

October 18, 2019

STATEMENT FINDINGS BEFORE THE GENERAL LOCAL ELECTIONS OF 20 OCTOBER 2019

The Civic Coalition for Free and Fair Elections, acting jointly to contribute to the development of democracy in the Republic of Moldova by promoting free and fair elections in line with the standards of ODIHR (OSCE), Council of Europe and its affiliated specialized institutions, hereby provide the key findings on the unfolding of electoral process for general local and new parliamentary elections of 20 October 2019:

Changing the rules of the game during elections. The amendments made to the Electoral Code were published a few days before the start of the electoral period for general local elections, contrary to good practice in electoral matters. As a result, the CEC was put in difficulty to observe the principles of transparency in the decision making process and of public consultation for bringing its regulations in line with the new amendments. Setting new rules of the electoral process while unfolding it has a negative impact on the correctness, transparency and predictability of the electoral process, as well as makes it confusing and difficult for the electorate to exercise their voting right.

Applying two different norms for two elections. Due to the amendments made to Electoral Code, and namely including in the transitory provisions chapter that the provisions in place before the amendment, with certain exceptions, shall be applied in the new parliamentary elections, while the new law shall apply to general local elections, one can state a situation of parallel regulation of the same legal relations. The application of legal regulations in a differentiated manner for two types of elections run in the same day creates confusion and makes the electoral process burdensome.

Deficiencies and errors detected in the State Registry of Voters (SRV) and in voter lists. The on-going increase of the number of voters in the SRV on the background of a negative natural increase of the population in the Republic of Moldova keeps the concern regarding the quality of managing the State Registry of the Population, and implicitly the SRV as a valid one. The following deficiencies were found regarding the quality of voter lists: erroneous assignment of voters to polling stations from other localities; incorrect assignment of voters to a different polling station from the same locality; presence of deceased persons in the lists; voters missing in the main lists; and wrong addresses. There were also found cases of artificial migration of voters.

Inconsistent registration practices. It was found that the rules for registering electoral candidates in the campaign were applied in a different manner. So, there were situations when some District Electoral Councils accepted registering the candidates, while others would reject them, although the potential candidates would provide the documents compiled according to the same principles and containing the same errors. Also, there were multiple cases in which non-observance of the 40% gender quota in some DEC's would serve as a reason for refusing to register a candidate, while in other DEC's the candidate registration would not be rejected.

Rejecting the registration of some electoral competitors. The conditions for checking the validity of signatures collected by independent candidates in the subscriber lists are disproportional to the person's right to be elected. There was registered a case in which the supporters' signatures of one electoral candidate were revoked due to the fact that the signatures were included in the same subscriber list with the signatures of supporters from



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another locality, while the Electoral Code does not provide any clear consequence for such situations. The application of this sanction provided in the CEC Regulation only has led to rejecting the registration of Ruslan Codreanu as independent candidate for the position of General Mayor of Chisinau Municipality. In this case, the court institutions also had a different interpretation of the conditions for checking and validating the subscriber lists and of the grounds for revoking the collected signatures.

Women continue being under-represented. The introduction of representation quotas and of requirements for positioning women and men have determined the political parties to appoint more women as candidates for councilor positions. Along with this, we state with regret that the share of women candidates for the position of mayor has not increased significantly, recording just a 5% increase over the last three electoral cycles. Although the legal framework stipulates the obligation to observe a minimum gender quota of 40% and sets the rule for positioning at least 3 persons of the same gender in the lists of every 10 candidates for the position of councilor, there were found a number of situations in which these provisions have not been observed.

Discrimination of disabled persons. Disabled persons encountered physical and informational accessibility barriers. Over 60% of the polling stations are inaccessible. We state with concern that while the electoral campaign was in full swing, the translation in Braille format of news programs and reports was discontinued on certain TV channels starting 11 October 2019. The accessibility audit of 150 webpages of central and local public authorities, political parties, and electoral candidates revealed that only two webpages are accessible for disabled persons. From the beginning of the electoral campaign, no meeting was organized with or for persons with intellectual disabilities in either residential institutions or other community centers.

Under-representation of Roma ethnic persons. The representation of Roma persons as candidates for the position of Local Councilor of level I (42 persons) and level II (17 persons) remains low. And even lower is the representation of this vulnerable group in the lists of candidates for the position of Mayor, with only four (4) persons being registered as such. The platforms of electoral candidates are to a large extent insensitive to the problems faced by Roma persons.

Circumventing the plenary reporting of costs by the candidates. The electoral candidates continue reporting incomplete transport costs, rent and utility costs, as well as costs for the delegation/ secondment of persons, and for paying per diem to observers and volunteers involved in the electoral campaign;

Lack of substantive verification by the CEC of the financial statements of electoral candidates. We hereby state the lack of any verification of the income sources of electoral competitors by the CEC. Also, no control is performed over the collection and record keeping of financial resources collected from primary donors (political parties) by either using cash register equipment (CRE) or issuing receipts.

Using administrative resources during the electoral period. There were reported numerous cases of using administrative resources by political parties registered in the electoral campaign. More evident ones included unfolding electoral meetings with the employees of state institutions during work hours. At the same time, there were observed numerous cases when the political parties took the credit for various services and works carried out with public money.

Obstructing the activity of national observers. The national observers were disturbed during their activity by at least three categories of participants in the electoral processes, and namely: by members of electoral bodies (limiting access to voter lists; limiting access to subscriber lists; obstructing access to appeals; limiting access to



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financial statements of independent candidates); by representatives of public institutions; and by electoral candidates.

Mass media continues being biased. Although at the beginning of the electoral campaign the monitored TV stations showed a relatively balanced conduct, the majority of them covering the electoral candidates in a neutral manner, during the third week of the campaign there was observed an increase in the number of radio broadcasters that would display a biased conduct in relation to electoral competitors. Six out of the ten monitored radio broadcasters would act in favor or disfavor of certain candidates, of which three TV stations would constantly promote Ion Ceban, the SPRM candidate, three other channels would be favoring Andrei Nastase, the candidate of ACUM Block, while one of the TV channels would massively favor the candidates of Sor Political Party. Also, some TV stations do not provide equal access to all candidates in the elections, while the majority of electoral subjects are based on a single information source.

The highlighted findings reveal that the electoral process is running by selectively applying the standards for a free and fair electoral process. In such circumstances, we call upon the state institutions, electoral bodies, and electoral candidates to make efforts so that the voting and tabulation of voting results take place in a correct manner, without violations in order to correctly reflect the citizen's choice in the new local administration authorities and in Parliament.

www.alegeliber.md – **Civic Coalition for Free and Fair Elections** is a permanent voluntary entity comprised of 39 non-governmental organizations of the Republic of Moldova, pursuing the aim to contribute to democracy development in the Republic of Moldova by promoting free and fair elections in line with the standards of ODIHR (OSCE), Council of Europe and its affiliated specialized institutions.

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