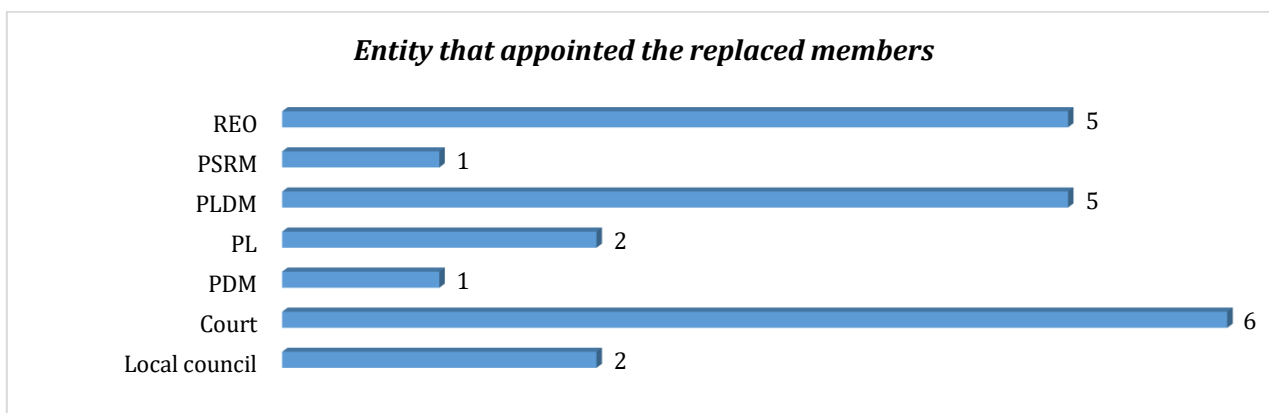
²¹ Art. 28, para. (8) of the Electoral Code - Within three days from the date of the establishment of the CC, its members shall elect from among their ranks, by secret vote, the president, the vice-president and the secretary of the council. <https://bit.ly/2Jcsdy2>



2.1.5. Changing the membership of the SMCC

In the period of 25 December 2018 – 3 January 2019, the CEC adopted 16 decisions amending the composition of the 16 SMCCs (22 members - see Chart no. 7).

Chart no. 7



The new members were nominated by the same entities, except for 2 SMCCs: no. 47 (Transnistrian region), where a member appointed by the municipal council was replaced by a member of the REO, thus, only one member appointed by the LPA remained in composition of the SMCC, and in the case of SMCC no. 50 (West of Moldova) the member appointed by the municipal council was dismissed, being appointed a new member of REO.

In the context of the above, we emphasize the need for a more responsible attitude of the entities with the right to appoint members of electoral bodies, since in such a short time from the establishment of the SMCC, numerous changes in their composition were required. According to Promo-LEX, the existing situation does not contribute to the efficient conduct of the electoral process.

2.1.6. Opening of polling stations abroad and pre-registration

The Promo-LEX OM reiterates its position on the need to assign the CEC the main role in determining the number and geographical location of the polling stations to be opened abroad. In their turn, the Government and the MFAEI will have an executive role in this process and ensure a good execution of the CEC's decisions, obviously taken in strict compliance with the criteria provided by the Electoral Code. In addition, both the Government and the MFAEI will provide the CEC with the requested information relevant for ensuring the electoral processes outside the country.

Considering the problems identified in the polling stations abroad during the presidential elections of 2016, as well as the continuous exodus of Moldovan citizens, we request the establishment of a larger number of polling stations outside the Republic of Moldova for the parliamentary elections of February 24, 2019. We are convinced that the increase in the number of ballot papers assigned to each polling station from 3000 to 5000 will not solve the problem in the absence of a systemic approach to the issue - the expansion of geographic area and the number of polling stations established abroad.

The Promo-LEX OM insists that the distribution of polling stations per constituencies should be strictly based on mathematical calculations and the criteria defined by the Electoral Code in art. 30, para. 4, including according to the model proposed by the Association²². According to the Observation Mission, even if the number of pre-registered voters is only one of the 5 criteria set out by the legislation, the analysis of the number of pre-registered voters demonstrates that the location and the number of polling stations opened in constituency councils abroad influenced by voter activism²³.

Contextually, the Promo-LEX OM urges the CEC and the Government to ensure transparency of the opening of polling stations abroad. The interested public should be informed of the criteria taken into account and the data that will form the basis of the number and geographical location of the opened polling stations.

Table no. 1. Dynamics of pre-registration for PSs abroad

Presidential elections, October 30, 2016	Parliamentary Elections, February 24, 2019								
	September 19, 2016	September 26, 2018			January 3, 2019			January 8, 2019	
3569	2 448			7945			16 936²⁴		
	SMCC	SMCC	SMCC	SMCC	SMCC	SMCC	SMCC	SMCC	SMCC
	49	50	51	49	50	51	49	50	51
	143	1573	722	328	6456	1145	541	14 468	1905

Firstly, compared to the presidential elections of 2016, we are witnessing an almost 5-fold increase in the number of pre-registrations, which should make the authorities more responsive to the opening of the PSs abroad, compared to the previous national elections. Secondly, in the last 5 days, we have witnessed an increased activism materialized in doubled number of registrations. Finally, we draw the

²² Promo-LEX ANALYSIS on the geographical location and number of polling stations set up outside the Republic of Moldova, <https://is.gd/M5tlC3>

²³ Promo-LEX Press Release. The increase in the number of pre-registrations leads to the increase of the number of polling stations in the constituency no. 50, <https://is.gd/NdhKVV>

²⁴ The total number includes the territories classified by the CEC as *Other*. For January 8, 2019, *Others* included 22 requests.

reader's attention to the number and dynamics of prior registrations for constituency no. 50. Thus, about 85% of all registrations were concentrated in this CC, and compared to September 26, 2018, the number increased by about 9 times.

2.2. The activity of the Single Member Constituency Councils (SMCC)

2.2.1. Headquarters of SMCC

Excluding the particular case of the headquarters of SMCC located in the municipalities of Chisinau and Balti, the Promo-LEX OM points out that at least in the case of the SMCC no. 37 com. Razeni and SMCC no. 39 com. Sarata Galbena, headquarters were established outside the respective single member constituencies, namely in Ialoveni, 62Stefan cel Mare for SMCC no. 37 and, respectively, Hincesti, str. 126 Mihalcea Hîncu, for CSMCC no. 39.

2.2.2. Observance by the SMCC of the legal provisions on the publication of information on its composition and voting procedure, seat and the contact details

According to the Promo-LEX observers' reports, some violations have been admitted by the SMCC regarding the transparency of the decision-making process and their activity.

It should be mentioned that the *procedure for electing* the governing bodies of the SMCC and *publishing the program of their work with the public* have been respected by all the councils.

As far as *information on the publication of SMCC membership is concerned*, it was not respected by 4 SMCCs, which makes (8%) out of 51, i.e. SMCC no. 3, 5, 13 and 18.

Regretfully, we found that 9 SMCCs (18%) did not respect the requirement to *publish lists of electoral candidates at SMCC headquarters*, including the SMCC no. 11; 14; 16; 17; 18; 30; 32; 34 and 50.

The Promo-LEX OM also emphasizes the SMCC failure to comply with the provisions of art. 29 lit. f) and g) of the Electoral Code regarding *the public disclosure of information about competitors*. Although the list of candidates in single-member constituencies is published on the official website of the CEC, unfortunately, we found that they do not contain the *biography of the candidates, statements of income and property, certificate of integrity issued by ANI* and other information about them.

In this context, we can refer to an example of good practice - reflecting information about competitors in the campaign for the new local elections of 20 May 2018,²⁵ where the electoral bodies ensured the publication of comprehensive information about the candidates, in line with the legal provisions.

²⁵ Information about the candidates registered for the Local elections of May 20, 2018, <https://bit.ly/2FbtB6M>

III. DESIGNATION AND REGISTRATION OF COMPETITIONS

Over the monitor period, 6 collective requests (5 political parties and one electoral bloc) have been filed for the registration in the national constituency list, and 4 competitors – the PDM, ACUM, PCRM and the PSRM have been registered. The 40% gender quota has been respected by all the registered competitors, but most of the women ranked 20th and lower on the list. On the other hand, none of the electoral candidates registered on the national list provided the 40% gender quota for the candidates nominated in the single member constituencies.

As of 08.01.2019, a total of 393 applications for registration of initiative groups (of which 2 were rejected and one withdrawn) have been filed for single member constituencies (SMCs). In most SMCs (46), the number of applications for registration of initiative groups (IGs) submitted varies from 4 to 10, and in the case of 5 constituencies, it varied from 12 to 15.

Of the 390 registered IGs, 74% are constituted by parties and blocs, and 26% by citizens (independent candidates). Accordingly, the parties continue to be the main political actors in single member constituencies, too.

With regard to the collection of signatures by IGs, the Promo-LEX OM points out that in the case of the PDM, 86% of the IGs submitted subscription lists in the first two days. By comparison, only 29% of IGs of the PSRM submitted the lists in the given time interval. As for the other competitors, we could not present comprehensive statistics at the time of publication of the present report.

3.1. Designation and registration of candidates in single member constituencies

According to the legal provisions²⁶, designation of candidates lasts 30 days, the deadline being 30 days before the election day, and their registration shall be made no later than 30 days before the election day. According to the Calendar Plan of the CEC²⁷, the term for the designation and submitting of files for the registration of candidates (including the collection of supporters' signatures) is 26 December 2018 - 24 January 2019.

Under the conditions laid down, on December 26, 2018 both the CEC - on the national constituency and the 51 SMCCs on the single member constituencies, started the process of receiving the files.

During the monitored period, 6 political parties submitted files as electoral competitors on *the national constituency*²⁸ (according to Table 2).

Table no.2. Registered competitors (national constituency)

No.	Formation	Date File	Decision and date of the competitor's registration
1	Democratic Party of Moldova	26.12.2018	CEC Decision no. 2023 of 02.01.2019
2	Party of Socialists of the Republic of Moldova	26.12.2018	CEC Decision no. 2024 of 02.01.2019
3	ACUM Election Bloc (DA and PAS Platform)	26.12.2018	CEC Decision no. 2025 of 02.01.2019
4	Party of Communists of the Republic of Moldova	26.12.2018	CEC Decision no. 2026 of 02.01.2019
5	Political Party of Sor	27.12.2018	- *

²⁶ Art. 46 and 49 of the Electoral Code, <https://bit.ly/2Jcsdy2>

²⁷ Calendar Plan of the CEC, <https://bit.ly/2AzsOs9>

²⁸ <https://bit.ly/2LWaQVj>, <https://bit.ly/2C5JdVs>

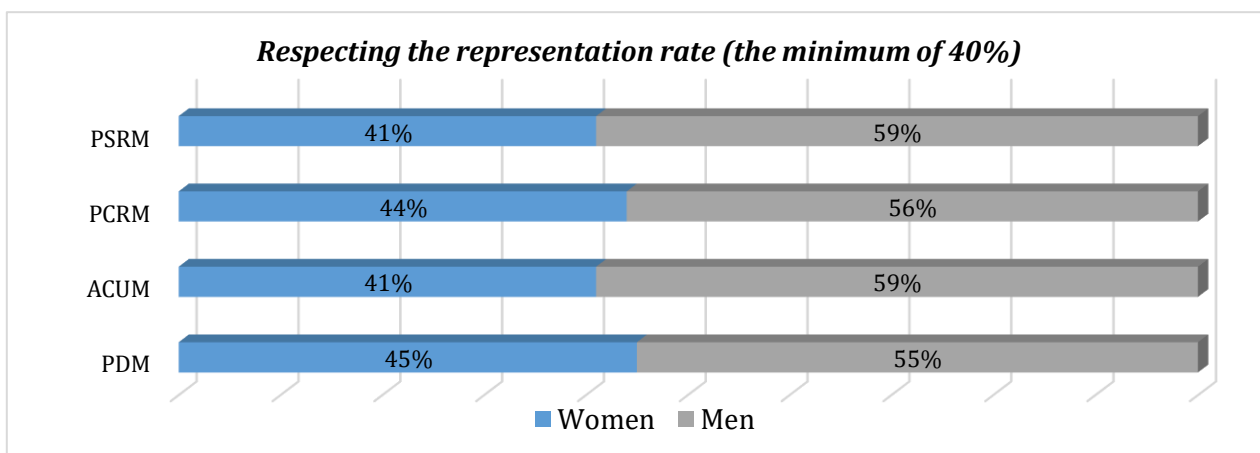
6	Anti-Mafia People's Movement, Political Party	03.01.2019	-
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* In the case of PPS, candidate's registration was examined at the CEC meeting of 03.01.2019, where it was found that the applicant's file did not meet the requirements.

The drawing of lots²⁹ determined the order of the candidates in the ballot paper: the PDM, ACUM Bloc, PCRM and the PSRM.

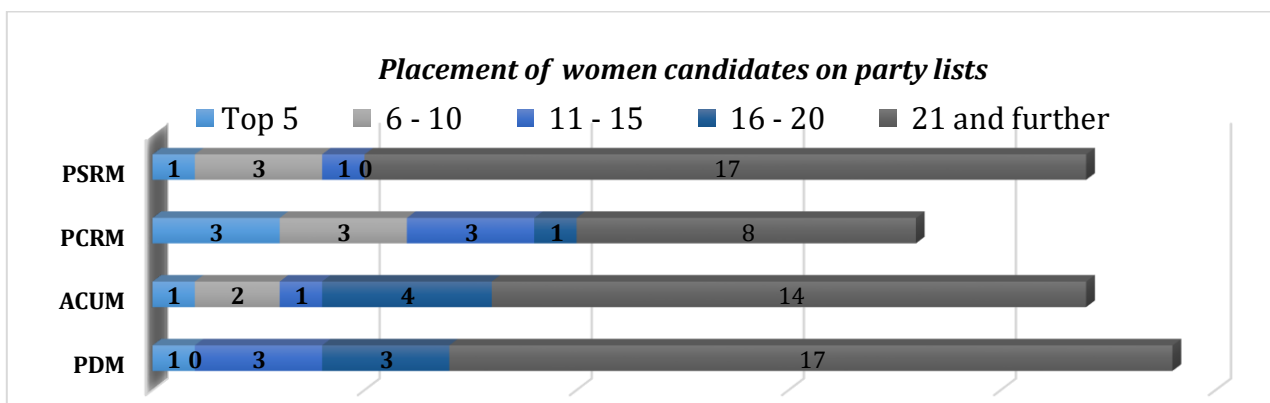
To evaluate the way in which the provisions of art. 46, par. (3) of the Electoral Code³⁰ on gender quota were respected, the lists submitted by the four registered electoral candidates were examined. Thus, as shown in Chart no. 8, the minimum representation rate for both genders (40%) was respected by all four formations that were registered.

Chart no. 8



However, a detailed analysis of the positions occupied by women candidates in the electoral rolls submitted by the political parties revealed the tendency to avoid their placement in the leading positions. Chart no. 9 presents information about the placement of women candidates on the lists. Thus, in the first 20 positions on the list, except the PCRM, which ordered the candidates alphabetically, the party that the least respected the principle of gender equality is the PSRM - 20%.

Chart no. 9



²⁹ <https://bit.ly/2AAk4lz>

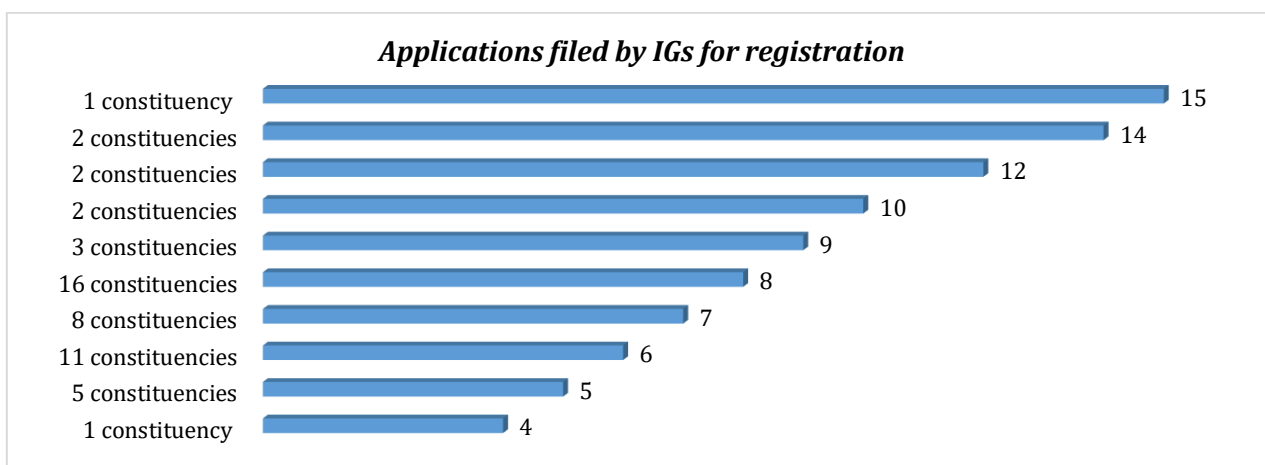
³⁰ (3) Candidates' lists for parliamentary and local elections shall be drawn up respecting the minimum representation rate of 40% for both sexes.

3.2. Registration of Initiative Groups in Single Member Constituencies

Article 87 of Electoral Code provides that an Initiative Group (IG) is to be set up for the purpose of supporting MP candidates in single member constituency nominated by citizens and by political parties in order to collect signatures in support of the designated candidates³¹.

During the monitored period, the Promo-LEX OM identified the submission of registration applications by 393 Initiative Groups (see Chart no. 10).

Chart no .10

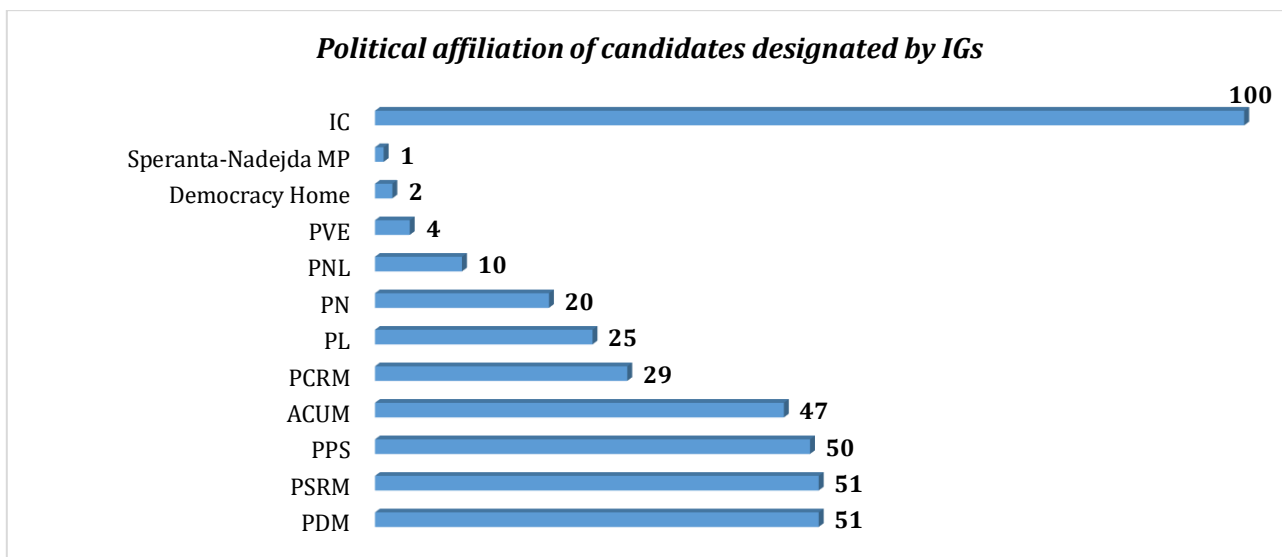


Of these, 1 IG has not been registered yet (to be registered on 09.01.2019), 2 applications were rejected (SMCC no. 27 and no.47, because the files did not comply with the legal provisions), and an application was withdrawn (to support the independent candidate - Groza Andrei), the subscription lists being returned SMCC no. 30 (Chisinau). Therefore, the data for 390 IGs will be presented below.

According to the Promo-LEX observers' reports and the data on the CEC's website (decisions adopted by the 51 SMCCs), **74% of the candidates in single member constituencies are designated by political parties and 26% are independent candidates** (see Chart no.11).

³¹ Art.87, para. 1 and 2 of the Electoral Code, <https://bit.ly/2Icsdy2>.

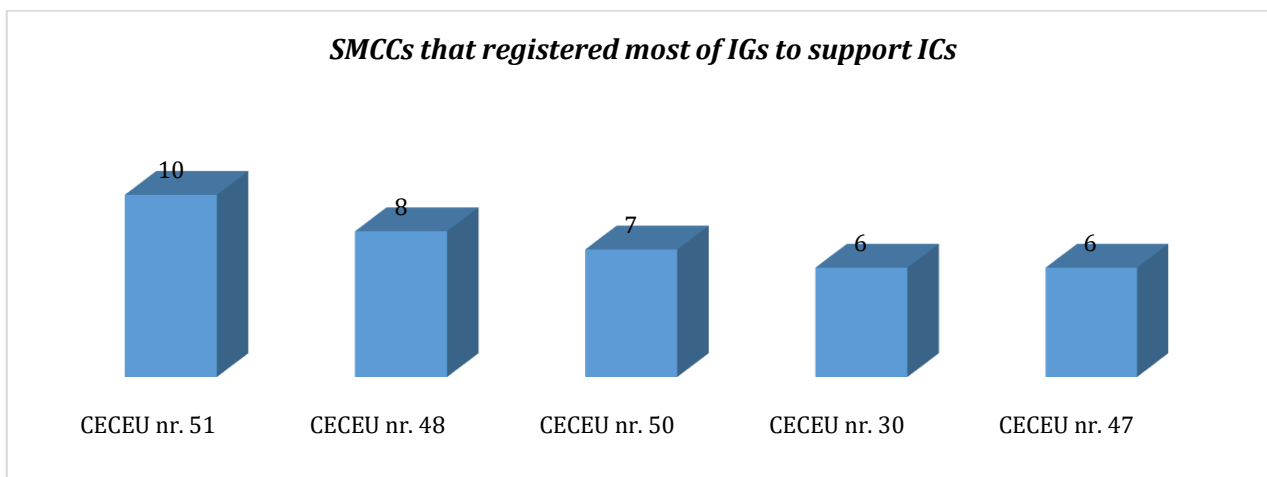
Chart no. 11



We therefore, found that only the PSRM and the PDM have nominated one candidate for all the 51 SMCCs. In the case of PPS, no candidate for SMCC no.17 (Nisporeni) was designated. The Electoral Bloc ACUM did not nominate candidates for SMCC no. 1 (Briceni), 44 (Taraclia), 45 (Comrat) and 46 (Transnistria).

With regard to IGs in support of independent candidates, we found that applications have been submitted in 40 of the 51 SMCCs, and Chart no. 12 reflects the SMCCs with the most IGs to support independent candidates.

Chart no. 12



It should be mentioned here that registering certain IGs to support individual candidates raises suspicions about the real goals pursued by these potential candidates. Thus, we found that in the SMCC no. 33, on 30.12.2018, an IG was registered to support the candidate of ACUM Electoral Bloc – Andrei Nastase. Immediately after that, on 01.01.2019, within the same SMCC, another IG was registered to support the IC - Andrei Nastas. A similar situation occurred in the SMCC no. 49 (East of the Republic of

Moldova), where on 26.12.2018, an IG was registered to support the candidate designated by the PSRM - Para Gheorghii, and on 31.12.2018, another IG was registered in support of Para Gheorghie.

Contextually, we make reference to the Constitutional Court Report³² on the results of the parliamentary elections and the validation of the mandates of elected deputies in the parliamentary elections of November 30, 2014. Referring to the confusion created by electoral symbols of the Party of Communists of the Republic of Moldova and the Moldovan Communist Reformist Party, the Court urges the Parliament to implement the necessary changes to **avoid situations that could create confusions in the uninitiated public perception of identifying competitors' elements.**

At the same time, the Promo-LEX OM recognizes the right of any citizen of the Republic of Moldova, under the law, to use o their constitutional right to be elected.

Concerning the assurance of the gender representation rate in single member constituencies, we found that none of the political formations that have nominated candidates reached the minimum threshold of 40% for a certain gender (see Chart no. 13).

Chart no.13

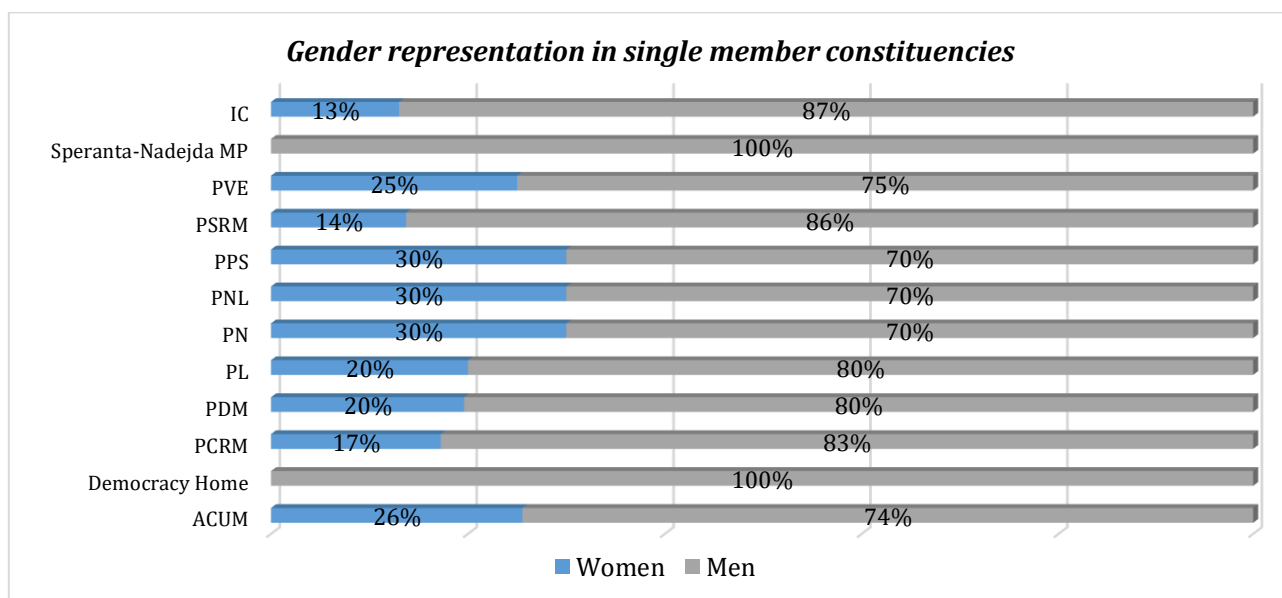
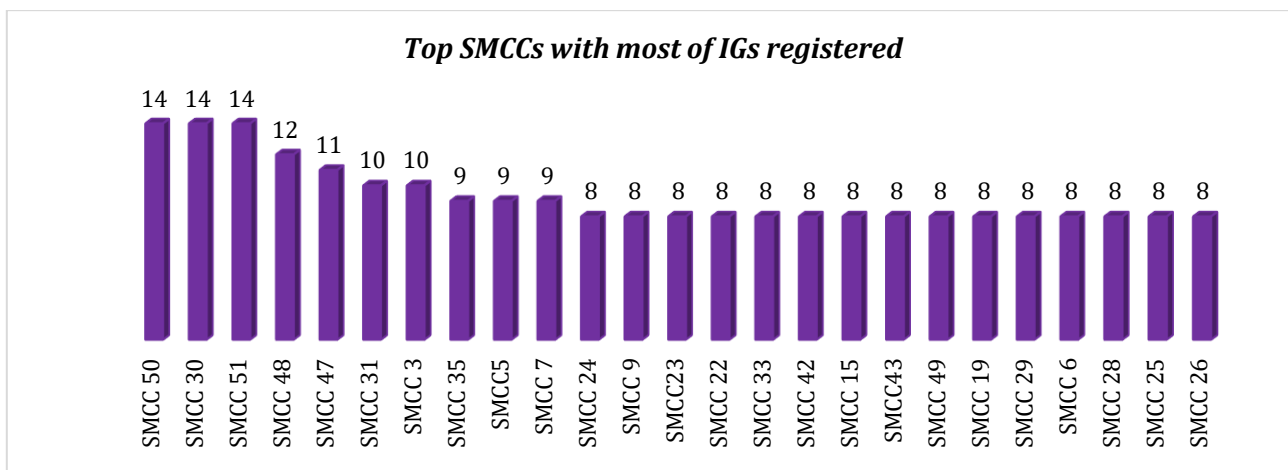


Chart no. 14 depicts the top 25 SMCCs that have registered at least 8 applications for registration of IGs to support an electoral candidate. Thus, we found that most of the applications were filed in 2 SMCC from abroad and the SMCC no. 30 (Chisinau).

³² Constitutional Court Report on the results of the parliamentary elections and the validation of the mandates of elected deputies in the parliamentary elections, <https://is.gd/pFWyJo/>

Chart no.14

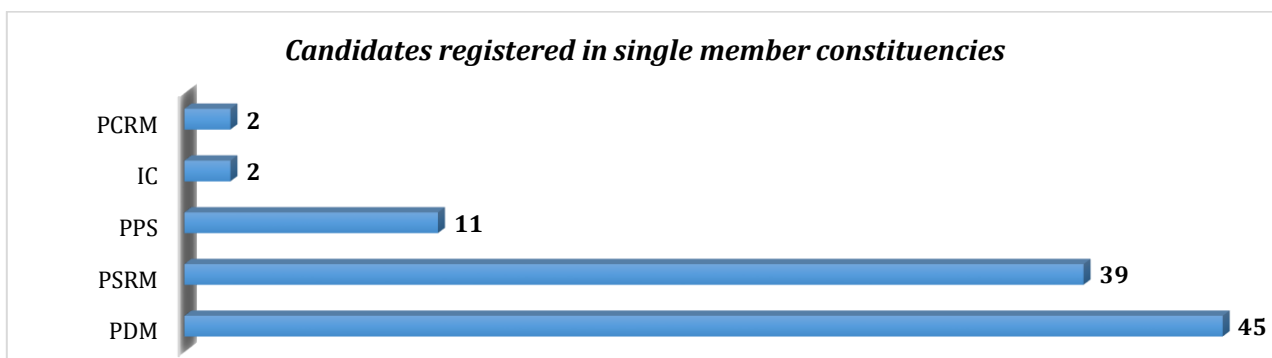


3.3. Registration of MP candidates in single member constituencies

According to art. 49, para. (1) of the Electoral Code, among the mandatory documents to be submitted by the candidate are the subscription lists, containing sufficient signatures in support of the candidate³³. Subscription lists are issued by the SMCC at the time of IG registration to support the candidate.

During the monitored period, 48 SMCCs registered 99 MP candidates in single member constituencies. No candidate was registered in SMCC no. 35 (Causeni), 47 (Transnistrian region) and no. 51 (USA and Canada). Most of the registered candidates are nominated by the PDM (45%), followed by candidates nominated by the PSRM (39%) and PPS (11%). Chart no. 15 presents the number of candidates registered by each political formation, including independent candidates. The list of MP candidates registered in each single member constituency is presented in Annex no.1.

Chart no.15

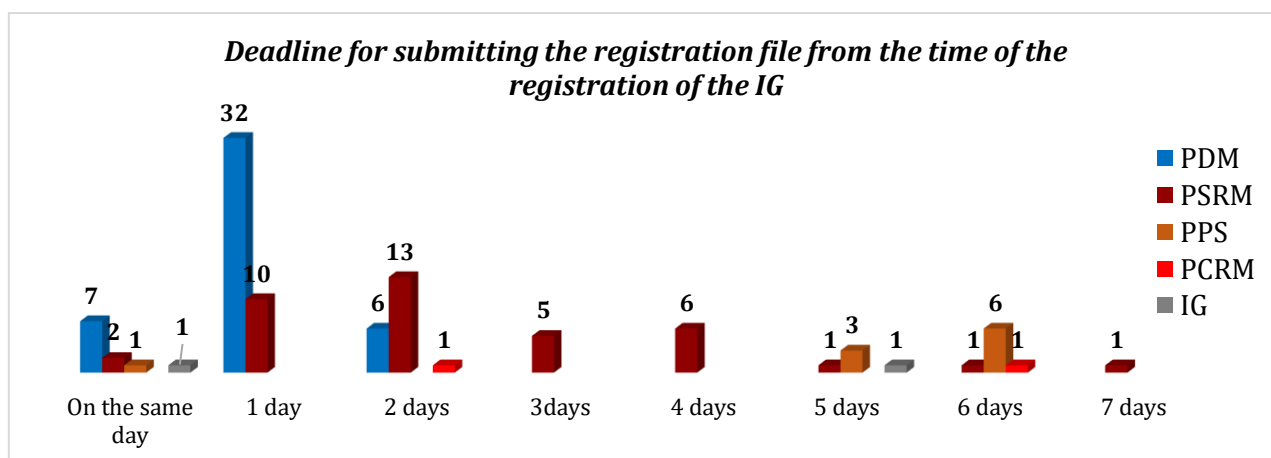


³³ Article 86, para. (1) of the Electoral Code: In order to be registered, the candidate shall submit subscription lists containing at least 500 signatures and up to 1000 supporters with the right to vote in single member constituency where they intend to run. By way of derogation from this paragraph, a female candidate may be registered if she has collected at least 250 and not more than 500 supporters with the right to vote in the constituency where she is applying.

On 28.12.2018, two days after registration of the IG and receipt of subscription lists, the SMCC no. 26 (Chisinau) received the application and registration file of the PDM candidate, Mr. Stratulat Mihail. By the SMCC Decision no. 10 of 03.01.2019, the application was rejected, claiming inconsistency of the materials submitted to the legal provisions. As a result, on 04.01.2019, Mr. Stratulat requested the registration of a new IG for the collection of signatures.

In order to evaluate the manner in which candidates were registered, the Promo-LEX OM examined the period between the registration of IGs, the time of submitting the registration file and registering it. As a result, 7 candidates of the PDM out of 45 (16%) submitted the registration files on the same day when they received the subscription lists, 32 competitors (71%) – on the next day and 6 candidates (13%) – on the third day. In the case of the PSRM, - 5 out of 39 (5%) submitted it on the same day, 10 out of 39 (26%) - on the next day, 5 out of 39 (13%) on the third day. A candidate of the PPS submitted the file on the same day (see Chart no. 16). The registered independent candidate, who submitted the file on the same day when he received the subscription lists is Bodgros Nicolae, SMCC no. 42 (Cantemir).

Chart no.16



In the context of the above, the Promo-LEX OM believes that collecting an average of 800 signatures by the candidates in a few hours with a relatively small collector group is not an impossible task, but it raises reasonable suspicions about the correctness of the signature collection mechanism, when the subscription lists are completed directly by the collectors.

IV. ELECTORAL ROLLS AND STATE ELECTORAL REGISTER

The Promo-LEX OM continues to monitor the State Electoral Register (SER), in particular, through LTOs conducting interviews with registrars that are supposed to update the information in the SER. The Promo-LEX OM is puzzled by the fact that the CEC suspended the registrars' access to the SER for the period of 28 December 2018 to 10 January 2019, in the midst of the electoral period, when the content of the SER requires a thorough update, including registrars' involvement.

In these circumstances, the Promo-LEX observers managed to carry out only 217 (57%) interviews during 379 visits to the LPAs, most of which were based on discussions with registrars without accessing the Register. Currently, we can deduce the following problems relevant to the monitored subject: in 32% of the cases, contrary to the legal provisions, the registrars did not receive the electoral rolls of the last elections; most of the conflicts, detected in the SER, are polling station conflicts - 1280 conflicts in the case of 9 registrars and address conflicts - 855 conflicts, in the case of 17 registrars, they found it difficult to comment on the number of SER conflicts identified from the presidential elections of 2016 to the current electoral period - 60% refrained from responding. At the same time, 1% of registrars said the number of conflicts increased and 39% gave a negative response.

4.1. Management of the State Electoral Register by the CEC

Promo-LEX OM continues to monitor the State Electoral Register (SER), in particular, through LTOs conducting interviews with registrars³⁴. This activity was carried out during the first planned visit in line with the working methodology. The data obtained in the period of 25 December 2018 – 8 January 2019 by applying the interviewing tools provided some findings on: *the operation of SER data; accessibility and obtaining the information found in the Register (with respect to personal data) and, directly, the training of registrars and the work of the CEC.*

Interviewing provided for discussions between the Promo-LEX observer and the registrar, based on the SER data in line with the registrar's area of responsibility and respecting personal data protection. In this respect, **the Promo-LEX OM expresses its puzzlement with respect to the CEC's cessation of registrars' access to the SER for the period of 28 December 2018 to 10 January 2019, in the midst of the electoral period, when the SER content requires a thorough update, including registrars' involvement.** According to the observers, registrars were not able to access the Register, being communicated the following: *"For technical reasons, the possibility of accessing this resource was stopped, please try again after January 10, 2019" or "For technical reasons, this resource cannot be accessed, please try again later on".*

In accordance with the Regulation on the State Electoral Register³⁵, the holder of the Register is the public authority (the CEC), which shall set out all the procedures aimed at ensuring the functionality of the Register. Thus, the responsibilities of the CEC also include setting the aim, the conditions, the means and the terms of maintaining the Register and processing of the data contained therein³⁶. These provisions talk about a continuous update and change without mentioning the possibility and / or the need to stop t access to the Register.

³⁴ Registrars are designated by the local public administration and based on this authorization, they process the data from the Register.

³⁵ <https://bit.ly/2C7XQaA>

³⁶ Point 29 of the Regulation on SER, <https://bit.ly/2C7XQaA>

It is the right of the CEC to manage the Register in line with its responsibilities, but taking into account that the changes can only be made until January 29, 2019, we get a reduced period of time for working with the SER, respectively, the possibility of a qualitative update of the electoral rolls is also affected.

At the same time, Promo-LEX welcomes the invitation to monitor the training seminars organized by the CEC and CICDE in the period of 18 - 19 December 2018 for the SER registrars. The observation of the training provided for a better understanding of both the registrars' training process and the working process with the SER.

4.2. Registrars' activity

Despite the cessation of access to the SER, the Promo-LEX OM continued its monitoring activity. Promo-LEX observers managed to carry out only 217 (57%) interviews out of the 379 visits made during the working hours at LPAs. In 162 visits (43%) there were no interviews, for various reasons:

- The registrar was not present at his working place - **74 cases** (leave - 14, business trips - 32, no reason - 28);
- The SER could not be accessed for technical reasons - **51 cases**;
- Refusal to provide information, including for lack of time - **24 cases**;
- The registrar was not identified or the person responsible for the SER was not designated - **7 cases**;
- The Registrar has been recently appointed responsible for the SER and has insufficient skills to work in the system - **6 cases**.

We draw the reader's attention to the relatively large number of refusals to provide information, most of them motivated by the lack of time - 15% of the total unrealized interviews. We also conclude that the organization of parliamentary elections in the eve of winter holidays is not very welcome. However, in 74 cases out of 162, which represents 46%, the reasons for non-realization of interviews refer to situations, where registrars were not present at their working places.

However, it should be mentioned that when the SER could not be accessed for technical reasons, some registrars were open to collaboration, providing us with information from the registers of the village halls or the data they had in management, or based on their own experience. Among the topics covered, we mention:

a. Receiving electoral rolls of the previous elections. The Promo-LEX OM points out that the requirements of point 46 of the Regulation on the compilation, administration, dissemination and updating of electoral lists have not been fully complied with³⁷, according to them, the court undertakes to send, within 10 days of the confirmation of the legality of the elections, electoral rolls to the registrars for the operation of changes and updating of the data in the SER. Through the interviews carried out by the Promo-LEX observers, it was established that in 144 village and city halls - (68%) of the 213 answers, the registrars reported that electoral rolls were received. However, according to them, the fact of receiving the rolls does not expressly include the component of operating changes and updating the data in the SER.

On the other hand, in 32% of the cases, the registrars did not receive the electoral rolls (see Annex no.12) and therefore, did not have the opportunity to improve their quality, which highlights and determines the existence of historical deficiencies in the lists. The Promo-LEX OM considers that the CEC, as the main electoral authority with a permanent status, is obliged to monitor the distribution of electoral rolls to the registrars and to manage the accomplishment of their tasks.

b. Conflict management in the SER. Another issue that has been monitored during this period is the review of the SER Conflict Management sub-menu. The registrars only has access to the ATU, for which they have been authorized, with the possibility to view, update and modify only the information on the polling stations and the voters within the polling station they are in charge of³⁸. In this respect, when the

³⁷ <https://bit.ly/2sefDby>

³⁸ Point 27 of the Regulation, <https://bit.ly/2C7XQaA>

system cannot automatically determine the correct variable, or when there is a duality of data, a conflict that only the human factor can assess will be signaled, respectively, the registrar has to fix it. Therefore, according to the data obtained by the Promo-LEX OM, the registrars stated that in their area of responsibility, the following types of conflicts are signaled in the SER:

- Polling station conflicts³⁹ - **1280 conflicts** in the case of 9 registrars;
- Address conflicts⁴⁰ - **855 conflicts** in the case of 17 registrars;
- Status conflicts⁴¹- **96 conflicts** in the case of 10 registrars;
- Addresses without polling stations⁴² - **72 conflicts** in the case of 3 registrars;
- Locality conflicts⁴³- **63 conflicts** in the case of 3 registrars.

Tone can easily notice the large number of unresolved conflicts. Point 33 of the Regulation⁴⁴ explicitly stipulates that the registrar's responsibilities include conflict resolution. Thus, Promo-LEX notes that the failure to resolve conflicts directly leads to the obtaining of faulty electoral lists, the confusion about the polling station where the voter is to appear, and, last but not least, the limitation of the voter's right to vote.

The participation of Promo-LEX observers in the registrar training seminar revealed the fact that the training held by the CEC and CICDE was comprehensive and sufficient. However, we emphasize that not all the persons responsible for the SER and electoral rolls have the necessary personal and professional training (for the use of computers and systems).

Moreover, it should be mentioned that the issue of insufficient remuneration of registrars is directly reflected on their responsibility. The activity of registrars is based on diligence and increased professional interest. For instance, to resolve conflicts, registrars need to identify the voters targeted in these conflicts, to request the necessary documents to operate the changes, to identify the correct PS to which the voter is assigned, to contact other registrars / CECs, etc.

c. Evolution of the number of conflicts in the SER. 60% of the registrars could not provide a response to the evolution of the number of conflicts compared to the presidential elections of 2016. This number can be explained by the large flow of people responsible for the SER, or their probable lack of interest in conflict situations. Thus, according to observers' data, 15% of the interviewed registrars abstained from answering, given that in 2016, they did not act as registrars, 45% refused to give a response, 1% of registrars said the number of conflicts increased and 39% responded negatively.

d. Differences between the number of voters registered in the SER and in the electoral rolls. Registrars believe that differences between the number of voters in the SER and those on electoral voters are due to technical aspects of the data circuit, voter irresponsibility, and incompetence of those responsible for the process (registrars and EBPS members).

According to the Promo-LEX observers, registrars have reported that data differences are due to the following situations:

- occurrence of changes to the voter status; change of voter's domicile or residence visa; voter's assignment from one PS to another in the period immediately after the printing of the electoral rolls;

³⁹ Polling station conflicts - are situations, where the voter is not automatically assigned to a polling station.

⁴⁰ Address conflicts - are situations, where the address of the voter is wrong or non-existent.

⁴¹ Status conflicts - are situations, where voter's status cannot be determined automatically, so the registrar modifies by selecting one of the following situations: deceased, voter, incapacitated person / does not have the right to vote declared by court or military order.

⁴² Unassigned address conflicts - are situations, where the target address does not have a polling station assigned.

⁴³ Locality conflicts - are situations, where two localities have the same name, but they are of a different rank, and the system cannot automatically delimit them.

⁴⁴ <https://bit.ly/2C7XQaA>

- delayed submission / failure to submit the death certificate to the competent authorities, which leads to voter's identification in the SER *versus* voter's removal from electoral rolls;
- complicated procedures for registering a newly built house;
- failure to resolve reported conflicts in the SER system;
- voter's irresponsibility;
- incompetence of registrars and EBPS members;
- failure to hand over the electoral rolls after the elections.

The Promo-LEX OM believes that all the actors should mobilize to remove the differences between the number of voters in the SER and the one in the main electoral rolls. Accordingly, the CEC should adjust the working tools made available to all the actors involved, take account of the registrars' objections and involve them in their resolution, as well as monitor the fulfillment of the legal provisions on electoral rolls. Registrars and EBPS members must fulfill their duties in good faith and voters must verify and provide the necessary documents to make changes to their personal data.

V. ELECTORAL LITIGATION

During the monitored period, the CEC filed two complaints concerning the registration and non- During the monitored period, two appeals against the registration and non-registration of electoral competitors in single member constituencies and three referrals have been filed with the CEC. A referral and an appeal were filed by the PDM, and the other one by the electoral bloc ACUM, which concerned the PDM.

The appeals challenged the administrative acts issued by constituency councils and the referral concerned the behavior of an apolitical actor. It should be noted that the CEC returned an appeal on the grounds that it was not signed by the persons empowered to sign it.

a. On 03.01.2019, the PDM's representative with the right of consultative vote submitted a notification with regard to the fact that Intelligent Data LLC published the 2019-Electoral Barometer in the media, without informing the CEC in advance. The publication informed about conducting opinion polls on the political preferences of voters. The Appellant requested the Commission to ensure the execution of the provisions of art. 70 para. (10) of the Electoral Code by Intelligent Data LLC and to require the media not to broadcast opinion polls, of which the CEC was not notified as provided by the law⁴⁵.

According to the response offered by Intelligent Data LLC on January 5, 2019, 2019-Electoral Barometer represents a weekly cycle of analyses of the most important electoral events (infographic with a possible configuration of the new Parliament), and it is based on the opinion polls conducted by other actors. Also, Intelligent Data LLC mentions that the electoral barometer does not represent a poll and the survey does not apply sociological methods specific to opinion polls⁴⁶.

By 08.01.2019, the Central Electoral Commission did not issue an opinion on this notification.

b. On 04.01.2019, the PDM's candidate nominated in the single member constituency no.26, Mihail Stratulat and the PDM's representative with the right of consultative vote filed an appeal against the Decision no. 10 of 03.01.2019 issued by the SMCC no. 26, by which it refused the registration of Mr. Stratulat Mihail as an MP candidate in the SMCC no. 26⁴⁷. According to the complainant, in the Informative Note adopted by the SMCC no. 26 following the verification of subscription lists, there is a non-existent heading in the model predetermined by the CEC - - "Incorrect Identity Document", and in point 43 para. (2) of the Regulation on the manner in which subscription lists are drawn up and registered, there is no such ground for invalidity. Due to the above reason, 64 signatures were declared null and void. The complainant explains that there may be some technical or human errors, but not any error leads to the nullity of signatures.

On 5.01.2019, the complainants lodged a further appeal in addition to that filed on 04.01.2019⁴⁸, in which they present the comments of the initiative group that collected the signatures for each entry in the subscription list, whose nullity is contested. At the same time, the contestants pointed out that the contested decision is not motivated, indicating only the fact that the submitted materials do not correspond to the rigors of the Electoral Code⁴⁹.

On 07.01.2019, the SMCC no. 26 issued a reference letter explaining that the heading "Incorrect Identity Document" was automatically generated in the electronic table, which was displayed after the introduction of supporters' data into the SIAS Elections System- Check Subscriber List program, since

⁴⁵ <https://bit.ly/2Rhsf07>

⁴⁶ <https://bit.ly/2Ffsj5V>

⁴⁷ <https://bit.ly/2F8DzFb>

⁴⁸ <https://bit.ly/2C7j7kR>

⁴⁹ <https://bit.ly/2CW3fTJ>

the constituency councils lack the competence and the possibility to modify the final data generated by the system. With regard to the alleged errors mentioned by the initiative group, the SMCC representative showed and explained for each position what error the SIAS Elections System program detected. Pursuant to point 43 (2) lit. m) of the CEC's Regulation on the manner of drafting, presenting and checking the subscription lists, the signatures of the supporters, who entered incomplete identity data or have not filled in one or more boxes are declared invalid, as the date of signature, the serial number and the number of the document, are headings from identification data.

The above appeal was examined at the CEC meeting of 08.01.2019, but due to the lack of the necessary number of votes to adopt a decision on the resolution of the appeal, the preparation of the new draft decision was assigned to another member of the CEC.

It should be noted that according to art. 73 para. (2) of the Electoral Code, the appeals against the actions and decisions of constituency councils and electoral bureaus of the polling station are examined within 3 calendar days from the filing, but no later than the election day. **In this respect, we point out that at the date of the examination of the appeal by the CEC at its meeting on 08.01.2019, the legal deadline for settling of the appeal was already exceeded.**

c. The third contestation was filed by the co-chair of the Electoral Bloc ACUM, Andrei Nastase and the representative with the right of consultative vote appointed but not registered by the CEC⁵⁰. The complaint was filed against the Decision no. 5.1 of 03.01.2019 issued by the SMCC no. 21 on the registration of the candidate Burlacu Veaceslav, nominated by PDM. In support of their claims, the appellants claimed that 980 signatures were collected in 20 hours (from 26.12.2018, 16:30 to 27.12.2018, 14:00) in 17 settlements by 3 members of the initiative group, thus concluding that the signatures were either not collected by the authorized collectors, or did not belong to the persons listed in these lists, with the possibility of being falsified. According to the complainants, 30% of the signatures were declared invalid by the SMCC no. 21, but the electoral body refused to express its opinion about the physical possibility of three collectors to be personally present at the moment of citizens' signing on the constituency lists. The appellants request that the lists of subscriptions submitted by the candidate for the position of deputy in SMCC no. 21, Burlacu Veaceslav be considered null and void and the annulment of the decision of CC Criuleni, no. 5.1 of 03.01.2019, by which Burlacu Veaceslav was registered as a candidate of the PDM.

By letter no. CEC 8/19 of 06.01.2019⁵¹, the CEC decided to turn over the appeal because it was not signed by persons empowered to do it. The CEC states that the appeal was signed only by a co-chair of the ACUM Bloc, contrary to point 10 of the Agreement on the establishment of the bloc, and there is no act of delegation, by which Mr. Andrei Năstase is entitled to unilateral signing of the above appeal. The CEC also noted that the signing of the appeal by Mr. Dumitru Pavel as a representative with the right of consultative vote, based on the power of attorney, cannot be accepted either, because the request for his confirmation was rejected by the CEC Decision no. 2025 of 02.01.2019.

It should be noted that restitution of the appeal by the CEC does not exclude the possibility of a repeated appeal with the same subject and the same grounds under the condition of removing the deficiencies.

d. In addition, we mention that on December 20, 2018, two complaints were filed by the PCRM, requesting to verify the actions of some political parties (the PSRM, PDM, PPS, etc.), bring to accountability and punishment for campaigning out of the campaign period, election abuse, misuse of administrative resources at national level (merging the party with the state, abusive use of administrative resources, and corruption of citizens). The CEC responded to the notifications by letter

⁵⁰ <https://bit.ly/2FcAfsy>

⁵¹ <https://cec.md/storage/ckfinder/files/ACUM.pdf>

no. CEC 8/3012 of 25.12.2018, declaring that the legal liability provided by art. 75 of the Electoral Code is applicable only to electoral contenders and at that time no political party had that status. The CEC also mentioned that according to the provisions of Law no. 294 of 21.12.2007 on political parties, political parties are guaranteed the right to contribute to the formation of public opinion and to disseminate freely, at their own expense, information about their activity.

VI. PUBLIC ADMINISTRATION

The local public administration of level I was involved in actions for setting up electoral displays, meeting with voters, and setting up a minimum of special electoral displays.

We appreciate the effort of the LPA, but we also note the need to comply with the legal provisions for displaying decisions about display spaces and meetings. The arrangement of display sites with respect to the minimum area of 1 m² per electoral competitor seems to be a problem for the first level LPA, especially under the mixed system of election of deputies and the uncertainty regarding the number of candidates to be registered in the electoral race.

MO Promo-LEX warns against a case of violation of the provisions of art. 80 par. (4) lit. e) Electoral code, which does not allow the drawing of the boundaries of the uninominal constituencies on the inside of a first level ATU.

The local public administrations of level I were involved in various actions for setting up electoral displays, spaces for meetings with voters, and ensuring the minimum of special electoral displays.

We appreciate the effort of the LPAs, but we also emphasize the need to comply with the legal provisions on displaying their decisions about electoral displays and spaces for meetings with voters. Ensuring electoral displays, respecting the minimum area of 1 m² per electoral competitor, may be a problem for the LPAs of level I, especially given the mixed voting system and uncertainties about the number of candidates registered in the race.

The Promo-LEX OM warns against a case of violation of the provisions of art. 80 para. (4) lit. e) of the Electoral Code, which does not allow drawing boundaries of single member constituencies on the territory of an administrative territorial unit.

6.1. Election organization activities with the involvement of level I LPA

During the monitored period, level I LPAs were involved in the following types of activities:

- the designation of SMCC members;
- ensuring special spaces for electoral displays and meetings with voters;
- participation in the verification of SER.

In the period of 21 December 2018 – 5 January 2019, the Promo-LEX OM observers managed to visit 968 communes and villages and collected information from 682 village halls.

6.2. Ensuring spaces for electoral displays and meetings with voters

According to the Electoral Code⁵², Level I LPAs are obliged, within 3 days from the beginning of electoral period, to establish and guarantee the minimum of special electoral displays and the minimum of venues for meetings with voters, and the decisions on these issues shall be immediately displayed at the premises of these authorities and brought to the attention of the interested subjects by means of mass media and other available means of communication.

According to the Promo-LEX OM reports, out of a total of 682 village and town halls visited, only 113 (about 17%) mayors have approved decisions to set up electoral displays and places for meetings with

⁵² Art. 52 para. (9) of the Electoral Code, <https://bit.ly/2C7q6dr>

voters. And out of these 113 village and town halls, only 49 (approximately 44%) displayed the decisions on electoral displays and places for meetings with voters on information boards.

6.3. Setting the boundaries of single member constituencies inside administrative territorial units of level I

According to art. 80 para. (4) lit. e) Electoral Code, it is not allowed to draw the boundaries of the single member constituencies inside level I ATUs. The Promo-LEX OM revealed the case of the commune of Ghiduleni, Rezina district, which goes beyond the legal framework.

The commune of Ghiduleni, Rezina dist., is an administrative unit of level I which, according to the legislation in force, consists of 3 settlements: Ghiduleni, Roscani de Sus and Roscani de Jos⁵³. According to the Government Decision no. 970 of 15.11.2017 on the approval of permanent single member constituencies⁵⁴, com. Ghiduleni is assigned to the constituency no.19 Ivancea, while the settlement within its administrative composition - Roscani de Sus - is included in the constituency no 13, Rezina, as a settlement within another commune of Rezina dist. - Gordinesti.

⁵³ Annex 3, Law on the organization of administrative territorial units of the Republic of Moldova No. 764 of 27.12.2001, <https://isGgd/IEjOA3>

⁵⁴ Annex 4, Government Decision no 970 of 15.11.2017 on the approval of permanent single member constituencies, <https://is.gd/cNblof>

VII. ELECTORAL COMPETITIONS

In the context of upcoming parliamentary elections to be carried out based on the mixed voting system, the Promo-LEX OM attests an increased activism of some registered or potential competitors, recording about 281 events during the monitored period. Of these, 41% fall for the PSRM, 29% for the PPS and 19% for the PDM.

In particular, we are concerned with events that can be described as electoral gifts, both in terms of phenomenon as such and in terms of its magnitude, accounting for 100 events or 35% of the total number of infringements. The representatives of the PSRM (42), the PPS (41) and the PDM (17) were involved in electoral gift offering.

It should be mentioned that charity foundations associated with certain political formations, for instance "Din Suflet" Foundation (PSRM) and the "Miron Sor" Charity Foundation (PPS) have also been involved in electoral gift offering. In this respect, we note an increased geographical diversity of cases of electoral gift offering, even if it mainly concerns the municipality of Chisinau (about 30%).

Over the monitoring period, Promo-LEX observers reported at least 10 cases that could be qualified as misuse of administrative resources. The PDM representatives are concerned in 7 cases, the PPS in 2, and Our Party (PN) in one case.

In the case of two parties, we identified the involvement of non-citizens of the Republic of Moldova in electoral activities: the PDM (3 cases) and the PPS (3 cases).

Promo-LEX observers identified at least 250 situations, where advertising was used (promotions, street and online advertising, etc.). Of these, 36% fall for the PSRM, 31% - for the PPS, and 24% - for the PDM. The most popular types of advertising are street banners - 22% and billboards - 16%.

The Promo-LEX OM notes the involvement of the President of Moldova in the promotion of the PSRM candidates for parliamentary elections.

7.1. Activities with electoral overtones

During the monitored period, the Promo-LEX OM identified at least 281 events that can be qualified as electoral campaign activities. Of these, 41% were made by the PSRM, 29% by the PPS and 19% by the PDM (see Table no. 3). Most of them were organized in Chisinau (36%) and Balti (7%).

Table no. 3. Activities with electoral overtones

No.	Activities with electoral overtones	PDM	SPRM	ACUM	PPS	PCRM	PL	PNL	PN	PPDA	Total
1	Electoral gifts	17	42		41						100
2	Meetings with citizens	12	2.3	1	16				3		55
3	Distribution of informative materials	7	36	1	3				3		50
4	Collecting of signatures	6	5	11	3	1			2	1	29
5	Concerts	3	4		12						19
6	Mobile social shop				6						6
7	Press conferences		1	2			1		1		5
8	Door-to door	1	3	1							5
9	Organization of festive meals	3	1								4
10	Children's events	2	1								3
11	Launch of the campaign	2									2
12	Flash mob / rally			1	1				1		3
13	Sanitation activities		1								1
Total		53	117	17	82	1	1	0	10	1	282

According to the information presented in the Table, we found that most of the events account for offering of electoral gifts (see the detailed description in Annex no. 2). In this respect, we would like to mention the charity foundations affiliated to the political parties - "Din Suflet" Foundation (the PSRM) and the "Miron Sor" Benevolent Foundation (PPS).

7.2. Activities qualified as misuse of administrative resources for electoral purposes

The Promo-LEX OM reminds the reader that the legislation on the use of administrative resources during the electoral period is insufficient, that is why in the Observation Reports we, in particular, refer to the international standards in the field, which stipulate that "abusive use of administrative resources for partisan purposes by governing parties and their candidates, such as the use of government positions and equipment," should be banned. We attest to the probability of a lack of equal opportunities between IGs collecting signatures in favor of a public dignity official with the potential to use administrative resources and IGs that designate a non-public candidate.

During the monitored period, the Promo-LEX observers reported at least 10 cases that can be qualified as misuse of administrative resources. In 7 cases, the PDM is concerned, in 2 cases – the PPS and in 1 – the PN.

a. In the case of the PDM, the Promo-LEX OM draws attention to the following:

- Ministers Monica Babuc, Chiril Gaburici, Silvia Radu, Nicolae Ciubuc, Alexandru Jizdan, Deputy Prime Minister Cristina Lisnic and Prime Minister Pavel Filip were present, during their working hours, at the procedure of submission of the PDM's national lists to the CEC. It should be noted that Promo-LEX did not find any justification of this situation in the information published by the media.

In addition, we mention that ministers Monica Babuc, Chiril Gaburici, Nicolae Ciubuc, Alexandru Jizdan and Prime Minister Pavel Filip were nominated as candidates in single member constituencies, which again assumed their personal presence at the submission of files.

At the same time, we appreciate the fact that the nominated ministers suspended their activity before the start of the electoral campaign, shortly after their registration.

- At least two level II LPAs, Orhei⁵⁵ and Rezina⁵⁶ district councils, promoted, through the social networking and the official site of the district councils, the designation of the PDM representatives for the position of deputy in the respective constituencies.

- On December 26 and 27, 2018, the employees of the Cimislia Post Office and ADR SUD were involved in the process of signature collection. The action took place in the hall of the House of Culture in Cimislia and Basarabasca. The signatures were collected in support of the candidate nominated by the PDM in the SMCC no. 40 (Cimislia) - Mr. Dumitru Diacov.

- On December 26, 2018, in the Middle School of the commune of Banesti, Telenesti dist., Mrs. Pascaru Alina, head of Telenesti department of Education (who arrived with a driver and a service car)⁵⁷ collected signatures for Lelic Vadim, electoral candidate of the PDM in SMCC no.14 (Telenesti). We mention that Mrs. Pascaru was a member of the IG supporting the PDM candidate⁵⁸. The observers discussed with

⁵⁵ Tudor Golub – candidate of Orhei district, <https://www.facebook.com/raionorhei/>

⁵⁶ President Eleonora Graur – candidate to the position of deputy in the Parliament of the RM, <https://is.gd/OUISrk>

⁵⁷ <https://bit.ly/2M1uEH4>

⁵⁸ <https://bit.ly/2ACHB5n>

some teachers in the institution, who expressed their indignation about the request to stay after classes in school and sign the lists.

- On 27.12.2018, a PDM representative was came to the village hall of Romanesti, where he authoritatively asked the mayor to identify 30 people to sign in support of the candidate Pavel Filip, designated by the PDM in the SMCC no. 20 (Straseni). From the Promo-LEX observer's information, it is evident that similar situations also occurred in the villages of Roscani, Radeni, Zamcioj and Draguseni.

- On 21.12.2018, Prime Minister Pavel Filip declared that the Government undertook to provide a compensation of 600 lei for holidays for another 60,000 people. Thus, more than 60 thousand people, receiving social allowances under 2000 lei, received 600 lei for winter holidays (people receiving disability allowances, people who have reached the retirement age, but do not have a complete record of service, people who have lost their caretakers).

- In the period of December 2018 and January 2018, the PDM sent letters to the people, who benefited from the 600 lei holiday allowances. The letter comes with a winter holiday congratulatory message, as well as with the information on the allowances offered (600 lei) and the promises to raise the pensions. The letter is sent out on behalf of Mr. Vlad Plahotniuc, the PDM president.

b. In the case of the PPS, the following situations may be considered:

- The President of the PPS inaugurated, in Orhei, on December 27, 2018, the reception of 36 maxi-taxis, purchased by the Orhei City Hall. As he promised, these means of transportation are to carry passengers free of charge in the period between 07.00 - 9.00 and 17.00 - 19.00 of the day.

- The organization of the New Year's Eve concert on 31.12.2018 by the mayor of Orhei Ilan Sor can be qualified as an example of misuse of administrative position during the electoral period by an appointed candidate, which gives him advantages compared to other nominated candidates, who do not have administrative positions.

c. In the case of the PN, we identified cases of signature collection during the working hours in a municipal enterprise. On 02.01.2019, Ms. Elena Gritco, candidate nominated by the PN for the SMCC no. 10 (Balti), collected signatures in the municipal enterprise of Housing and Communal Services of Balti between 14.00 and 14.30 (during working hours).

7.3. Cases that could be qualified as electoral involvement of non-citizens of the Republic of Moldova

The provisions of art. 52 para. (3) and (8) of the Electoral Code limits, in a very comprehensive manner, even generalizing at times, the possibilities for electoral campaigning conducted by competitors with the involvement of outside actors. According to them, electoral competitors are forbidden to involve, in any form, persons who are not citizens of the Republic of Moldova. We reiterate the previous conclusion of the OM that the provisions should be more detailed, explicit, and they should necessarily take account of the general framework, governing freedom of expression. If the prohibitions are inappropriate and practically inapplicable, the legislator may consider the possibility of repealing them.

If the legislator does not intend to lift these bans, then in order to unify the practice, we believe that during the period for designation and registration of candidates, which involves campaigning activities for the collection of signatures, the provisions of Art. 52 para. (3) and (8) should be applied.

a. In the case of the PDM, the Promo-LEX OM draws the reader's attention to the fact that at least 3 foreign officials welcomed the registration of the candidacy of Mr. Pavel Filip, a fact reported

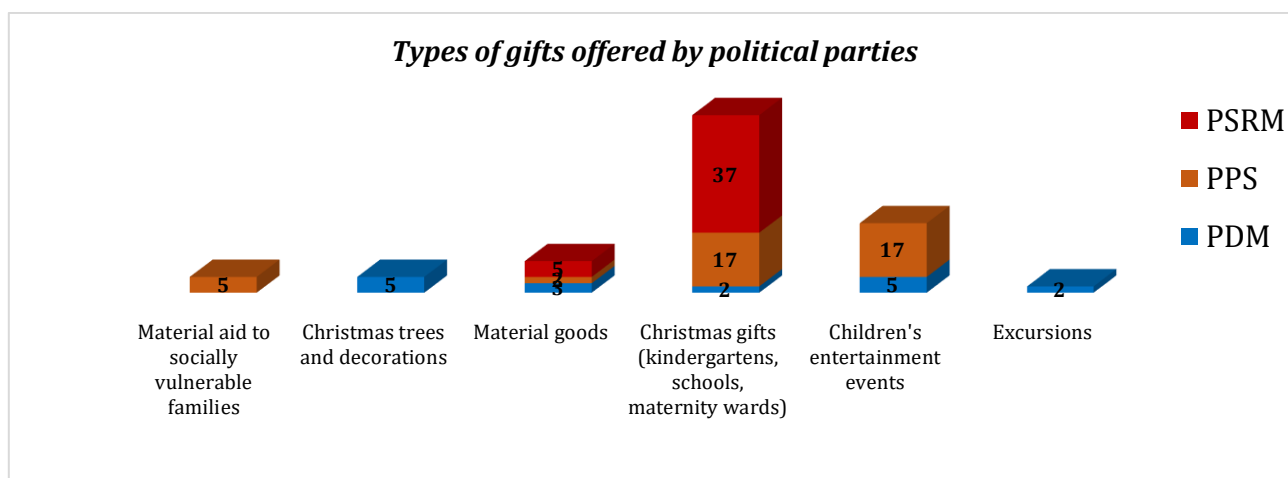
by Moldovan media sources: Victor Ponta⁵⁹ and Mihai Tudose⁶⁰, two former Prime Ministers of Romania, as well as Vladimir Groisman⁶¹, Prime Minister of Ukraine.

- b. The Promo-LEX OM has proofs of the involvement of foreign citizens in concerts organized in Comrat and Balti (January 2, 2019), as well as in Chisinau (January 8, 2019) during the designation and registration of candidates.

7.4. Activities that can be qualified as gift offering during the electoral period

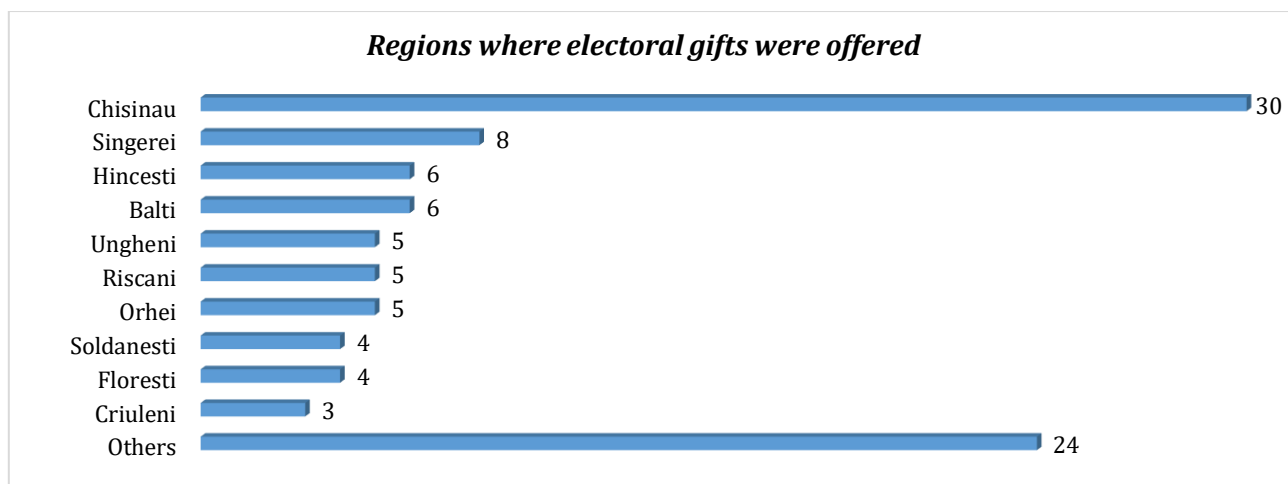
During the monitored period, Promo-LEX observers reported at least 100 cases that could be qualified as offering of electoral gifts by political parties (see Annex 2 and Chart no. 17).

Chart no. 17



As for the regions where electoral gifts were given, it was found that most of them occurred in Chisinau (see Chart no. 18).

Chart no. 18



⁵⁹ <https://is.gd/gnzBDK>; <https://is.gd/dY2oWK>.

⁶⁰ <https://is.gd/KsoWzL>.

⁶¹ <https://is.gd/ClcsKw>; <https://is.gd/wHcapX>.

7.5. Street / promotional / on-line electoral advertising

The Promo-LEX observers identified at least 250 cases, where advertising was used. Of these, 36% fall for the PSRM, 31% - PPS and 24% - PDM. The most popular types of advertising were street banners - 22% and billboards - 16%.

Table no. 4 Advertising

No.	Advertising type	PPS	PSRM	PDM	PL	ACUM	PN	PPCRM	Total
1	Street banners	30	8	10	2	6			56
2	Billboards	12	12	17					41
3	Shirts and bags	1	21	5			4		31
4	Banners	12	2	12					26
5	Video clips		19	3	1	1			24
6	Newspapers, magazines, brochures		19	3					22
7	LED panels	4		7					11
8	Tents	8	2						10
9	Flyers, posters, calendars		7				2		9
10	Mobile panel	7							7
11	Sponsored pages			3	1	1	1		6
12	Advertising in printed media / TV			1		2		1	4
13	Console panel	3							3
Total		77	90	61	4	10	7	1	250

7.6. Cases that can be qualified as campaigning with the use of public authorities' image

The Promo-LEX OM brings to the reader's attention the involvement of the President of Moldova in the promotion of the PSRM candidates for parliamentary elections.

We remind you that art. 52 para. (8) of the Electoral Code stipulates that "images, which represent state institutions or public authorities, both in the country and abroad, or international organizations, cannot be used for electoral advertising purposes. [...] ". At the same time, we would question the very possibility of the President of the Republic of Moldova supporting an electoral competitor, nominated by a political party, as long as art. 123 para. (2) of the Electoral Code obliges him to renounce the membership of any political party at the stage of mandate validation.

During the monitored period, Promo-LEX observers reported on social networks broadcasting at least 19 video clips (for 19 PSRM candidates in single member constituencies), with the image of the President of the Republic of Moldova.

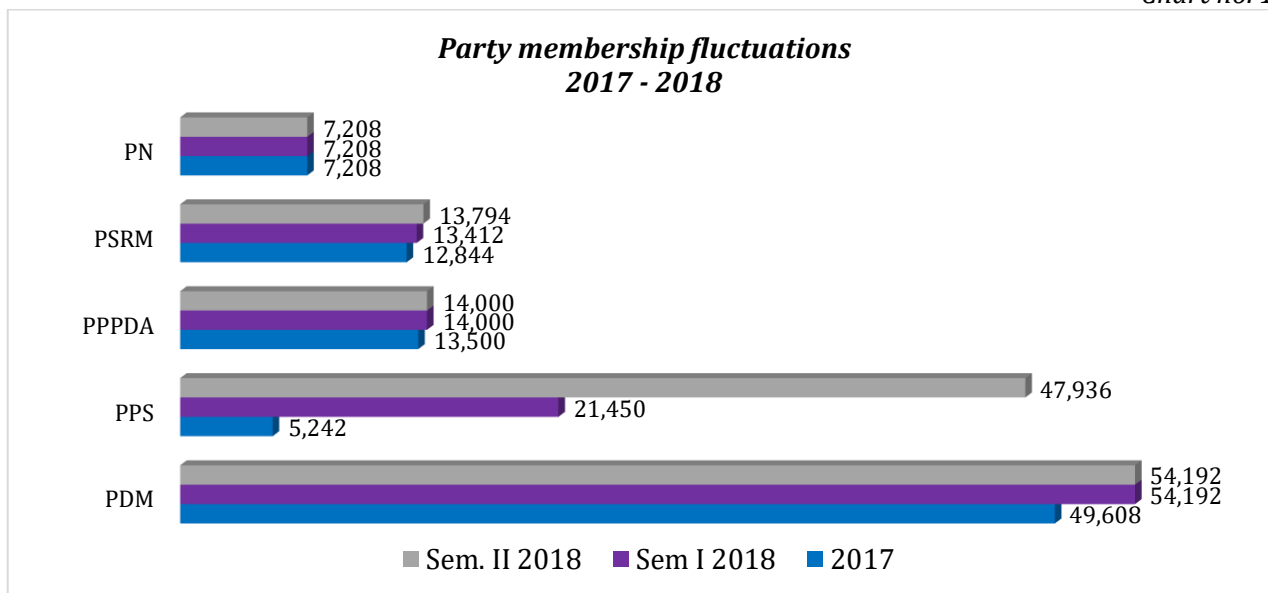
In addition, the PSRM published A4 posters for its candidates, in which Igor Dodon's image appears along with a message, urging to support the PSRM candidates.

7.7. Dynamics of party members in the registration as electoral candidates

The Promo-LEX OM observed in the case of a political party fluctuations of membership at the beginning of the electoral period. Namely, there was a considerable increase (more than two-fold) in the number

of PPS members, from 21,450 on June 30, 2018, to 47,936 members on December 10, 2018, compared to a more or less stable situation in other formations⁶².

Chart no. 19



The Mission points out that these increases in PPS membership are taking place against the backdrop of the allegations of potential bribery of citizens, considering that the PPS offers free social cards as party membership card. In this context, the Promo-LEX OM reminds you the precedent from the presidential elections, when an electoral contender was excluded from the electoral race for failure to declare all the expenses in the financial report submitted, in particular, the expenses for social cards provided free of charge to citizens so that they could purchase goods in the "Merisor" social shops and the attempt to bribe the voters.⁶³

⁶² Data taken from the Promo- LEX Reports on Party Financing Monitoring for 2017, p. 36, <https://bit.ly/2QtaPbZ> and Report on semester I, 2018, p. 26, <https://bit.ly/2zsiaCs>

⁶³ See the *Final Report of the Observation Mission on the Presidential Elections in the Republic of Moldova of November 30, 2016*, p.58, <https://bit.ly/2qVCdTy>

VIII. FINANCING OF ELECTORAL CAMPAIGNS

According to the official website of the CEC, approximately 60% of the initiative groups set up for the collection of signatures submitted their financial reports in due time. The other 135 initiative groups, including those formed by 6 political parties (the MSPSN - 1 IG, the PCRM - 27 IGs, the PL - 22 IGs, the PDA - 2 IGs, the PVE - 3 IGs and 92 IGs - for independent candidates) failed to submit weekly financial reports or declarations on incurring no expenses, which is contrary to the provisions of the Regulation on the activity of initiative groups.

Expenditure reported to the CEC accounts for advertising in the amount of 82%, transport costs - 16% and temporary rent of premises - 2%. On the other hand, our findings show that the largest share of unreported expenditure refers to public events organized by each initiative group in single member constituencies, the total estimated and unreported expenses amounting to at least 1,584,821 lei, which, represents almost 63% of the maximum ceiling allowed by the CEC for initiative groups of political parties and electoral blocs in 51 single member constituencies.

According to Promo-LEX, at least 3 potential electoral competitors (the PDM, PPS, PSRM) have incurred expenses on campaigning activities and collection of signatures before the official registration of initiative groups for signature collection. They amount to at least 3,766,917 lei, if taken into account, this amount exceeds the ceiling set for Party / Bloc initiative groups in the 51 single member constituencies.

8.1. Regulating the financing of electoral campaigns

8.1.1. Legal framework

Funding of the electoral campaign is regulated by the Electoral Code, Law no. 249 on Political Parties, the CEC Regulation on Funding of Electoral Campaigns and the Regulation on Financing of Initiative Groups.

8.1.2 Financial normative acts adopted during the reporting period

- a. **Financial ceilings that can be transferred to the bank accounts of the initiative groups of electoral contenders and participants in the Republican consultative referendum for the parliamentary elections of February 24, 2019**

On December 21, 2018, by CEC Decisions no. 1988⁶⁴, no. 1989⁶⁵ and no.1990⁶⁶, the CEC adopted the maximum revenue accumulation ceilings for IGs set up by political parties and electoral blocs to support candidates in 51 single member constituencies; the maximum ceiling for citizens' initiative groups to support independent candidates; the maximum ceiling for electoral contender's electoral fund account in the national constituency and the ceiling for the single member constituency. At the same time, the maximum amount of revenue collection on the "Electoral Fund" account of the participants in the Republican consultative referendum (see Figure 1) was adopted.

The calculation formula used to set the ceiling for both the initiative groups and the electoral candidates / participants in the referendum is based on a coefficient. It is multiplied by the maximum number of

⁶⁴ CEC Decision on setting the overall ceiling for financial means that can be transferred to the account of "the initiative group (s)", <https://bit.ly/2AzgZCr>

⁶⁵ CEC Decision on setting the overall ceiling for financial means that can be transferred to the account of "Electoral Fund" of the electoral competitor, <https://bit.ly/2CQ6yf9>

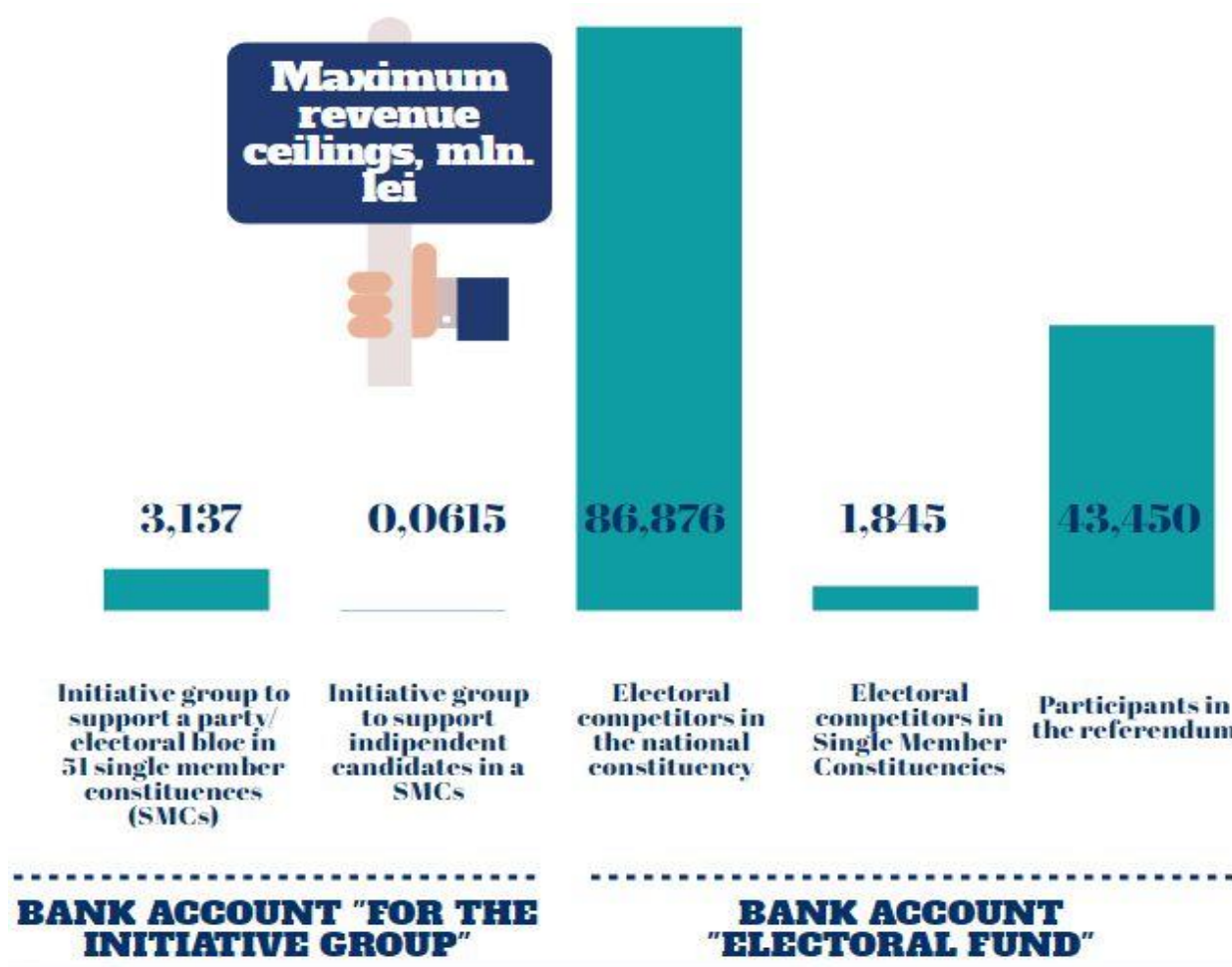
⁶⁶ CEC Decision on setting the overall ceiling for financial means that can be transferred to the account of "Electoral Fund" of the participants in the republican consultative referendum, <https://bit.ly/2F911BD>

signatures required to be collected in the case of initiative groups, while in the case of electoral contenders and referendums, that coefficient is multiplied by the number of voters in the national constituency – 2,825,101. The coefficient is derived from the average monthly salary for 2018 in the amount of 6150.0 lei⁶⁷. In the case of IGs, it is 1% = 61.50; in the case of electoral contenders, it is 0.5% = 30.75 lei; in the case of the participants in the Republican consultative referendum it is 0,25% = 15,38 lei.

The Promo-LEX OM notes the possible unfairness in the electoral campaign with respect to independent candidates, because the revenue accumulation ceilings are increased for electoral parties / blocs in the national constituency, as well as for those, who nominate candidates in all single member constituencies (51 SMC), having access to a ceiling equal to that of the national constituency + the ceiling for the single member candidate, while independent candidates can acquire revenues just for 1 SMC. Therefore, the Promo-LEX OM warns about the possibility of double financing of the electoral campaign by the electoral contenders in the national constituency and by their exponents in single member constituencies.

Moreover, an electoral candidate, running for both national and single member constituencies and who is also a participant in the referendum will have the possibility to collect in the Electoral Fund account, in addition to 86, 876 million lei + 1, 845 million lei, another 43, 450 million lei, totaling 132, 171 million lei.

Chart no. 20.



⁶⁷ Approved by the Government Decision no. 54 of 17.01.2018

b. The amount of interest-free loans granted to electoral competitors

On December 21, 2018, the CEC approved⁶⁸ the quantum of 50,000 lei of interest-free loans granted to each political party or electoral bloc enrolled in the national constituency and 10,000 lei for each independent candidate in single member constituencies. According to the CEC, a Regulation on how to grant interest-free loans to electoral competitors will also be drafted⁶⁹.

The Promo-LEX OM considers that the amount of 10, 000 lei is too small, especially considering the position of the CEC,⁷⁰ according to which the financing of candidates in foreign constituencies could be possible in particular through the mechanism of loan contracting, given the deprivation of Moldovan citizens living abroad of the right to finance electoral campaigns.

8.2. Reporting to the CEC on financial means in the party's account at the beginning of electoral period

According to art. 43 para. (7) of the Electoral Code, on the date of commencement of the electoral period, the political parties intending to submit documents for their registration as electoral contenders and transfer to the Electoral Fund account their own financial means held on their accounts are obliged to submit to the CEC a financial report, in accordance with the model established by the Commission.

The Promo-LEX OM notes that 5 political parties (the PSRM, PPS, PDM, PPPDA, PN) submitted reports on their own financial means, accumulated prior to the beginning of the electoral period – December 10, 2018,⁷¹ indicating the revenue, expenditure, and donors. Thus, according to the legal norm, only these parties will have the right to transfer funds from their current accounts to the accounts intended to "Initiative Groups" and "Electoral Fund".

According to the reports, the total amount of funding available on the party accounts at the beginning of electoral period is 29,731,486 lei, of which the PDM holds 22,508,022 lei, the PSRM - 5,781,523 lei, the PN - 1,315,707 lei, the PPS- 104,467 lei, the PPPDA – 21,767 lei. We already mentioned that some parties kept the money granted by the state budget on their current accounts up to the electoral campaign threshold, so that 99.97% of the money on the account of the PDM comes from the state budget allocations, the PN - 53.30%, the PPPDA - 42.32%, the PPS - 13.50%, the PSRM - 11.36%.

8.3. Opening of bank accounts and designating treasurers

8.3.1. National constituency. Opening of the Electoral Fund account, designation of the treasurers

According to art. 41, para. (2) (a) of the Electoral Code, in order to finance the electoral campaign, each electoral competitor has to open an account with the mention "Electoral Fund" with the bank, in which its own financial means and those received from natural persons and legal entities in the country. An electoral contestant who does not open an account informs the CEC and conducts only campaign or electoral campaign activities that do not involve financial charges;

According to the data published on the official website of the CEC, between December 21 and 28, 2018, three political parties (PSRM, PDM, PCRM) and an electoral bloc (Block ACUM) were registered as

⁶⁸ CEC Decision no. 1991 on establishing the amount of interest free loans granted to electoral competitors for the parliamentary elections of February 24, 2019, <https://bit.ly/2VxB0IR>

⁶⁹ The Ministry of Finance will draft and approve the Regulation on granting interest free loans to electoral competitors to provide for the electoral campaign of the parliamentary elections of February 24, 2019

⁷⁰ <https://is.gd/y4GdPK>

⁷¹

electoral contestants in the national constituency. Of these, only 1 (Block NOW) opened a bank account "Electoral Fund". On the other hand, two other potential electoral candidates in the national constituency (the PPS and the PN) although not registered as competitors by the mandated body, opened bank accounts with the mention "Electoral Fund".

8.3.2 Single member constituency. Opening accounts with the mention "intended for initiative groups", designation of the treasurers

According to art. 41 par. (10) of the Electoral Code and points 5 and 5¹ lit. a) of the Regulation on the Financing of Initiative Groups, in order to finance the signature collection campaign, the initiative group must, within 3 days from the date of their registration with the CEC, open an account with the mention "Intended for initiative group" and must inform the Commission in writing within 24 hours of this by communicating the respective bank details. If it does not open such an account, the initiative group has the obligation to inform the electoral authority about this and to carry out only non-financial activities (point 5, lit. b).

In the case of initiative groups set up by political parties or electoral blocs for single member constituencies in parliamentary elections, a single account is opened with the mention "intended for initiative group / groups" and a person responsible for finance (treasurer) shall be designated.

According to the official website of the CEC, by January 8, 2019, of 389 groups registered in 51 single member constituencies, 219 IGs constituted by 5 parties and electoral blocs (PSRM IGs- 51, PDM IGs-51, PPS IGs -50, GI Electoral Bloc ACUM IGs- 47, PN IGs - 20) and two others set up to support the IC Briukov Sergiu, IC Valeriu Ghiletschi have opened bank accounts with the mention "intended for initiative group" and appointed treasurers. On the other hand, 17 other IGs established to support 9 independent candidates and 8 groups to support PNL's candidates filed applications undertaking not to incur any expenses and thus informed the CEC about the lack of the need to open a special bank account. In the case of another 149 initiative groups, including 6 political parties (MSPSN, PCRM, PPRM, PL, PDA, PVE), no information on the opening of bank accounts and the designation of treasurers has been published on the official website (by January 8, 2019).

8.4. Financial reporting of initiative groups

8.4.1. Legal Provisions

According to art. 43 para. 1 of the Electoral Code and point 16 lit. a) of the Regulation on the Financing of Initiative Groups, IGs constituted by citizens, or as the case may be, by political parties and electoral blocs for signature collection in support of a candidate, are required to submit to the Central Electoral Commission on a weekly basis reports on the financing of their activity.

According to the official website of the CEC, approximately 60% of the initiative groups set up to collect signatures submitted financial reports. Thus, out of 369 initiative groups registered with the CEC, 217 IGs submitted financial reports to the CEC for the first 2 weeks of signature collection period. These are PSRM IG- 51, PDM IGs-50, PPS IGs-48, ACUM IGs-46, PN IGs-20, the IG to support the IC Valeriu Ghiletschi and the IG to support the IC Briukov Sergiu. Another 17 initiative groups set up to nominate independent candidates and representing the PNL, informed the CEC that they will not incur any expenses during the signature collection period⁷². The other 135 initiative groups, including those formed by 6 political

⁷²These are: the IG set up for the designation of the IC Negruța Andrei in SMC no. 24 mun. Chisinau, IG for IC Gheorghe Raileanu appointed in SMC no. 40 Cimislia, IG for IC Groza Ion, appointed in SMC no. 43 Cahul, IG for IC Elena Harcenco designated in SMC no. 20 Strasenii, IG for IC Oleg Binzari, IG for IC Neaga Petru, IG for IC Perov Valeri, IG for IC Roman Palanica, IG for IC Ganea Valentin - all nominated in the SMC no. 51 (USA, Canada), PNL

parties (MPSPS - 1 IG, PCRM - 27 IGs, PL - 22 IGs, PDA - 2 IGs, PVE - 3 IGs), did not submit their weekly financial reports or the commitment on incurring no expenses, which is contrary to the provisions of the Regulation on the activity of initiative groups.

8.4.2. Revenue and expenditure of initiative groups reflected in the financial reports

The total volume of cumulative revenues reported to the CEC during the first two weeks of signature collection period is 903,032 lei and the amount of expenditures is of 683,563 lei, the final balance being 218,469 lei. Thus, by January 4, 2019, the PSRM IG accumulated 116,300 lei, the PDM IG- 111,400 lei, the PPS IG- 570,000 lei, the PN IG - 40,129 lei, ACUM IG - 815 lei, IG for the IC Valeriu Ghiletschi - 40,000 lei, IG for IC Biriucov Sergiu - 1,047 lei.

a. Sources of funding of initiative groups:

- Bank transfers from two political parties (the PSRM, the PN) to the accounts of the respective initiative groups, amounting to 156,429 lei;
- Donations from a legal person for the PPS in the amount of 570,000 lei;
- Donations from 48 individuals for the IG of the PDM and IC Valeriu Ghiletschi, in the amount of 151,400 lei;
- Material donations from three electoral candidates: the PN (transportation services for all the IGs), ACUM Bloc (Igor Munteanu's IG - street advertising, polygraphic and Internet advertising - 815 lei), IC Biriucov Sergiu (transportation services in the amount of 1,047 lei), cumulating a total of 25,203 lei.

b. Expenditure of initiative groups reflected in the financial reports

In the first two weeks of the signature collection period, the Promo-LEX OM noted that IGs paid an increased attention to advertising costs - 82%, thus, the PPS IGs reported - 568,879 lei, the PSRM IG - 109,578 lei, transportation costs are on the second place, accounting for 16%, where the PDM IGs reported - 86,400 lei and the PN IGs- 13,223 lei; expenses for events, in this case, temporary rental of premises, ranked third, accounting for 2%, where only the PDM IGs reported - 18,293 lei.

8.5 Electoral expenses of potential candidates incurred before the registration of initiative groups for the collection of signatures

a) Expenditure on public events

According to Promo-LEX observers, during the period prior to the registration of IGs for the collection of signatures, at least 3 potential electoral candidates (the PDM, PPS, PSRM) incurred expenses for the organization of 14 charity campaigns, 13 New Year's Eve celebrations, 7 concerts, 2 festive meals, an excursion. At least 7 moderators, 22 animators, 23 performers were involved in the respective activities. The Promo-LEX OM estimated an amount of at least 3,776,917 lei, financial means that brought political and electoral dividends and were not included in the Electoral Fund account. However, under the existing legal framework, these expenditures are to be mandatorily reported by the parties in their final reports for 2018.

Expenditure on public events includes fees of the performers, moderators, animators, costs for rent of premises, stage, lights, sound, pyrotechnics, etc., material donations offered in these events and the food consumed. To calculate the expenses on these electoral events / concerts, we multiplied the fees (market

IG. See the information on financial reporting of initiative groups set up to collect signatures for appointing independent candidates in single member constituencies, published on the official website of the CEC.

price) of every artist that performed for a certain potential competitor by the time de facto worked per event.

The PPS - at least 6 concerts, 6 New Year's celebrations, a raffle for diaspora citizens, two charity campaigns, including "Daruieste caldura" (Give warmth), meetings with party members and material donations. The estimated costs are of at least 3,320,494 lei.

The PSRM - at least 8 charity campaigns, 3 concerts, 2 children's entertainment events and material donations. The estimated costs are of at least 270,193 lei.

The PDM - at least 3 New Year's celebrations for children organized by Panda Kids, 2 festive meals for at least 300 people, meetings with employees of several enterprises, a trip to Milestii Mici for teachers and a material donation for 10 pupils of Mihai Eminescu Theoretical Lyceum in Floresti. The estimated costs are of at least 176,230 thousand lei.

The Promo-LEX OM found that two charity foundations, "Din Suflet" and "Miron Sor", involved in the electoral activities of the potential electoral candidates from the PSRM and PPS, in particular, they indirectly financed the promotion of their activities.

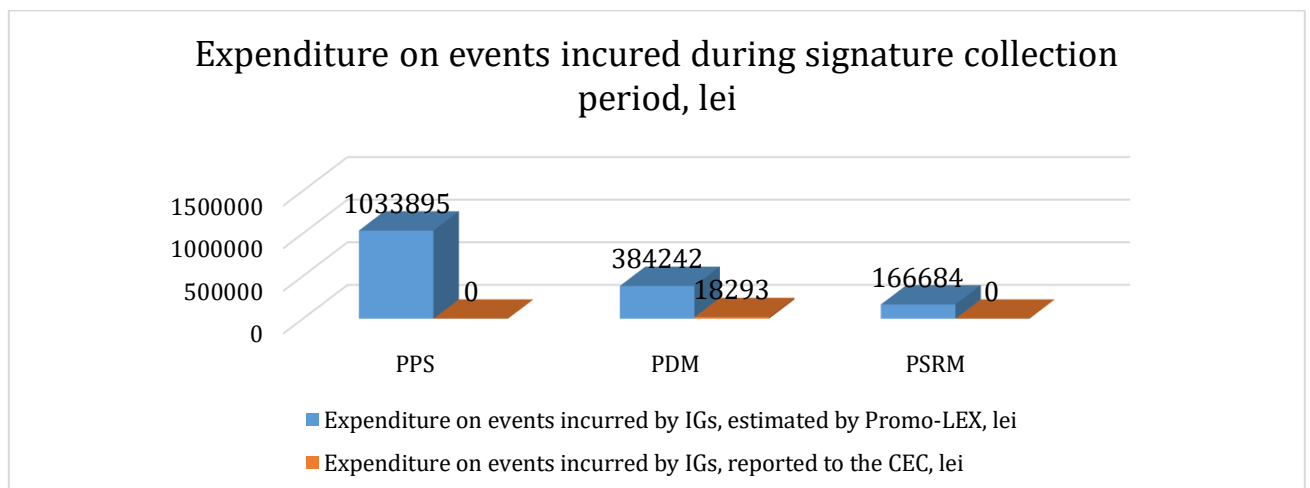
We also reiterate that, according to the legislation in force, a foundation is a non-commercial and non-political organization that does not provide political / electoral assistance to any competitor or political actor. In the cases described above, through their activities associated to the political / electoral goals of the parties / potential electoral competitors, foundations and commercial entities indirectly engage in political campaigning, for which their exponents do not bear expenditure, which implies non-transparent and therefore, illegal financing of political parties' / electoral candidates' activities.

8.6 Electoral expenditure of potential candidates incurred after the registration of initiative groups for collection of signatures

a) Expenditure on public events

According to Promo-LEX observers, the initiative groups of at least three parties (the PDM, PPS, PSRM) incurred expenses on events that have not been reported during the first two weeks of signature collection period. The total amount of estimated expenses is of at least 1,584,821 lei, considering that no expenditure has been reported to the CEC. (see Chart no. 21 - Expenditure on Public Events during the Signature Collection Period and Annexes 5,9,11 - for Segregated Expenditure Segmentation by Each Initiative Group Created).

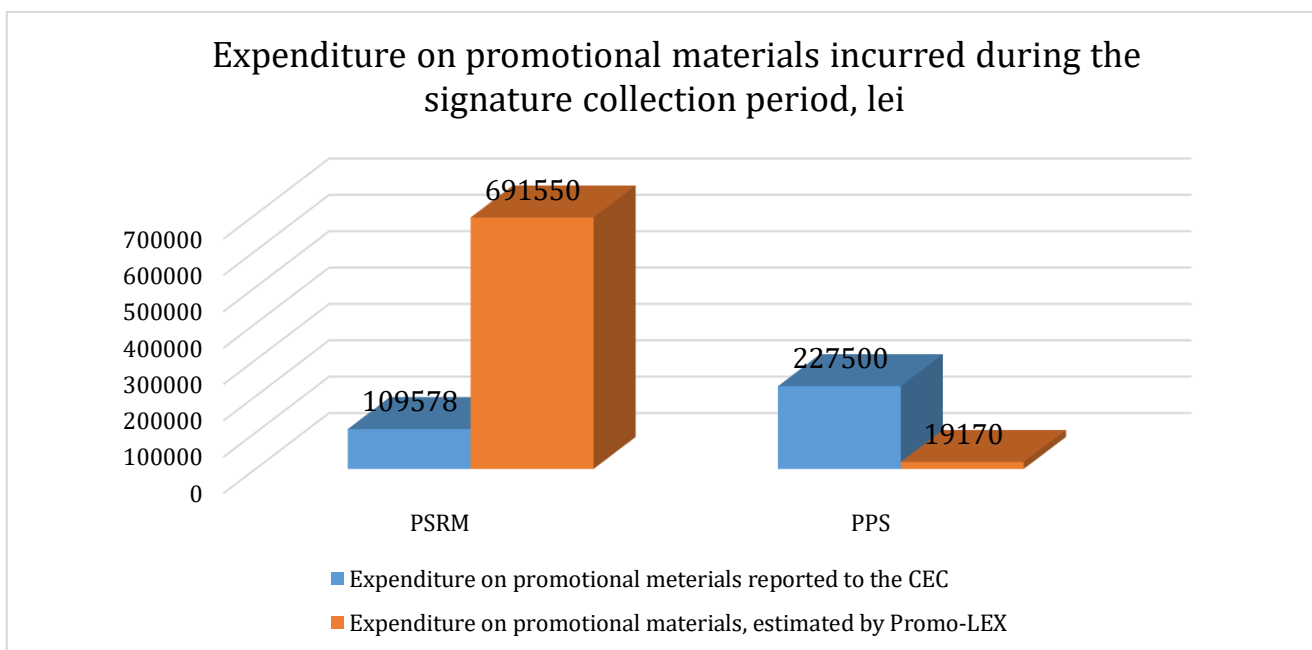
Chart no. 21



b) Expenditure on promotional materials

According to Promo-LEX observers, in the first two weeks of signature collection period, the initiative groups of at least 1 party (the PSRM) failed to reflect in the funding reports submitted to the CEC some spending on promotional materials. The total estimated amount for these expenditures is at least 581,972 lei (see Chart no. 22 - Expenditure on promotional materials incurred during the signature collection period, lei and Annexes 3, 8 for visualizing segregated expenditures by each initiative group).

Chart no. 22



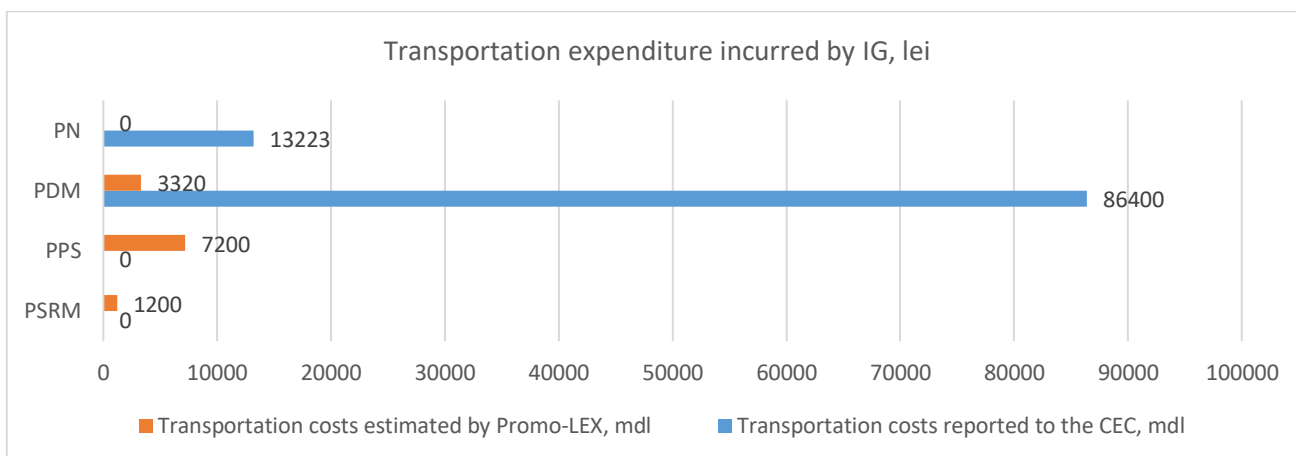
c) Street and mobile advertising costs

According to the findings of the Promo-LEX OM, street advertising was mainly used by the PPS initiative groups. At least 7 IGs out of 44 registered with the CEC incurred higher costs than those reported to the CEC (See Annex no. 6 – Expenditure incurred by the PPS IG on street advertising).

d) Transportation costs

According to the reports submitted to the CEC, only the initiative groups of the PDM and PPS reported travel expenses in the amount of 99,623 lei. The findings of Promo-LEX show the IGs set up by the PPS and PSRM completely omitted reporting this type of expenditure (see Chart no. 23 – IG transportation costs, lei and Annexes 4, 7, 10 for visualizing segregated expenditure by each initiative group).

Chart no. 23



Promo-LEX notes that there are deficiencies in the reporting of transportation costs submitted by the IGs of the PPS and the PSRM, as well as in the reporting of expenditure for promotional materials submitted by the IGs of PSRM. The largest unreported expenditure refers to the public events organized by each group in the specific single member constituencies, the total estimated and unreported expenses amounting to at least 1,584,821 lei in the first two weeks of signature collection period. The total estimated expenditure for all the categories of unreported expenses amounts to at least 1,975,193 lei, which, represents almost 63% of the maximum ceiling, allowed by the CEC for the IGs of political groups / electoral blocs in 51 single member constituencies.

IX. VOTER EDUCATION CAMPAIGN

During the monitored period, voter education and electoral training activities have been carried out, in particular by the CEC and CICDE: presentation of the results of Democracy Matters Civic Information and Education Campaign; launching a Call Center; training Constituency Council members and registrars; drafting the manual for Constituency Council members.

Civil society has also been involved in raising electoral awareness. In particular, we refer to ADEPT, which published the weekly news bulletins presenting to the public the main events of the electoral period.

9.1. Voter education and information campaigns

Starting with December 24, 2018, the ADEPT Association with the support of the Promo-LEX Association, derived from USAID Moldova sources, produces weekly news bulletins. The first two bulletins were published for the period of 24-28 December, 2018⁷³ and 1-4 January, 2019⁷⁴ respectively, containing news from the national media and public authorities' websites, and information on electoral procedures, with reference to prior registration.

9.2. The activities of the Electoral Training Center (CICDE) and the CEC

On December 13, 2018, the CEC and CICDE presented in the CICDE Open Talks, 2018 edition⁷⁵ held under the motto "Ambassadors of electoral and civic education", the results of the Information and Civic Education Campaign "Democracy Counts"⁷⁶. According to the estimates provided by the CEC and CICDE on the impact of the campaign, 343,447 voters or future voters participated directly in all the activities carried out and 1,720,580 voters heard, spoke, discussed or read about the new electoral system and the parliamentary elections of February 24, 2019.

Launch of the Call Center by the CICDE and CEC. On January 2, 2019, a Call Center for Parliamentary Elections and the Republican Consultative Referendum to be held on February 24 was launched. It will be operating from January 2 to February 26, 2019, with a Monday-Friday work program from 08.00 to 17.00. Voters will be able to request information on the peculiarities of designating and registering MP candidates, voting in the PSs and SMCC, voting procedure, and more.

At the same time, during its activity, the operators of the Call Center will provide to the persons responsible for the management of electoral rolls within the local public authorities, as well as to the members of the lower electoral bodies, the necessary assistance for the uniform application of the procedures for the management of the State Electoral Register.

Trainings organized by the CICDE in collaboration with the CEC. In the period of 18-20 December, the CICDE, in collaboration with the CEC, held training seminars for SER registrars. The training included technical activities in the SER, such as solving conflicts of address, polling stations, using nomenclatures. In this respect, the CICDE placed on its e-learning platform (www.e-learning.cicde.md) the module "Short Guide to the SER for Registrars", which contains information about the legal provisions underlying SER's operation, rights and registrar's obligations, etc.⁷⁷

⁷³ Electoral News Bulletin, 24-28 December, 2018, <https://bit.ly/2RFBHds>

⁷⁴ Electoral News Bulletin, 1-4 January, 2019, <https://bit.ly/2RHrKMZ>

⁷⁵ Article about CICDE Open Talks, 2018 edition, <https://bit.ly/2SHpX7P>

⁷⁶ CEC Press Release about the results of the Information and Civic Education Campaign "Democracy Counts", <https://bit.ly/2ABscT1>

⁷⁷ Module "Short Guide to the SER for Registrars", <https://bit.ly/21VHQgt>

RECOMMENDATIONS

To the Parliament of the Republic of Moldova:

1. Modification of the notion "designation of candidates" in art. 1 Electoral Code to bring it in line with the provisions of art. 46 para. (1) and (2);
2. Changing the notion of "electoral campaign" in art. 1 Electoral Code to harmonize it with the provisions of art. 91 Electoral Code;
3. Modification of Art. 13 para. (3) Electoral Code and other legal provisions related to the modification of the period of suspension from public office of MP candidates in single member constituencies and submission of the suspension statement simultaneously with the issuance of subscription lists;
5. Modification of Art. 81 para. (2) and (3) Electoral Code to allow for the establishment of a SMCC for each single member constituency established abroad, as well as for the single member constituencies in Transnistrian region. Modification of Art. 31 para. (7) Electoral Code by replacing the phrase "Constituency Council of Chisinau" with the phrase " Constituency Council set up for the polling stations situated abroad".

To the Central Electoral Commission and lower electoral bodies

1. Ensuring the publication of information about candidates registered in single member constituencies and in the national constituency;
2. Monitoring the process of legal transmission of electoral rolls to the local public administrations in the post-electoral period;
3. Introducing changes and completions to the legislation and electoral normative framework to exclude the possibility of double and unfair financing of electoral campaigns, i.e. exclusion of the provisions that may cause inequalities between electoral competitors and, in particular, independent candidates in single member constituencies that are not on the national list.
4. Modification of Annex no. 15 of the Regulation on the designation and registration of MP candidates to the Parliament of the Republic of Moldova, approved by CEC Decision no. 1731 of July 3, 2018, to elucidate the moment of suspension from office.

To the Government of the Republic of Moldova

1. Ensuring the transparency of opening of polling stations abroad. Informing the interested public about the criteria taken into account, the data taken as a basis for deciding on the number and geographical location of the polling stations opened.

LIST OF ABBREVIATIONS

ACUM Bloc - Electoral Bloc ACUM, Dignity and Truth Platform and PAS
ANI - National Authority for Integrity
Art. - Article
ATU – administrative territorial unit
CEC - Central Electoral Commission
Com. - Commune
Dist. - district
EBPS - Electoral Bureau of the Polling Station
EF- Event Form
ENEMO - European Network of Election Monitoring Organizations
IC - Independent Candidate
IG- Initiative Group
IIMDD IPA CIS - International Institute for Monitoring the Development of Democracy, Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States
lit. - letter
LPA - Local Public Administration
LTO - long-term observer
m² - square meter
MPSN - "Speranta-Nadejda" Movement of Professionals
mun. - municipality
no. - number
OM- Observation Mission
OSCE - Organization for Security and Cooperation in Europe
OSCE / ODIHR - OSCE Office for Democratic Institutions and Human Rights
p. - point
para. - paragraph
PAS – Party of Action and Solidarity P
PCRM - Party of Communists of the Republic of Moldova
PDA - Democracy Home Party
PDM - Democratic Party of Moldova
PL - Liberal Party
PN - Our Party
PNL - National Liberal Party
PPPDA - Platform of Dignity and Truth, Political Party
PPRM - People's Party of the Republic of Moldova
PPS –Political Party of Sor
PS - polling station
PSA - Public Services Agency
PSRM - Party of Socialists of the Republic of Moldova
PVE - Ecologist Green Party
REO – Register of Electoral Officials
RM - Republic of Moldova
SER – State Electoral Register
SMC – Single Member Constituency
SMCC- Single Member Constituency Council
STO - short-term observer
un. - unit
USAID - United States Agency for International Development
VF - Visiting Form
vill. - village

ANNEXES

Annex 1. List of electoral candidates registered in each SMCC

<i>Single member constituency council</i>	<i>No.</i>	<i>Candidate's name</i>	<i>Political affiliation</i>
SMCC no. 1, Briceni	1	Gnatiuc Mihail	Democratic Party of Moldova
	2	Grecianii Zinaida	Party of Socialists of the Republic of Moldova
SMCC no. 2, Ocnita	1	Lesnic Vadim	Democratic Party of Moldova
	2	Lozovan Irina	Party of Socialists of the Republic of Moldova
SMCC no. 3, Edinet	1	Sirbu Oleg	Democratic Party of Moldova
	2	Melnic Nicolai	Party of Socialists of the Republic of Moldova
	3	Panciuc Ghenadie	Political Party of Sor
SMCC no. 4, Riscani	1	Urzica Iurie	Democratic Party of Moldova
	2	Mizdrenco Vladimir	Party of Socialists of the Republic of Moldova
SMCC no. 5, Glodeni	1	Leuca Ion	Democratic Party of Moldova
	2	Minizianov Alexandr	Party of Socialists of the Republic of Moldova
SMCC no. 6, Drochia	1	Padneviuc Corneliu	Democratic Party of Moldova
	2	Lupasco Alexandr	Party of Socialists of the Republic of Moldova
	3	Svecla Grigore	Political Party of Sor
SMCC no. 7, Soroca	1	Sau Victor	Democratic Party of Moldova
	2	Pilipetcaia Alla	Party of Socialists of the Republic of Moldova
	3	Cimbirciuc Alexandru	Independent Candidate
	4	Bondarenco Elena	Party of Communists of the Republic of Moldova
SMCC no. 8, Floresti	1	Nichiforciuc Eugeniu	Democratic Party of Moldova
	2	Groza Sergiu	Party of Socialists of the Republic of Moldova
SMCC no. 9, Balti	1	Buzurnii Serghei	Democratic Party of Moldova
	2	Usatii Alexandr	Party of Socialists of the Republic of Moldova
	3	Himici Igor	Political Party of Sor
SMCC no. 10, Balti	1	IJordan Serghei	Democratic Party of Moldova
	2	Nesterovschi Alexandr	Party of Socialists of the Republic of Moldova
SMCC no. 11, Falesti	1	Binzari Iraida	Democratic Party of Moldova
	2	Savva Oleg	Party of Socialists of the Republic of Moldova
SMCC no. 12, Singerei	1	Brasovschi Gheorghe	Democratic Party of Moldova
	2	Luca Vasile	Party of Socialists of the Republic of Moldova
SMCC no. 13, Rezina	1	Graur Eleonora	Democratic Party of Moldova
SMCC no. 14, Telenesti	1	Lelic Vadim	Democratic Party of Moldova
	2	Isac Alexandru	Party of Socialists of the Republic of Moldova
SMCC no. 15, Calarasi	1	Ciubuc Nicolae	Democratic Party of Moldova
	2	Bolea Ștefan	Party of Socialists of the Republic of Moldova
SMCC no. 16, Ungheni	1	Guzun Ludmila	Democratic Party of Moldova
	2	Baraniuc Antonina	Political Party of Sor
SMCC no. 17, Nisporeni	1	Plahotniuc Vladimir	Democratic Party of Moldova
	2	Artamonov Pavel	Party of Socialists of the Republic of Moldova
SMCC no. 18, Orhei	1	Costin Vasile	Democratic Party of Moldova
SMCC no. 19, Ivancea	1	Golub Tudor	Democratic Party of Moldova
	2	Paciu Mihail	Party of Socialists of the Republic of Moldova
	3	Tauber Marina	Political Party of Sor
	4	Viscun Lucia	Party of Communists of the Republic of Moldova
SMCC no. 20, Straseni	1	Filip Pavel	Democratic Party of Moldova
	2	Anghel Veaceslav	Party of Socialists of the Republic of Moldova
SMCC no. 21, Criuleni	1	Burlac Veaceslav	Democratic Party of Moldova
	2	Berzan Sergiu	Party of Socialists of the Republic of Moldova
SMCC no. 22, Ialoveni	1	Babuc Monica	Democratic Party of Moldova
	2	Onu Lidia	Party of Socialists of the Republic of Moldova
SMCC no. 23, Chisinau	1	Rotaru Valentina	Democratic Party of Moldova
	2	Lipskii Oleg	Party of Socialists of the Republic of Moldova
SMCC no. 24, Chisinau	1	Bannicov Alexandr	Democratic Party of Moldova
SMCC no. 25, Chisinau	1	Mindru Victor	Democratic Party of Moldova
	2	Odintov Alexandru	Party of Socialists of the Republic of Moldova
SMCC no. 26, Chisinau	1	Cojocaru Dinari	Party of Socialists of the Republic of Moldova
SMCC no. 27, Chisinau	1	Mudreac Radu	Party of Socialists of the Republic of Moldova
	2	Nedelea Veaceslav	Democratic Party of Moldova
SMCC no. 28, Chisinau	1	Balaur Nicolae	Democratic Party of Moldova

	2	Batrincea Vlad	Party of Socialists of the Republic of Moldova
	3	Apostolova Reghina	Political Party of Sor
SMCC no. 29, Chisinau	1	Guznac Valentin	Democratic Party of Moldova
	2	Lebedinschi Adrian	Party of Socialists of the Republic of Moldova
SMCC no. 30, Chisinau	1	Plesca Nae-Simion	Democratic Party of Moldova
	2	Burduja Petru	Party of Socialists of the Republic of Moldova
SMCC no. 31, Chisinau	1	Novac Grigore	Party of Socialists of the Republic of Moldova
	2	Cuznetov Iurii	Political Party of Sor
SMCC no. 32, Chisinau	1	Costiuc Nina	Democratic Party of Moldova
	2	Popa Svetlana	Party of Socialists of the Republic of Moldova
SMCC no. 33, Chisinau	1	Tutu Constantin	Democratic Party of Moldova
SMCC no. 34, Anenii Noi	1	Jizdan Alexandru	Democratic Party of Moldova
	2	Matarin Alexandr	Party of Socialists of the Republic of Moldova
SMCC no. 36, Stefan Voda	1	Molozea Nicolae	Democratic Party of Moldova
	2	Jolnaci Alexandru	Party of Socialists of the Republic of Moldova
SMCC no. 37, Razeni	1	Sula Ion	Democratic Party of Moldova
	2	Pascaru Nicolae	Party of Socialists of the Republic of Moldova
SMCC no. 38, Hincesti	1	Botnari Alexandru	Democratic Party of Moldova
	2	Pertu Victor	Political Party of Sor
SMCC no. 39, Sarata Galbena	1	Buza Ghenadie	Democratic Party of Moldova
SMCC no. 40, Cimisia	1	Diacov Dumitru	Democratic Party of Moldova
	2	Puscari Piotr	Party of Socialists of the Republic of Moldova
	3	Cirlan Victoria	Political party of Sor
SMCC no. 41, Leo	1	Gretu Efrosinia	Democratic Party of Moldova
	2	Briceag Aliona	Party of Socialists of the Republic of Moldova
SMCC no. 42, Cantemir	1	Bacalu Elena	Democratic Party of Moldova
	2	Turcanu Vladimir	Party of Socialists of the Republic of Moldova
	3	Lupascu Vasile	Political Party of Sor
	4	Bodgros Nicolae	Independent Candidate
SMCC no. 43, Cahul	1	Creciun Oleg	Democratic Party of Moldova
	2	Osadcenco Evgheni	Party of Socialists of the Republic of Moldova
SMCC no. 44, Taraclia	1	Covalji Fiodor	Democratic Party of Moldova
	2	Tatarli Chiril	Party of Socialists of the Republic of Moldova
SMCC no. 45, Comrat	1	Suhodolski Alexandr	Party of Socialists of the Republic of Moldova
	2	Mincu Fiodor	Democratic Party of Moldova
	3	Dimoglo Nina	Political Party of Sor
SMCC no. 46, Ceadir-Lunga	1	Delibaltov Vadim	Democratic Party of Moldova
	2	Gagauz Fiodor	Party of Socialists of the Republic of Moldova
SMCC o. 48, Transnistrian region	1	Evtodiev Vitalii	Party of Socialists of the Republic of Moldova
SMCC no. 49, EAST of RM	1	Sarbu Ina	Democratic Party of Moldova
SMCC no. 50, WEST of RM	1	Coptu Olga	Democratic Party of Moldova

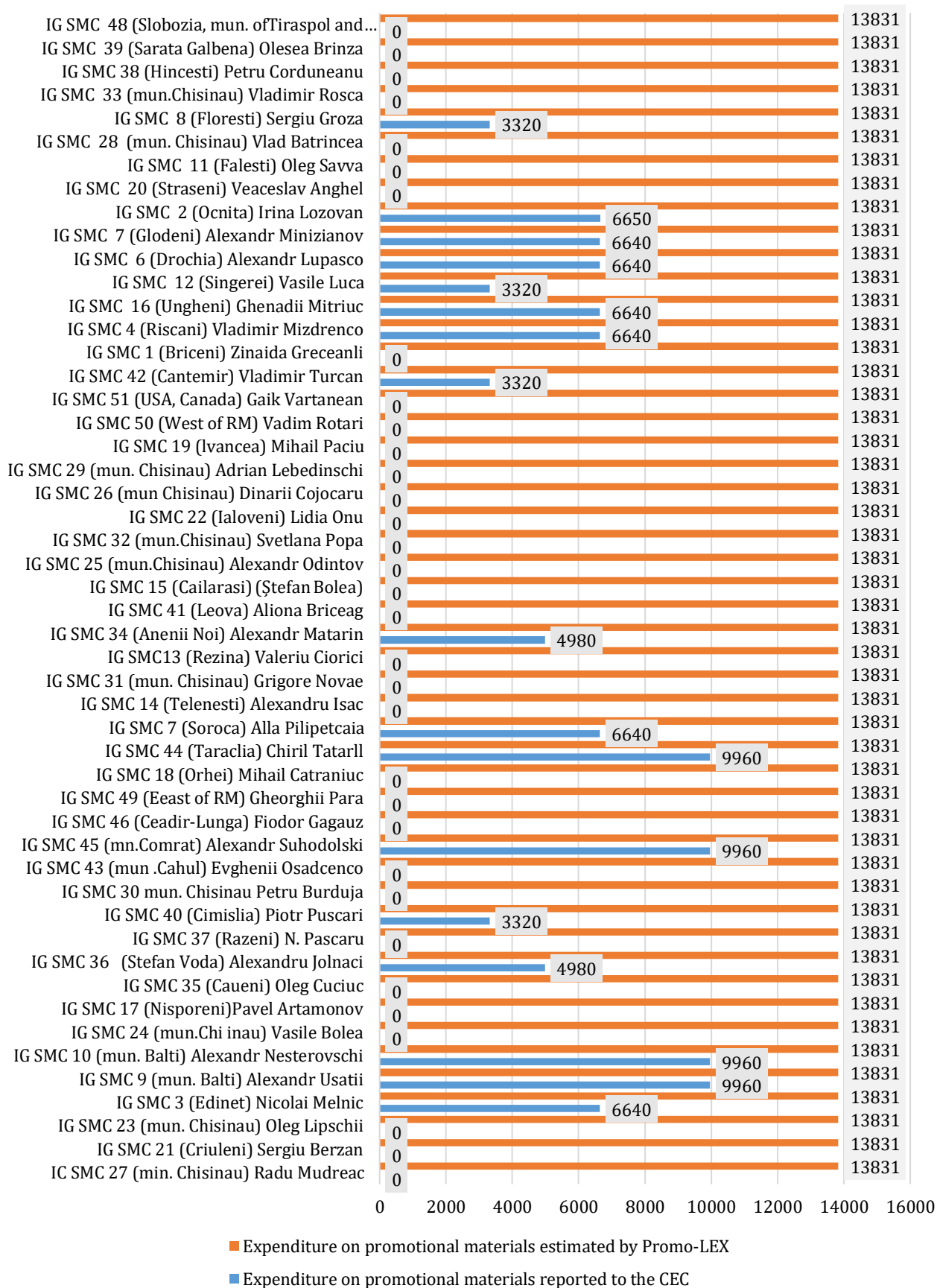
Annex no. 2. Electoral gifts reported during the monitored period

<i>Party</i>	<i>No.</i>	<i>Date</i>	<i>Settlement</i>	<i>Details</i>
PDM	1	10.12.2018	Hincesti, Crasnoarmeisocoe	Teaching materials for teachers and students, Dumitru Cantemir Theoretical Lyceum
	2	15.12.2018	Chisinau, Buiucani	Christmas tree and decorations for Kindergarten no. 143
	3	15.12.2018	Chisinau, Buiucani	Christmas tree and decorations offered as a gift to "Antonin Ursu" Primary School no.91
	4	15.12.2018	Balti, Balti	A socially vulnerable family received an artificial Christmas tree and four grocery bags
	5	18.12.2018	Cahul, Cahul	Boxes of sweets for "Prichindel" Kindergarten no.8
	6	18.12.2018	Straseni, Panasesti	Trips to the Christmas Fair
	7	19.12.2018	Chisinau, Botanica	Christmas celebration event for children
	8	19.12.2018	Chisinau, Botanica	Christmas celebration event for children
	9	20.12.2018	Straseni, Straseni	Set of footwear and winter clothes for 7 children
	10	21.12.2018	Floresti, Floresti	10 sports equipment for Mihai Eminescu Theoretical Lyceum, Floresti
	11	22.12.2018	Chisinau, Codru	Excursion to Milestii Mici winery for teachers of school no. 42, Codru
	12	23.12.2018	Balti, Balti	Kickboxing and Muay Thai Junior Championship
	13	24.12.2018	Chisinau, Botanica	Christmas celebration event for children, Gloria Theoretical Lyceum
	14	25.12.2018	Chisinau, Botanica	Christmas celebration event for children, Theatrical Lyceum,
	15	25.12.2018	Balti, Balti	3 Christmas trees, 3 boxes with decorations for local families
	16	29.12.2018	Orhei, Orhei	Christmas tree and decorations
	17	30.12.2018	Ungheni, Radeniii Vechi	Gifts (presumably champagne) for LPA representatives
PSRM	1	15.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	2	18.12.2018	Singerei, Singerei	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	3	19.12.2018	Riscani, Riscani	Lego toys, claimed to be donated by "Din suflet" Beneficiary Foundation
	4	20.12.2018	Basarabeasca, Iordanovca	An electric oven and boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	5	20.12.2018	Drochia, Pelinia	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	6	20.12.2018	Riscani, Riscani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	7	21.12.2018	Chisinau, Botanica	Boxes of sweets (minimum 10) were offered at the Lomonosov Library
	8	21.12.2018	Drochia, Tarigrad	The health center received as a gift a mouse and a keyboard, claimed to be donated by "Din suflet" Beneficiary Foundation
	9	21.12.2018	Floresti, Floresti	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	10	21.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	11	21.12.2018	Hincesti, Sipoteni	Boxes of sweets
	12	21.12.2018	Cimislia, Cimislia	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	13	21.12.2018	Chisinau, Codru	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	14	21.12.2018	Riscani, Grinauti	The kindergarten in Grinauti benefited from gifts: boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	15	21.12.2018	Riscani, Riscani	The Kindergarten in Hasneseni received a washing machine and candy boxes, claimed to be donated by "Din suflet" Beneficiary Foundation
	16	22.12.2018	Singerei, Bilicenii Noi	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	17	22.12.2018	Florești, Florești	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	18	22.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	19	22.12.2018	Chisinau, Center Dist.	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation

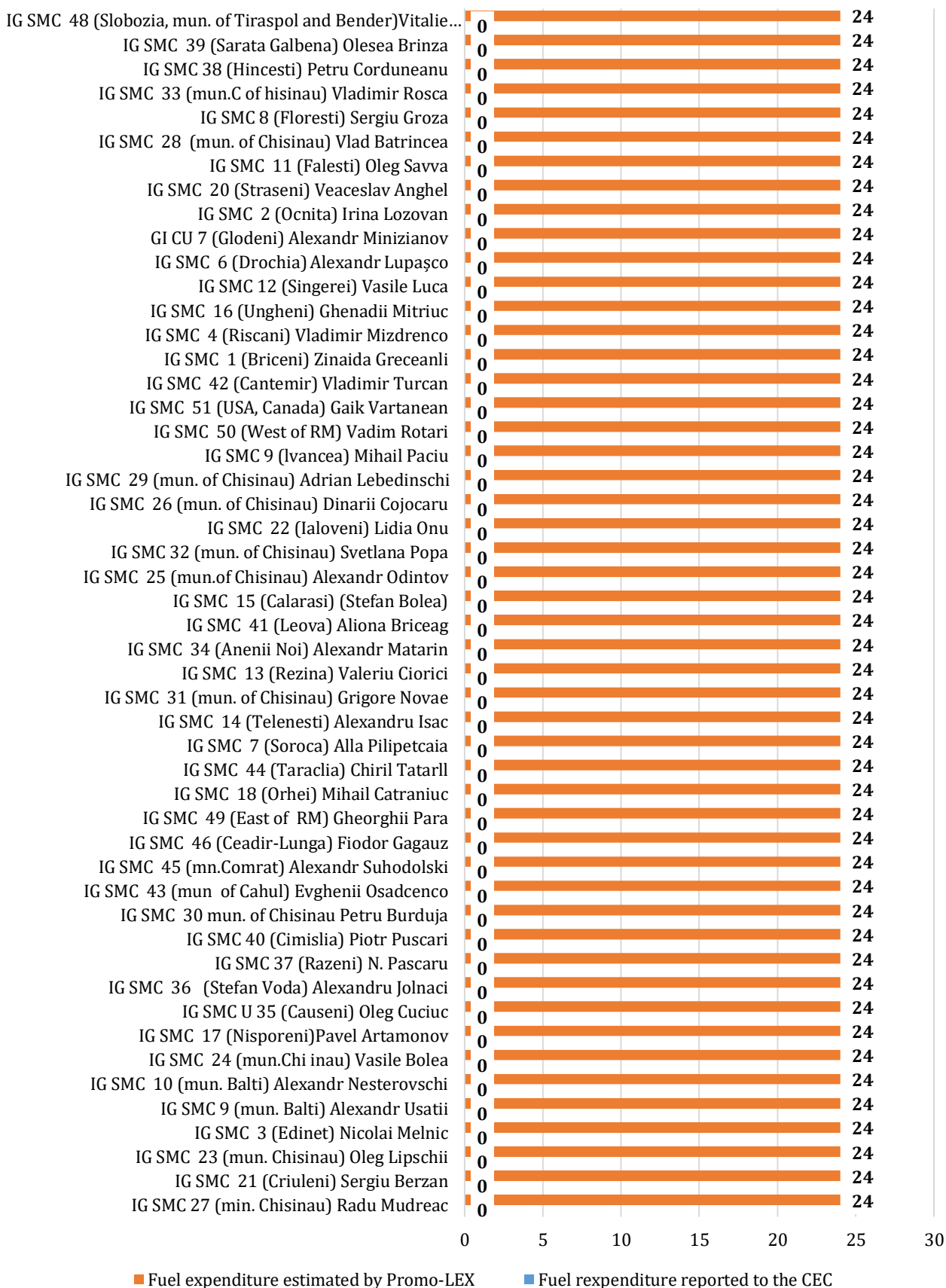
	20	22.12.2018	Riscani, Pirjota	A laptop and boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	21	23.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	22	23.12.2018	Singerei, Bilicenii Noi	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	23	24.12.2018	Cimislia, Valea Perjei	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	24	24.12.2018	Chisinau, Center	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	25	25.12.2018	Floresti, Alexeevca	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	26	25.12.2018	Chisinau, Riscani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	27	25.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	28	26.12.2018	Chisinau, Center	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	29	27.12.2018	Criuleni, Dolinnoe	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	30	28.12.2018	Cantemir, Toceni	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	31	28.12.2018	Dubasari, Dorotcaia	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	32	28.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	33	30.12.2018	Ungheni, Macaresti	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	34	01.01.2019	Chisinau, Center Dist.	Gifts for the newborn babies, Hospital no. 1: a box of chocolates, a "Christmas tree" in a pot; Pufes diapers; a basket filled with things necessary for newborn babies, claimed to be donated by "Din Suflet" foundation
	35	03.01.2019	Orhei, Cucuruzeni	Boxes of sweets
	36	03.01.2019	Orhei, Malaiesti	Boxes of sweets
	37	06.01.2019	Criuleni, Izbiste	Two ecclesiastical books presumably from President Igor Dodon
	38	21.12.2018	Criuleni, Baltata	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	39	21.12.2018	Chisinau, Buiucani	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	40	22.12.2018	Chişinău, Durlesti	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	41	25.12.2018	Hincesti, Bobeica	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
	42	26.12.2018	Straşeni, Romanesti	Boxes of sweets, claimed to be donated by "Din suflet" Beneficiary Foundation
PPS	1	12.12.2018	Abroad	Raffle for 500 airline tickets
	2	13.12.2018	Donduseni, Baraboi	Toys and 3 grocery bags for socially vulnerable families
	3	14.12.2018	Orhei, Susleni	"Give Warmth" campaign: At least 3 families benefited from firewood, sweets, colored pencils and coloring books
	4	14.12.2018	Ialoveni, Ialoveni	Sweets
	5	14.12.2018	Chisinau, Riscani	Christmas caravan: animators, children's toys, Christmas trees, fireworks
	6	15.12.2018	Orhei, Peresecina	The "Give Warmth" campaign: firewood, sweets, colored pencils and children's coloring books for a few families.
	7	15.12.2018	Singerei, Pepeni	Christmas caravan: animators, children's toys, fir trees, fireworks
	8	16.12.2018	Soldanesti, Mihuleni	Champagne bags, candy boxes and calendars
	9	16.12.2018	Soldanesti, Glinjeni	Champagne bags, candy boxes and calendars
	10	16.12.2018	Singerei, Singerei	Champagne bags, candy boxes and calendars
	11	16.12.2018	Singerei, Chiscareni	Christmas caravan: animators, children's toys, fir trees, fireworks
	12	16.12.2018	Chisinau, Rîşcani	Christmas caravan: animators, children's toys, fir trees, fireworks

13	16.12.2018	Singerei, Chiscareni	Christmas caravan: animators, children's toys, fir trees, fireworks
14	17.12.2018	Ungheni, Ungheni	Champagne bags, candy boxes and calendars
15	18.12.2018	Balti, Balti	7 boxes of sweets
16	18.12.2018	Singerei, Radoaia	Christmas caravan: animators, children's toys, fir trees, fireworks
17	19.12.2018	Soldanesti, Samascani	Champagne bags, candy boxes and calendars
18	20.12.2018	Briceni, Hlina	Gifts and toys for children
19	21.12.2018	Causeni, Causeni	Champagne bags, candy boxes and calendars
20	21.12.2018	Edinet, Trinca	Christmas caravan: animators, children's toys, fir trees, fireworks
21	22.12.2018	Hincesti, Ciuciuleni	Christmas caravan: animators, children's toys, fir trees, fireworks
22	22.12.2018	Soldanesti, Soldanesti	Champagne bags, candy boxes and calendars
2.3	23.12.2018	Chisinau, Riscani	Christmas caravan: animators, children's toys, fir trees, fireworks
24	23.12.2018	Chisinau, Riscani	Christmas caravan: animators, children's toys, fir trees, fireworks
25	23.12.2018	Falesti, Rautel	Christmas caravan: animators, children's toys, fir trees, fireworks
26	23.12.2018	Falesti, Pirlita	Christmas caravan: animators, children's toys, fir trees, fireworks
27	23.12.2018	Balti, Sadovoe	Christmas caravan: animators, children's toys, fir trees, fireworks
28	25.12.2018	Stefan Voda, Marianca de Jos	Champagne bags, candy boxes and calendars
29	25.12.2018	Edinet	In addition to champagne bags, candy boxes and calendars, it has been reported that cards worth 1000 lei each have been awarded. These cards were offered to people who accepted to become PPS members.
30	26.12.2018	Hincesti, Dragusenii Noi	Boxes of sweets and an artificial Christmas tree in the settlement
31	26.12.2018	Dubasari, Holercani	"Give Warmth" campaign "offered firewood free of charge
32	27.12.2018	Chisinau, Botanica	Champagne bags, candy boxes and calendars
33	28.12.2018	Ungheni, Sculeni	Christmas caravan: animators, children's toys, fir trees, fireworks
34	28.12.2018	Chisinau, Riscani	Christmas caravan: animators, children's toys, fir trees, fireworks
35	29.12.2018	Ungheni, Macaresti	Christmas caravan: animators, children's toys, fir trees, fireworks
36	29.12.2018	Chişinău, Rîşcani	Christmas caravan: animators, children's toys, fir trees, fireworks
37	30.12.2018	Rezina, Cineseuti	Champagne bags, candy boxes and calendars
38	02.01.2019	Chisinau, Botanica	Candy boxes
39	04.01.2019	Hincesti, Hincesti	Champagne bags, candy boxes and calendars
40	14.12.2018	Falesti, Sarata Veche	"Give warmth" campaign: a grocery bag and wood truck for one family
41	15.12.2018	Balti, Balti	"Give warmth" campaign: grocery bags and firewood for residents of Balti

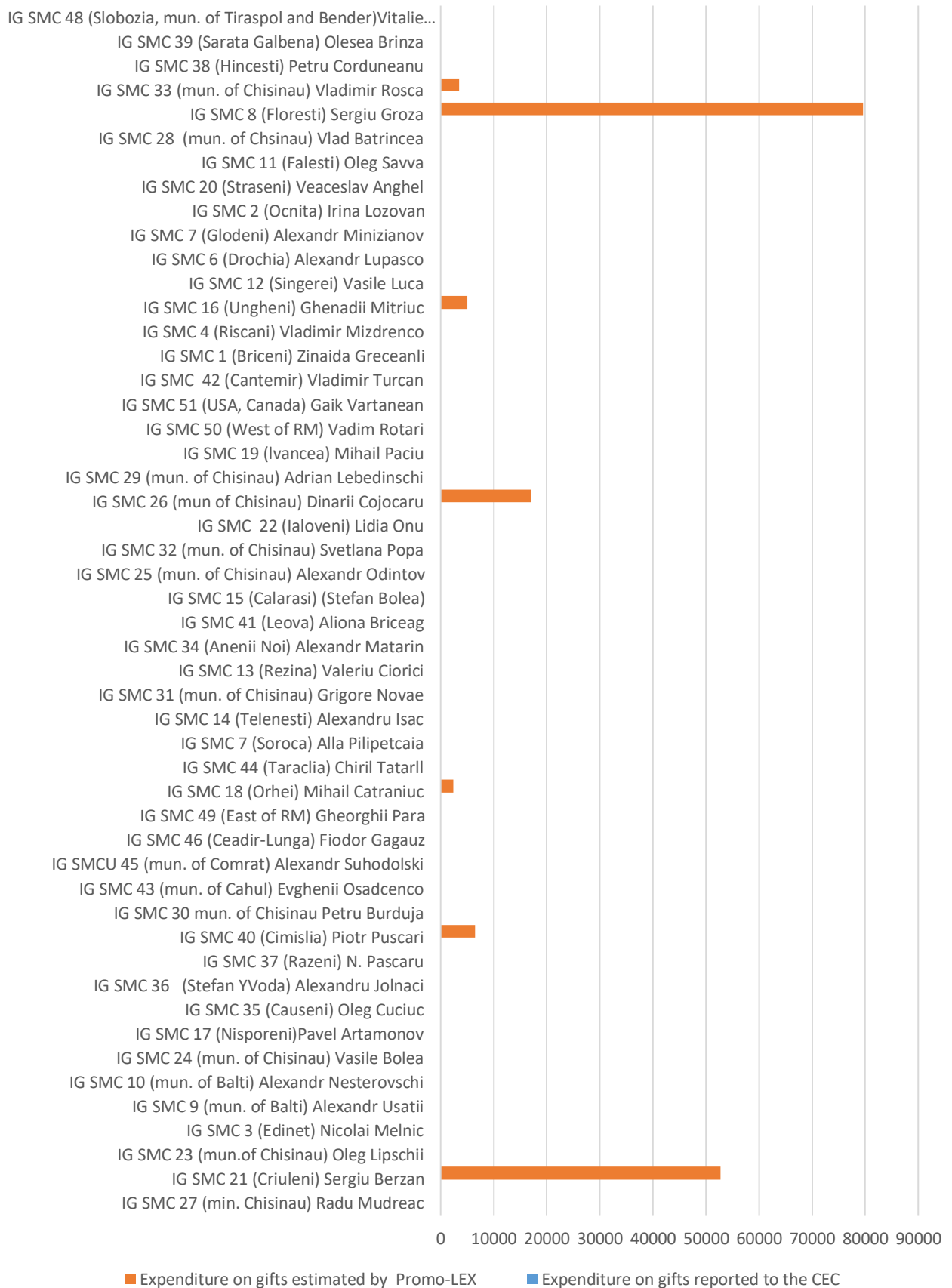
Annex 3. Expenditure on promotional materials, incurred by IGs of PSRM candidates in SMCs, lei



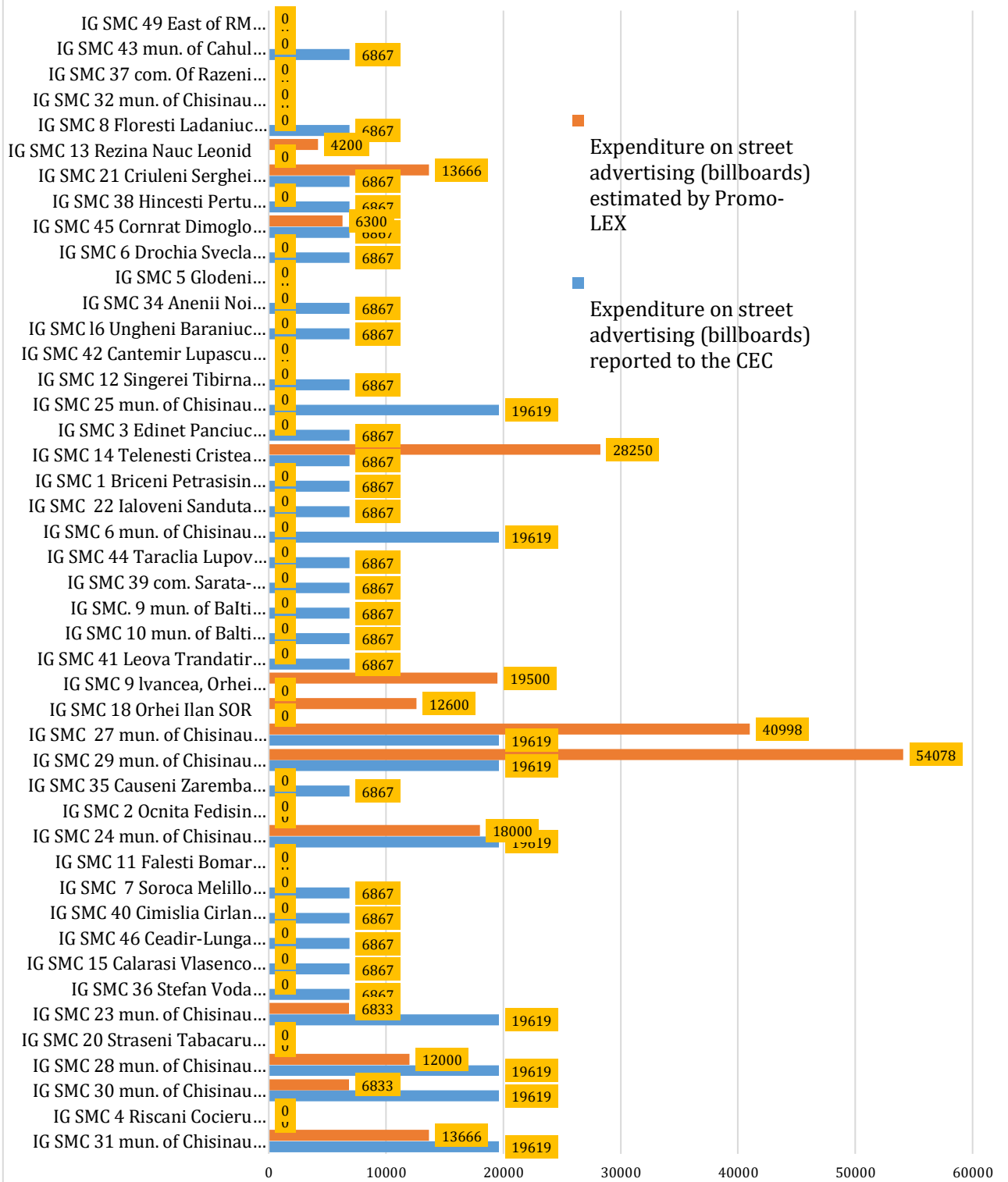
Annex 4. Transportation expenditure of IGs to support PSRM candidates, lei



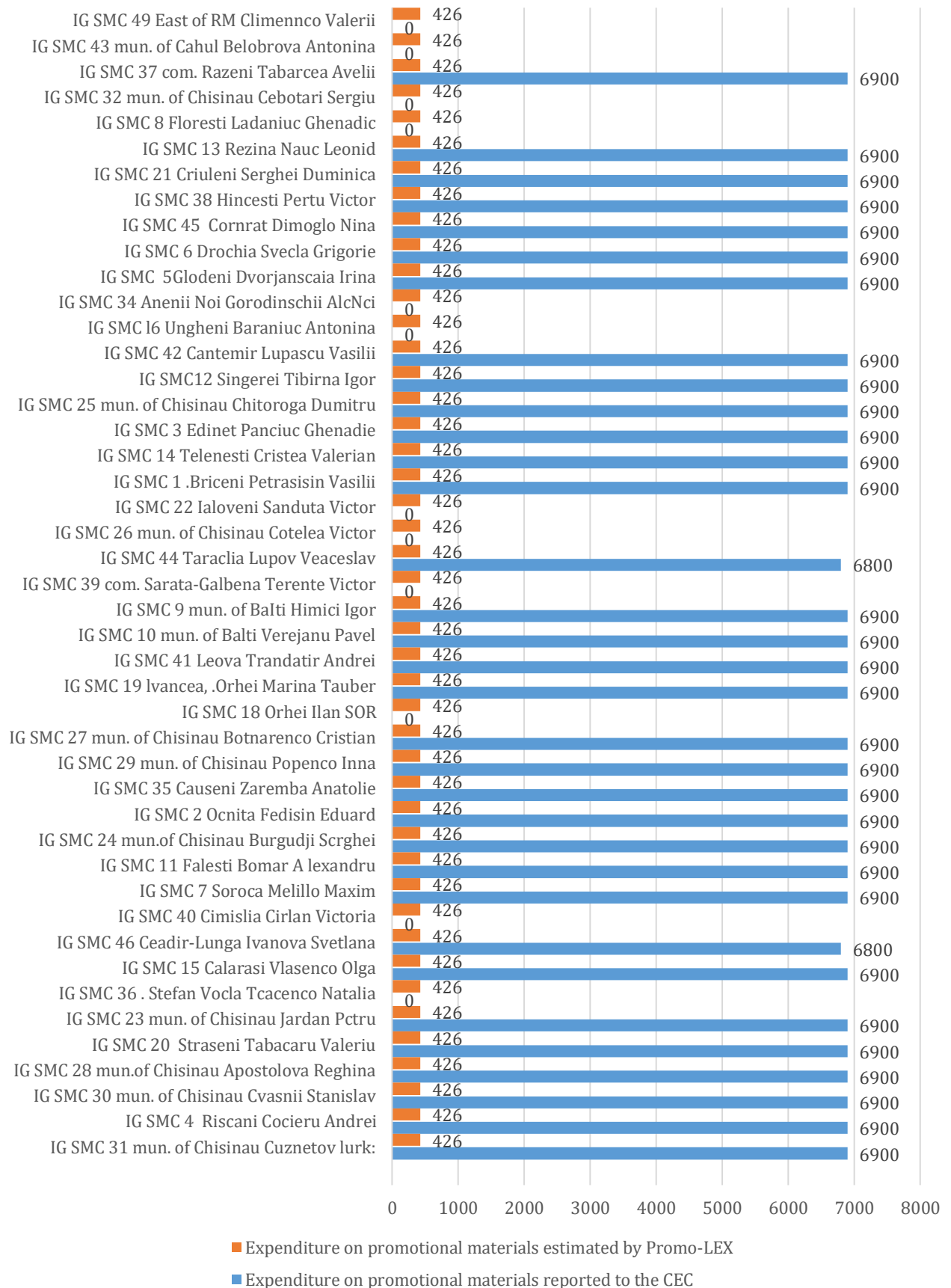
Annex 5. Expenditure on electoral activities and gifts incurred by IG to support PSRM candidates in SMCs, lei



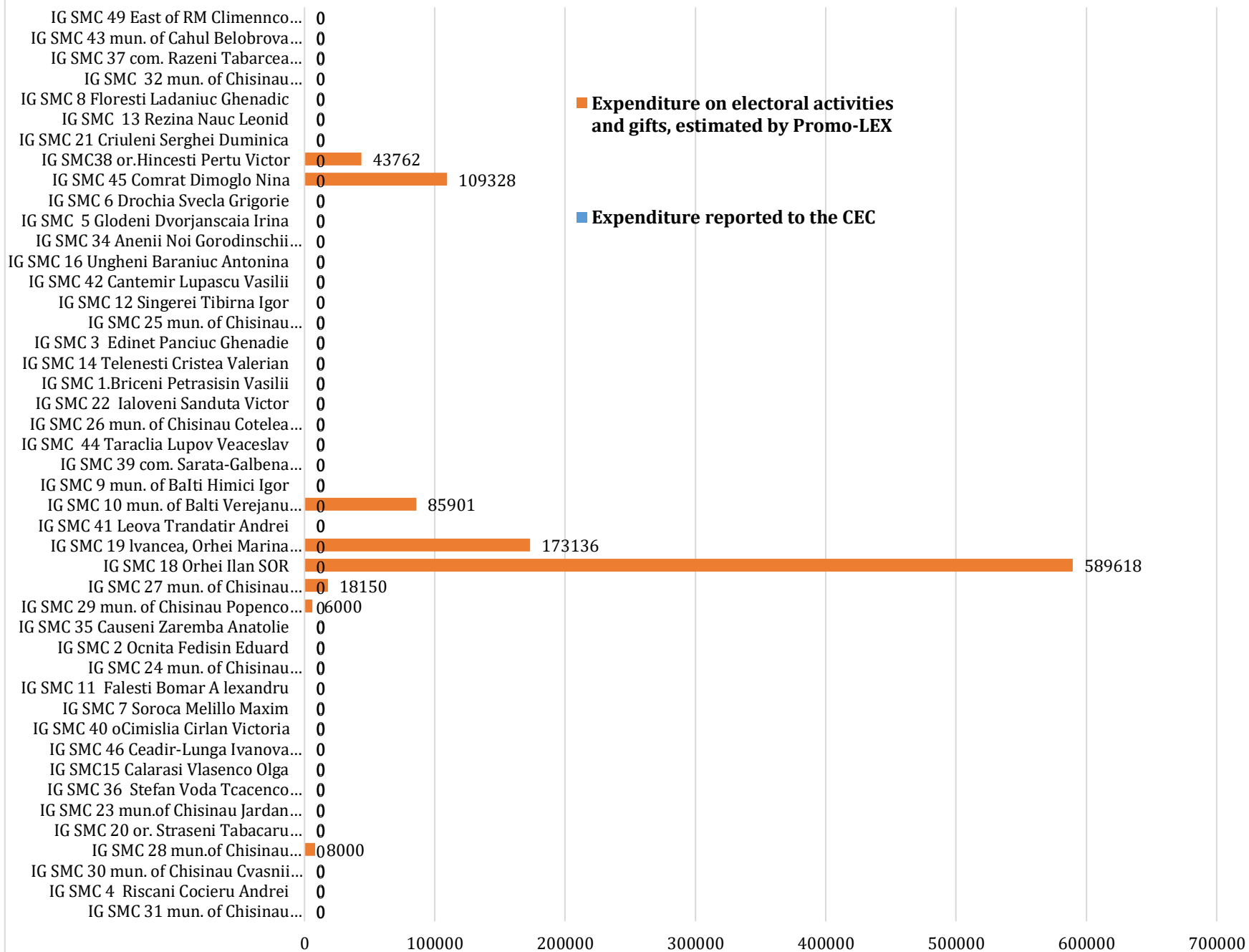
Annex 6. Street advertising expenditure of PPS IG, estimated vs reported, lei



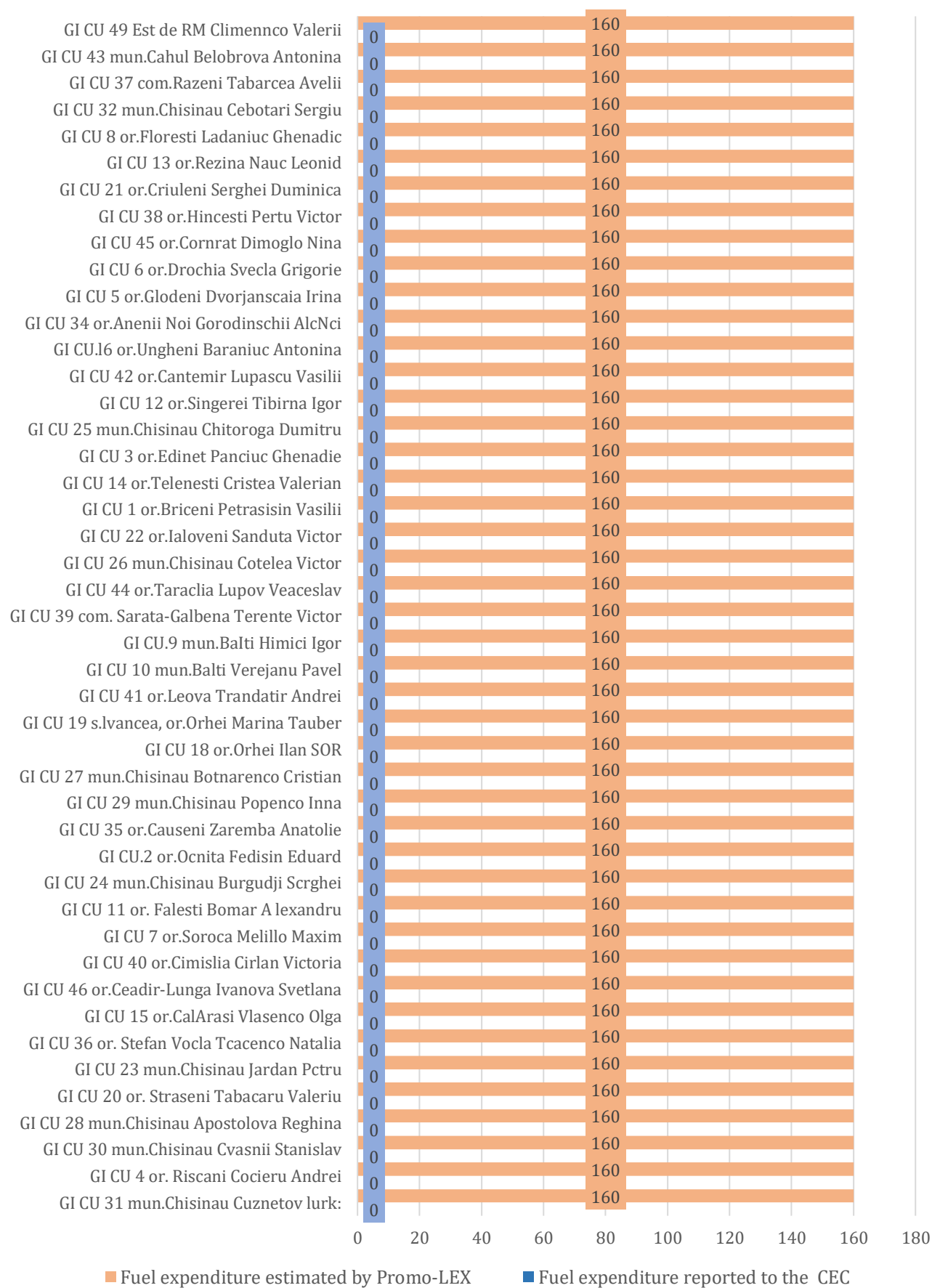
Annex7. Expenditure of PPS IG on promotional materials, lei



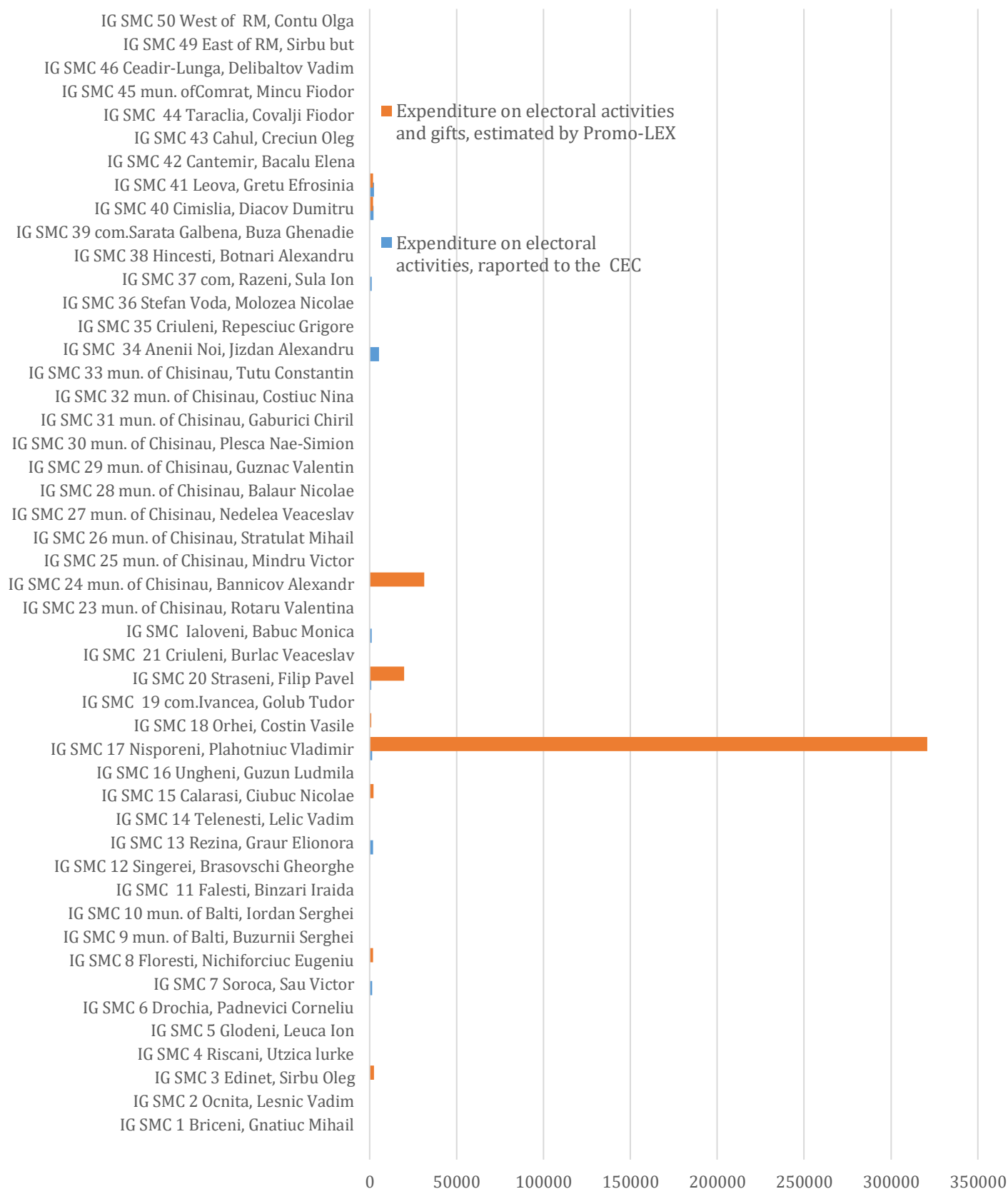
Annex 8. Expenditure of PPS IG on electoral activities and gifts



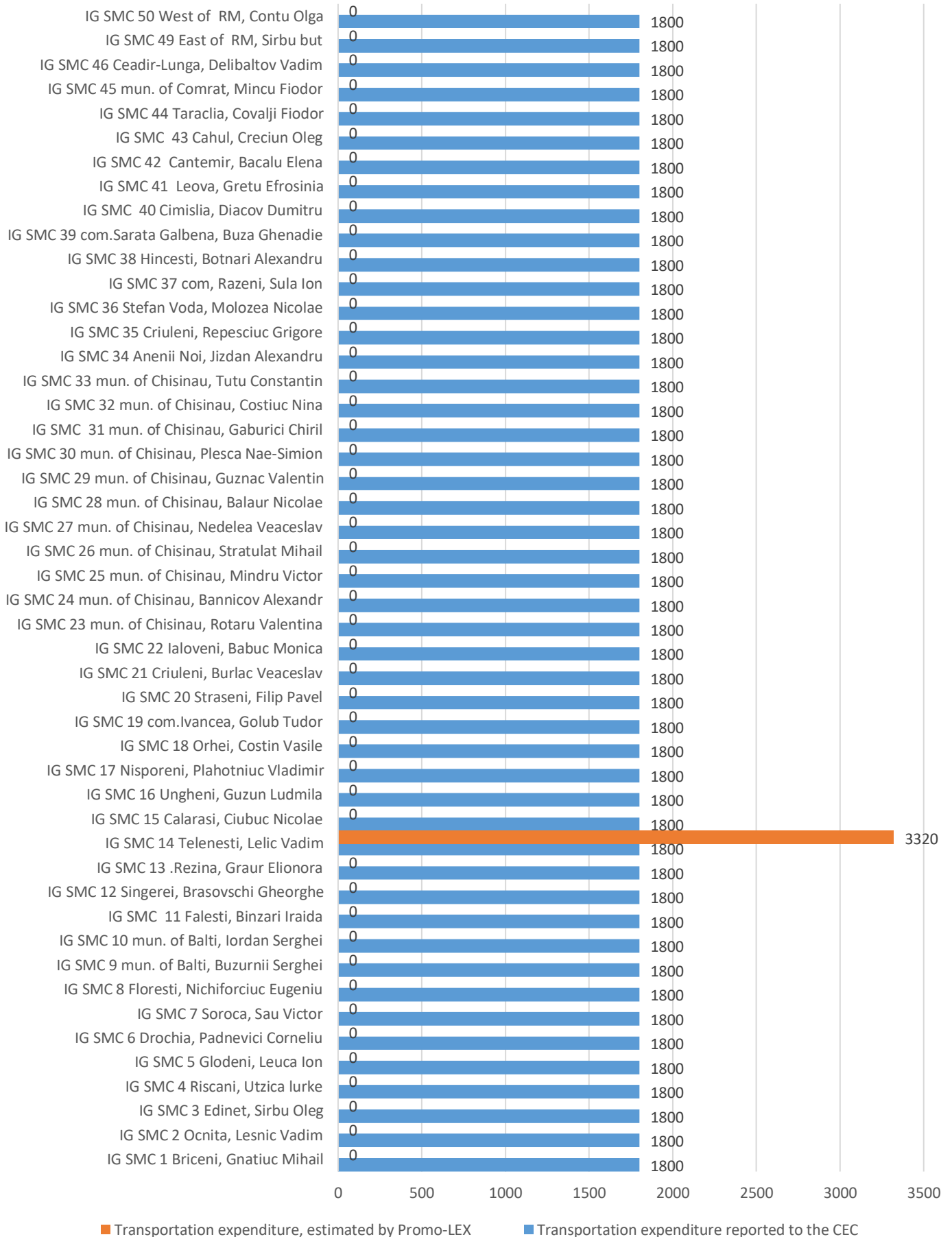
Annex 9. Transportation expenditure of the PPS IG



Annex 10. Expenditure on electoral events and gifts, lei



Annex 11. Transportation expenditure of the PDM IG, lei



Annex 12.

The list of localities that didn't receive the electoral rolls from the previous poll (District / City, locality)			
ANENII NOI	DELACAU	OCNITA	LIPNIC
ANENII NOI	PUHACENI	OCNITA	DINGENI
BALTI	BALTI	OCNITA	com. OCNITA
CHISINAU	RISCANI	OCNITA	OCNITA
CRIULENI	JEVRENI	ORHEI	SUSLENI
CRIULENI	MASCAUTI	ORHEI	BEREZLOGI
DUBASARI	COCIERI	ORHEI	BOLOHAN
DUBASARI	MOLOVATA	ORHEI	NECULAIEUCA
DUBASARI	HOLERCANI	ORHEI	VISCAUTI
FALESTI	CALUGAR	ORHEI	IVANCEA
FLORESTI	NICOLAEVCA	REZINA	SOLONCENI
HINCESTI	BUTENI	SINGEREI	COTIUJENII MICI
HINCESTI	SARATA-GALBENA	SOLDANESTI	FUZAUCA
IALOVENI	VASIENI	SOLDANESTI	SAMASCANI
IALOVENI	HORODCA	SOLDANESTI	OLISCANI
IALOVENI	BARDAR	SOLDANESTI	SALCIA
IALOVENI	POJARENI	SOLDANESTI	CLIMAUTII DE JOS
IALOVENI	ZIMBRENI	SOLDANESTI	VADUL-RASCOV
IALOVENI	HORESTI	SOLDANESTI	CUSMIRCA
IALOVENI	CIGIRLENI	SOLDANESTI	SESTACI
IALOVENI	RAZENI	SOLDANESTI	POIANA
LEOVA	CAZANGIC	STEFAN VODA	ANTONESTI
NISPORENI	VALEA-TRESTIENI	STEFAN VODA	SLOBOZIA
OCNITA	CALARASOVCA	STEFAN VODA	MARIANCA DE JOS
OCNITA	OTACI	STEFAN VODA	FESTELITA
OCNITA	VALCINET	STEFAN VODA	ERMOCLIA
OCNITA	MERESEUCA	STEFAN VODA	OLANESTI
OCNITA	LENCAUTI	STEFAN VODA	TUDORA
OCNITA	FRUNZA	STEFAN VODA	TALMAZA
OCNITA	GIRBOVA	STEFAN VODA	CIOBURCIU
OCNITA	BIRNOVA	STEFAN VODA	STEFAN VODA
OCNITA	NASLAVCEA	TARACLIA	VALEA PERJEI
OCNITA	CLOCUSNA	UNGHENI	VALEA MARE
OCNITA	GRINAUTI-MOLDOVA	UTAG	JOLTAI
OCNITA	MIHALASENI		