



REPORT No 2

Observation Mission for the Presidential Election in the Republic of Moldova on 30 October 2016

Monitoring period: 23 August – 13 September 2016

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INTRODUCTION

The Report No 2 developed by Promo-LEX in the framework of the Election Observation Mission (EOM) for Moldova Presidential Election of 30 October 2016 covers the period of 24 August – 13 September 2016. This is an interim report, whose general mission is to ensure the overall improvement of the electoral process underway. This interim report has the following reference objectives: real-time quality diagnosis of procedures for the organisation and conduct of the elections for a predetermined period of time; awareness raising of the electoral stakeholders; identifying the positive and negative trends in the electoral process.

The report is developed based on the findings of long-term observers (LTO) and members of the central team under the Mission on the activity of all stakeholders involved in the organisation and conduct of presidential elections: public authorities, electoral bodies, political parties, initiative groups collecting signatures, citizens who expressed their intention to run for the position of President of RM, mass-media and civil society.

This report makes reference to the international standards developed by UN, OSCE, European Commission For Democracy through Law, European Union and Council of Europe. Recommendations for public and electoral authorities, potential election candidates and other stakeholders are included at the end of this report in order to improve the electoral process.

OBSERVATION METHODOLOGY

Moldova Presidential Election Observation Mission for 30 October 2016 is a project implemented by Promo-LEX Association as part of the Civic Coalition for Free and Fair Elections. Promo-LEX Association is a Non-Government Organization that aims at developing the democracy in the Republic of Moldova, including the Transnistrian region, by promoting and defending the human rights, monitoring the democratic processes, and strengthening the civil society.

Promo-LEX Observation Mission monitors the electoral process in all constituencies of the Republic of Moldova during 31 August – 30 November 2016. On the election day, Promo-LEX will delegate a short-term observer (STO) in each polling station (PS) of the country. The Mission will examine the opportunity of observing elections in polling stations established abroad. Promo-LEX EOM will also perform the Parallel Vote Tabulation (PVT) in all polling stations where observers will be delegated. All the observers involved in the monitoring process are trained during the seminars organized by the Promo-LEX Mission and sign the Code of Conduct of the Promo-LEX Independent National Observer, assuming the commitment to act quickly, in good faith and in a non-partisan manner. A central team consisting of 38 persons coordinates the activity of all observers.

The official and public information, including the observers' standardized reports, produced as a result of the visits to electoral bodies and discussions, meetings with interviewees and the review of official documents served as source for the drafting of public reports by the Observation Mission.

Promo-LEX EOM is not a political opponent to election candidates running for President of the Republic of Moldova on 30 October 2016, neither is it an investigation body and does not assume the express obligation to support its findings by evidence. However, to the extent possible, the observers' reports shall be accompanied by photo and video evidence, that can be made available only to law enforcement bodies upon requests and never to election candidates.

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SUMMARY

During 24 August – 13 September 2016, Promo-LEX Election Observation Mission deployed 42 long-term observers (LTO) on the territory of the Republic of Moldova, according to the level-two ATU, 5 regional coordinators and 38 members of the central team to conduct a plenary monitoring of the

elections for President of the Republic of Moldova on 30 October 2016. The Report is developed based on the analysis of 231 visit templates (VT) filled in by Promo-LEX observers, 111 event templates (ET) and 46 templates of visiting ECCs.

The legal framework on presidential elections is recent. There still lacks a practice for the sustainable enforcement of legal provisions. Given that the Republic of Moldova did not conduct presidential elections for about 16 years, Promo-LEX EOM notes ambiguities in the implementation of legal provisions on the nomination and registration of the candidates for the position of President of RM. The existence of some ambiguous legal provisions corroborated with the lack of practice from behalf of electoral management bodies in their implementation raise suspicions on the electoral process integrity.

In general, the law on presidential elections is broadly consistent with international electoral standards. Promo-LEX Association findings aim at raising awareness of the electoral management bodies on some problematic situations. These situations are both those that repeat over several electoral cycles and situations related to the implementation of new provisions.

During the monitored period the registration of initiative groups (IGs), in charge of collecting signatures for candidates for the position of President of RM, came to an end. Twenty-four IGs were registered. Of these, 4 IGs established by political parties collected the required number of signatures on signature sheets and submitted to the Central Electoral Commission (CEC) the appropriate requests for registration.

During the reporting period, decisions on the registration of two candidates for the position of President of the Republic of Moldova were issued.

It was noticed the collecting signatures operability of the IGs supporting the PDM candidate, Mr. Marian Lupu, in comparison with the time effort of other candidates.

Promo-Lex EOM stated cases of administrative resources use during the signature collection campaigns by the initiative groups and cases when signatures were collected by unauthorised people.

According to the law, candidates are called to submit financial reports to the CEC within 3 days as of the submission of the documents for registration. Of the total of 4 candidates, 3 (IG Marian Lupu, IG Iurie Leanca, IG Andrei Nastase) submitted financial reports and IG Mihai Ghimpu submitted an information note informing CEC on the lack of expenses.

According to Promo-LEX findings, only IG Marian Lupu was within the reported expenses. The other 3 did not report actual expenses. In terms of expenses function, we found that no IG reflected in any way the expenses incurred to cover collectors and volunteers primary needs (per diem).

I. LEGAL FRAMEWORK

1.1. Findings on the Need to Improve the Law on the Nomination and Registration of Candidates for the Election of the President of the Republic of Moldova

During the monitoring period, Promo-LEX EOM identified a number of ambiguous situations on the quality of the electoral legal framework. These findings are based both on the activity of electoral bodies and potential election candidates.

a. Indication of the place of residence of the candidate for the position of President of Republic of Moldova in the signature sheets

Article 42(3) of the Electoral Code states that: "Signature sheets in support of an independent candidate, as well as for a referendum, hereinafter called signature sheets, shall include the last and first name, year of birth, profession, position, place of work, *place of residence* and party membership of the candidate, as well as the last and first name of the person who collects the signatures. Signature sheet lists shall contain only signatures of voters who live in one locality."

It is noteworthy that this provision is included in Title II of the Electoral Code which lays down the *common provisions* for the organisation and conduct of all types of elections. At the same time, Title IV “Election of the President of the Republic of Moldova”, in the paragraph related to the special provisions for the signature sheets, makes reference only to the number of signatures required and does not contain any note regarding the information about the candidate that need to be included. We may deduce that the provisions of the aforementioned Article 42(3) of the Electoral Code are also applicable to the presidential elections.

At the same time, in the Regulation on the Signature Sheet Compilation, Authentication, Presentation and Verification, adopted by Decision No 2682 of 1 October 2014, the Central Electoral Commission (CEC) expressly provided what information should be included in the signature sheets supporting the candidate in the following positions: Member of Parliament, President of RM, local councilor and mayor. Thus, paragraph 17 of the Regulation, besides other relevant information, requires the inclusion in the lists of the last and first name, year of birth, *place of residence*, profession, position, place of work and party membership of the candidate.

Analysing the aforementioned, we emphasize that information about the person’s place of residence represent personal data and are protected in accordance with the Law No 133 of 8 July 2011 on Personal Data Protection. The place of residence is exactly that information that allows the direct identification of the person, which is inadmissible for a potential State President. Continuing this idea, we emphasize that the President of the RM is a person performing responsible state position and in accordance with the current legislation (Law on the status of the persons performing responsible state positions) he/she has the right to security protection. Although the access to the signature sheets is limited, however, at least 15,000 people can see the information included in these lists, including the candidate’s place of residence.

In this context, we consider the obligation of the potential President of RM to include personal information in the signature sheets as inappropriate and recommend the amendment of Article 102 of the Electoral Code, respectively, of the Regulation mentioned above, in order to include special rules for the compilation of signature sheets in the event of presidential election.

Taking into account that we are in the monitoring period of the election for the President of RM, the issue regarding the indication of the place of residence in the signature sheets was reviewed as a priority in terms of the candidate for the position of President. Making a more complex analysis of this issue, we conclude that arguments stated above also apply for candidates for the position of Member of Parliament, local councillor and mayor.

b. Publication of personal data by some election candidates

PPPSRM published on its official website photos showing the process of collecting signatures supporting the candidate for the position of President, but also readable images with signature sheets, thus making public signatories’ personal data¹. In addition to the supporters’ first and last name, the photos also contain their dates of birth, places of residence, series and number of their ID cards.

In this context, we remind that the Law on Personal Data Protection observes the fundamental rights and freedoms of individuals with regard to the processing of personal data. Or, in accordance with Article 3, personal data are any information related to an identified or identifiable individual.

c. Violation of CEC Decision on the establishment of the place and time of receiving documents needed to register initiative groups and candidates for the position of President of the Republic of Moldova

¹ <http://socialistii.md/a-inceput-colectarea-semnaturilor-in-sustinerea-lui-igor-dodon/> (accessed on 12.09.2016)

On 10 September 2016, CEC approved the Decision No 236 on the registration of Marian Lupu as candidate for the position of President of the Republic of Moldova, nominated by PDM, of the electoral symbol and confirmation of the representative with a consultative vote in the Central Electoral Commission and the person responsible for finance (treasurer). Thus, the request and the documents needed for registration, including the signature sheets, were submitted to CEC on 3 September 2016.

In this regard, Promo-LEX Association identifies the violation of the CEC Decision No 122 on the establishment of the place and time of receiving documents needed to register initiative groups and candidates for the position of President of the Republic of Moldova. Thus, the set of documents *for the registration as candidate for the position of President of the Republic of Moldova* was going to be submitted in accordance with the timetable, i.e. from Mondays to Fridays between 9:00 a.m. – 4:00 p.m. and on 29 September between 9:00 a.m. – 5:00 p.m. It should be mentioned that the date of 3 September 2016 was Saturday.

Moreover, we would like to draw attention that the Regulation provides the *timetable for receiving documents needed for IGs registration*, according to which the receipt of documents took place on 31 August between 12:00 p.m. – 4:00 p.m.; 1, 2, 5-9 September from 9:00 a.m. – 5:00 p.m.; 3 and 4 September from 10:00 a.m. – 4:00 p.m.

However, Promo-LEX Observation Mission believes that on 3 September 2016, CEC could have worked in order to fulfill its duties, including *receiving documents to register the IGs*, but not the documents for the *registration of the candidates for the position of President*, because in such a way it favoured indirectly this initiative group.

d. Signing in support of multiple candidates

During the submission and check of signature sheets, CEC encountered a problem related to the identification of the first signature applied if the same person supported several candidates for the position of President of RM.

Article 42(5) of the Electoral Code states that: “Each voter may sign the signature sheet in support for only one candidate during one ballot”. To develop this provision, CEC adopted the Regulation on the Signature Sheet Compilation, Authentication, Presentation and Verification, which at paragraph 8 states that: “If the voter supported several candidates, only the signature *applied first according to the date in the signature sheet* is considered valid, other signatures are considered invalid. If a voter signed the same day in support of different candidates, and in the case when two or more signatures are made by the same voter in support of the same candidate or in support of the referendum, these signatures are considered invalid regardless of the time of signing”.

Specifying the date from the signature sheet as the criterion of identifying the first signature applied, in practice it can happen that CEC receives, checks and subsequently registers an election contestant for whom some supporters have signed repeatedly, before signing for another candidate. In such cases, the date when files were submitted to the CEC for check and registration of the election contestant prevails on the date indicated in the signature sheets.

e. Use of administrative resources

The Venice Commission, in its Code of Good Practice in Electoral Matters, requires strict equality for election candidates in the use of public means for electoral purposes. This means equal treatment of political parties, regardless of their current representation in the Parliament or their support from the electorate.

During the monitoring of the activity of the initiative groups, Promo-LEX EOM found that the Electoral Code and the Regulations governing the activity of IG do not stipulate the incompatibility conditions for the members of the initiative groups and their leaders.

Promo-LEX EOM findings, presented in the following sections of the Report, show cases where public and administrative officials – IGs members and/or leaders – can take advantage of their position to influence the process of collecting signatures.

Promo-LEX Mission emphasises the need to amend the electoral legislation that would regulate cases of incompatibility for IGs members. For instance, the mayor who has the obligation to authenticate the signature sheets cannot be at the same time the person who collects them.

1.2. Optimization of the Procedures for the Organisation and Conduct of RM Presidential Elections

During the organisation and conduct of presidential elections, Promo-LEX EOM identified a number of legal concerns. Their solving would allow to prevent and overcome potential risks, which would jeopardize the proper conduct of the voting procedures.

a. Accessibility of the lists of voters

According to Article 40(1) of the Electoral Code, lists of voters will be made available on the premises of the polling stations. In order to comply with the Law on Personal Data Protection, the legislator avoided to allow the display of the lists of voters and formulated the text of Article 40 so that each voter should be able to check individually the accuracy of data included in the list².

However, Article 40 of the Russian version of the Electoral Code states the following: “За 20 дней до дня выборов списки избирателей вывешиваются в помещениях избирательных участков, [...]”³. In English the term “вывешиваются” would mean “are displayed”. Although the Romanian version of the Electoral Code is the reference, we see the need for an accurate translation of the legal provisions in the Russian language. The inaccurate translation could mislead electoral officials and other participants in the electoral process – Russian speakers, jeopardizing voters’ personal data.

In the same train of thoughts, we emphasise that the Regulation on the Lists of Voters Compilation, Management, Distribution and Update (Romanian version) also provides at paragraph 16 the term of “display”: “[...] Display of data from the lists of voters will be made in compliance with the Law on Personal Data Protection”.

b. Voting conditions for students and pupils with the right to vote

By virtue of the opportunities provided by the electoral law, students and pupils with the right to vote are a distinct category of voters in terms of the opportunity of the right to vote in RM national elections. In certain stages of the political history of the country, they had different legal regimes in realizing the right to vote.

Article 53(3) of the Electoral Code currently states that voting is done upon presenting of one of the following identification documents:

a) identity card of the citizen of the Republic of Moldova accompanied by a slip which confirms the domicile or residence on the territory of respective polling station;

d) temporary identity card with confirmation of citizenship of the Republic of Moldova and the domicile of the holder;

e) passport of the citizen of the Republic of Moldova for passing the border of RM, sailor’s card – at the polling stations established abroad, in case of parliamentary elections or national referendum;

f) employment pass for serving military personnel: civil service card issued by Civil Service Center for persons performing civil service as an alternative to military service.

² <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=335036> (accessed on 12.09.2016)

³ <http://lex.justice.md/index.php?action=view&view=doc&lang=2&id=312765> (accessed on 14.09.2016).

At the same time, Title III of the Code “Parliamentary Elections”, in its Article 84(2) provides special conditions for students/pupils, they having the right to vote in a locality where they are not registered with a domicile or residence presenting their ID card and their student/pupil card, which mentions the educational institution of the given locality where the respective student/pupil is matriculated; signing also a statement on his/her own responsibility with respect to refraining from multiple voting.

We find that Title IV regulating the special conditions of the organisation and conduct of the presidential election makes no exception to the general rules. This happens even though parliamentary and presidential elections are similar in terms of organisation.

Promo-LEX EOM believes that the legal regime that subjects the students/pupils with the right to vote should be general and applied to all voters, and the conditions laid down in Title III should be excluded.

Thus, students/pupils will have the opportunity to use the tools available to all citizens with the right to vote: to submit a statement on the new residence 30 days before the election day to be included in the main list of voters at the PS corresponding to the place of residence or to request the issuance of the voting right certificate and to vote on additional lists of voters.

c. Disadvantaging citizens who vote at their residence (ballot boxes)

According to the Electoral Code of the Republic of Moldova, the voter who come to the polling station has the right to a mistake and the issuance of a second ballot so he/she can be able to exercise his/her constitutional right. Thus, Article 54(6) of the Code provides: “If a voter has spoiled a ballot by mistake, at his/her request the precinct electoral bureau shall cancel it and issue a new ballot. This is allowed only once. In this event of a replaced ballot, a note shall be made in the results minutes and in the voter list”.

If, for health or other well founded reasons, the voter is unable to come to the polling station, the precinct electoral bureau, at his/her written request, will delegate no less than two members of the bureau with a mobile ballot box and all electoral materials necessary for voting (Article 55(4) of the Electoral Code) to go to the place of voter’s residence to conduct the voting.

Point 7 of the Instruction on mobile voting states that: “Number of issued ballots must correspond to the number of voters who requested mobile box”. So any mistake deprives the voters of the opportunity of a repeated attempt, *unlike voters who vote at the polling station*.

The failure of the voters to come to the polling station and the need to submit a medical certificate denote certain conditions of the person that do question his/her credibility and present an increased risk of committing mistakes in the ballots. This can be also deduced from paragraph 11 of the Instruction providing the need for explanation of the voting procedure to the voters, without influencing the voter and ensuring his/her voting secrecy.

Taking into account the aforementioned, we believe it is appropriate to amend the Electoral Code and, respectively, to adjust the Instruction on mobile voting in order to develop a more clear procedure offering to the voters the opportunity to vote at their residence in equal terms like voters who express their vote to the polling stations.

d. Procedure of submission of the request for voting at the place of voter’s residence

The Instruction on mobile voting, approved by CEC, establishes also the procedure for submission of the request for voting at the place of residence by persons who cannot individually submit the request at the polling station.

The Instruction stipulates that persons incapable of submitting the request for mobile voting individually, for health or other reasonable excuses, can submit the request through the *member of the family* or can request assistance of a social assistance from Mayor's Office.

As the phrase "*member of the family*" is complex and general, and the family law does not define it very precisely, we recommend to the central electoral body to outline a well determined circle of persons empowered to submit the request for voting at the voter's residence on behalf of those unable to do so individually. We believe it is appropriate to specify exactly the kinship or relation grade of the persons who can represent voters unable to come to the electoral bodies to submit the request for voting at the voter's residence.

At the same time, paragraph 3 of the Instruction provides that persons with vision disabilities (blind people) will be able to submit requests for mobile box *verbally*. To this end, it is required to define and specify the available verbal forms of communication. Is it necessary that the person with vision disabilities to go to the PS or this can happen via telephone? How electoral officials will verify if the person seeking to vote at his/her residence has vision disabilities?

II. ELECTORAL BODIES

2.1. Decisions of the Central Electoral Commission

During the reporting period, CEC manifested a high level of activity, adopting the necessary documents to secure compliance with the timetable that was previously approved (23 August 2016). Thus, CEC adopted a number of decisions approving Regulations, amended and supplemented the existing Regulations, registered IG supporting the candidates for the position of President, registered candidates for the position of President, established the level-two constituencies, accredited national and international observers.

The central electoral authority adopted 5 decisions based on which it established the threshold of the funds that can be transferred on the "Funds for initiative group" account supporting the candidates for the position of President of RM; published the list of parties and other social-political organisations entitled to support candidates for the position of President (based on information provided by the Ministry of Justice); approved the Instruction on peculiarities of accounting of expenses for the organisation and conduct of elections; approved the Regulation on the Media Coverage of Election Campaign for the Presidential Elections of 30 October 2016 in the Republic of Moldova; established the number of electoral body members who shall be released from their basic professional duties and the time period of release for the presidential elections of 30 October 2016 in the Republic of Moldova.

CEC adopted 7 decisions amending and supplementing the following documents: Regulation on the Voting Accessibility for People with Disabilities; Regulation on the Activity of the Electoral Constituency Council; Regulation on the Activity of the Trusted Persons of the Electoral Candidates; Regulation on the Examination and Settlement of Complaints by the Electoral Bodies during the Electoral Period; Regulation on the Funding of Electoral Campaigns; Regulation on the Signature Sheet Compilation, Authentication, Presentation and Verification; Regulation on the Activity of Representatives of Election candidates.

2.2. Establishment of Level-Two Constituencies

On 2 September 2016, observing the provisions of the Electoral Code and the timetable, CEC adopted the Decision No 160 on the establishment of level-two constituencies for the conduct of the presidential elections of 30 October 2016 in the Republic of Moldova. 37 level-two constituencies were established, including Bender constituency (No 3) and the constituency for the localities from the left bank of Nistru River (No 37).

2.3. Establishment of Level-Two Electoral Constituency Councils (ECCs)

On 9 September 2016, CEC established the Electoral Constituency Councils. Electoral Councils were established for 35 constituencies, except for Bender constituency and the constituency for the localities situated on the left bank of Nistru River. In this way CEC has not honored its obligation to establish electoral bodies for these two constituencies.

Speaking on the same subject, we found the lack of authentication of signatures by the local public administration in Bender municipality and localities from the left bank of Nistru River. Consequently, both the citizens are deprived of the right to support a candidate in the elections and the election candidates may fail to be registered in the campaign if, possibly, the decisive number of signatures collected comes from some localities that are temporarily outside the control of the constitutional bodies.

Promo-LEX Association recommends, firstly, to establish Bender ECC No 3 and the ECC No 37 for the localities from the left bank of Nistru River, and secondly, to review the mechanism of signature sheets authentication.

During the meeting held on 9 September 2016, it was also found that the Party of the Communists of the Republic of Moldova (PCRM) nominated the candidates for the position of members of the ECCs exceeding the limit prescribed by Article 27(5) of the Electoral Code. For procedural reasons, the candidates nominated by the Party of Communists could not be accepted. However, following the discussions, CEC included in the ECCs composition the same persons nominated by the PCRM as part of the Register of Electoral Officials.

The Regulation on the Register of Electoral Officials does not provide a separate procedure to supplement Electoral Councils with Register's members. Point 16 of the Regulation provides that CEC transmits to the electoral constituency council, upon its request, the nominations of each ATU. Or, CEC should decide the members to be nominated in the councils. The Regulation also does not provide a procedure for the inclusion of the officials in the Registry, which allows us to conclude that at that time CEC may include, operatively, the members nominated by PCRM, even if they were not included in the Register at that moment. However, in order to dispel any further doubt related to the deliberative use by CEC of the persons from the Register of Electoral Officials, it is necessary to review the current mechanism for using these reserves so that it can be random, according to well-established criteria.

Out of the 35 ECCs established, 34 level-two ECCs consist of 9 members, Chisinau municipality ECC consists of 11 members. In 33 ECCs the members were nominated as follows: 2 candidates from the rayon council (2 candidates from the REO were approved in ECCs Ialoveni and Soldanesti), in 34 ECCs – by 2 candidates from courts of law (2 candidates from the REO in ECC Glodeni), in 35 ECCs – by 1 candidate from each of the 4 political parties represented in the Parliament as of the date of ECCs establishment (PL did not nominate candidates in ECCs Singerei and Taraclia), in 29 ECCs – by 1 candidate from the REO (5 candidates – in ECC Chisinau, 3 candidates – in ECCs Glodeni, Ialoveni, Soroca, 2 candidates – in ECCs Singerei, Taraclia).

We find a certain degree of ambiguity on the incompatibilities of ECCs members. Article 27(6) provides that "The members of the electoral constituency council nominated by the courts of law and by local councils may not be counselors in local councils, Members of the People's Assembly of Gagauzia and/or members of parties." This prohibition shall not apply, respectively, to the ECCs members nominated by the political parties in the Parliament. Speaking about EOPS members, Article 29(11) of the Electoral Code provides a general prohibition and not a partial one as in the case of ECC: "The members of the electoral office of the polling station may not be counsellors in the local councils and members of a party."

2.4. Election of the Managing Bodies of Level-Two Electoral Constituency Councils

Following the review of 35 forms sent by Promo-LEX observers in territories, which visited the ECCs during the monitoring period, we can state the following: 34 Electoral Councils elected their presidents, vice-presidents and secretaries without breaching the terms of the Article 27(7) of the Electoral Code. A single exception was recorded at Basarabeasca, where the meeting for the election of Council's management took place on 13 September 2016, which means a one day delay.

In addition, Promo-LEX EOM stated that the procedure of election of management bodies was observed in 34 out of 35 Electoral Councils. A case of breaking the legal provisions was ascertained during the election of the vice-president of Calarasi ECC, who was elected by the vote of 4 out of 9 members.

2.5. State Registry of Voters

Following the information handled by the mass-media regarding the irregularities found in the State Registry of Voters⁴, CEC initiated the internal control procedure of registry data verification. In order to carry out a complex verification, CEC trained professionals from the Civil Status Service and "CSIR Registru" SOE⁵.

In order to ensure the access to the voting process of the citizens of the Republic of Moldova, starting with 10 May 2016 CEC made an online registration platform available for citizens on the site <https://inregistrare.cec.md>. According to the information posted, 1,857 voters were registered on 13 September 2016. The requests came from citizens established in 56 countries, most of them from Romania (318), Italy (209), United Kingdom and Northern Ireland (184).

In comparison with the Parliamentary elections of 2014, when on the main lists of voters in the polling stations established abroad were included 666 voters⁶, the current preliminary figure of 1,857 is a progress. Nonetheless, based on the number of voters included on the supplementary lists at the same Parliamentary Elections – 73,293, the problem is still unsolved.

On 13 September 2016, CEC posted on its website the figures regarding the number of voters included in SRV. The Table below shows the SRV dynamics of this year.

	Total voters in SRV (including Transnistria)	Voters in SRV (without Transnistria)
CEC/SRV, 31.03.2016	3,233,100	3,013,775
CEC/SRV, 22.08.2016	3,237,032	3,015,432
CEC/SRV, 13.09.2016	3,237,072	3,015,230

2.6. Electoral Training

The Center for Continuous Electoral Training (CCET) continued to conduct campaigns on electoral stakeholders training. During the monitoring period of 24 August – 13 September 2016, CCET organised trainings for:

- SRV registrars, persons responsible for the management of the lists of voters at the LPA level. According to the information posted on the CCET website, during 23-25 August 2016, the representatives of more than 300 local public authorities, holding the position of SRV registrar, received CCET training⁷;

⁴ <https://www.rise.md/articol/cimitirul-din-listele-electorale> (accessed on 13.09.2016)

⁵ <http://cec.md/index.php?pag=news&id=1042&rid=17664&l=ro> (accessed on 13.09.2016)

⁶ <http://cec.md/r/r/> (accessed on 13.09.2016)

⁷ <http://cicde.md/index.php?pag=news&id=1063&rid=1374&l=ro> (accessed on 12.09.2016)

- potential election candidates on the following topics: “Training at the request of observers and representatives with the right to consultative vote” and “Training of the treasurers of initiative groups to support a candidate for the position of President of the RM.” The trainings were carried out at the request of potential election candidates⁸;
- judges;
- operators who verify the signature sheets;
- members of the Level-Two Constituency Councils;
- operators who will work within the Constituency Councils;

CCET provides online training courses for the initiative groups supporting the candidate for the position of President of the RM and for the persons delegated to the presidential elections by the election candidates (observers, representatives with the right to consultative vote).

According to Promo-LEX findings, during 10-11 September, CCET conducted trainings for ECC members in ATUG and other 5 districts: Basarabeasca, Ungheni, Riscani, Cahul and Taraclia.

2.7. National and International Observers

In order to monitor the presidential elections of 30 October 2016 in the Republic of Moldova, during 24 August – 13 September 2016, CEC accredited 139 national observers: Promo-LEX Association – 21 persons, CCET – 14, Democracy, Equality, Cooperation, Accessibility and Support “DECAS” Association – 104. In addition, 1 international observer was accredited at the proposal of the Italian Embassy in Moldova, and 1 international electoral expert – on the recommendation of the Independent Electoral Commission of the Hashemite Kingdom of Jordan.

Currently, a total of 362 observers were accredited: Promo-LEX Association – 241, CCET – 14, Chisinau-based branch of the International Institute for Monitoring the Development of Democracy, Parliamentarianism and the Observance of Electoral Rights of Citizens of the Interparliamentary Assembly of the Member Nations of the Commonwealth of Independent States – 3, and Democracy, Equality, Cooperation, Accessibility and Support “DECAS” Association – 104.

2.8. Public Information

For presidential elections of 30 October 2016, CEC developed 3 advertising spots: one for voters who are abroad, “Prior registration for the presidential elections of 30 October 2016” („Înregistrarea prealabilă pentru alegerile prezidențiale din 30.10.2016”), the second – regarding the participation of voters in the elections from October “Each choice makes us heard!” („Fiecare alegere ne face auziți!”), the third – for the voters who participate for the first time in the elections “It’s time for your first vote!” („A venit timpul primului tău vot!”)

Generally, during the monitoring period, the Central Electoral Commission expressed openness to communicate with stakeholders and citizens. For instance, on 5 September 2016, the mass-media representatives and the accredited observers were invited to observe the signature sheets verification. In addition, CEC announced for 12 September 2016 a discussion on the conduct of voting procedures related to these elections, with the participation of political parties’ leaders, heads of initiative groups and candidates nominated for the position of President of the RM.

Nonetheless, the observation of signature sheets verification is not a plenary one, and the observer does not have full access to the entire process. For example, point 49 of the Regulation on the Presidential Candidate Nomination and Registration Particularities sets a series of technical procedures which cannot be fully monitored by the observers. These procedures are rather closed than transparent. For instance, the information on the number of signatures already verified by the operators, the information on the number of signatures identified as valid by the operators and the

⁸ <http://cicde.md/index.php?pag=news&id=1149&rid=1372&l=en> (accessed on 12.09.2016)

information on the number of signatures identified as invalid are not communicated for the reason that they continue to change. Moreover, the law does not provide the opportunity to other stakeholders to observe this process, for example the persons nominated by other initiative groups. All these deficiencies are underlying the suspicions on the integrity of signature sheets verification.

2.9. Notifications

Analysing the information available in the mass-media, we notice that certain electoral stakeholders intend to notify the CEC regarding some violations identified in the activity of other candidates. Thus, Iurie Leanca, the PPEM candidate for the position of President of the RM, declared on 8 September 2016 that he notified the CEC, requiring the review of PPPSRM electoral materials with the following message: "The Romanian gendarme will not make the rule in our country", declaring that this message incite to hatred and splits the society.

Besides, PPPDA notified CEC (and to other institutions) on some notifications from different districts of the country, which reveal certain illegal practices to collect signatures in favour of the PDM candidate for the presidential elections.

It is important to note that no information on the aforementioned notifications, official answers or responses are made public on CEC's website.

At the same time, on 13 September 2016, the representative with the right of consultative vote of the election candidate Mr. Marian Lupu filed a notification to CEC accusing the IG supporting Mr. Andrei Nastase of using unreported financial and material funds, in accordance with the law in force. Thus, the author of the notification asked CEC to cancel the registration of the group and to reject the registration request as election candidate.

During the observation period, no complaints within the meaning of Article 65 of the Electoral Code were filled before CEC. More severe is that the Election Code does not stipulate the possibility to contest against the actions/inactions of the members of initiative groups and/or the persons nominated for the position of the President of the RM.

III. LOCAL PUBLIC ADMINISTRATION

3.1. Electoral Activities Involving LPA

During the monitoring period, the local public administration:

- nominated ECC members (level-two local councils);
- participated in reviewing the lists of voters;
- ensured the accomplishment of the procedure of submitting the declaration on the new place of residence;
- authenticated the signature sheets. According to the information submitted by EOM Promo-LEX observers, in Oxentea village (Dubasari) and Cepeleuti village (Edinet)⁹, the signature sheets were authenticated by the local authority and the persons who submitted these lists did not legitimize themselves as being the collectors.

3.2. Establishing the Places for Electoral Posters and Venues for Meetings with Voters

According to Article 47(7) of the Electoral Code, the local public authorities shall establish and inform the relevant stakeholders, within 3 days since the beginning of the election period, about the decisions on the places for electoral posters and minimum number of venues for meetings with voters.

⁹Proceeding from the methodology of EOM Promo-LEX, a "locality" means any type of basic territorial organisation of a local community – village, township, town.

Promo-LEX observers have found that out of 210 LPA checked between 5 to 12 September 2016, 51 mayor's offices adopted nominated decisions and 27 mayor's offices adopted such decisions in due time. Out of 51 decisions on providing venues for meetings with voters, 31 indicate that they will be offered "free of charge", whereas a fee of MDL 1,500 has been fixed in Stefan Voda town.

According to the Promo-LEX observers, out of 231 monitored localities only 68 LPA have arranged places for electoral posters, and only 37 have enough place for placing electoral advertising of election candidates.

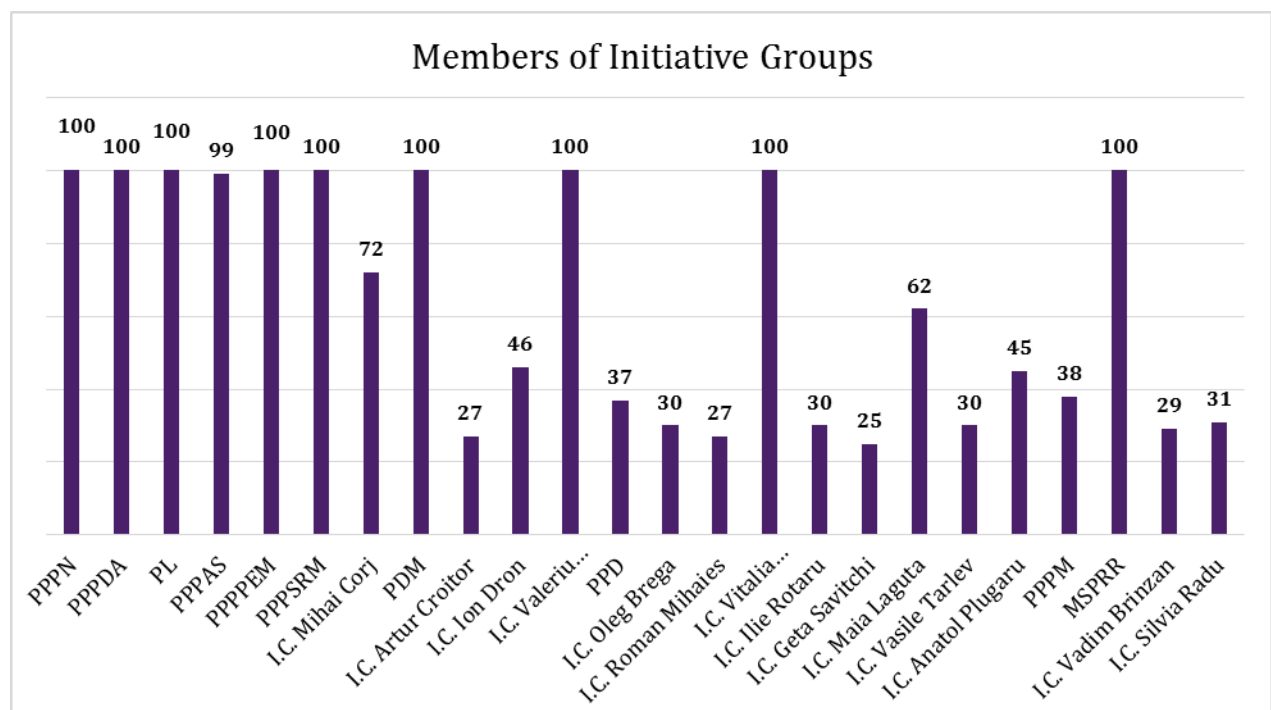
In accordance with the Regulation on the Location of Electoral Advertising and Political Promotion Materials on Advertising Billboards, a space of 1 m² shall be provided for each election candidate for electoral advertising. Given that 24 candidates could participate in the election campaign, honoring this provision will be difficult for LPA, particularly in rural areas.

IV. ELECTION CANDIDATES

4.1. Registration of the Initiative Group

During the monitored period, CEC opened the procedure of requests submission and registered 24 initiative groups supporting the candidate for the position of President of the Republic of Moldova. In the decisions adoption order, the initiative groups supporting the following candidates were registered: Dumitru Ciubasenco, Andrei Nastase, Mihai Ghimpu, Maia Sandu, Iurie Leanca, Igor Dodon, Mihai Corj, Marian Lupu, Artur Croitor, Ion Dron, Valeriu Ghiletschi, Ana Gutu, Oleg Brega, Roman Mihaes, Vitalia Pavlicenco, Ilie Rotaru, Vadim Brinzan, Inna Popenco, Silvia Radu, Mihail Garbuz, Anatol Plugaru, Vasile Tarlev, Maia Laguta, Geta Savitcaia.

The nominal structure varied from one group to another, so 10 IGs had a number of 90-100 members; 1 IG – 70-89 members; 1 IG – 51-69; 8 IGs – 30-50 and 4 IGs – less than 25-30.



4.2. Collecting Signatures

The initiative group supporting Mr. Marian Lupu (PDM) managed in a very short time to collect a number of signatures over the ceilings imposed by the law. On 1 September, PDM nominated the candidate, on 2 September the IG was registered and the signature sheets issued, and on 3 September 2016, on a Saturday, the signature sheets were submitted and received at CEC.

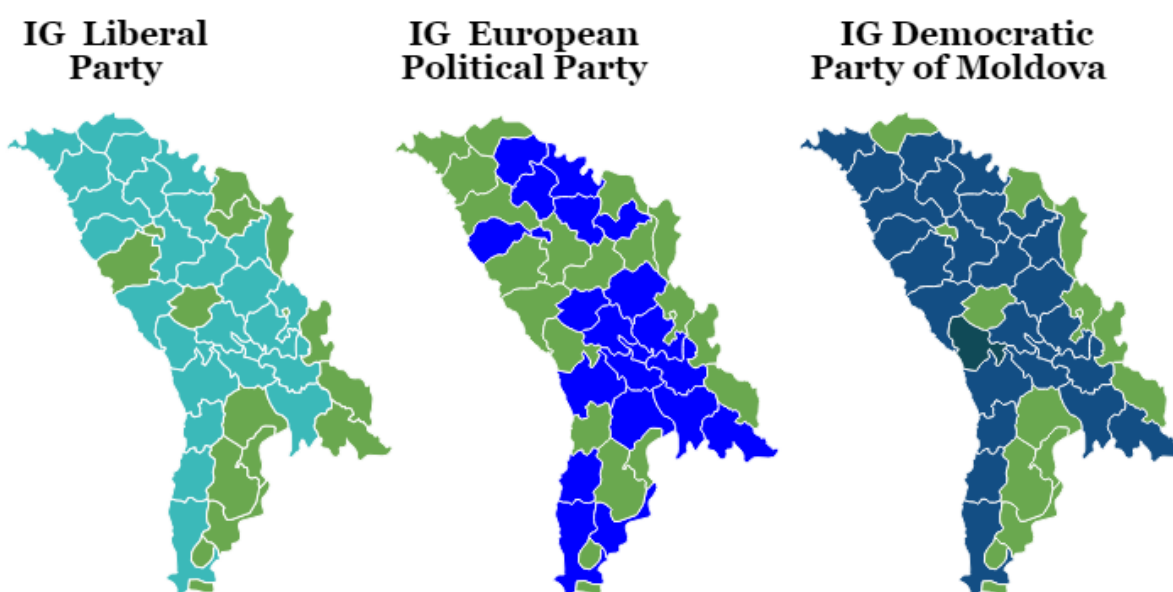
According to the data provided by Promo-LEX observers during the monitored period, at least 7 IGs supporting candidates for the position of the President of the Republic of Moldova (Dumitru Ciubasenco, Andrei Nastase, Mihai Ghimpu, Maia Sandu, Iurie Leanca, Igor Dodon, Marian Lupu) carried out activities to collect signatures in at least 110 localities. The candidate Oleg Brega carried out activities to collect signatures in Chisinau municipality.

On 5 to 12 September 2016, the Promo-LEX observers reported about the *door-to-door* campaigns to collect signatures in support of candidates for the position of President of the Republic of Moldova in the following localities: Elizaveta village (Balti municipality) – Andrei Nastase (PPDA), Mihai Ghimpu (PL), Iurie Leanca (PPPEM); in Sofrincani and Bratuseni villages (Edinet district) – for Igor Dodon (PPSRM); in Bratuseni village (Edinet district) – for Dumitru Ciubasenco (PPPN); in Chisinau municipality and Truseni township, Chisinau municipality – for Maia Sandu (PPAS).

The Promo-LEX observers reported tents aimed at collecting signatures in support of candidates for the position of President of the Republic of Moldova: for Maia Sandu (PPAS) in Chisinau municipality, Soroca town, Cahul town; for Andrei Nastase (PPDA) in Chisinau municipality, Cahul town, Rezina town; for Igor Dodon (PPSRM) in Glodeni town.

A case of veiled signatures collecting was reported in Cucoara village (Cahul district), where unknown persons were collecting signatures, telling the citizens that they were delegated by the mayor's office.

Map of collecting signatures



Use of Administrative Resources

During the reporting period, by virtue of the IG leaders' positions, several cases of potential use of administrative resources were observed. IG supporting the candidate Mihai Ghimpu, leader - Valeriu Munteanu, Minister of Environment, used the administrative resources when he received and filed the signature sheets during the working hours.

According to the findings of the EOM Promo-LEX observers, out of the 414 localities where IG supporting Marian Lupu collected signatures, 311 have PDM mayors (approx. 75.12%).

On 2 September, according to Promo-LEX findings, two cases of carrying out the procedure of collecting signatures in support of the PDM candidate for the position of President of the Republic of Moldova, Mr. Marian Lupu, were reported in precincts of public authorities and institutions (mayor's office, school, kindergarten) in Sipoteni (Calarasi district) and Goleni villages (Edinet district).

In Cotul-Morii village (Hincesti district), Tonu Valentina, head of the Department of Education, Hincesti District Council, collected the signatures for Marian Lupu (PDM). This person is not a member of the IG. The signatures were collected after 4 p.m. in the Cotul-Morii lyceum.

On 6 September 2016, the Vice-President of Cantemir district, Ion Dimcea, went during his working hours, at 4:30 p.m., to the Porumbesti mayor's office to submit the signature sheets supporting the PPEM candidate for the position of President of the Republic of Moldova, Mr. Iurie Leanca, for authentication.

On 7 September 2016, the Vice-President of Cantemir district, Vitalie Culicovschi, went during his working hours, at 2 p.m., to the Porumbesti mayor's office to submit the signature sheets supporting the PL candidate for the position of President of the Republic of Moldova, Mr. Mihai Ghimpu, for authentication.

Promo-LEX observers reported that two social workers, employees of the Cioc-Maidan mayor's office (ATUG), involved on 12 September 2016 in collecting signatures for Igor Dodon (PPPSRM).

4.3. Documents for Registration

By 13 September 2016, the following candidates submitted documents to CEC for the registration as election candidate: Marian Lupu, nominated by PDM; Mihai Ghimpu, nominated by PL; Iurie Leanca, nominated by PPPPEM; Andrei Nastase, nominated by PPPDA. Only the candidates nominated by parties were able to collect during the monitored period the required number of signatures. The independent candidates have not yet submitted the documents needed for registration.

4.4. Registration of the Candidates for the Position of President of the Republic of Moldova

During the monitored period, CEC managed to review the set of documents, including the signature sheets submitted by two candidates for the position of President of the Republic of Moldova. On 10 September 2016, CEC approved the Decision No 236 on the registration of Mr. Marian Lupu as candidate for the position of President of the Republic of Moldova. On 13 September 2016, CEC approved the Decision No 245 on the registration of Mr. Mihai Ghimpu as candidate for the position of President of the Republic of Moldova.

According to the data provided by EOM Promo-LEX observers, the initiative group supporting Marian Lupu, nominated by PDM, received 1,000 signature sheets from CEC. All 1,000 signature sheets were returned to CEC, out of which 875 were distributed in 29 files, according to the level-two administrative-territorial units. Moreover, two sheets with no indication of the locality where signatures were collected were received for verification. All 877 signature sheets containing 25,484 signatures were approved by CEC for verification. The remaining 123 signature sheets were sealed and separately placed in storage, without being verified by CEC.

Promo-LEX observers have found that CEC violated the legal norms on the maximum number of signatures that can be submitted by an initiative group.

4.5. Electoral Activities

On 24 August 2016, PPPSRM organized a march to celebrate “72 years since Moldova's liberation from fascism.” The PPPSRM supporters used state and party flags and the speeches during this event were of a politicized character. In parallel, PPPN organized a “reconciliatory” automobile march to celebrate 72 years since Iasi-Chisinau operation completion, also using state and party flags.

The politicians also used local holidays for political promotion. Thus, Igor Dodon (PSRM) visited the following localities: Doina village (Cahul district); Chirsova, Cismichioi and Copceac villages (ATUG). Marian Lupu (PDM) visited Panasesti village (Straseni district). The PPPN leader Renato Usatii attended the local holiday of Drochia town.

On 25 August 2016, the 3-volume book “Istoria Moldovei” (“History of Moldova”) was launched, published with the support of Igor Dodon (PPPSRM) under the PSRM Campaign “Iubesc Moldova” (“I love Moldova”).

On 8 September 2016, the MP and potential candidate for the position of President of the Republic of Moldova, Valeriu Ghilechi, attended the inauguration of the Multi-Functional Agro-Tourism Complex in Baltata village from Criuleni district.

PDM launched two campaigns “Împreună suntem mai puternici” (“Together We are stronger”) and “Noua Politică” (“New Policy”). Several billboards with the topic of the former campaign and party symbols appeared in Chisinau municipality.

As observed, Marian Lupu (PDM) visited at least three towns: Orhei, Rezina, Cimislia. On 8 September 2016, a bus bearing the PDM logo and the name of the campaign “Împreună suntem mai puternici” (“Together we are stronger”) arrived to Orhei. Additionally, 4 villages in that district were visited. On 11 September 2016, a meeting with citizens was held in the conference room of the Rezina district Council.

On 11 September 2016, Mr. Iurie Leanca (PPPEM), a potential candidate for the position of President of the Republic of Moldova, organised a meeting with the citizens of Durlesti town in Chisinau municipality, with the attendance of the mayor of the village. Leaflets with the following message were distributed: “I. Leancă – a man of his words. Vote for Leanca as President. I. Leanca respects his promises: he promised visa liberalization, he did it, he promised to sign the Association Agreement, he did it”.

On 11 September 2016, the PPPDA candidate Andrei Nastase organised a meeting with the citizens of Slobozia Mare village (Cahul district) and discussed the socio-political and economic issues in the Republic of Moldova.

On 12 September 2016, Maia Sandu (PPPAS) held a press conference on pension system. During the event she criticized the current system of calculating pensions.

The PPPDA supporters have been observed disseminating the “Platforma Demnitate și Adevăr” (“Platform for Dignity and Truth”) newspapers and “Cine sunt cei din Platforma DA? Pentru ce luptă Platforma DA?” (“Who are those from the YES Platform? What do they want to achieve?”) in Chisinau municipality, Cahul and Hincesti towns. These advertising materials contain derogatory messages about Vladimir Plahotniuc, the PDM Vice-President.

4.6. Outdoor Advertising

Promo-LEX observers identified outdoor and printed advertising in the favour of potential candidates for the position of President of the Republic of Moldova, as well as of political parties that nominated them.

See Table 1

Electoral Candidate	Street Billboards	Banners	City-Lights	Posters	Newspapers	Leaflets
IG Marian Lupu/ PDM	148 in 7 localities					
IG Mihai Ghimpu/ PL	29 in Chisinau municipality					
IG Igor Dodon/ PPPSRM	25 in 15 localities		1 in Chisinau municipality	Hincesti town	6 localities	Ciadir-Lunga town Causeni town
IG Maia Sandu/ PPPAS		5 in 3 localities				
IG Dumitru Ciubasenco/ PPPN				Falesti town Glodeni town	Briceni town	Falesti town
IG Andrei Nastase/ PPPDA		3 in 2 localities			Rezina town	Cahul town Hincesti town Rezina town

4.7. Other Activities during the Election Period

Boycotting of elections. On 3 September 2016, PCRM announced its intention to boycott the presidential elections of 30 October 2016 and urged the voters to support this initiative.¹⁰ On the other hand, PCRM has delegated its representatives in the established ECCs. We notice that the party intends to participate in the electoral procedures, through possible legal mechanisms, in the context of non-involvement of the party in the nomination and registration of the election candidates. These two intentions are not mutually exclusive.

At the same time, we found the lack of some legal provisions that would explicitly regulate the behavior of political parties during the election period and would promote the idea of citizens boycotting the election.

V. FUNDING OF MOLDOVA PRESIDENTIAL ELECTION CAMPAIGN

5.1. The Budget of the Central Electoral Commission for Presidential Elections

According to the Law on State Budget for 2016, the budget of the Central Electoral Commission was approved in the amount of MDL 150,690.1, the State Budget constituting MDL 31,378,944.8. Thus, in 2016 CEC budget accounted for 0.48% of the state budget, while in 2015 it amounted to MDL 44,406.9, accounting for 0.21% of the state budget of MDL 29,152,350.6. Out of CEC total revenue for 2016, MDL 39,850 million (26.45%) are intended to political parties funding.

Promo-LEX EOM notes that CEC did not approve until 13 September 2016 the estimate of expenses for the organisation and conduct of presidential elections of 30 October 2016 in the Republic of Moldova. For the 2015 local elections, CEC approved an estimate of expenses of MDL 98,333.4.

¹⁰ http://www.pcrmd.md/main/index_md.php?action=news&id=10323

5.2. Establishment of a General Threshold for Funds that can be Transferred on the “Funds for Initiative Group” Account for the Presidential Elections in the Republic of Moldova

In accordance with Article 38(10) of the Electoral Code and paragraph 6 of Regulation on the Funding of Initiative Groups, approved by CEC Decision No 114 of 18 August 2016, CEC shall establish the general threshold for funds that can be transferred on the “Funds for initiative group” account, on the basis of a coefficient multiplied by the maximum number of signatures to be collected by the initiative group supporting an elective candidate.

On 26 August 2016, in accordance with the timetable, CEC established the calculation basis for the threshold of the funds that can be transferred on the “Funds for initiative group” account, in the amount of MDL 576,250. The threshold was calculated by multiplying the coefficient of MDL 23.05 to the maximum number of signatures that need to be collected by an IG (25,000). The coefficient of MDL 23.05 was established according to the updated legislation and constitutes 0.5% of the average salary per economy for the year preceding the election, which amounted to MDL 4,610.9.

Promo-LEX EOM welcomes both the formula for calculating the threshold and the arguments to establish the coefficient of 0.5% of the average salary per economy for the year preceding the election, noting that the threshold for funds is sufficient for the activity of collecting signatures.

Opening the “Funds for initiative group” accounts and introduction of the treasurers

According to Article 38(10) of the Electoral Code and paragraph 5 letter a) of the Regulation on the Funding of Initiative Groups, the initiative group shall open a bank account entitled “Funds for initiative group” within 7 days from the date of registration at CEC, and shall inform the Commission in writing about it by communicating the respective banking data. If the initiative group does not open such an account, it has the obligation to inform the electoral authority and to carry out activities that do not involve financial expenses.

According to CEC, 22 of 24 registered IGs nominated their treasurers by 13 September 2016. The other 2 IGs (supporting Mihai Ghimpu (PL) and I.C. Ion Dron) informed CEC that they will not open “Funds for initiative group” accounts and that they will not incur expenses. Out of 24 registered IGs, 2 IGs (I.C. Mihai Corj and I.C. Geta Savitchi) did not nominate their treasurers and informed CEC that their work will be conducted on a voluntary basis, so they will not carry out activities requiring financial expenses. Only 7 IGs (supporting candidates from PDM, PPPN, PPPAS, PPPPEM, PPPSRM and the independent candidates – Valeriu Ghiletschi and Artur Croitor) opened bank accounts.

5.3. Expenses of Initiative Groups Reflected in Financial Statements

By 13 September 2016, only 3 IGs submitted financial statements to CEC. The other 2 IGs (supporting PL candidate Mihai Ghimpu and the candidate Ion Dron) submitted notifications informing that they did not use any financial. According to the reports for the period 2-12 September 2016, the volume of expenses declared by 3 IGs was MDL 94,125.80. The biggest share of declared expenses is for transport – 92.96%, for promotion materials – 2.73%, other expenses (equipment, office supplies) – 2.94% and for banking services – 1.11%.

d. Expenses for transportation of people and goods

According to the financial statements, only 1 IG (PDM) reported transport expenses amounting to MDL 87,500.

e. Expenses for promotion materials (posters, flags, T-shirts, caps, etc.)

According to the financial statements, only 1 IG (PPEM) reported such expenses amounting to MDL 2,565.

j. Other expenses

According to the financial statements, 3 IGs (PDM, PPPDA and PPPPEM) reported expenses amounting to MDL 6,577.6 for office supplies and banking services.

Promo-LEX EOM notes with concern that the financial statements of 3 IGs (PL, PPPPEM and PPPDA) are incomplete and do not reflect the de facto financial situation of the groups in the process of collecting signatures.

5.4. IGs Expenses found by Promo-LEX Observers, that are Supposed to be Reflected in the Financial Statements

According to Article 38(4) and (10) of the Electoral Code, all the expenses for the initiative groups activities shall be made from the “Funds for initiative group” account.

According to the findings of the Promo-LEX observers, during 5 to 13 September 2016, the concerned IGs (PPPPEM, PPPSRM, PPPDA, PPPAS, PL, PDM) incurred expenses relating to several budget lines.

a. Costs of election events and meetings

PDM – at least 1 meeting with the signatories in a room provided free of charge by a member of the party in Leova town. Use of the room – 2 hours.

b. Expenses for outdoor advertising

According to Promo-LEX observers, the IG supporting Igor Dodon (PPPSRM) incurred expenses for outdoor advertising. The estimated expenses amount to at least MDL 159,840. According to Promo-LEX observers’ verifications, the minimum monthly fee to place a street billboard of 6x3 m² is around MDL 6,660, a street billboard of 15x12 m²/20X10 m² – of at least MDL 20,200, a street billboard of 1.8x2 m² – of at least MDL 2,220, a banner of 1.5X2 m² – of at least MDL 2,000.

For the indicated period, Promo-LEX observers reported 19 street billboards of 6X3 m², 1 street billboard of 20X10 m² and 5 street billboards of 2,3X1,5 m² of the IG supporting Igor Dodon (PPPSRM).

c. Expenses for promotional materials

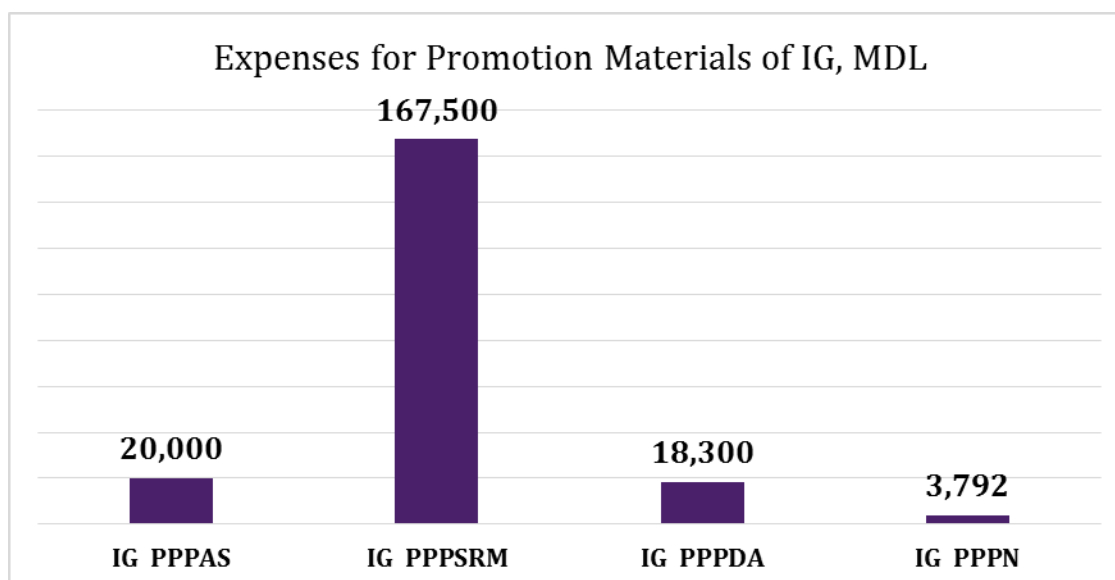
For the indicated period, Promo-LEX observers reported promotional tents, party newspapers, leaflets and flyers of the IGs supporting Igor Dodon (PPPSRM), Adrian Nastase (PPPDA), Maia Sandu (PPPAS) and Dumitru Ciubasenco (PPPN). The estimated amount of expenses is MDL 209,592. According to the Promo-LEX observers’ verifications, the monthly minimum price for placing a tent is at least MDL 5,000, for printing one 16-page color matte paper newspaper – MDL 0.5, at a print run of 65,000 copies, for printing an 8-page color glossy newspaper – MDL 3, at a print run of 1,214 copies, the price for an article on A4 page in the local media varies between MDL 1,900 and 2,900; 1 A4 paperboard folding leaflet – MDL 0.5 for a print run of 25,000 copies, 1 A4 poster – MDL 3.

Speaking about PPPAS, Promo-LEX observers reported 4 tents equipped with a table and a chair. The estimated amount of expenses is at least MDL 20,000.

In the case of PPPDA, Promo-LEX observers reported 3 tents and newspapers “Demnitate și adevăr” (“Dignity and Truth”), the typography “Universul”, Order No 1273, print run of 10,000 copies, flyers of 15X20 cm² without print run and without specifying that they were paid from the “Funds for initiative group” account. The estimated amount of expenses is at least MDL 18,300.

In the case of PPPN, Promo-LEX observers reported 50 A4 posters, newspapers “Puterea în adevăr” (“Strength in the Truth”, print run of 1,214, calendars of 35X50 cm² with the picture of the candidate nominated by the IG PPPN, advertisements of the candidate nominated by the IG in the local written media of Briceni district. The estimated amount of expenses is at least MDL 3,792.

In the case of PPPSRM, Promo-LEX observers reported 6 tents, newspapers “Socialistul” (“The Socialist”), Order No 686, print run of 35,000 copies, Order No 794 (Romanian version), print run of 65,000 copies, Order No 795 (Russian version), print run of 125,000 copies, A4 flyers with the picture of the nominated candidate, Printing House: Arva Color SRL, Order No 0584, printing run – 50,000. The estimated amount of expenses is MDL 167,500.

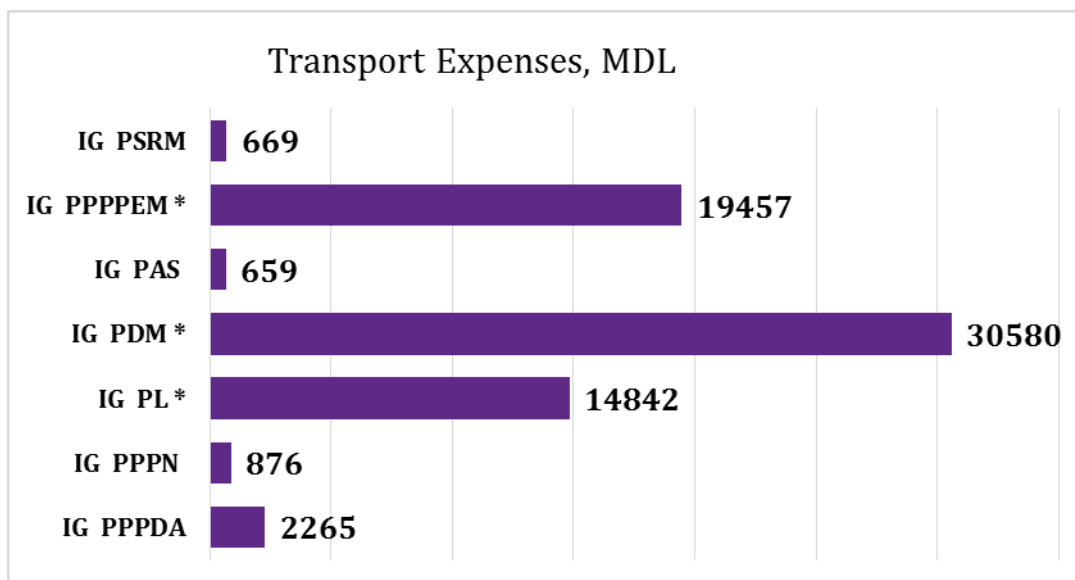


d. Expenses for transportation of people and goods

Promo-LEX observers found that at least 7 IGs ¹¹ (PL, PDM, PPPAS, PPPPEM, PPPN, PPPDA, PPPSRM) used transport for collecting signatures. The estimated amount of expenses is at least MDL 69,348.

According to Promo-LEX findings, PL traveled at least 9,935 km, PDM – at least 20,468 km, PPPPEM – at least 13,024 km, PPPN – at least 586 km, PPPDA – at least 2,265 km, PPPAS – at least 659 km, PPPSRM – at least 659 km.

The calculation is done by multiplying an average consumption of 9 l/100 km with the distance travelled and with the price for fuel of MDL 16.6/l.

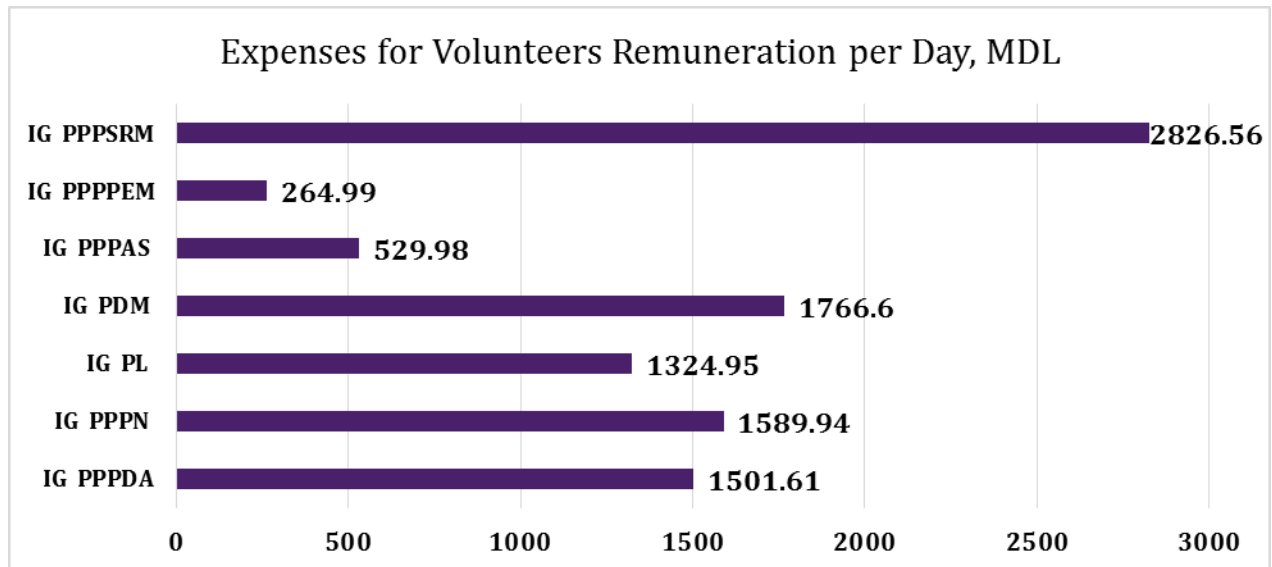


e. Expenses for the remuneration of the staff employed temporarily for signatures collection purposes

According to Promo-LEX observers' findings, 24 IGs registered their members at CEC to collect signatures. The estimated expenses for their work amount to at least MDL 134,973 for a day's work.

¹¹ Expenses for IG of PDM, PPPPEM and PL were calculated based on the signature sheets submitted to CEC. Expenses for other IGs were calculated based on Promo-LEX observers' findings.

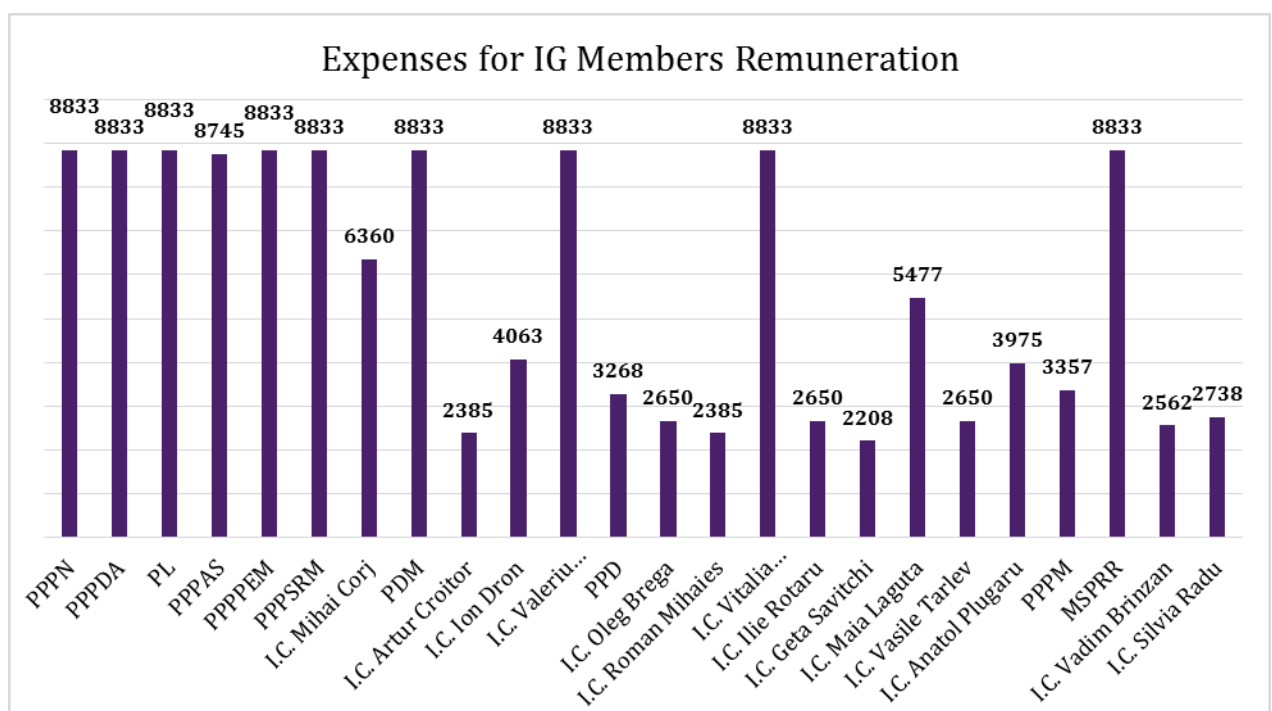
The estimates were made at the lowest level possible, based on the average per diem rules for the Republic of Moldova and the number of registered members of IGs, thus establishing the threshold of MDL 88.33 per person for a day's work.



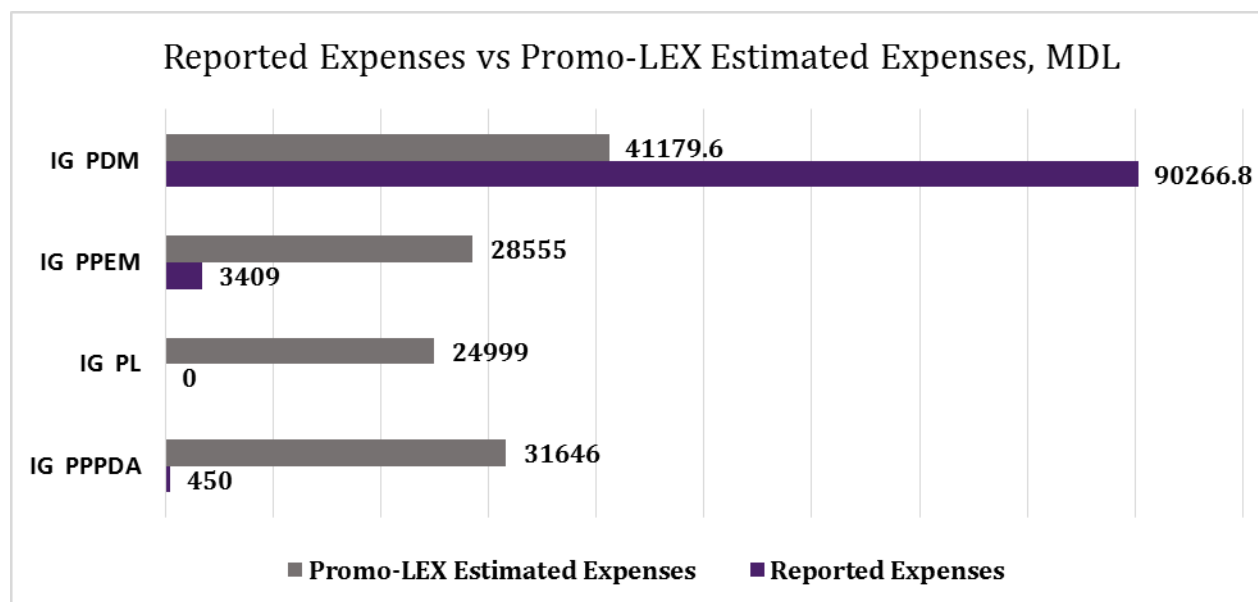
f. Expenses for delegation or detachment (including for remuneration/daily allowances of observers and volunteers)

Promo-LEX observers reported that at least 111 volunteers were involved in signature collection activities for 7 IGs: PPPSRM – 32, PL – 15, PDM – 20, PPPN – 18, PPPAS– 6, PPPDA – 17, PPPPEM – 3.

The estimated expenses for their work amount to at least MDL 9,804.6 for a day's work. The estimates were made at the lowest level possible, based on the average per diem rules for the Republic of Moldova and the number of volunteers reported by Promo-LEX, thus establishing the threshold of MDL 88.33 per person for a day's work.



Promo-LEX EOM notes that 3 IGs did not reflect in their financial statements an amount of at least MDL 85,200 (IG PPEM – MDL 28,555, PL – MDL 24,999, PPPDA – MDL 31,646). In addition, IG PDM did not reflect in its final report the minimum expenses of MDL 10,599.60 for the remuneration of the IG members and volunteers. At the same time, according to Article 38(10) and Article 22(2) letter g) of Electoral Code, Promo-LEX EOM reminds all electoral candidates that they hold administrative, criminal and tax responsibility, and they are subject to the risk of being excluded from the electoral campaign.

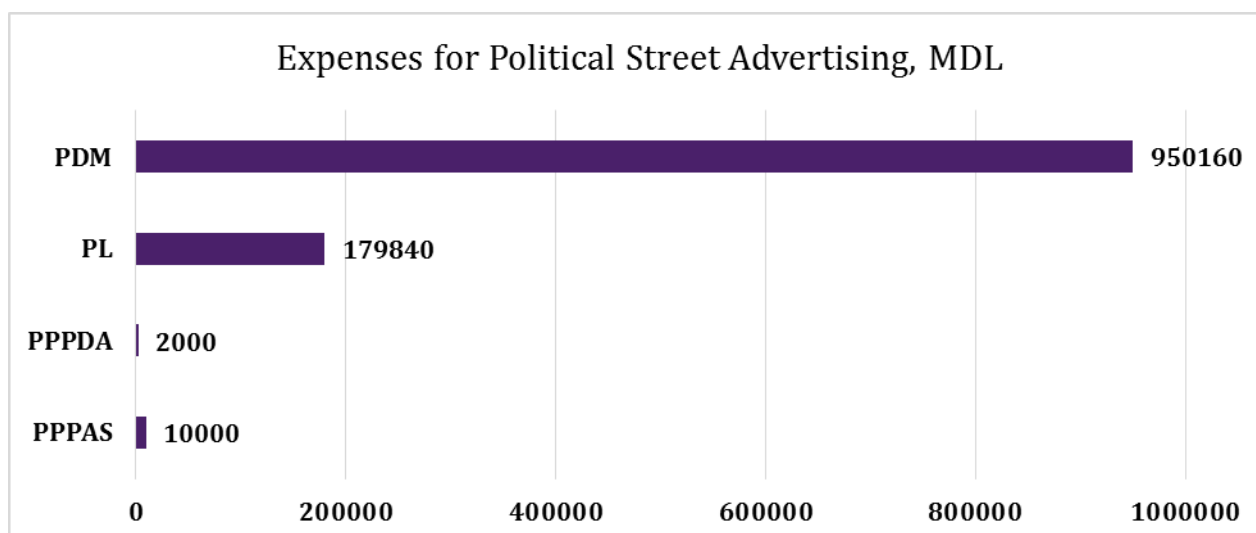


5.5. Expenses of Political Parties for Electoral Activities Identified by Promo-LEX Observers

b. Expenses for outdoor advertising

According to Promo-LEX observers, 4 political parties (PPPDA, PL, PPPAS, PDM) incurred expenses for outdoor advertising. The estimated expenses amount to at least MDL 1,142,000. According to Promo-LEX observers' verifications, the minimum monthly fee to place a street billboard of 6x3 m² is around MDL 6,660, a street billboard of 15x12 m²/20x10 m² – of at least MDL 20,200, a street billboard of 1.8x2 m² – of at least MDL 2,220, a banner of 1.5x2 m² – of at least MDL 2,000.

Regarding PPPAS, Promo-LEX observers reported 5 street billboards of 1.5x2 m². The estimated amount of expenses is MDL 10,000. Regarding PPPDA, Promo-LEX observers reported 1 street billboards of 1.5x2 m². The estimated amount of expenses is MDL 2,000. Regarding PL, Promo-LEX observers reported 26 street billboards of 6x3 m² and 3 street billboards of 1.8x2 m². The estimated amount of expenses is MDL 179,840. Regarding PDM, Promo-LEX observers reported 140 street billboards of 6x3 m² and 8 street billboards of 1.8x2 m². The estimated amount of expenses is MDL 950,160.



CIVIL SOCIETY

6.1. Civic Education Activities

In the framework of the Democracy, Transparency and Accountability Program, and in the context of Moldova presidential election of 30 October 2016, Promo-LEX Association conducts preparation activities for the “Ieși la Vot!” (“Come to Vote!”) Campaign. The purpose of the Campaign is to contribute to the mobilisation of voters and promote informed and conscious voting among Moldovan citizens eligible to vote.

The National Assistance and Information Centre for NGOs from Moldova “CONTACT” carries out the electoral education and mobilization project entitled „*Alege Președintele tău!*” (“*Choose Your President!*”), under which public debates, awareness campaigns, media campaigns to inform voters about the importance of elections, peculiarities of presidential election through direct voting, the right to vote, etc. will be organised in 10 localities from the northern and southern regions.

On 12 September 2016, the Center for Analysis and Prevention of Corruption, the Center for Investigative Journalism and Ziarul de Garda, with the support of Freedom House, carried out the launch conference of the Initiative for transparent presidential elections. The conference announced the intention to monitor the electoral process on 30 October 2016.

6.2. Activities Involving Potential Election Candidates

On 5 September 2016, public debates entitled “The danger of election rigging” took place, with the participation of representatives of political parties (PLDM; PPPAS; PPPDA) and NGOs (Association for Participatory Democracy “ADEPT”; Institute for Public Policy, Promo-LEX Association).

Various press conferences of civil society representative were organised to support the potential candidate for the position of President of the Republic of Moldova – Mr. Igor Dodon: a) on 6 September 2016, the Association of Historians of Moldova, entitled “The historians patriots of Moldova support Igor Dodon”; b) on 7 September 2016, the representatives of various sport federations conducted the press conference entitled “Position towards presidential elections”; c) on 8 September 2016, the representatives of Gagauz community from the Republic of Moldova, the Association of Historians and Political Scientists “PRO-Moldova”, the National Movement “Voievod” organised the conference entitled “The Presidential Elections from the Republic of Moldova: Moldovan Society, State and Identity”.

The Academy of Sciences of Moldova organised on 8 September 2016 the International Scientific Conference “25 years since the Independence of the Republic of Moldova”. Among the potential candidates, the event was attended by Marian Lupu, along with the first presidents of the RM, Mircea Snegur and Petru Lucinschi. The potential candidate was the first speaker and he gave a public speech at the opening of the conference. The foreign rapporteurs welcomed the candidacy of Marian Lupu.

On 9 September 2016, the potential candidate for the position of President, Mihai Garabuz (PPM), organised a press conference involving the representatives of Moldovan diaspora from Russia – “Bastina” entitled “The Position of Moldovan Diaspora from the Russian Federation towards Presidential Elections”. During the conference, the CPA was asked to establish as many PS as possible on the territory of Russian Federation.

On 10 September 2016, during the press conference organised by a group of teachers from the Republic of Moldova, entitled “The Option in Presidential Elections” were made declarations to support the candidate for the position of President, Mr. Andrei Nastase (PPDA).

On 25 August 2016, a survey conducted by IMAS, including on topics dealing with electoral options of citizens, was published. The survey states national pre-electoral trends and identifies the favourites of the election campaign.

VI. MASS-MEDIA

The relevant election period topics were largely addressed in the national mass-media: the activity of potential candidates, the process of collecting signatures supporting the candidates, as well as aspects related to their personal and professional life.

Speaking about promotion, we note the increasing role of the online press and political blogs.

The potential candidates used the social networks as platforms to launch their political-electoral messages and discussion topics.

The public and private broadcasters reflected the procedure of organisation and conduct of presidential elections. Several private broadcasters favored through the transmission grid certain potential candidates. Thus, the channels Publika TV, Prime TV, Canal 3 and Canal 2 largely reflected the election campaign of PDM “Împreună suntem mai puternici” (“Together We are stronger”), by offering broadcasting time for the speeches of the potential candidate – Marian Lupu.

The channel Jurnal TV favored the candidacy of Adrian Nastase during the meeting with the signatories, supporting him during the meeting with the potential voters through video spots about his life and background.

The channels NTV Moldova and Accent TV reflected mainly the field visits and the collecting campaign of signatures in favor of the candidate nominated by PPPSRM – I. Dodon.

The channel Balti TV mainly offered information about the candidate nominated by PPPN – Dumitru Ciubasenco, which is supported by the mayor and PPPN leader – Renato Usatii.

VIII. ELECTORAL INCLUSION

Out of 317 electoral officials of ECCs, 155 are women and 162 – men.

In the 35 monitored ECCs, 24 men and 11 women were nominated as Presidents.

Until 13 September 2016, 163 national observers, 5 international observers and 199 national observatories were accredited.

RECOMMENDATIONS:**for the Parliament of the Republic of Moldova**

1. To adjust the Russian version of the Electoral Code to its Romanian version (Article 40(1)) in order to avoid any misunderstandings while applying the law.
2. To eliminate the obligation of the potential President of the Republic of Moldova to include personal information in the signature sheets and to amend Article 102 of the Electoral Code, respectively, of the Regulation CEC mentioned above, in order to include special rules for the compilation of signature sheets in the event of presidential election.
3. To amend the Electoral Code and, respectively, to adjust CEC Instruction on mobile voting in order to develop a more clear procedure offering the voters the opportunity to vote at their residence in equal terms like voters who express their vote to the polling stations.
4. To regulate sustainable provisions for all types of elections to allow students/pupils with the right to vote to participate in the electoral process.
5. To review the Electoral Code norms that stipulate the accountability of the members of initiative groups and of the nominated candidates, as well as the norms that offer the opportunity to fill the complaints by or against the actions/inactions of persons mentioned above.
6. To amend the legal framework and to stipulate incompatibility conditions of leaders with the members of initiative groups.

for the Central Electoral Commission

1. To observe the Regulations and Instructions approved by CEC in order to avoid cases of favouring certain electoral stakeholders.
2. To ensure continuous access to the information about the validity or invalidity of the signatures from the signature sheets, so that they could be subsequently compared with the decisions of CEC members.
3. To ensure a more efficient communication, in real time with the external environment. To operatively update the website.
4. To approve the estimate of expenses and to publish the information on the organisation and conduct of the presidential elections.
5. To conduct an in-depth-analysis of the expenses incurred by the IGs and to apply the appropriate sanctions in case of violations.

for Political Parties and Potential Election Candidates

1. Not to use the administrative resources to collect signatures.
2. To use the funds from the “Funds for the initiative group” account while collecting signatures.
3. To observe the terms provided by the electoral authority when opening the accounts for the IG.
4. To ensure transparency when collecting the revenue and when using the funds during the collection of signatures.

ABBREVIATIONS

para. – paragraph
 CPA – Central Public Administration
 LPA – Local Public Authorities
 art. – Article
 EOPS – Electoral Office of the Polling Station
 CEC – Central Electoral Commission
 ECC – Electoral Constituency Council
 IC – Independent Candidate
 CCET – Center for Continuous Electoral Training
 twp. – township
 Mr. – Mister
 ENEMO – European Network of Election Monitoring Organizations
 ET – Event Template
 VT – Visit Template
 IG – Initiative Group
 IMAS – Marketing and Polling Institute
 l. – letter
 m² – square meter
 EOM – Election Observation Mission
 mun. – municipality
 No – number
 NGO – Non-Governmental Organization
 UN – United Nations
 t. – town
 OSCE – Organization for Security and Cooperation in Europe
 OSCE/ODIHR – OSCE Office for Democratic Institutions and Human Rights
 LTO – Long Term Observer
 STO – Short-Term Observer
 PCRM – Party of the Communists of the Republic of Moldova
 para – paragraph
 PDM – Democratic Party of Moldova
 PL – Liberal Party
 PLDM – Liberal Democratic Party of Moldova
 PPM – “Moldova’s Patriots” Political Party
 PPPAS – Action and Solidarity Party
 PPPDA – Dignity and Truth Platform Party
 PPEM – “People’s European Party of Moldova” Political Party
 PPPN – Our Party Political Party
 PSRM – Political Party “Party of the Socialists from the Republic of Moldova”
 PVT – Parallel Vote Tabulation
 QC – Quick Qualitative Vote Counting
 d. – district
 REO – Registry of Electoral Officials
 RM – Republic of Moldova
 SRV – State Registry of Voters
 v. – village
 PS – polling station
 pr. – Print Run
 TV – television
 ATU – Administrative Territorial Unit
 UATSN – Administrative Territorial Unit on the left bank of the Nistru River
 u. – unit
 USAID – United States Agency for International Development
 ATUG – Autonomous Territorial Unit Gagauzia