



**CIVIC COALITION FOR FREE AND FAIR ELECTIONS
PROMO-LEX ASSOCIATION**

**Report nr. 2
Monitoring Parliamentary Elections of 30 November 2014**

Monitoring period: 24 September – 15 October 2014

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I. EXECUTIVE SUMMARY

As part of the Civic Coalition for Free and Fair Elections, Promo-LEX is conducting long-term monitoring of the electoral situation prior to the parliamentary elections of 30 November 2014. The current report covers the pre-electoral period of 24 September to 15 October 2014. It describes the observers' findings with links to the corresponding legal framework.

During the monitoring period, the Central Election Commission (CEC) developed a number of regulations and instructions to clarify and improve the current electoral normative framework. Responsible personnel were trained to ensure a smooth process of developing, reviewing, and updating electoral rolls. The CEC accredited national and international observers, and in only one case did it reject an accreditation request submitted by a non-governmental organization. Contrary to the provisions in art. 27, p.4 of the Electoral Code, the CEC has formed only 35 electoral councils. Therefore, the CEC has yet to create electoral councils for the Bender municipality and for Transnistrian region, the latter being a territorial-administrative unit of II level.

With no opposition, the CEC established 55 million lei as the ceiling for finances that may be transferred into the electoral fund. The ceiling has considerably increased – more than doubled - compared to previous elections. During the early elections of 28 November 2010, the ceiling was capped at 21,664,445 lei, and for new local elections on 5 June 2011, it was 22,142,345 lei.

With a single exception, local public administrations of the second level, as well as courts, have proposed candidates to become members of district electoral councils having deliberative voting rights. With the exception of two cases, the four parties represented in the Parliament used their right to propose candidates on the day the councils were established.

Local public administrations have reported about the needed equipment for polling stations. In order to organize informational campaigns on the need to obtain identity cards before 30 November 2014, district councils received lists of persons with ex-soviet passports. With a breach of the deadline in the majority of cases, local public administrations established the minimum number of places for electoral posters and meetings with voters.

Before registering electoral candidates, a number of parties began promotional activities. During the monitoring period, 16 political entities submitted the required documents for registering as electoral candidates. All requests were approved and 16 political entities were registered as electoral candidates. Seven persons requested petitions to collect signatures for their candidacy during the reporting period; however, no complete petitions were submitted to the CEC for registration of independent candidates.

Electoral candidates may use financial means exclusively from the "Electoral Fund" account. Before 15 October, no electoral candidate had reported opening an account. However, from 11 October 2014, Promo-LEX observers noted multiple activities of an electoral nature, which would have required substantial financial support and which were organized by electoral candidates from the following parties: DPM, LDPM and PCRM.

Promo-LEX observers reported that local and regional mass media show a bias towards two electoral candidates. For example, 57 articles contained information placing Renato Usatîi in a favorable light. Promo-LEX observers found at least 76 materials in favor of DPM and one against; 13 materials in favor and four against the LDPM; 12 materials in favor of LP and one against; 11 materials in favor of PSRM; 4 materials in favor of PCRM; and one material in favor of LRP.

II. FINDINGS

1. Performance of Electoral Bodies

a. Decisions Adopted by the CEC

During the reporting period, the CEC developed 11 normative acts, which regulate the status of and observers' accreditation process; the mode of developing, administrating, and updating electoral rolls; mass media's portrayal of electoral candidates and political parties; the mode of developing, certifying, reviewing and presenting petitions; the number of trustees of electoral candidates; the number of members of electoral bodies who can be released from their current permanent jobs and the term of release; the amount of loans given to electoral candidates; the ceiling of financial means that may be transferred into an electoral fund of a particular electoral candidate; and the activity of the precinct electoral bureaus, as well as the activity of the district electoral council.

b. Electoral Calendar

With one-day delay from the calendar program of performing the actions to organize and conduct the parliamentary elections of 30 November 2014, the CEC established the loan amount for electoral candidates and the ceiling of financial means that can be transferred into electoral fund. At least 13 decisions on Electoral Councils to propose the candidates for release from current positions were delayed.

c. Electoral Rolls

According to art. 40, p. 3 of the Electoral Code, the CEC develops and approves the procedure for elaborating, certifying and updating electoral rolls, thereby regulating the transfer of electoral rolls to electoral bureaus; inclusion/exclusion of voters by the members of precinct electoral bureaus; and subsequent presentation of electoral rolls.

According to Promo-LEX observers, the staff responsible for developing, administrating, transferring and updating the electoral rolls was trained by CICDE from 6 to 10 October 2014. Relevant personnel responsible for voter registrars from at least 14 electoral districts (Anenii Noi, Nisporeni, Criuleni, Călărași, Drochia, Cahul, Ialoveni, Cimișlia, Florești Basarabeasca, Rîșcani, Strășeni, Ungheni, UTA Găgăuzia) participated in the training. However, to date no information has been shared regarding training personnel from the other 23 electoral districts.

d. National and International Observers

To monitor the parliamentary elections of 30 November 2014, the CEC issued accreditations to three national observers from the International Institute for Monitoring the Development of Democracy, Parliamentary Setting and Respect of Citizens Electoral Rights from the member states of the Inter-Parliamentary Assembly of the Community of Independent States; five observers from the Embassy of Kingdom of Sweden in the Republic of Moldova. The CEC also registered two translators; 154 observers from the non-governmental "Promo-LEX" Association; and one international observer from Parliamentary Assembly of the Organization of the Black Sea Economic Cooperation. On the 15 October 2014, the CEC refused to grant accreditation to the non-governmental organization „Moldova Tânără” on the basis that it does not conform to provisions of the art. 63 of the Electoral Code. Out of nine CEC members, five considered that the NGO does not possess necessary qualifications for observation missions.

e. Participation of Civil Society in Monitoring the Elections

At least two groups of non-governmental organizations are monitoring the electoral campaign. These include the Civic Coalition for Free and Fair Elections and the Coalition "Civic Control – Elections of 2014." The Center "Parteneriatul pentru Dezvoltare" (monitoring the electoral campaign from a gender perspective) is also involved. Other participating organizations include: Human Rights Institute

(monitoring respect of citizens' electoral rights in psychiatric institutions), InfoNet Alliance (monitoring the access to electoral process of persons with disabilities), Association for Participative Democracy (monitoring of electoral promises), Association for Independent Press and the Center for Independent Journalism (mass media monitoring). The list of organizations within the Coalition "Civic Control – elections of 2014 is not available and no requests for accreditation from this entity were registered.

f. Establishing Electoral Districts

On 3 October 2014, the CEC decided to establish 37 electoral districts, including Bender and a territorial-administrative unit from the left of the bank of the river Nistru, which boundaries correspond to the territorial-administrative units provided in the legislation.

g. Establishing District Electoral Councils

In accordance with art. 27, p. 4 of the Electoral Code, courts or courts of appeal, local councils of second level, the Popular Assembly of Găgăuzia, and the parliamentary political parties had the right to propose candidates for district electoral councils by the 3 October.

According to Promo-LEX observers' reports, the CEC received candidates before the established deadline from at least 30 territorial-administrative units of the second level and at least two courts for membership in district electoral councils with right of deliberative vote. In at least one case, LP and PCRM have not exercised this right.

On the basis of observers' reports, one case was registered in Briceni on 2 October 2014. During a meeting for proposing candidates for the district electoral council, debates between district councilors of PCRM and DPM took place with the latter leaving the meeting.

Promo-LEX observers reported at least one case (Rezina), where one candidate from the district council was not informed beforehand about his proposal for this position.

On the 10 October, the CEC established all district electoral councils, except for two cases, specifically for those from the left bank of the river Nistru and in the Bender municipality. The subject of establishing respective electoral districts was not included on the CEC agenda. In addition, the CEC has not yet appointed additional electoral staff from its reserve in order to meet the requisite number of council members in these two electoral districts, thereby misinterpreting the law. In accordance with art. 27 of the Electoral Code, electoral district councils are composed of an odd number of members, at least 7 and no more than 11 persons. Although in two electoral districts (Donduşeni and Glodeni), the councils have an even number of members, the CEC has made efforts to fulfill the provision in establishing these district electoral councils, whereas no such efforts were made in the case of the Bender municipality and Transnistrian region. At least one case of a breach in the secret voting procedure of electoral district administration was reported in Taraclia.

h. Transnistrian Region

As of the deadline for establishing district electoral councils, the CEC had not taken a decision to establish electoral district nr. 3 in Bender and electoral district nr. 37 for the Transnistrian region. The issue with registering an electoral district in the aforementioned territorial-administrative units of the second level concerns the fact that these areas do not have local public administrations under the jurisdiction of the constitutional authorities. Bender court has also not proposed members for the district electoral council.

Some situations were noted, in which these entities refused to exercise their legal responsibilities. In this context, the CEC has the obligation to create district electoral councils within the legal framework set up by the Electoral Code, which clearly states that the number of members of the electoral council must be an odd number from seven to 11. If the four members proposed by the LPA and judges are not nominated for various reasons and the political parties do not present their own candidates, then the CEC has the legal right to appoint seven persons from the pool of electoral staff in order to make the lower electoral bodies functional. It is concerning that the CEC has read restrictively the norms of Electoral Code, which clearly

foresee the need to make complete electoral bodies if the responsible entities do not propose their candidates.

During the monitoring period, neither the central public administration nor the electoral administration had initiated a discussion on improving the conditions for citizens' participation from the eastern districts of the Republic of Moldova in the electoral process.

2. Performance of Local Public Administrations

a. Ensuring Appropriate Infrastructure in Polling Stations

According to art. 52 of the Electoral Code, local public administrations are required to ensure that polling stations are equipped with a voting booth, voting box and other necessary equipment. Based on art. 30 of the CEC instruction on equipping the polling stations with all necessary materials, the CEC is obligated to provide the necessary number of voting booths and voting boxes, as well as self-blocking seals, as requested by LPAs. Based on p. 5 of the aforementioned Article, when selecting an adequate place for a polling station, preference will be given to the lobbies of buildings situated in accessible public locations, thus facilitating access for elderly and persons with disabilities.

Promo-LEX observations of 117 towns found that LPAs informed the CEC about needed equipment for polling stations with booths and voting boxes, out of which at least eight LPAs have requested voting booths for people with disabilities.

Promo-Lex observers were informed about two polling stations from Rîșcani district (Recea and Șumna villages), one polling station from Sărata Nouă village (Leova district), more polling stations from Edineț district, four polling stations from Sîngerei district, one polling station from Fălești Noi village, Scumpia, and Florești district have made the entrances accessible for persons with disabilities and the elderly.

b. Ex-Soviet Passports

In accordance with art. 53 of the Electoral Code, citizens' must present an identity card and its accompanying sheet or use a temporary identity card in order to vote. From 1 September 2014, citizens can no longer vote with their ex-Soviet passports.

At least two cases were reported (Drochia, TAU Găgăuzia Administration) in which the district councils organized seminars with secretaries of local councils, during which they informed in writing all the holders of ex-Soviet passports about their voting ineligibility, as well as the possibility to obtain identity cards free of charge by the 30 November 2014.

Promo-LEX observers have found approximately 34,000 voters with ex-Soviet passports in the Republic of Moldova.

c. Ensuring Special Places for Electoral Posters and Places for Meetings with Voters

In accordance with art. 47 of the Electoral Code, LPAs must guarantee the minimum number of spaces for electoral posters and places for meetings with voters, making public immediately respective decisions (dispositions) at their offices and at least three days before the start of the electoral campaign. According to Promo-LEX observers, at least 227 mayors had not yet taken decisions in this regard during the reporting period. In addition, at least 57 mayoralties established a tax for leasing public places.

3. Performance of Electoral Candidates

a. Referrals and Appeals Submitted to the CEC

On 24 September 2014, the PCRM submitted a request to the CEC regarding the suspension of the campaign on European integration and the Association Agreement between the Republic of Moldova and EU by the use of video clips transmitted by TV stations "Moldova, for Europe" financed by the Soros

Foundation in Moldova. In response, the CEC affirmed that the actions of Soros Foundation did not violate any laws and did not negatively impact the interests of electoral candidates. The Soros campaign is considered non-political and does not seek to influence the voting rights of citizens. The informational activities also concluded before the beginning of the electoral campaign.

On the 6 October, the PCRM submitted another two requests to prohibit favoring any electoral candidates on radio broadcasts. The requests noted two radio stations that displayed excessive favoring of the DPM. In addition, the PCRM requested the respect of legislation by all political entities, including DPM, specifying that before its registration as electoral candidate, DPM had been involved in electoral campaigning. To date, the CEC has not responded to these requests.

On 10 October 2014, the LDPM submitted an appeal to the CEC regarding the use of electoral propaganda by CDPP before its official registration as an electoral candidate. To date, the CEC has not responded to this appeal.

On 13 October 2014, the Popular Movement Anti-Mafia submitted an appeal to the CEC regarding the use of electoral propaganda by the LDPM before its official registration as an electoral candidate. The CEC rejected the appeal in its meeting on 15.10.2014, due to its late submission.

On 13 October 2014, the Party of Communists from the Republic of Moldova submitted an appeal to the CEC and to the Audio-Visual Coordinating Council regarding violations of legislation on 10, 11 and 12 October 2014 by the following TV stations, Pro TV Chişinău, Jurnal TV and N4, which broadcasted LDPM electoral advertising. To date, the CEC has not responded to this appeal, according to its official website.

b. The Use of Administrative Resources

The Code of Good Practice of the Venice Commission states that strict equality among electoral candidates of public means for electoral purposes must be exercised. “Strict” equality means equal treatment of political parties, irrespective of their parliamentary presence or their electoral support. In accordance with art.47, p.6 of the Electoral Code, during electoral campaigns, candidates cannot use public means and goods (administrative resources), whereas public authorities and institutions and their affiliated bodies cannot give public goods or favors to electoral candidates other than on the basis of concluded contracts with equal conditions for all electoral candidates. Contrary to these standards, Promo-LEX observers noted eight cases, which could be qualified as the use of administrative resources.

In order to ensure the filling of places at the event of 28 September 2014 organized by DPM, Promo-LEX observers noted the use of Moldova Gaz, Moldova Railways, district councils, and health centers in at least nine cases and in at least two territorial-administrative units of second level (Basarabeasca, Cahul).

On 3 October 2014, during the working day, the Territorial Organization Cahul of DPM organized a meeting in a town hall with heads of decentralized services, where they discussed electoral campaign issues. At the beginning of the meeting, the District Council Cahul did not issue a decision about leasing the council premises for that purpose.

On 26 September 2014, LDPM representative Vladimir Filat, Mihail Braga (vice-president of the Ialoveni district), deputies Anatolie Dimitriu and Tudor Deliu participated in consecrating pavilions at a kindergarten in Malcoci village (Ialoveni), for which reconstruction there were allotted 500 thousand lei out of the state budget. The leader of LDPM promised that he will reconstruct a playground and that the cafeteria will be equipped accordingly.

On 8 October 2014, the Territorial Organization Soroca of LDPM and Vladimir Filat conducted a meeting in the Soroca district council hall with party members. At the beginning of the meeting, the Soroca district council had not issued a decision regarding the lease of council premises.

On 8 October 2014, at Popeştii de Sus village (Drochia) LDPM representatives (Tudor Deliu, deputy, Iurie Melinte, head of Education, Youth and Sports Department, Anatolie Guţu, mayor) participated in an event

dedicated to reconstruction of „Ion Creangă” lyceum in this village. It was done with state budget support and Social Investment Fund of Moldova. Public servants’ speeches at the event had clear electoral connotations.

On 2 October 2014, from 13⁰⁰-17⁰⁰, at the restaurant Ciocolata from Basarabeasca a banquet and concert for elderly people were organized. Organizers of the event, LPA representatives (Nicolae Nicolaev, mayor of the town, Vasile Crușca, vice-mayor, Andrei Țurcan, director of the Youth Center “Phoenix”, Victoria Dobrovolischi, district councilor, Miron Gagauz, Chairman of the Republican Association of Veterans, Liudmila Chiciuc, town councilor) are members of PCRM. At the event they engaged in campaigning in support of their party.

On 14 October 2014, in Șoldănești, public servants from the Employment Office participated in a meeting with DPM deputy Valentina Stratan during working hours.

c. Electoral Campaign Activities before the Registration of Electoral Candidates

In accordance with the Electoral Code, during the electoral period, electoral campaigns can only start simultaneously with the official registration of candidates by the CEC.

On 28 September 2014, the DPM organized concerts of an electoral nature in Telenești and Cahul, and in Drochia, the DPM organized a festival for Afghan war veterans. In addition, on 28 September 2014, the DPM organized a direct election of candidates by the citizens.

On 28 September 2014, the LDPM organized a mini-football competition in Racovăț (Soroca), with the party represented by Alexandru Cimbriciuc, a deputy in the Parliament of Moldova. On the same day, Vladimir Filat, deputies Ion Butmalai, Alexandru Cimbriciuc participated in the Festival „Mărului” in Soroca. A Promo-LEX observer reported that on 1 October 2014, seven people from the LDPM visited homes in Grătiești (Chișinău), where they interviewed citizens about community problems, their knowledge of LDPM policies, and the possibilities of voting for LDPM on 30 November 2014.

On 5 October, at the Theatre of Opera and Ballet „Maria Bieșu” in Chișinău, the DPM officially launched their party for the elections of 30 November.

On 25 September 2014, the PSRM organized a competition ”Stelele Moldovei” in Căușeni. On 28 September, the PSRM conducted a Party Congress in Chișinău, during which transport from the regions was arranged. On 1 October 2014, with occasion of International Day of Elderly People, PSRM organized at the National Palace of Trade Unions meeting with elderly people. Igor Dodon himself participated at this event.

In Drochia, Promo-LEX observers reported about the fact that starting with 3 October 2014, local representatives of PSRM every day establish electoral tent with party symbolic, spreading party newspapers, and making electoral propaganda in favor of their party. Similar situation may be observed occasionally, starting with 12 October 2014 in sectors Centru and Ciocana of the Chișinău municipality.

On 25 September 2014, Renato Usatîi organized a concert of an electoral nature in Chișinău.

d. The List of Electoral Candidates

In accordance with the Electoral Code, within seven days of receipt of all documents, the CEC registers electoral candidates appointed in elections.

On 3 October 2014, the CEC organized a drawing, which established the order of the political parties listed on the ballot. The order only becomes final after its approval by the CEC regarding the registration of electoral candidates for the parliamentary elections of 30 November 2014.

By 16 October, the CEC had registered all 16 political entities that had submitted requests for registration as electoral candidates, while simultaneously being registered as electoral symbols with their representatives at the CEC being confirmed. Within the CEC, there existed different opinions regarding registering the Political Party “Communist Reformist Party of the Republic of Moldova” and its symbols,

as one CEC member questioned the integrity and correctness of the documents submitted for registration, since their electoral symbol was identical to the electoral symbol of the PCRM.

According to the CEC web page, seven citizens requested petitions to collect signatures in support of independent candidates. By 15 October 2014, none of the requested petitions had been submitted to the CEC with all the necessary documents for registration as an independent candidate. Since the CEC only issues petitions after 1 October – the start of the period for proposing candidates – independent candidates need additional time for collecting a sufficient number of signatures. Established political parties, however, have the possibility to prepare the registration documents as electoral candidates before the start of the period for proposing candidates, thereby having an advantage in the registration process, and, thus benefitting from the possibility to conduct electoral campaigns long before the 1 October.

In accordance with art. 42, p.6 of the Electoral Code, a petition is considered certified with the seal of a local public authority on whose territory the signatures were collected. Independent candidates from the localities on the left bank of the river Nistru and Bender are at a disadvantage, since it is impossible to collect signatures, as well as to certify them by the local public administration.

e. Release of Candidates from their Current Positions

Art. 13 p. 3 of the Electoral Code dictates the release of the following types of persons from the positions they hold at the moment of their registration as electoral candidates at the parliamentary elections:

- a) first deputy prime-ministers, ministers, and vice-ministers, cabinet members of the Government;
- b) heads of central public authorities;
- c) presidents and vice-presidents of districts;
- d) mayors and vice-mayors;
- e) heads and vice-heads of municipality sectors;

In accordance with art. 44, pg.1, the CEC received declarations on the resignation from the positions held by 146 candidates, as follows: LP – ten candidates, PCRM – 19 candidates, „ALEGEREA MOLDOVEI – UNIUNEA VAMALĂ” – 24 candidates, Popular Movement Anti-Mafia – one candidate, Liberal Reformist Political Party – 11 candidates, LDPM – 43 candidates, and DPM – 38 candidates.

f. Electoral Activities Conducted by Electoral Candidates

On 12 October 2014, in Multifunctional Hall in Chişinău, the LDPM officially launched their electoral campaign for the parliamentary elections of 30 November.

During the reporting period, Promo-LEX observers noted the following meetings organized by political parties: PCRM - two events (11 October 2014 in Sîngerei and 12 October in Baraboi village, Donduşeni district). LDPM - 4 events (Ştefan Vodă, s. Slobozia, s. Popeasca, s. Caplani din Ştefan Vodă).

On 12 October, in the Palace of Culture in Ungheni, the LDPM organized a concert with the renowned music composer Eugen Doga and the Symphonic Orchestra of the National Philharmonic. On 12 October 2014, in Mereni village (Anenii Noi), the LDPM organized a sports day. On 12 October 2014, DPM organized a football championship game.

Intimidation of and Pressure on Voters

According to art. 2, p.2 of the Electoral Code, participation in elections is free and no person has the right to pressure a voter with the purpose of obliging one to participate or not to participate in elections. In accordance with art. 25 p. 2 of the International Convention on Civil and Political Rights, the right of the voter to elect and be elected is exercised through ensuring free expression of their will.

Promo-LEX observers found that in Rezina district, the director of Rezina-gaz, Mr. Vutcariov, had shown employees a list of candidates from DPM, which must be voted for in the open elections. In addition, he has required employees to submit a request to join the party. A similar situation was reported in Sîngerei,

where heads of some institutions (mayors, postal offices, cadaster office) forced employees and their families to participate in the 28 September 2014 internal DPM elections.

g. Electoral Gifts

In accordance with art. 38, p.7 of the Electoral Code, electoral candidates are prohibited from giving voters money, gifts, and material goods free of charge, including humanitarian assistance, or other charitable actions.

On 25 September 2014, the LDPM donated an interactive screen with projector and computer to the Theoretical Lyceum Zimbreni (Ialoveni). Party representatives – Mihail Braga, vice-president of the Ialoveni district and Anatolie Dimitriu, deputy in the Parliament of Moldova attended the gifting event.

Based on information presented by the mayor of the village Șuri (Drochia), Petru Turcuț, a member of the LDPM, on 1 October 2014 - the International Days of Elderly - presented two envelopes with 110 lei in each to every elderly person in the village. A similar situation took place in the village Ochiul-Alb (Drochia), where the DPM offered envelopes with 110 lei to two elderly people.

4. Performance of Local and Regional Mass Media

In accordance with art. 64, p.1 of the Electoral Code, in all their programs on the elections, radio broadcasting stations founded by public authorities must respect the principles of equity, responsibility, objectivity and impartiality.

In at least 27 newspapers from 25 localities information favoring or defaming political parties was published. In 76 of cases material favoring DPM, and 1 – against, 13 materials – in favor and 4 against LDPM, 12 materials – in favor of LP and 1 – against, 11 materials – in favor of PSRM, 4 materials in favor of PCRM, 1 material – in favor of political party LRP. In 57 published articles favoring the citizen Renato Usatîi.

Observers reported that five local TV stations and two local radio broadcasters transmitted the announcement of DPM about the organization of direct parliamentary elections of candidates by citizens.

III. FINANCING OF POLITICAL PARTIES DURING THE ELECTORAL CAMPAIGN

1. Ceiling for the Electoral Fund of Electoral Candidates

On 7 October the CEC established the ceiling of 55 million lei on financial means that can be transferred into the electoral fund for candidates in the 2014 parliamentary elections. The ceiling for independent candidates was established at two million lei. During the meeting to approve the ceiling, the CEC members argued that the established amount was linked to the state budget allocations for political parties, which, in accordance with art. 28, p.1. of the Law on Political Parties, constitutes 0,2% from budgetary revenue in the corresponding year. The CEC has not proven the exclusion of previous calculation formula of 0,5 euro cents for each voter included in voter registrars.

As a result of the application of new calculation formula, the ceiling increased twofold compared to previous elections. In early elections from 28 November 2010, the ceiling was capped at 21,664,445 lei, whereas at the new local elections from 5 June 2011 it was increased to 22,142,345 lei.

In this year, by multiplying the rate of 0.2 with the amount 27 billion lei (fiscal revenues in state budget for 2014), the CEC attained the value of approximate 55 million lei. Compared to previous elections in 2010, the calculation formula changed for 2014. In this context, a new ceiling was established for electoral candidates – increasing it by 60,61% or 33,335,555 lei. However, for independent candidates the ceiling decreased by 7,68% or 166,444 lei.

Promo-LEX asserts that the CEC has not put forward clear arguments behind the new ceiling of financial means that can be transferred into the electoral fund for an electoral candidate. The new formula is alarming, which *de jure* refers only to the value of annual allocations from state budget for financing of political parties and does not highlights the basic criteria used in elections--that is the number of voters. In addition, it is also alarming that allocations within the aforementioned limits are offered to all political parties receiving allocations from state budget. These can be designated for the whole year and not only for two months of the electoral campaign.

It is also alarming that by increasing the ceiling, CEC admitted the correspondent raise of the percentage for which an electoral candidate may be eliminated from the electoral campaign, if CEC observes hiding or excess of expenses with 5% over the means from the electoral fund. Thus, if in 2010 the rate of 5% constituted 1,083,222 lei, in 2011 it constituted 1,107,117 lei, and in 2014 it has increased to 2,750,000 lei.

a) Electoral Fund

In accordance with art. 38, p.2, an electoral candidate must open a bank account entitled “Electoral Fund,” into which is transferred one’s own financial resources, as well as money received from persons and legal entities in the country. According to information from CEC employees, during the interviews taken before 15 October 2014, no electoral candidates had declared opening an “Electoral Fund” account. However, at least one political party – LDPM – informed Promo-LEX observers about the opening of an electoral account on 10 October 2014. However, Promo-LEX observers found multiple cases of activities related to electoral campaigns, which would have required funds, and which were conducted even without “Electoral Fund” accounts being opened (please see the above chapter on the performance of political parties and electoral candidates).

2. The Amount of a Loan Allocated by CEC

According to art. 37, p.1 of the Electoral Code, the state can provide electoral candidates loans with no interest rates. On 7 October 2014, the CEC established the amount of loan allocated to electoral candidates. Up to 25,000 lei may be loaned to each party, social-political organization and electoral bloc and up to

5,000 lei for each independent candidate. Unfortunately, the CEC has not provided its justification of the amounts established for candidates.

3. Party Treasurers

In accordance with art. 38, p. 3 of the Electoral Code, an electoral candidate must confirm that there is a person responsible for finances (treasurer) and declare this to the CEC. Thus, following the CEC Decisions of 10 October 2014 regarding the registration of candidates for the position of deputy in the Parliament of Moldova, only ten out of 16 electoral candidates had appointed their responsible persons for finances (treasurer).

4. Activity expenses of political parties before their registration as electoral candidates

a. Expenses for Launching Events for the Electoral Campaign

On 5 October 2014, in the Theater of Opera and Ballet „Maria Bieșu,” the DPM launched its electoral campaign. According to information offered by institution staff, expenses for leasing the building were estimated at around 22,000 lei per hour. The event was at least 1,5 hours.

b. Expenses for Sports Activities

During the reporting period, at least three political parties (DPM, LDPM, and LP) incurred expenses linked to sporting activities. The DPM organized at least one sports activity in Bujor (Hîncești), at which awards were given including balls (5 units), bags with DPM symbol (5 units), medals and diplomas (60 units), as well as books (60 units). The price for one ball is at least 350 lei; the price of one bag pack is around 300 lei; and the price of one book is 40 lei.

The LDPM organized at least one sports activity in Racovăț (Soroca), where awards were given, totaling 3,600 lei.

The LP organized at least one sports activity, where diplomas, medals, and 50 books were given. The price of a book is around 40 lei.

c. Concerts of an Electoral Character

Promo-LEX observers reported that four political parties organized concerts with an electoral character in six districts.

The observers noticed PSRM at a concert in at least one locality (Căușeni), where pop band „Milenium” was performing. The expense for hiring the „Milenium” band is estimated at 47 thousand lei.

DPM concerts were observed in at least four localities. At these events the following artists performed Zinaida Julea, Vitalie Dani și Ion Suruceanu (toți - la Telenești), popular dance ensemble „Izvorășul”, Zinaida Julea și Vitalie Dani (toți - la Cahul), Adriana Ochișanu (Cantemir). All payment to the artists amounted to 75,200 lei.

On 24 September 2014, the citizen Renato Usatîi organized a concert in Chișinău with Stas Mihailov and Fly Project band. During the TV show, „În Profunzime,” Renato Usatîi suggested that for one concert he paid Stas Mihailov 80 thousand USD, which equals 1,179,200,00 lei.

d. Expenses for Local Infrastructure

DPM incurred such expenses in at least one place. Territorial Organization Bălți of DPM contributed to the refurbishment of a playing field within the initiative “Curtea Noastră”. They installed three benches, a table, two swings, and playing space. The cost of one project “Curtea Noastră” is 2,000 lei.

The citizen Renato Usatîi equipped a living bloc from Bălți municipality with 15 windows (12 standard, and three little), and three doors at the bloc entrance. The price of one standard window is 2,800 lei, one little window – 1,300 lei, and the price of a bloc entrance door is 4,900 lei.

e. Expenses for Constructing Buildings and Monuments

LP organized opening events at two monuments in two localities - Vîprova and Seliște (Orhei). The cost of each monument was estimated at 15,000 lei.

f. Expenses for Gifts with an Electoral Character

According to Promo-LEX observers, at least four political parties (LP, LDPM, PSRM, DPM) incurred expenses for electoral gifts in nine districts.

LDPM gave gifts in three districts (Ialoveni, Soroca, Dubăsari). In Ialoveni, it donated an interactive screen with projector and a computer. The price of a computer is about 4,351 lei; the price of an interactive screen with a projector amounts to 33,000 lei. In Soroca, the LDPM offered a tennis table to a town sports school, the cost of one table being 4,250 lei.

The leader of the Territorial Organization of LDPM, Dubăsari, Spiridonov Alexandru, offered 80 thousand lei for the construction of church from the Cocieri village, Dubăsari district.

PSRM has given gifts in at least one district (Căușeni). On 25 September 2014, PSRM organized in Căușeni, the completion entitled "Stelele Moldovei," where participants received financial awards in the amount of 5,000 lei.

DPM offered awards in three localities. On 26 September 2014, the representative of Territorial Organization Drochia, Gheorghe Climăuțan offered a laptop with bag to the public library and free dinner for 200 persons. Additionally, there were offered gifts in the form of money with total value of 6 thousand lei for 50 people. The price of a dinner is 30 lei per person. On 27 September 2014, in Ialoveni district, DPM supporters gave food packs (bagels, biscuits, flour, buckwheat, oil) to at least 15 socially vulnerable families. For these purposes, they spent around 4,500 lei. In Chișinău municipality, DPM supporters gave one sack of potatoes each to 50 people. The price of one (30 kg) sack was estimated at 30 lei.

LP offered gifts in Chișinău municipality. At least 290 persons received at one flowerpot and a box of candy. The cost of one gift estimated at 80 lei. The LP also offered English language courses free of charge to at least 50 children from socially vulnerable families. The cost of one English course is around 2,000 lei for a group of 10 persons.

g. Expenses for Local and Regional Mass Media

According to Promo-LEX observers, at least 105 articles from local media were of an electoral nature. The price for placing one article per page in a local newspaper varies from 2,300 and 3,000 lei, and in Chișinău and Bălți municipalities between five and ten thousand lei. At least 76 articles favored the DPM, 13 articles - LDPM, 12 articles - LP, 11 articles - PSRM, four articles - PCRM and 57 articles, favoring Renato Usatîi.

h. Expenses for Street Advertising

According to Promo-LEX observers, in 19 districts, in Chișinău and Bălți municipalities, there were 185 billboards with a standard size of 3x6 m². There were 22 double billboard units in Chișinău municipality. The monthly price for placing a standard billboard in Chișinău varies from 5,650 to 10,160 lei, and in districts the price is around 5,300 lei. From all the billboards, at least 84 units refer to DPM, 44 – to PSRM, 43 – to the citizen Renato Usatîi, 13 – to DPM, and one unit refers to PSRM.

Out of 22 double billboard units, at least 12 refer to PSRM and at least ten to DPM. All units of "City Lights" refer to DPM. Additionally, 24 posters were placed in trolley stations in Chișinău. All units of "City Lights" refer to DPM. The monthly price for placing one street poster in a trolley station in the Chișinău municipality equals 2,450 lei. The monthly price for one unit of "city light" is around 2,450 lei.

i. Expenses for Print Advertising

In 11 districts and Chişinău newspapers and leaflets were disseminated. PSRM distributed its party newspaper “Socialistul”, the cost for printing one newspaper page with a circulation of 200,000 varying from 0,030 to 0,025 lei.

CDPP distributed the brochure “Planul Roşca,” with a circulation of around 1,000 copies. The cost of one brochure is 0,25 lei per page.

There were also reported at least 9,350 flyers and 4,100 leaflets with DPM symbol in six districts and the Chişinău municipality, as well as 1,000 flyers with the LP symbol in at least one district, the price of a leaflet from 1,25 to 1,50 lei, having a circulation of 2,000 copies.

j. Expenses for Payment to Canvassers and Volunteers

According to Promo-LEX observers, the Territorial Organization of DPM involved at least 265 volunteers in 15 districts, Renato Usatîi – 150 volunteers, PSRM – 50 volunteers, RPRM – 50 volunteers, LDPM – 50 volunteers, and LP – 15 volunteers. Canvassers of PSRM from Chişinău affirmed that they were paid 100 lei per day.

5. Expenses for Activities of Political Parties after their registration as candidates

a. Expenses for Electoral Concerts

Promo-LEX observers reported that at least one electoral candidate (LDPM) organized a concert in one town (Ungheni). The costs (payment to artists) were estimated to be 18,000 lei.

b. Expenses for Launching Events in the Electoral Campaign

On 12 October 2014, LDPM launched its electoral campaign in a multifunctional hall. According to information offered by the staff, the expenses for leasing the building are estimated at 95,000 lei per hour. The event lasted at least 1,5 hours.

c. Expenses for Sports Activities

During the reporting period, at least two political parties (DPM and LDPM) had incurred expenses for sports activities. DPM organized at least one sports activity in Drochia town, where awards were given totaling 3,000 lei.

DPM organized at least two sports activities in Grimăncăuţi, (Briceni), where six participants received cups and a concert with the „Catharsis” band was held, costing approximately 11,290 lei. In Mereni, (Anenii Noi) a mature ram was given as an award, estimated at 1,000 lei.

d. Expenses for Local Infrastructure

According to the Promo-LEX observers’ data, during the monitoring period at least one party DPM contributed to the window renovation in Musaitu (Taraclia), estimated at 7,800 lei.

e. Expenses for the gifts with electoral character

According to Promo-LEX observers, at least one electoral candidate (LP) had incurred expenses for electoral gifts in at least one locality. LP donated 30 chairs to a kindergarten from Coloniţa (Chişinău), with each chair estimated to cost 300 lei.

IV. RECOMMENDATIONS

To the Central Electoral Commission:

- Respect and adhere to the calendar program, adjusting only in accordance with the timing and deadlines included in the Electoral Code;
- Revise the ceiling on funds for financing electoral campaigns;
- Establish the district electoral council in Bender nr.3 and district electoral council nr. 37 from the left bank of the river Nistru;
- Conduct informational campaigns and electoral education programs to ensure greater voter participation, including from those voters living on the left bank of the river Nistru.
- Develop specific instructions or regulations regarding the creation and application of the formula used for establishing the ceiling on the amount that can be transferred into the electoral fund for candidates, as well as determining the legal responsibility for not declaring or exceeding the ceiling for expenses.

To the Parliament of the Republic of Moldova:

- Revise art. 27 of the Electoral Code to allow the CEC to appoint members of district electoral councils from the state registry of electoral officials in cases when the LPA and courts have not proposed their own members.
- Amend the Electoral Code to include a clear formula for calculating the ceiling of financial means that can be transferred into the electoral fund for candidates, as well as instituting legal responsibility for hiding or expending the ceiling of expenses.

To Local Public Administrations:

- Propose, in accordance with current legislative provisions, candidates for district electoral councils.

To Electoral Candidates:

- Release from detained positions of persons included in the list of candidates for the position of deputies in the period foreseen in the law, in order to exclude instances of use and abuse of administrative resources for electoral purposes.
- Increase the transparency in reporting on the use of public funds in the electoral campaign.

To Mass Media:

- Implement and adhere to the regulation on reflecting electoral campaigns in mass media from the Republic of Moldova from early parliamentary elections of 28 November 2010.

V. METHODOLOGY OF THE PROMO-LEX ASSOCIATION

The Promo-LEX Association monitors the 30 November 2014 parliamentary elections throughout the Republic of Moldova, including the left bank of the river Nistru. This activity involves 41 long-term observers and 32 medium-term observers. On Election Day, Promo-LEX will delegate short-term observers for each polling station, bringing the total number of observers to 2,000. The activity of all long-term and short-term observers is coordinated by a central team, which monitors both the pre-electoral and post-electoral periods.

The monitoring activities are neutral and objective in regards to all electoral candidates. Promo-LEX is not an investigative body; therefore, it is not obligated to prove the findings of observers. Before participating in monitoring efforts, Promo-LEX observers receive training in election observation, demonstrating an unbiased, apolitical attitude and maintaining objectivity in the framework of monitoring effort. Each Promo-LEX observer signs a code of conduct developed and approved by the Global Network of National Electoral Observers (GNDEM). A copy of the Code of Conduct is available on the web-page www.promolex.md.

The monitoring effort contains observations of activities conducted by electoral candidates, electoral bodies, central and local public administration, local and regional mass media. Another priority field for analysis will focus on monitoring the use of finances by the electoral candidates, revenues and expenses, and their reporting in accordance with the law. Particular attention will be paid to the implementation of the State Registry of Voters.

The public reports of the monitoring effort are developed based on official information, as well as observers' direct observation and reports, interviews with electoral actors, and analysis of official documents.

International standards used as a basis for the monitoring reports are those elaborated by the United Nations Organization (International Convention on Civil and Political Rights from 1966 and Universal Declaration of Human Rights from 1948); Council of Europe (European Convention on Human Rights Protection), European Commission for democracy through law – Venice Commission (Code of Good Electoral Practice, Guidelines regarding the financing of political parties), European Union (Charter of Fundamental Rights of the European Union), and OSCE. Basic principles of the international electoral standards are: universal suffrage (right to elect and be elected); equal, free, secret, periodic, correct and direct.

The monitoring of Parliamentary Elections on 30 November 2014 is conducted by the Promo-LEX Association within the program of monitoring democratic processes, which falls under activities by civil society within the framework of the Civic Coalition for Free and Fair Elections. The monitoring of Parliamentary Elections of 30 November 2014 benefits from technical assistance provided by the National Democratic Institute (NDI) and is funded by the United States Agency for International Development (USAID), National Endowment for Democracy (NED), Council of Europe, and Stefan Batory Foundation from the resources offered by the Solidarity Fund “Support for Democracy” Program of the Ministry of Foreign Affairs of Poland. The opinions expressed in this report belong to the authors and do not necessarily reflect those of the funders.

a. Promo-LEX's Experience with Monitoring Electoral Processes

Promo-LEX's experience with monitoring elections began in 2009 with seven observers who monitored the electoral process in the Transnistrian region of the Republic of Moldova during the parliamentary elections of April 2009. Promo-LEX observed the early parliamentary elections held on 29 July 2009, covering 250 polling stations in six electoral districts (in the Transnistrian region and the neighboring regions).

On 5 September 2010, Promo- LEX monitored the Constitutional Referendum, deploying a nation-wide network of 42 long-term observers and 300 short-term observers in all territorial units of the country. At the same time, Promo-LEX deployed 79 observers to monitor the referendum in 40 polling stations outside the country. Promo- LEX subsequently became the leading NGO from Moldova in monitoring electoral processes.

Promo - LEX observed the early Parliamentary elections on 28 November 2010 in all electoral districts in Moldova and on Election-day, Promo- LEX deployed observers to each polling station throughout the country. In total, Promo- LEX accredited and deployed within the monitoring process 2,500 national observers. During the same monitoring effort, Promo LEX carried out parallel vote tabulation (PVT), a quick statistical qualitative and quantitative count (Quick Count). At the recount on 15 December 2010, the Promo- LEX observers carried out parallel vote tabulation at district electoral bureaus. The same methodology was used to monitor the Local General Elections on 5 June 2011. Promo- LEX monitored the local by-elections of 15 November 2009, 16 May 2010, 19 May 2013, 10 November 2013 and 11 May 2014.

Since 2005, Promo- LEX has been a member of the Coalition for Free and Fair Elections. In 2009 Promo-LEX became a member of the European Network of Election Monitoring Organizations (ENEMO). In 2010 Promo- LEX joined the Global Network of Domestic Election Monitors (GNDEM). In 2013 Promo-LEX became a founding member of the European Platform for Democratic Elections (EPDE). During this period, Promo- LEX observers have accumulated extensive international experience in several elections, including the presidential elections in Georgia and Ukraine; parliamentary elections in Norway, Estonia, Ukraine, Germany, Kosovo, Macedonia; and local elections in Romania and Ukraine, as well as a referendum in Romania.

VI. LIST OF ABBREVIATIONS

1. c. - chapter
2. LPA – Local public administration
3. art. - article
4. EB AMUV – Electoral bloc „Alegerea Moldovei-Uniunea Vamală”
5. PEB – Precinct Electoral Bureaus
6. ODIHR – Office for Democratic Institutions and Human Rights
7. EC – Electoral Candidate
8. CEC – Central Electoral Commission
9. ECHR – European Convention on Human Rights
10. CoE – Council of Europe
11. ENEMO - European network for election monitoring organization
12. EPDE - European Platform for Democratic Elections
13. GNDEM – Global Network of Domestic Election Monitors
14. NDI – National Democratic Institute
15. NED – National Endowment for Democracy
16. ONU – United Nations Organizations
17. OSCE – Organization for Cooperation and Security in Europe
18. LTO – Long-Term Observer
19. MTO – Medium-Term Observer
20. STO – Short-Term Observer
21. p. - point
22. PCRM – Party of Communist of the Republic of Moldova
23. DPM – Democratic Party of Moldova
24. LDPM- Liberal Democratic Party of Moldova
25. PL – Liberal Party
26. PLR – Political Party „LIBERAL REFORMIST PARTY”
27. PP Patria – Political Party „PATRIA”
28. CDPP – Christian-Democratic People’s Party
29. PPP - Political Party “Peoples Political Party from Moldova”
30. Political Party “Party of Socialists from the Republic of Moldova”
31. PCT – Parallel Cross-Tabulation of votes
32. R. Moldova – Republic of Moldova
33. USAID – United States Development Agency
34. ATU Găgăuzia – Autonomous Territorial Unit Găgăuzia